

2022 Council Performance Oversight Questions

1. Please provide, as an attachment to your answers, a current organizational chart for your agency with the number of vacant and filled FTEs marked in each box. Include the names of all senior personnel. Also include the effective date on the chart.

Answer: See Attachment # 1

2. Please provide in table format a list of the Board of Directors as of February 1, 2022. Include vacant seats. List the incumbent, the appointment authority (e.g. Mayor of the District of Columbia) and the date the term expired (or will expire).

Answer:

| Board Member | | Role | Appointing Authority | Term Expiration |
|------------------------|-----|--------------------|---|-----------------|
| Lucinda Babers | DC | Principal Director | DC Council | June 30, 2023 |
| Tracy Hadden Loh | DC | Principal Director | DC Council | June 30, 2025 |
| Vacant | DC | Alternate Director | DC Council | June 30, 2024 |
| Vacant | DC | Alternate Director | DC Council | June 30, 2022 |
| Don Drummer | MD | Principal Director | Washington Suburban Transit Commission | June 30, 2023 |
| James Ports | MD | Principal Director | Washington Suburban Transit Commission | N/A |
| Christopher Zappi | MD | Alternate Director | Washington Suburban Transit Commission | June 30, 2024 |
| Thomas Graham | MD | Alternate Director | Washington Suburban Transit Commission | June 30, 2023 |
| Paul Smedberg | VA | Principal Director | Northern Virginia Transportation Commission | Jan 5, 2026 |
| Matt Letourneau | VA | Principal Director | Northern Virginia Transportation Commission | Jan 3, 2023 |
| Canek Aguirre | VA | Alternate Director | Northern Virginia Transportation Commission | Jan 7, 2025 |
| Walter Acorn | VA | Alternate Director | Northern Virginia Transportation Commission | Jan 4, 2024 |
| Sarah Kline | FED | Principal Director | USDOT/Secretary of Transportation | Sept 7, 2025 |
| Kamilah Martin-Proctor | FED | Principal Director | USDOT/Secretary of Transportation | Sept 7, 2025 |
| Bryna Helfer | FED | Alternate Director | USDOT/Secretary of Transportation | Sept 7, 2025 |
| Vacant | FED | Alternate Director | USDOT/Secretary of Transportation | N/A |

3. Please describe how WMATA Board of Directors may participate at WMATA when the principal members are present. May they be in the room? May they sit at the table with the principals? May they speak? Answer regarding Board meetings as well as committee and subcommittee meetings.

Answer:

Pursuant to the 2018 Virginia General Assembly Session, the *Code of Virginia*, [§ 33.2-1526.1 “Use of the Commonwealth Mass Transit Fund”](#) was updated with regard to participation by Alternate Directors. Specifically, Subsection L, which states:

L. The Board shall withhold 20 percent of the funds available pursuant to subdivision D 3 if (i) any alternate directors participate or take action at an official WMATA Board meeting or committee meeting as Board directors for a WMATA compact member when both directors appointed by that same WMATA compact member are present at the WMATA Board meeting or committee meeting or (ii) the WMATA Board of Directors has not adopted bylaws that would prohibit such participation by alternate directors.

In June 2018, the WMATA Board of Directors amended its Bylaws which included a provision on Alternate Directors participation consistent with the Virginia Code.

[WMATA Bylaws](#), Section II, Paragraph 11 states:

11. Alternate Directors. *Alternate Directors shall be selected as specified under Article III, paragraph 5 of the WMATA Compact. An Alternate Director may participate in, be counted towards a quorum, and vote at a Board meeting only in the absence of the Director for whom he/she has been appointed an alternate, except that either Alternate Director may be an alternate for either Director selected by the District of Columbia. An Alternate Director may participate in an executive session of the Board or an executive session of a Committee only in the absence of the Director for whom he/she has been appointed an alternate, except that either Alternate Director may be an alternate for either Director selected by the District of Columbia.*

In response to the Council's specific questions:

- May they be in the room?
 - Yes, for any public Board, Committee or Subcommittee meetings.
 - No, for any executive (closed) session meetings unless they are acting in the absence of the Principal for whom they are appointed.
 - Since March 2020, all WMATA Board activities have been conducted virtually. Currently WMATA Board activities are conducted via Microsoft Teams and public meetings are streamed to YouTube for viewing by members of the public. Unless participating in place of their designated Principal Director, Alternate Directors are not permitted to participate in the Teams call but can watch the YouTube stream of the public meetings.
- May they sit at the table with the Principals?
 - No, unless they are acting in the absence of the Principal for whom they are appointed.
- May they speak?
 - Unless an Alternate Director is acting in the absence of the Principal for

whom he/she is appointed, they may only speak during the public comment period which is open to any member of the public.

4. Please list all currently open capital projects for WMATA as of the date of your response, including those projects that are managed or overseen by another agency or entity. Include a brief description of each, the total estimated cost, expenditures to date, the start and completion dates, and the current status of the project. Also, indicate which projects are experiencing delays and which require additional funding.

Answer:

- a. Each year, Metro develops a detailed Capital Improvement Program (CIP) as part of its budget process. The foundation of the CIP is the organization's top priorities of Safety, Service Reliability and Financial Responsibility as well as the plan to Keep Metro Safe, Reliable and Affordable (KMSRA). The CIP updates project delivery status, expenditures and forward-looking proposed budget needs.
 - b. Metro's proposed FY2023-2028 Capital Improvement Program is available on our website [here](#).
5. Please provide an update on the Silver Line Phase 2 construction project, including outstanding milestones and the anticipated date that the extension will enter revenue service. What are the reasons this project has been delayed? Please also provide a detailed assessment of additional funding that will be required by WMATA to begin operation of the extension, broken down by jurisdiction.

Answer:

The Metropolitan Washington Airports Authority (MWAA) is the agency responsible for construction of the 11 mile /six station extension of the Silver line westwards from its current terminus at the Wiehle-Reston East Station. The project also includes a Metrorail Yard near Dulles Airport.

Metro will accept this project from MWAA upon determination by Metro that the project has been completed in compliance with all Metro requirements including conditions in the MWAA-Metro project agreement. In October 2021, MWAA declared that the project had achieved "Substantial Completion", a contractual milestone between MWAA and their contractors. This milestone was delayed by several months from MWAA's original schedule due to several quality issues requiring resolution by the contractors. Metro is now reviewing all aspects of the completed work including results of various rail operational tests that have been done. Metro is also proceeding with the hiring and training of additional employees needed to support this Metrorail extension. The next milestone on this project is for Metro to declare Operational Readiness and take temporary custody and control of the project. Metro estimates that this milestone will be reached within the next month. Once this happens, Metro has approximately 90 days (or more if needed) to conduct a variety of tasks leading up to start of passenger service. These include running simulated service, required operational tests, safety certification by Metro and the Washington Metrorail Safety Commission (WMSC), and emergency drills in conjunction with Fairfax and Loudoun Counties.

Progress on this project is reported publicly to the Metro Board's Safety & Operations Committee on a monthly basis.

The proposed Metro FY2023 budget fully funds revenue service for Silver Line Phase 2 and the table below shows the jurisdictional breakdown of the additional \$40.8 million subsidy needed in FY2023 to operate this extension.

Table: FY2023 Legislative Exclusions for Silver Line Phase 2
\$ in M

| Jurisdiction | Silver Line Extension Funding Allocation |
|-----------------------------|---|
| District of Columbia | \$13.4 |
| Montgomery County | \$7.1 |
| Prince George's County | \$6.4 |
| Maryland Subtotal | \$13.5 |
| City of Alexandria | \$2.0 |
| Arlington County | \$3.8 |
| City of Fairfax | \$0.1 |
| Fairfax County | \$6.6 |
| City of Falls Church | \$0.1 |
| Loudoun County | \$1.2 |
| Virginia Subtotal | \$13.9 |
| | |
| Total Contribution | \$40.8 |

<https://www.wmata.com/about/board/meetings/board-pdfs/upload/3A-Silver-Line-Phase-2-Update-4.pdf>

6. Please describe WMATA's efforts to leverage the dedicated funding provided by each of the three member jurisdictions to borrow debt to enable WMATA to accelerate capital improvements.

Answer:

While the pandemic presented great challenges, it also has provided an opportunity to accelerate safety and state of good repair projects during this time of low ridership. To fund a portion of the capital work, Metro issued dedicated funding backed debt in FY2020 and FY2021. Dedicated funding backed debt is projected to play a significant role in future capital budgets, with debt issuances anticipated for each year in the proposed CIP. The CIP includes projected levels of Dedicated-Funding backed debt issuance and can be found on our website [here](#)

7. (a) Please list and describe any investigations, studies, audits, or reports on your agency or any employee of your agency that were completed at any time in fiscal years 2021 or 2022 (as of February 1, 2022).

Answer:

The Office of the Inspector General will send responses directly to the Committee.

(b) Please list and describe any ongoing investigations, audits, or reports of your agency or any employee of your agency.

Answer:

The Office of the Inspector General will send responses directly to the Committee.

8. Please list each collective bargaining agreement that is currently in effect for agency employees. Please cite the bargaining unit and the duration of each agreement (including expiration date). Please note whether the agency is currently in bargaining and when that bargaining should be completed.

Answer:

Labor Contract Summary as of February 2022

| | ATU Local 689 | AFL/CIO Local 2 | Teamsters Local 922 | FOP | Teamsters Local 639 (Special Police) |
|------------------------|--|---|--|--|---|
| Contract Period | 7/1/2020 - 6/30/2024 | 7/1/2016- 6/30/2021 | 11/1/2020- 10/31/2024 | 10/1/2017- 9/30/2024 | 10/1/2016-9/30/2021 |
| Term | 4 years No negotiations are pending currently. | 5 years Negotiations began on June 24, 2021 and are continuing. | 4 years No negotiations are pending currently. | 7 years No negotiations are pending currently. | 5 years Negotiations began on November 10, 2021 and are continuing. |

9. How many grievances have been filed by employees or labor unions against agency management in fiscal years 2020, 2021, and 2022 (through February 1)? Please list each of them by year. Give a brief description of each grievance, and the outcome as of February 1, 2022. Include on the chronological list any earlier grievance that is still pending in any judicial forum. If the answer to this question exceeds 20 entries, provide this answer as an attachment.

Answer:

Cases by Grievance Type (FY20-FY22)

| Row Labels | Count of Grievance ID |
|-------------------------|------------------------------|
| Contract Interpretation | 393 |
| Discharge | 134 |
| Discipline | 353 |
| Medical | 79 |
| Reinstruction | 15 |
| Grand Total | 974 |

Cases by Grievance Outcome (FY20-FY22)

| Row Labels | Count of Grievance ID |
|-------------------------|-----------------------|
| Arbitration - denied | 25 |
| Arbitration – pending | 7 |
| Arbitration – settled | 4 |
| Arbitration – withdrawn | 1 |
| Arbitration – granted | 5 |
| Complete | 551 |
| Incomplete | 284 |
| Settled – labor | 97 |
| Grand Total | 974 |

10. (a) Please describe the agency's procedures for investigating allegations of sexual harassment committed by or against its employees.

Answer:

This is a Standard Operating Procedure (SOP). See attached file.

Q10A_B_FY21-FY22 DC Council Response_Investigative Process SOP

- (b) If different, please describe the agency's procedures for investigating allegations of misconduct.

Answer:

Process is not different. See 10A attachment.

- (c) List chronologically and describe each allegation of sexual harassment and misconduct received by the agency in FY2021 and FY2022 (as of February 1) and the resolution of each as of the date of your answer.

Answer:

FY 21 Sexual harassment complaints – 20

FY 22 Sexual Harassment complaints through February 17, 2022 – 9

FY 21 Discriminatory Misconduct Complaints – 29

FY 22 Discriminatory Misconduct Complaints - 18

11. Please describe the procedure used to formulate, review, approve, and publish policies for the Metro Transit Police Department.

Answer:

MTPD develops procedures and policies based on best practices of our law enforcement partners in the National Capital Region (NCR). In addition, we consider best practices police departments within the transit industry. We also review reports, studies, policies provided through the International Association of Chiefs of Police (IACP); the Police

Executive Research Forum (PERF); the Chiefs of Police Committee through Metropolitan Washington Council of Governments (MWCOCG); and the Department of Justice (DOJ). Finally, policies may be developed or revised in response to corrective action plans from WMATA Office of Management Audit, Risk and Compliance (MARC), WMATA Office of the Inspector General, and recommendations from the WMATA Investigations Review Panel.

Policies are published in internal databases and staff is notified via memorandum.

The following General Orders are on our public facing web-site:
<https://www.wmata.com/about/transit-police/general-orders.cfm>

12. Please provide as an attachment the Metro Transit Police Department's (MTPD) most recent Five-Year Crime Report.

Answer:

<https://www.wmata.com/about/transit-police/upload/Five-Year-Crime-Report-2016-2020.pdf>

13. Please describe how Use of Force, Stops, and Arrests by the MTPD are tracked, investigated, and reported to the public.

Answer:

MTPD has written policies, (which are posted on our web site) on use of force and stop and frisks. Both policies are attached. MTPD Leadership reviews, tracks, and investigates as appropriate use of force, stops/frisks, and arrests. MTPD does not report to the public the number of Use of Force reports completed or the number of stops/frisks completed; our arrests numbers and enforcement are on our web page. The MTPD public facing website ([Crime Statistics | WMATA](#)) does not have the number of police involved use of force reports or investigations. We do publish the number of arrests and other types of enforcement.

14. Please list all outstanding Washington Metrorail Safety Commission Corrective Action Plans (CAPs) that WMATA is required to complete, the status of each CAP, and the anticipated date of completion.

Answer:

WMATA posts all information regarding Washington Metrorail Safety Commission Corrective Action Plans (CAPs) on the public-facing QICO website: <https://www.wmata.com/initiatives/transparency/Corrective-Action-Plans.cfm>. As of 2/11/2022, WMATA has 151 CAPs of which 46 are closed, 15 are under review for closure, and 90 are in development. Detailed information on timing can be found here:

<https://www.wmata.com/initiatives/transparency/upload/WMSC-Detailed-Tracker.pdf>

15. Please list all outstanding audit recommendations from the WMATA Office of the Inspector General, the status of each recommendation, and the anticipated date of

completion.

Answer:

The following table lists the 10 open audit recommendations from the WMATA Office of the Inspector General with the requested information. The audit report and number of the open recommendation from each report from that report are also identified.

| Title | Status | Anticipated Completion Date |
|--|--------------------------------|------------------------------------|
| Audit of WMATA's End-of-Service Life Operating System Software (OIG 19-10) | | |
| Recommendation 3: Conduct a software assessment/inventory and periodic scans on all enterprise software assets. | In Progress | 06/01/2022 |
| Recommendation 4: Require system owners and contractors to seek waivers or remediate EOSL O/S software across the enterprise. | In Progress | 06/30/2022 |
| Recommendation 5: Develop a report for IT management that provides remediation or risk mitigation statuses on EOSL O/S software. | In Progress | 09/01/2022 |
| Audit of WMATA's Software Asset Management Program (OIG 19-11) | | |
| Recommendation 1: Develop and implement a comprehensive Software Asset Management Program that corresponds with industry best practices. | In Progress | 06/30/2022 |
| Audit of the Replacement of WMATA's Remote Terminal Units (OIG 21-01) | | |
| Recommendation 1: Revise the scope of the project to eliminate the interim IT RTU replacement project and put the \$62.9 million to better use. | Additional Evidence Requested* | 03/31/2022 |
| Recommendation 9: Prioritize and implement the Ancillary Fiber Optic Communications project to provide fiber optic connectivity to RTUs in facilities, train control rooms, substations, etc., and replace RTUs and the Data Transmission System with fiber cables, as necessary. | In Progress | 11/30/2022 |
| Review of WMATA's Improper Payments (OIG 21-05) | | |
| Recommendation 1: Implement a comprehensive improper payment program. | In Progress | 06/30/2022 |
| Audit of WMATA's Mission Critical Legacy Systems (OIG 22-01) | | |
| Recommendation 1: Develop and implement a comprehensive modernization/replacement program for all mission critical legacy systems. | In Progress | 06/30/2022 |
| Recommendation 2: Develop and implement a centralized Management Information System, solution, or tool to facilitate modernizing IT assets throughout their lifecycle. | In Progress | 12/31/2022 |
| Recommendation 3: Coordinate with the capital and budget departments to determine a strategy and funding for a (1) centralized Management Information System and (2) comprehensive | In Progress | 07/29/2022 |

| Title | Status | Anticipated Completion Date |
|--|--------|-----------------------------|
| modernization and replacement program. | | |

***Documentation to close this audit recommendation was submitted to OIG, but OIG asked for additional clarification and documentation. WMATA is in the process of providing this information.**

16. What is the total value of all contracts procured in FY2021 by WMATA for goods and services? Of this, what percentage of the value was with District businesses?

Answer:

The total value of contracts procured in FY 21 with D.C. businesses is valued at approximately \$107 million.

17. (a) Please list each contract over \$1,000,000 million for goods or services procured in FY2021 by WMATA from District businesses including the name of the vendor and contract value.

Answer:

We will provide the information in response to this question to the Committee next week.

(b) How has this volume increased or decreased since WMATA's fiscal year 2018? Explain reasons for the change.

Answer:

The increased number of contracts awarded within the District of Columbia (DC) is attributed to the aggressive outreach and engagement efforts of the Office of Procurement and Materials (PRMT), Small Business Programs Office (SBPO). The PRMT office offers training sessions and advises local vendors on how to do business with WMATA which has resulted in direct solicitations.

The largest contract was awarded for general engineering that will support the capital developments over multiple years; followed by the next two largest contracts for information technology staff augmentation that will provide Authority-wide support. Also included, two contract awards to DC Disadvantaged Business Enterprises (DBE) primes.

(c) What is WMATA doing to increase the volume (both dollar value and number of vendors) with District businesses?

Answer:

WMATA has established a practice to unbundle large contracts, when possible, to facilitate opportunities for small and minority contractors to be prime contractors. One successful example is the Multiple Awards Task Order Contract (MATOC).

WMATA has implemented the Minority Business Enterprise (MBE) program with a race neutral Small Business Program (SBP) component. The purpose of the program is to

maximize prime and subcontracting opportunities, increase the pool of certified businesses, and create new contracting relationships between small businesses of similar sizes. The MBE program race/gender specific provisions will model the existing federal DBE and Small Business Enterprise (SBE) programs. The existing DBE criteria and SBA business size criteria shall be used to determine overall eligibility for the program. All certified MBEs may bid directly to WMATA as a prime contractor and/or be considered for subcontracting when MBE goals are established. The Board of Directors will be provided annual reports of the utilization of the program.

The Disparity Study was concluded in January 2022. Its findings provided evidence that there is not a level playing field for minority and woman-owned firms, in the Washington metro area marketplace. The study will help focus the economic issues impacting minority businesses when competing for WMATA contracts.

The MBE/SBP Program will allow for the following:

- Incorporation of race-neutral component, like the federal SBE program, which will enable objectives to be met quicker and with greater visibility, by allowing more small businesses while under contract to learn the business process and establish relationships and performance
- Creation of economic stability in the small business community, which is directly related to WMATA's Equity Initiatives
- Increased number of new small, minority-owned businesses in the certification program through the establishment of a custom, set aside program that will result in a measurable increase in job creation, business expansion, and tax revenues
- Compliance with 49 CFR Part 26, the narrowly tailored program requirements

WMATA is also working on a grassroots way of reaching small and local businesses to educate and inform them on how we do business and invite them to be a part of WMATA's business plan in gaining access on procurement contracts. The following is part of our equity initiatives:

- Developing partnerships with District of Columbia Mayor's Office, Conference of Minority Transportation Officials (COMTO) National office, and Small Business Organizations in the District, Maryland and Virginia (DMV) region to market contracting opportunities and to educate small businesses on WMATA's Certification, Procurement Processes and Socioeconomic Programs
- Surveying small businesses after each outreach to obtain feedback and capture areas of improvement. A second survey will be developed for small businesses who are presently working on WMATA contracts to obtain feedback on their experience
- Increasing the number of certified businesses in WMATA and District of Columbia Certification Program Directory to increase the usage for our contracting needs
- Developing new outreach strategies to better serve WMATA and small business, such as "Meet the Primes" and "Pitch Your Niche." These events will be added to already successful educational and informational outreach events that WMATA's Procurement and Small Business Teams present
- Targeting credit card and simplified purchases to increase the number of opportunities awarded to the local small business community

18. (a) What is the current percentage of WMATA employees who are fully vaccinated (defined as two shots of the Pfizer or Moderna vaccine or a single shot of the Johnson & Johnson vaccine)?

Answer:

9,976 of WMATA's 11,502 active employees have completed their vaccination (86.7%)

- (b) What is the current percentage of WMATA employees who have received vaccination booster shots?

Answer:

5,687 of WMATA's 9,977 fully vaccinated population have received boosters (57%)

- (c) What is the current percentage of WMATA employees who are unvaccinated? What is the reason by percentage of all WMATA employees – e.g. religious exemption, refusal, etc.

Answer:

There are 1,526 total unvaccinated employees (13.2%). There are 2 ADA medical exemptions. WMATA does not have visibility into declined population's rationale. If unvaccinated, employees are required to provide a negative Covid test once a week. Those who are vaccinated or in compliance with the testing policy has reached 97% of employees.

19. (a) Please provide a breakdown of the number of WMATA employees by jurisdiction of residence.

Answer:

WMATA collaborates with the District to recruit residents and we are a partner in the DC Infrastructure Academy. We also work with the Council to assist with recruitment of bus operators and last year co-sponsored a job recruitment virtual fair with Councilmember Elissa Silverman. Additionally, we provide WMATA bus operator recruitment materials to Councilmembers to publish in their stakeholder communications.

**Employees by Jurisdiction of Residence
As of February 1, 2022**

| Employee Residence | Count of Employees |
|---------------------------|---------------------------|
| DC | 1,370 |
| MD | 8,690 |
| VA | 1,861 |
| Other | 166 |
| Total Employees | 12,087 |

Note: Count of employees includes all Metro employees on budgeted and non-budgeted positions, including employees on long term leave.

(b) How many employees were hired in FY2021 and FY2022, to date (as of February 1)?

(c) How many of these new hires were residents of the District of Columbia when hired?

Answer: (B and C answers are combined)

New Hires – DC Residents
Report Period: 7/1/20 – 2/1/22

| | FY21 | | FY22 | |
|---------------------------|---------------------------|-----------------------|---------------------------|-----------------------|
| Employee Residence | Count of New Hires | % of New Hires | Count of New Hires | % of New Hires |
| DC Resident | 77 | 14% | 112 | 17% |
| Other Resident | 459 | 86% | 560 | 83% |
| Grand Total | 536 | 100% | 672 | 100% |

20. Please provide a detailed update on the “root cause” analysis being conducted with respect to the problems with WMATA’s 7000 series trains. Please include: (1) a description of the structure and method of analysis used; (2) the timeline for completion of the analysis; and (3) WMATA’s expected next steps in light of the analysis.

Answer:

- (1) It is critical to note that the conditions observed with the 7000 series fleet is a “complex problem”, but – with only a very small number of rail cars affected, there is a limited dataset available to analyze. This situation demands a complicated, structure approach to identify the root causes of the issues affecting the fleet. The investigation is following an inductive process whereby extensive data analyses are performed to generate a number of hypotheses. Each of these hypotheses are then subject to an exclusionary process to determine the magnitude of the influence of each of the potential contributing factors. This exclusionary process will inform both static and dynamic instrumented testing, which seeks to pinpoint, with a degree of certainty, the unique combination of factors at play. To support this complex root cause analysis, WMATA has contracted specialist support of Transportation Technology Center, Inc. (TTCI), the national leader for this type of analytical investigation.
- (2) We expect to have more information about the potential cause or causes at the end of March.
- (3) Once WMATA understands the causal and contributing factors associated with the conditions that led to the derailment, we can prepare a multi-faceted plan to address the issues. This will include reviewing options for design modifications as well as identification of methods to detect and correct the conditions. In tandem with the root cause analysis work, Metro is procuring advanced systems to perform ongoing inspections and monitoring of conditions using machine vision. The deployment of these systems will provide data to inform the root cause efforts and will enhance inspection and real-time monitoring processes, which is critical to the return of the cars to service.

21. Please provide a detailed update on the status of WMATA's electric bus pilot program, including implementation timelines, number of buses, and usage data if available.

Answer:

WMATA's Battery-Electric Bus Test & Evaluation program includes deployment and analysis of 12 battery-electric buses (two 60-foot articulated buses and ten 40-foot standard-length buses) at Shepherd Parkway bus division in the District. The Test & Evaluation will test new bus and charging equipment technology to gain hands-on experience in Metro operating conditions, and test whether equipment from different vendors is interoperable – whether chargers and buses from different manufacturers will work together. We will collect data that will inform our broader zero-emission bus transition and future procurements. WMATA has been consistently working on the many aspects of the Test & Evaluation and we plan to complete our analysis by the end of 2024.

Program design: Preliminary work began in 2019, when we completed an internal assessment of the state of the battery-electric bus technology and market as well as assessed potential designs of an initial test; this analysis informed our Test & Evaluation program design. In 2020, we applied for and received a \$4.2 million FTA Low- or No-Emission Program grant to support a portion of the project. We are currently developing key performance indicators and processes for data collection so that when we begin operating the buses, we can start evaluating their performance. Results from the Test & Evaluation will help us determine our fleet requirements, charging strategies, and how to scale up our zero-emission bus fleet.

Facility upgrades: Shepherd Parkway bus garage was selected to be the site to build out a prototype of electric bus charging equipment to conduct the Test & Evaluation program. The objective is to convert part of the existing bus garage into a location to charge electric buses by building out electrical infrastructure and performing space modifications to accommodate charging equipment. Concept designs were completed in 2021, and the current design contractor is working to advance designs to 100% by mid-2022. At that time, we will initiate construction of the infrastructure to support battery-electric operations at Shepherd Parkway, which we expect to complete by the end of 2022.

Buses and chargers: We are in the process of procuring battery-electric buses and charging equipment. In 2021, we developed technical specifications for the buses and charging equipment. We expect to award contracts for the buses later this spring, with initial deliveries anticipated for late 2022 or early 2023. After we commission the buses, we will put them into revenue service, where we plan to collect data and monitor the performance of buses and chargers.

22. The Council has adopted a Sense of the Council resolution (PR 24-154) urging a more aggressive schedule for transitioning to electric buses. Please provide a detailed description of WMATA's current efforts toward systemwide bus electrification. In the description, identify all perceived barriers to electrification and how WMATA will look to overcome them.

Answer:

In June 2021, the WMATA Board of Directors adopted a resolution requiring WMATA to:

- Purchase only lower-emission and electric buses in the next procurement.
- Transition to 100 percent zero-emissions bus purchases by 2030; and
- Transition to a 100 percent zero-emissions bus fleet by 2045.

While WMATA's zero-emission bus goals are technology-agnostic, we are focusing on the most mature and feasible near-term solution, battery-electric buses.

WMATA has worked over several years to lay the groundwork for a transition to zero-emissions buses and continues to pursue activities to start the transition. The pace of Metrobus fleet electrification is constrained by the following factors:

- Metro must invest in new or retrofit bus divisions to support the new technology of battery-electric buses safely and efficiently.
- Metro must coordinate with and rely on utilities to update the electricity distribution grid to support the transition to battery-electric buses.
- The transition to battery-electric vehicles requires a transformational investment from DC, the Commonwealth of Virginia, and the State of Maryland to support purchasing new vehicles and funding new facilities.
- Battery-electric bus technology continues to evolve, and performance continues to improve, a phased approach allows the technology to improve as Metro's investment increases.
- Metro will need workforce development plans to train staff in support of transition to a new technology.

In addition to our Battery-Electric Test and Evaluation described above, strategic planning and external coordination is underway to continue moving towards 100 percent zero emission vehicles.

23. Explain why WMATA is continuing to include compressed natural gas (CNG) infrastructure in its renovation of the Northern Bus Garage. Why is CNG infrastructure still planned at other bus facilities?

Answer:

Metro is committed to continuing to provide safe, reliable service to riders throughout the region. A phased transition to 100% zero-emission vehicles helps reduce the fleet's greenhouse gas emissions and improve local air quality as electric bus technology continues to mature.

When Northern Bus Garage reopens in 2026, we expect it to reopen with a mix of new electric buses, and buses from our current fleet. Northern is being designed for the capability to support 150 electric buses; however, we do not anticipate we will have 150 electric buses on opening day. Therefore, to provide reliable and full capacity service, Northern is being designed and will be constructed to accommodate two types of fleets: electric and diesel-hybrid until full conversion to electric buses is feasible.

We are planning to continue to use compressed natural gas (CNG) at Bladensburg Bus Garage when this facility is rebuilt. During our transition period when we are moving

away from diesel buses, but don't yet have all the infrastructure needed to support electric buses, natural gas buses can serve as a lower-emission interim solution.

As part of our Zero-Emission Bus Transition Plan, we are exploring how to ensure our bus network is resilient, as we transition away from fossil fuels. We will explore what kind of backup systems or redundancies may be necessary as we progress on our transition.

24. How did WMATA determine 2045 as the target date for 100 percent electrification of buses? Why did WMATA determine a date so much later than, say, Los Angeles?

Answer:

Metro is committed to a realistic, staged conversion to 100 percent zero-emission buses. While some other agencies began their zero-emission bus transition before WMATA and/or have more aggressive goals, there are several factors to consider before committing to a zero-emissions target, including:

- Maturity of existing zero-emission vehicle technology,
- Existing facilities and infrastructure capabilities,
- Battery electric bus operating range (including in considering the local climate and topography),
- Workforce preparedness,
- Financial capacity, and
- Utility capacity.

Metro has research and testing underway to consider each of these factors in greater detail. Once we have results and experience and depending on the state of technology and availability of funding, we will assess whether we are able to move more quickly.

Based on the information currently available as well as an aggressive, yet realistic plan for a transition, 2045 is an achievable date to transform our existing fleet.

25. Please provide, as an attachment, a copy of WMATA's Energy Action Plan announced in 2019 for deploying electric buses and evaluating their use through a pilot.

Answer:

https://www.wmata.com/initiatives/sustainability/upload/WMATA-Energy-Action-Plan-Final-4_18.pdf

26. Why can't WMATA begin purchasing electric buses with its next procurement?

Answer:

- a. Metro is actively pursuing battery-electric buses today. We are looking to finalize a procurement for two 60-foot battery-electric buses, and recently issued an RFP for ten 40-foot battery-electric buses – both types to support our test and evaluation program. The RFP for 40-foot vehicles also includes options to purchase up to 100 additional vehicles, subject to the outcome of our testing.
- b. Metro also is integrating the ability to start purchasing electric buses as part of our

upcoming five-year bus replacement procurement. For this next procurement, we have committed to not purchase any more diesel buses, and to only purchase low- or no-emission buses. Battery-electric buses would be delivered as early as 2026, when we anticipate Northern and Bladensburg divisions would have the capability to support electric bus charging.

27. Please provide a breakdown of WMATA ridership figures for bus and rail during calendar years 2019, 2020, and 2021.

Answer:

WMATA provides Information on rail, bus, and parking ridership on our ridership data portal. Bus and rail data are from 2010 to present and parking data is from 2012 to present. Both are updated approximately monthly on a 30-day lag. The ridership data portal is located here: www.wmata.com/initiatives/ridership-portal/.

Please note that the bus ridership data in the portal is based on farebox data. From March to December 2020, Metro did not collect bus fares. Bus ridership data based on automatic passenger counters is available in the “Ridership Snapshots” for each month, linked from the ridership data portal webpage.

28. What trends has WMATA identified based on ridership information in question 27?

Answer:

When the pandemic began in March 2020, ridership quickly plummeted, with rail falling to less than 10 percent of pre-COVID ridership levels and bus falling to under 20 percent. Ridership has gradually returned since then, with periods of steady growth interspersed with flat or declining ridership during COVID surges and when the 7000-series railcars were removed from service. In December 2021, rail ridership was at 27 percent of pre-COVID on weekdays and about 50 percent on weekends, while bus ridership was at 64 percent of pre-COVID on weekdays and about 80 percent on weekends.

Since the start of the pandemic, bus ridership has been higher than rail ridership, likely due to the higher use of bus by essential workers. Compared to FY2021 levels, the first half of FY2022 has experienced an increase in both bus and rail ridership.

Trip patterns have shifted, particularly on rail, as the number of peak trips and distance travelled per rail trip have changed since FY2019. Relative to pre-pandemic periods, weekday peak ridership makes up a lower proportion of total ridership, while weekday off-peak ridership makes up a larger proportion. Weekend ridership has also seen stronger recovery than weekday peak period ridership. Average rail trip distances have shortened as well.

29. Please provide a detailed description of the effect of the pandemic on WMATA ridership, including but not limited to budgetary shortfalls, system maintenance issues, and effect of personnel hiring and retention.

Answer:

The pandemic has caused a reduction in overall ridership and a shift in rider travel patterns. Bus ridership has exceeded rail ridership and distance travelled per rail trip has declined.

For fiscal years 2019, 2020, and 2021, total ridership was 301.5 million, 230.6 million, and 81.3 million respectively. This represents a dramatic decline in ridership since pre-pandemic FY2019. For the first half of FY2022, Metro has experienced a rebound in ridership, but the improvement is gradual.

Historically, rail has been the greatest contributor to fare revenue, with weekday peak trips constituting most of ridership. Generally, weekday peak trips have higher average fares compared to weekday off-peak and weekend trips. Since the pandemic, the proportion of weekday peak trips has materially reduced.

For the first half of FY2022, rail revenue was 74.3 percent of total revenue, compared to 80.1 percent in pre-pandemic FY2019. For the first half of FY2022, weekday peak ridership was 48 percent of total ridership, compared to 61 percent in pre-pandemic FY2019. Coupled with overall reduced ridership, these trends have reshaped passenger revenue.

Rail ridership declined when the 7000-series railcars were removed from service in mid-October 2021, and both bus and rail ridership declined in December 2021 and into January 2022. Several factors likely influenced these trends, including reduced rail service from the 7000-series railcar suspension, the sharp increase in COVID cases in the region due to the omicron variant, disruptions to bus service from personnel shortages, severe weather in the first part of January, and the switch to a Saturday Supplemental bus schedule on weekdays from January 10th to February 4th. With so many disruptive factors coinciding, the specific impact of each factor cannot be determined.

30. The District has a Kids Ride Free program that subsidizes buss/rail fares for public school students. What is the cost of this program? Is this entirely paid by the District government? How many students utilize this program? Please be expansive in your answer.

Answer:

Since this a District of Columbia Program, DDOT should respond to this question.

31. How much does the District pay for Metrobus service in the District?

Answer:

The District of Columbia's share of Metrobus operating subsidy in FY2022 is \$226.1 million based on calculated percentages of each Jurisdictions' contribution.

32. What is the annual cost to WMATA for fare evasion? Please break this down by bus/rail and by jurisdiction. How accurate are these numbers (e.g., we believe bus drivers count each instance, but rail station operators do not, or do taps on a malfunctioning bus farebox get counted as evasion)?

Answer:

In FY19 pre-pandemic fare evasion was recorded at \$36 million, FY22 December year-to-date fare evasion was estimated at \$10 million.

Metrorail fare evasion estimates have historically been calculated using an assumed rate of 2 percent based on peer averages. A November 2016 study conducted by the London Underground, made available by Community of Metros (CoMet), examined 23 participating subway systems from around the world, including New York MTA, Mexico City, and Montreal. The average reported rail fare evasion rate was approximately 2 to 2.5 percent. New faregates will provide greater accuracy.

Metrobus fare evasion is recorded manually by operators. Estimating methods are not exact and may be underreported.

33. Please explain any significant impacts on your agency, if any, of any legislation adopted at the federal, state, or local level during FY2021 and FY2022, to date.

Answer: In 2020 and 2021 Congress passed Covid relief funding legislation providing WMATA \$2.4 billion in operating support, which was critical to Metro's continuing to provide safe and reliable service for the National Capitol region.

The Infrastructure Investment and Jobs Act (IIJA) passed in 2021 reauthorized WMATA's PRIIA legislation, providing \$150 million in annual capital funding. The legislation also provides a 30% increase in federal formula funding to support Metro's safety and state of good repair work. Metro will also seek additional opportunities to fund capital projects through the existing and new discretionary grant programs authorized in the IIJA.

34. What are your top five priorities for the agency? Please provide a detailed explanation for how the agency expects to achieve or work toward these priorities in fiscal years 2022 and 2023.

Answer:

- 1) **Restoration of Service:** The unprecedented Covid-19 pandemic has presented enormous challenges for Metro, including a significant drop in ridership and fare revenue, as well as staffing shortages caused by Covid infections and necessary quarantine.

The region has seen very limited return to work, including from the large federal workforce – which historically made up about 40 percent of Metro's peak commute. Metrorail fares collected during the pre-pandemic commuting hours generated the largest share of revenue for Metro. Without that ridership, fares are not rebounding like other regions. Rail ridership is trending 27-30 percent of pre-pandemic levels and bus ridership is approximately 60 percent.

Metro will work with the jurisdictions as more people return to workplaces and visitors return by adjusting rail and bus services gradually to meet demand, offering incentives for riders, and launching marketing campaigns to build awareness and encourage

ridership. Metro's proposed FY23 budget includes programs that would continue free rail-bus transfers, lower the 7-Day Regional Bus Pass price (\$12 from \$15) and keep the rail weekend \$2 flat fare. Other fare offers under consideration are the late night \$2 flat fare and reduced monthly passes.

- 2) **Return of the 7000 rail series railcars:** We are working closely with the Washington Metrorail Safety Commission (WMSC), National Transportation Safety Board (NTSB), and the Federal Transit Administration (FTA) to safely return the 7000-series railcars to passenger service and determine the root cause of the October derailment. Additionally, the Transportation Technology Center, Inc (TTCI), a wholly-owned subsidiary of the Association of American Railroads and widely regarded as a global leader in rail research and root cause investigation, has been retained to work with WMATA engineering and maintenance staff.

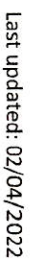
While work on the root cause is underway, efforts are focused on component replacements and overhauls on the 6000-series railcars to return them to service. At the same time, we are advancing a technology solution that will enable wheel measurement of cars while in service which, together with a sustainable inspection process, will permit cars to return to service with any necessary mitigations of the root cause.

- 3) **Capital Program Investments:** Taking advantage of lower pandemic ridership, Metro aggressively advanced one of the industry's largest capital programs, making its single largest annual capital investment of \$1.8 billion FY2021 and lowering the state of good repair backlog. Thanks to dedicated capital funding provided by the District and other jurisdictions, investments will continue in the next several years. Major projects in the District include continuation of the escalator program, rehabilitation of the Calvert and 14th Streets historic bus turnarounds, Dupont Circle canopy, station lighting at Union Station and Gallery Place, rebuilding of the Bladensburg bus facility, and the rebuilding of Northern bus facility with the infrastructure and equipment needed to run 100% electric vehicles in future years as we build our zero-emission bus fleet.
- 4) **Silver Line 2 Extension:** Following the Washington Airports Authority's announcement that Silver Line 2 has reached substantial completion, WMATA has a number of actions underway to reach operational readiness including: testing, hiring and staff training, inspections, and coordinating with the Washington Metrorail Safety Commission on Safety and Security Certification of the extension. These and other actions enable the extension of the line into Loudoun County and opening six new rail stations, including Washington Dulles International Airport. In addition to this year's expected opening, the next few years will focus on building ridership.
- 5) **Future of Metro:** With federal government support, Metro maintained service throughout the pandemic. The system experienced unprecedented drops in ridership and revenues. The mix and types of trips also changed with more bus riders, fewer weekday rail riders, and a quicker rebound of weekend trips. The challenge in the next

three years is not only a budget shortfall, but a need for the region to identify how Metro can serve emerging travel demand. How will Metro meet changing travel patterns, local community, and regional service needs--- including addressing the disparity between bus and rail quality and service levels, and optimize the use of new and emerging technologies? Charting Metro's future is a priority for the region's economy.

Denotes incumbent is acting in position

Denotes dotted line reporting to GM



| |
|-------------------|
| FY2020 Grievances |
| Total 384 |

| | | |
|--|-------|-----|
| | Total | 384 |
|--|-------|-----|

[illegible]

| | |
|--|-------------------|
| | FY2020 Grievances |
| | Total 384 |

| | | |
|--|-------|-----|
| | Total | 384 |
|--|-------|-----|

[illegible]

FY2020 Grievances**Total 384**

| Received | Description | Outcome |
|-----------------|-------------------------|----------------------|
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Incomplete |
| FY20 | Contract Interpretation | Incomplete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Arbitration - denied |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Incomplete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Arbitration - denied |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Complete |

FY2020 Grievances**Total 384**

| Received | Description | Outcome |
|-----------------|-------------------------|----------------------|
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Incomplete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Incomplete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Arbitration - denied |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Incomplete |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Arbitration - denied |
| FY20 | Contract Interpretation | Complete |

FY2020 Grievances**Total 384**

| Received | Description | Outcome |
|-----------------|-------------------------|----------------------|
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Incomplete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Arbitration - denied |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Incomplete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Incomplete |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Arbitration - denied |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Incomplete |
| FY20 | Contract Interpretation | Arbitration - denied |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Complete |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Contract Interpretation | Settled - labor |

FY2020 Grievances**Total 384**

| Received | Description | Outcome |
|-----------------|-------------------------|-----------------------|
| FY20 | Contract Interpretation | Settled - labor |
| FY20 | Discharge | Incomplete |
| FY20 | Discharge | Arbitration - denied |
| FY20 | Discharge | Arbitration - denied |
| FY20 | Discharge | Arbitration - denied |
| FY20 | Discharge | Arbitration - denied |
| FY20 | Discharge | Arbitration - pending |
| FY20 | Discharge | Settled - labor |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Incomplete |
| FY20 | Discharge | Incomplete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Arbitration - pending |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Arbitration - denied |

FY2020 Grievances**Total 384**

| Received | Description | Outcome |
|-----------------|--------------------|-------------------------|
| FY20 | Discharge | Arbitration - settled |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Arbitration - settled |
| FY20 | Discharge | Arbitration - pending |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Settled - labor |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Settled - labor |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Arbitration - withdrawn |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Settled - labor |
| FY20 | Discharge | Arbitration - pending |
| FY20 | Discharge | Arbitration - pending |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Arbitration - denied |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Settled - labor |
| FY20 | Discharge | Arbitration - denied |
| FY20 | Discharge | Arbitration - pending |
| FY20 | Discharge | Settled - labor |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Settled - labor |
| FY20 | Discharge | Settled - labor |
| FY20 | Discharge | Arbitration - denied |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |

FY2020 Grievances**Total 384**

| Received | Description | Outcome |
|-----------------|--------------------|-----------------------|
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Arbitration - denied |
| FY20 | Discharge | Settled - labor |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Arbitration - denied |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Arbitration - settled |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Settled - labor |
| FY20 | Discharge | Settled - labor |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Arbitration - settled |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Arbitration - pending |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Complete |
| FY20 | Discharge | Incomplete |
| FY20 | Discharge | Arbitration - denied |
| FY20 | Discharge | Arbitration - denied |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Settled - labor |

Total 384

[illegible]

FY2020 Grievances**Total 384**

| Received | Description | Outcome |
|-----------------|--------------------|-----------------|
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
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| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Incomplete |
| FY20 | Discipline | Incomplete |
| FY20 | Discipline | Incomplete |
| FY20 | Discipline | Incomplete |
| FY20 | Discipline | Incomplete |
| FY20 | Discipline | Incomplete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Settled - labor |

FY2020 Grievances**Total 384**

| Received | Description | Outcome |
|-----------------|--------------------|----------------------|
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Arbitration - denied |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Arbitration- granted |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Arbitration - denied |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Arbitration- granted |

FY2020 Grievances**Total 384**

| Received | Description | Outcome |
|-----------------|--------------------|----------------------|
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Arbitration - denied |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Arbitration - denied |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Arbitration - denied |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Arbitration- granted |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Arbitration- granted |
| FY20 | Discipline | Complete |

FY2020 Grievances**Total 384**

| Received | Description | Outcome |
|-----------------|--------------------|----------------------|
| FY20 | Discipline | Complete |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Arbitration - denied |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Arbitration- granted |
| FY20 | Discipline | Complete |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Settled - labor |
| FY20 | Discipline | Settled - labor |

FY2021 Grievances
Total 423

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Medical | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discharge | Complete |
| FY21 | Discharge | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Reinstruction | Complete |
| FY21 | Reinstruction | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Complete |

FY2021 Grievances
Total 423

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Medical | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Medical | Complete |
| FY21 | Medical | Incomplete |
| FY21 | Discipline | Complete |

FY2021 Grievances
Total 423

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Medical | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discharge | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discharge | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Discharge | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discharge | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |

| | |
|--|-------------------|
| | FY2021 Grievances |
| | Total 423 |

[illegible]

FY2021 Grievances
Total 423

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY21 | Medical | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Discharge | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Medical | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Medical | Incomplete |
| FY21 | Discharge | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Medical | Complete |
| FY21 | Discharge | Complete |
| FY21 | Discharge | Complete |
| FY21 | Discharge | Complete |
| FY21 | Discipline | Complete |

FY2021 Grievances
Total 423

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Medical | Complete |
| FY21 | Medical | Complete |
| FY21 | Medical | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Medical | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discharge | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Medical | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Medical | Complete |

FY2021 Grievances
Total 423

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Medical | Complete |
| FY21 | Reinstruction | Incomplete |
| FY21 | Discharge | Complete |
| FY21 | Discharge | Complete |
| FY21 | Medical | Complete |
| FY21 | Medical | Complete |
| FY21 | Medical | Complete |
| FY21 | Medical | Complete |
| FY21 | Discharge | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Medical | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discharge | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discharge | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Reinstruction | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Complete |

FY2021 Grievances
Total 423

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Medical | Complete |
| FY21 | Discipline | Complete |
| FY21 | Medical | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discharge | Complete |
| FY21 | Medical | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Medical | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discharge | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Reinstruction | Incomplete |
| FY21 | Discharge | Complete |

| | |
|--|-------------------|
| | FY2021 Grievances |
| | Total 423 |

[illegible]

FY2021 Grievances
Total 423

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Medical | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Medical | Complete |
| FY21 | Medical | Complete |
| FY21 | Discharge | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Reinstruction | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Medical | Incomplete |

FY2021 Grievances
Total 423

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY21 | Contract Interpretations | Complete |
| FY21 | Reinstruction | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Medical | Complete |
| FY21 | Medical | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Medical | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Reinstruction | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Reinstruction | Complete |

FY2021 Grievances
Total 423

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discharge | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Medical | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Discharge | Incomplete |
| FY21 | Discharge | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discharge | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Medical | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Medical | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Complete |

FY2021 Grievances
Total 423

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY21 | Discharge | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Medical | Incomplete |
| FY21 | Medical | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Discharge | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Complete |
| FY21 | Discharge | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Discharge | Incomplete |
| FY21 | Medical | Complete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Medical | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Medical | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Medical | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Incomplete |

FY2021 Grievances
Total 423

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Complete |
| FY21 | Discipline | Incomplete |
| FY21 | Contract Interpretations | Incomplete |
| FY21 | Medical | Complete |

FY2022 Grievances (Through February 1)**Total 171**

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY22 | Contract Interpretations | Complete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Medical | Complete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Discharge | Complete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Discipline | Complete |
| FY22 | Medical | Complete |
| FY22 | Discipline | Complete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Discharge | Complete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Medical | Complete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Medical | Complete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Medical | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Medical | Complete |
| FY22 | Medical | Complete |

FY2022 Grievances (Through February 1)**Total 171**

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY22 | Discipline | Incomplete |
| FY22 | Medical | Complete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Discipline | Incomplete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Medical | Complete |
| FY22 | Medical | Complete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Complete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Discipline | Complete |
| FY22 | Medical | Complete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Medical | Complete |
| FY22 | Medical | Complete |
| FY22 | Medical | Complete |
| FY22 | Discipline | Incomplete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Discharge | Complete |
| FY22 | Discharge | Incomplete |

FY2022 Grievances (Through February 1)**Total 171**

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY22 | Discharge | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Discipline | Incomplete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Complete |
| FY22 | Discipline | Incomplete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Discipline | Incomplete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Discipline | Complete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Reinstruction | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Complete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |

FY2022 Grievances (Through February 1)**Total 171**

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY22 | Medical | Complete |
| FY22 | Medical | Complete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Discharge | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Complete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discharge | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Discharge | Complete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Discipline | Complete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Complete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Discipline | Incomplete |

FY2022 Grievances (Through February 1)**Total 171**

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY22 | Reinstruction | Incomplete |
| FY22 | Discharge | Incomplete |
| FY22 | Discipline | Complete |
| FY22 | Medical | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discharge | Incomplete |
| FY22 | Medical | Complete |
| FY22 | Medical | Complete |
| FY22 | Medical | Complete |
| FY22 | Medical | Complete |
| FY22 | Medical | Complete |
| FY22 | Discharge | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Medical | Complete |
| FY22 | Discharge | Incomplete |
| FY22 | Discipline | Complete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Medical | Complete |
| FY22 | Medical | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Discipline | Incomplete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Discipline | Incomplete |

FY2022 Grievances (Through February 1)**Total 171**

| FY Received | Description | Outcome |
|--------------------|--------------------------|----------------|
| FY22 | Discipline | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Reinstruction | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Medical | Complete |
| FY22 | Medical | Complete |
| FY22 | Medical | Complete |
| FY22 | Medical | Complete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Contract Interpretations | Incomplete |
| FY22 | Reinstruction | Incomplete |
| FY22 | Contract Interpretations | Complete |
| FY22 | Medical | Incomplete |
| FY22 | Discipline | Incomplete |

Office of Fair Practices
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FAIR'S DISCRIMINATION COMPLAINT INVESTIGATIVE PROCESS

WMATA's Office of Fair Practices (OFP) has developed procedures for investigating allegations of sexual harassment and other allegations of discriminatory misconduct. The procedure is the same for both types of allegations and are outlined below.

Initial Contact with OFP

1. Methods of Contact

- a) Telephone calls – Employees may contact OFP by Voicemail messages at 202.962.1082. The EEO Coordinator or OFP staff shall respond to the voicemail message. The voicemail messages are housed in the “Civil Rights” inbox which is accessible to all OFP staff.
- b) Email(s) – Employees may contact OFP by email at the following address: OEEOHotline@wmata.com. The EEO Coordinator and OFP staff have access to emails through the “OEEOHotline” and shall respond to the voicemail.
- c) Walk-In(s) – Employee may walk-in to the Headquarter Office and ask to speak with an OFP staff member through the HR Welcome Center. The HR Receptionist can contact a member of the OFP staff at (202) 962-1082.
 - i. An **initial interview** with the Complainant will be conducted and documented to determine if the matter is covered by the non-discrimination policy.
 - ii. If the matter is not covered by any of the non-discrimination policies, it shall be documented in the PeopleSoft EEO Complaint Tracking Module (CTM) and be referred to the appropriate WMATA Office.
 - iii. If the facts presented are sufficient warrant an inquiry by OFP, the claim will be documented in the PeopleSoft CTM, the allegation shall be reduced to writing, the Complainant shall sign a Complaint of Discrimination form, a file will be created under the complainant's name on the OFP drive, all document will be filed based on the standard record keeping rules.
- d) Management Referral(s) – can be received by anyone in the OFP office via emails, phone calls and/or walk-ins.

Whether you receive a phone call, email, walk-in and/or Management referral, contact information (all phone numbers, personal email, employee ID, etc.) should be secured

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from the individual sufficient to complete the “Info Required” form to request a docket number.

2. EEO Coordinator Support Activities:

a) **Assignment of Docket Number**

- i. An Information Required form must be completed and forwarded via email to the EEO Coordinator to assign a docket number to a contact.
 1. **Step 1-** Complete an “Information Required for a Docket Number” form with as much intake information as possible. **Note:** *Important information that’s needed: basis of complaint; respondent’s information, and summary of allegations.*
 2. **Step 2 –** Update the “Master All Cases Assigned” Excel spreadsheet located in EEO Case Files > All EEO Cases Tracking.
 3. **Step 3 -** Log into PeopleSoft (PS) through WMATA’s homepage to acquire a docket number:
 - a. Click on Tab – Applications
 - b. Scroll down and double click on – PeopleSoft - HCM
- ii. **PeopleSoft -** Once logged into PeopleSoft you will be able to retrieve any missing information that you’ll need on the Complainant and the Respondent:

- b) EEO Coordinator creates the electronic case files. Documents or other electronic media are saved in the case file.

INTAKE INTERVIEW BY EEO OFFICERS

1. The purpose of intake is to provide these services: 1. Provide information to the complainant. 2. Collect enough information to frame the claim(s) and basis(es). 3. Gather information and affording the aggrieved person an opportunity to achieve an informal and mutually acceptable resolution of the complaint. 4. Conduct a limited inquiry for the purpose of jurisdictional questions. 5. Seek resolution of disputes at the lowest possible level. 6. Educate and explain the benefits of the ADR process. 7. Advise aggrieved individuals of other forums where they can

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pursue their concerns if the matter is non EEO related, i.e., referral to Employee Relations, back to management, the negotiated grievance process, etc. 8. Prepare case files and documents for every complaint. Intake interviews and all contact with employees and actions should be documented on the Investigation Activity Log and all documentation MUST be saved in the appropriate case folder on the Shared Drive.

2. Scheduling: OFP staff will strive to contact the complainant within 24 hours to schedule an in-person, telephonic or virtual intake interview appointment. If the complainant is represented by legal counsel or union representative, they may attend the interview as a silent witness. If counsel attends the interview, counsel may advise the complainant, but the complainant is required to answer all questions asked by the OFP EEO officer directly.
3. During the intake interview, the assigned EEO Officer will explain the mission and general functions of OFP, discrimination laws enforced by OFP, protected categories, and inform the complainant of the complaint process. If employees choose to file a formal complaint of discrimination after they have conducted an intake session, they must do so on an OFP formal complaint form. All formal complaints alleging discrimination MUST contain the information outlined below.
 - a. Full name, address, work, home and cellular telephone numbers, personal email address and other contact information of the complainant;
 - b. Full name, job title, work, home and cellular telephone numbers, person email address and other contact information of the respondent;
 - c. A statement explaining the alleged discrimination with description of who, what, when, and how the alleged discrimination occurred;
 - d. The date(s) of the alleged discrimination. If the allegation is more than 30 days old OFP has the discretion to determine the allegations are untimely;
 - e. If the alleged discrimination is continuing in nature, range of dates when alleged discrimination took place;
 - f. A statement as to what the Complainant is seeking for recourse to their concerns; and
 - g. Complainant's signature on the formal complaint of discrimination.

Once the complaint has been completed and signed, the OFP staff notifies the EEO Coordinator of any changes for updates in PeopleSoft and to OFP assignment sheets.

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Informal Process:

1. Contacts made with the OEEEO are considered official allegations and the OEEEO will review the facts to determine whether an investigation must be conducted. In most instances, if OEEEO determines that an investigation is necessary, the complainant will be asked to complete and sign a complaint form. In cases where appropriate, alternative dispute resolution (ADR), such as mediation, may be pursued. If the complainant does not wish to file a complaint and has clearly articulated a basis upon which a complaint could be filed, OEEEO staff determine whether counseling the respondent is appropriate to address the concerns raised. In such instances, the EEO Officer will go over the allegation(s) and draft an Employee Counseling Form. The EEO Officer or the Manager - Civil Rights Compliance will meet with the respondent and go over the allegations and the policy(ies) that may have been violated. The respondent signs and dates the Counseling Form which will be saved in the Shared Drive. The Information Required Sheet is updated and sent to the EEO Coordinator for closing the case in PeopleSoft.

There may be instances where the complainant does not want to proceed with a complaint but has provided enough information to OFP that it will be necessary for OFP to conduct a formal investigation.

Formal Process:

1. There are two ways in which the complainant can file a complaint. After an intake interview, the EEO officer will prepare the formal complaint based on the information provided by the complainant. The formal complaint must be signed and dated before it can be filed with OFP. The date of the signed/dated formal complaint will be used as the OFP's acceptance and filing date of the complaint. The second way to file a complaint is for the complainant to complete OFP's fillable pdf complaint form, sign and date it and send it to the OEEEOHotline@wmata.com.
2. After the complaint has been filed with OFP, the EEO Coordinator updates the PeopleSoft entry with signature date and any other relevant information. The Manager, Civil Rights Compliance assigns the complaint to an EEO Officer for investigation.
3. The EEO officer assigned to the complaint is responsible for investigating accepted claims of prohibited employment discrimination including:

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- a) Interviewing complainant, respondent and all relevant witnesses and documenting the interview with interview notes to the complaint file on the Shared Drive.
- b) Gathering pertinent documents and records, and conducting whatever inquiry is necessary.
- c) Collecting various data and information sources to obtain, analyze, and present facts.
- d) Resolving discrepancies by conducting additional fact-finding, securing additional witness testimony, and reviewing additional documents.
- e) Compiling an investigative file and preparing an investigative report, summarizing all relevant facts to decide the likelihood whether violation of Metro's anti-discrimination policies did or did not occur as alleged - Cause or No Cause finding.
- f) If there is a cause finding the EEO officer in collaboration with the OFP management will make a recommendation regarding corrective action. The investigation need not be exhaustive but adequate and thorough to make a determination.

4. Interviewing

- a) Interview each witness separately by telephone, video conference or in-person in an office or room where the discussion will not be overheard by other witnesses, the alleged harasser, or any other unauthorized persons.
- b) Before beginning the interview, explain the purpose of the interview by referring generally to recent complaints about the relationship between the Complainant and the Respondent.
- c) Emphasize that WMATA takes these charges very seriously and is investigating these charges by interviewing all potential witnesses in compliance with WMATA policy.
- d) Explain that upon completion of the investigation, OFP will attempt to determine what occurred, and will recommend appropriate action based on its determination.
- e) Both the potential complainant and the alleged discriminating individual should be advised that each will be apprised of the results of the investigation and any referrals for appropriate corrective action. Both

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parties should also be advised the complaint process is confidential and should not be discussed in the workplace or among co-workers.

- f) Instruct any witnesses interviewed not to discuss the matters covered during the interview with any co-employee or the Complainant or the Respondent. Explain to the witness that confidentiality is necessary to protect the integrity of the investigation and to ensure that WMATA receives trustworthy information in an atmosphere free from coercion. OFP will maintain each person's confidentiality throughout the investigation to the best of its ability.
- g) Explain to all witnesses that retaliation will not be tolerated by anyone. If someone attempts to retaliate against them for participating in this investigation, advise the witness to contact OFP immediately to report such.
- h) Other interview issues: Document the interviews on the Interview Notes Form and reflect the date and method of interview. Ensure to ask open ended, non-judgmental questions. Avoid asking leading questions or those with a simple "yes" or "no" answer, except related to allegations witnessed by the individual. Use investigation interview forms where appropriate. Avoid the appearance of impropriety or favoritism in conducting interviews. Observe and record all physical and verbal reactions of the witnesses during the interviews. DO NOT record conclusions or opinions regarding credibility about witnesses.
- i) Credibility: Consider credibility determinations, if applicable. Factors include: the results of the investigation. memory - perception - truthfulness - corroboration or lack thereof - bias of witnesses - consistency of accounts - prior misconduct or lack thereof, and implications of such conduct - plausibility of accounts and non-verbal communication.

Documents & documentation

1. Insofar as OFP is committed to maintaining its records electronically, EEO Officers are required to ensure investigative documents, including interview notes, statements taken, documents received and reports of investigation, are maintained in the appropriate complaint file folders on the Shared Drive. When an EEO Officer begins drafting a report of investigation, that document should be titled draft and saved as the EEO Officer develops the completed document.
2. Report of Investigation

Office of Fair Practices
Discrimination Complaint Investigative Process
Standard Operating Procedure

- a) Upon completion of any investigation, each EEO Officer shall complete a report of investigation. There is a template of this document maintained on the Shared Drive.
- b) Sections of the ROI

Background should begin stating the date the complaining party filed the complaint. The Background section should state a summary of the complaint. In some instances, the complaint may be sufficiently simple to be fully included in the background. The first reference to the complaining party and the alleged discriminating individual (Respondent) should include in parentheses the identifier(s) of the protected category/categories incorporated in the complaint. For example, in a complaint alleging race, the race of the complaining and responding party should be incorporated in parentheses immediately after the first reference. The Background should also include what the complaining party alleged occurred or was said that the complaining party believes/feels/perceives or alleges was discriminatory and what Policy/Instruction is implicated.

Scope of Review is a summary of what was investigated in the investigation as well as identification of the assigned EEO Officer.

Interviews of Complainants, Respondents, & Witnesses – These sections should be completed based on information secured during interviews conducted but may also include information provided in other ways. Interview notes should be written in the 3rd person except where direct quotes are used. Information regarding when and how the interview was conducted should be in the first paragraph. Information provided in interviews during the investigation upon which the complaint determination relies or is based needs to be included in the summary of the statement of the person providing that information.

Analysis – this section should start with statements regarding the applicable or implicated Policy/Instruction(s) citing specific provisions used in reaching the complaint determination. The analysis should reflect a summary of facts or evidence reviewed or considered in reaching a decision as to whether the allegations are substantiated. It is the responsibility of the EEO Officer to determine the finding for the complaint: a finding of **Cause**, where the allegation(s) of a violation of the implicated policy/instruction was/were substantiated; a finding of **No Cause**, where the allegation(s) was/were not substantiated.

Recommendation – Where the decision on the complaint is **Cause**, the EEO Officer, in consultation with Labor/Employee Relations and OFP

Office of Fair Practices Discrimination Complaint Investigative Process Standard Operating Procedure

management, will incorporate recommendations to ensure that the violative behavior substantiated by evidence/information will not reoccur. Recommended corrective actions may include a) counseling; b) disciplinary suspension; c) demotion; d) training; or e) termination. OFP will strive to recommend corrective actions consistently based on the type of violative behavior identified through investigation. Factors in determining appropriate remedial action to take include: - credibility of alleged respondents, complainants and witnesses - prior conduct, if any (positive or negative) - prior discipline of alleged harasser - level of harassment, including type and frequency of conduct - alleged harasser's knowledge of WMATA's rules of conduct - prior disciplinary "precedent" for identical, similar or analogous misconduct - public and employee relations issues.

3. Memoranda to File

- a) There will be circumstances where investigative activities are undertaken but fall short of a full investigation. Such instances will be determined by the Director of OFP. In such instances the assigned EEO Officer will document all interviews conducted or evidence gathered and reviewed as noted above.
- b) To conclude the truncated process, EEO Officer will prepare a memorandum to file outlining actions taken, information/evidence gathered and reviewed, analysis of the allegations and evidence/information supporting or negating the allegations and a determination.

Timeframes

Upon receipt of a signed complaint of discrimination, The EEO Officer will begin the investigative process. The investigative process should be concluded in 90 business days. If the investigative process cannot be concluded in the 90-business day timeframe, the EEO Officer must provide a written justification for the delay to the SVP of IBOP and document the complaint file as to the reason(s) for the delay.

If the respondent is a represented employee, then the investigative process must be concluded within 60 calendar days in accordance with the collective bargaining agreements.

Closing a Complaint

1. Communication of Findings and Finalization of Investigation – After approval of the Report of Investigation and upon a "No Cause" finding, EEO Officers prepare closing letter determination for the complaining and the responding party. The

Office of Fair Practices
Discrimination Complaint Investigative Process
Standard Operating Procedure

Manager, Civil Rights Compliance reviews and approves the closing letter determinations. Once the closing letter determinations are approved, they are sent to the complainant and respondent(s). The OFP complaint investigative process is completed and the complaint investigation is closed as of the date the respondent's closing letter.

If the Report of Investigation results in a "Cause" finding, the EEO Officer prepares a determination memorandum, approved by the Manager, Civil Rights Compliance and/or the Director of OFP for the respondent's executive level management personnel. The EEO Officer prepares closing letter determinations for the complainant and respondent(s) as outlined above. The complaint investigative process and complaint is closed as of the date of the complainant's closing letter. The complaint file will remain open until OFP receives documentation of the implementation of the corrective action.

2. To close out the complaint, the EEO Officer updates the Information Required document with the closing date. This document is sent to the EEO Coordinator to close the complaint in PeopleSoft.
3. If OFP recommends corrective action, OFP will notify and consult with Employee Relations (for non-represented employees) and Labor Relations (for represented employees) about the recommended corrective action and request documentation of the corrective action once it is completed.

February 17, 2022



The Honorable Phil Mendelson
Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Suite 504
Washington, DC 20004

Re: Oversight Hearings -- Answers of the Office of Inspector General to Questions to WMATA

Dear Mr. Chairman:

In connection with the Council's upcoming annual oversight hearings, you requested information from the Washington Metropolitan Area Transit Authority (WMATA). Among those requests were two items that are appropriate for the WMATA Office of Inspector General (OIG) to address. They are:

- (a) Please list and describe any investigations, studies, audits, or reports on your agency or any employee of your agency that were completed at any time in fiscal years 2021 or 2022 (as of February 1, 2022).
- (b) Please list and describe any ongoing investigations, audits, or reports of your agency or any employee of your agency.

Insofar as OIG activity is concerned, the information sought by these two requests is contained in OIG's Semiannual Reports to the Board of Directors, Nos. 27, 28, and 29.

Report Nos. 27 and 28 cover WMATA's Fiscal Year 2021 (July 1, 2020 to June 30, 2021). They are both attached. The Table of Contents in each report clearly points to the sections on OIG investigations, special projects, audits, and evaluations.

Report No. 29 addresses FY 2022 to date. Although OIG has finished this report, it has not yet been presented to the WMATA Board of Directors, which is the Board's process before these reports are publicly released. Therefore, while I have not attached the report itself, I have attached public information from the report that responds to your request.

Please let me know if you need additional information, or if I can be of further assistance.

Sincerely,

Geoffrey A. Cherrington
Inspector General

Attachments: as stated

Washington
Metropolitan Area
Transit Authority

Office of Inspector General
500 L'Enfant Plaza, SW
Suite 800
Washington, DC 20024
202-962-2400

Attachment 1

Semiannual Report to the Board of
Directors, No. 27

Semiannual Report to the Board of Directors, No. 27



July 1, 2020 – December 31, 2020

INSPECTOR GENERAL'S MESSAGE TO THE BOARD OF DIRECTORS



Geoffrey A. Cherrington
Inspector General

I am pleased to present this *Semiannual Report* on the activities and accomplishments of the Washington Metropolitan Area Transit Authority's (WMATA) Office of Inspector General (OIG) from July 1, 2020, through December 31, 2020.

OIG's mandate under the WMATA Compact is to be an independent, objective unit that audits, evaluates, and investigates WMATA activities; promotes economy, efficiency, and effectiveness; fights fraud and abuse; and keeps the Board fully and currently informed about deficiencies in WMATA activities as well as needed corrective action. The work highlighted in this report demonstrates to riders, taxpayers and employees that we are committed to ensuring safety, reliability, customer service and fiscal responsibility.

During the six months covered by this report, OIG investigative work resulted in three Reports of Investigation (ROI), one Management Alert, one Management Assistance Report, and three Special Project Reports. OIG issued one audit report that identified weaknesses in WMATA's program management involving a rail project. This report identified \$62.9 million in funds that could be put to better use including \$23.6 million in net savings. Management has ongoing corrective actions that should correct the issues in this audit report. In addition, OIG issued the annual Audit of WMATA's Financial Statements for FYs 2020 and 2019. OIG issued 19 contract audit reports with \$8.3 million in possible savings. Based on an annual budget of \$10.5 million, over the six-month period, OIG returned \$7 dollars to WMATA for every dollar spent.

OIG strives to maintain the highest possible standards of professionalism and quality in investigations, evaluations, inspections and audits. I would like to commend our dedicated and professional staff for their diligence and commitment to the mission of this office.

Finally, I would like to thank WMATA management and their staff for the collaborative efforts in implementing recommended corrective actions in a timely manner.

Geoffrey A. Cherrington
Inspector General

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OVERVIEW OF OIG

The Board of Directors established OIG by Resolution 2006-18, approved April 20, 2006. On August 19, 2009, the WMATA Compact was amended to recognize OIG by statute and to make the Inspector General an officer of WMATA. The Inspector General reports to the Board.

Mission Statement

Under the WMATA Compact OIG is “an independent and objective unit of the Authority that conducts and supervises audits, program evaluations, and investigations relating to Authority activities; promotes economy, efficiency, and effectiveness in Authority activities; detects and prevents fraud and abuse in Authority activities; and keeps the Board fully and currently informed about deficiencies in Authority activities as well as the necessity for and progress of corrective action.” We provide advice to the Board and General Manager/Chief Executive Officer (GM/CEO) to assist in achieving the highest levels of program and operational performance at WMATA.

Our Core Values

Excellence - We are committed to excellence in our people, our processes, our products, our impact, and in the performance of our mission.

- We value a diverse, educated, and highly trained workforce that reflects independence, initiative, and mutual respect.
- We value operating within an objective code of standards yet remain open to innovation.
- We support WMATA’s mission to provide safe, equitable, reliable and cost-effective public transit.

Accountability - We insist on high standards of professional conduct from OIG employees at all levels and compliance with professional standards to ensure the Board and management can rely on our products.

- We have confidence in the accuracy of our work and that our results hold up to professional scrutiny.
- We encourage an environment of risk-free communication and promote an open, honest, and respectful exchange of ideas and information.

Integrity - We strive to maintain the highest level of trust and integrity in all of our activities, and the approach we take in accomplishing our mission must reflect fairness, balance, and credibility.

- The personal and professional qualities of our employees include honesty, respect for others, and freedom from bias.
- We value and protect our access to information recognizing that reputations, public confidence, and lives can be affected by our actions.

OIG STAFF

OIG is made up of two offices - Investigations and Special Projects (OI) and Audits. (OA):

OI focuses on three areas of concern: Investigations, Special Projects, and Cybersecurity/Data Analytics. OI is comprised of staff who have extensive law enforcement experience at the local, state, and federal levels. Collectively, its staff has more than 300 years of law enforcement experience in conducting criminal, fraud, financial, administrative, and police misconduct investigations. Many of the staff have served in executive level positions where they managed a variety of investigations both domestic and international. They have received extensive training in law enforcement investigative techniques from federal law enforcement agencies such as the Federal Law Enforcement Training Center, Military Criminal Investigative Academies, the Federal Bureau of Investigation, the Internal Revenue Service as well as local police academies and private institutions. All of them have college degrees; several have advanced degrees, including Juris Doctor. Several staff are Certified Fraud Examiners.

Investigations conducts criminal, civil, and administrative investigations relating to WMATA activities, programs, and operations. Investigations can lead to criminal prosecution, civil penalties, disciplinary action, and/or administrative action. Investigations also manages the OIG Hotline, including the in-take of complaints and determining the appropriate handling of those complaints. Complaints may be investigated by OI or referred to management, to OA for audit consideration or to another agency, as appropriate. OI also aggressively pursues proactive investigations through data analysis, recruiting confidential informants, and mining financial information to detect evidence of wrongdoing. OI reports to the WMATA Board of Directors on a regular basis regarding these activities.

Investigations also investigates Whistleblower retaliation complaints. OI makes quarterly reports to the Board regarding Whistleblower complaints and outcomes or litigation that relates to any protected activity or prohibited personnel practices.

Special Projects provides a range of specialized services and products, including quick reaction reviews, onsite inspections and in-depth evaluations of a major departmental function, activity or program.

These products include:

- Factual and analytical information;
- Monitoring compliance;
- Measuring performance;
- Assessing the effectiveness and efficiency of programs and operations;
- Sharing best practices; and
- Inquiring into allegations of fraud, waste, abuse and mismanagement.

Evaluations often result in recommendations to streamline operations, enhance data quality, and minimize inefficient and ineffective procedures.

OI Cybercrimes and Data Analytics Unit manages the OIG’s information technology, cyber, forensics and data analytics programs. Its primary function is to provide investigative support and coordination to OIG investigations and audits. The unit’s members also serve as subject experts on matters under their purview such as digital forensic analysis, cyber incident response protocols and the use of data analytics as a way to uncover fraud and misconduct in WMATA programs and activities. OIG is responsible for investigating cybercrimes that affect WMATA programs and operations. OIG works in close coordination with the Chief Information Officer (CIO), the Chief Information Security Officer (CISO), and all appropriate Information Technology (IT), staff to accomplish our mission of protecting and detecting cybercrimes.

OA is comprised of two teams: the financial and contract audit team, and the information technology and administration audit team. OIG audits provide independent assessments of WMATA programs and operations that help to reduce waste, abuse, and mismanagement and to promote economy and efficiency. OIG also oversees audit work done by outside audit firms on behalf of OIG. Our staff is comprised of auditors with educational backgrounds and degrees in accounting, finance, and information systems. Most of the staff have professional certifications as accountants, internal auditors, fraud examiners, and information systems auditors.

Each July, OIG issues an *Annual Audit Plan* that summarizes the audits planned for the coming fiscal year. OIG seeks management input from the GM/CEO and his staff as a part of the planning phase. Unanticipated high-priority issues may arise that generate audits not listed in the *Annual Audit Plan*.

INVESTIGATIONS AND SPECIAL PROJECTS

During this reporting period, OI conducted both criminal and administrative investigations involving allegations of wrongdoing. Several of these investigations involved potential criminal activity. OIG Special Agents and investigators worked closely with federal, state, and local law enforcement agencies and prosecutors to pursue criminal charges when appropriate. During this reporting period, OI issued numerous subpoenas related to ongoing investigations. To ensure the confidentiality and integrity of sensitive information, only a brief summary of the wide variety of complaints and investigations conducted is provided in this report. Additionally, Special Projects issued two reports on the Silver Line Phase 2 project and Bike Rack project.

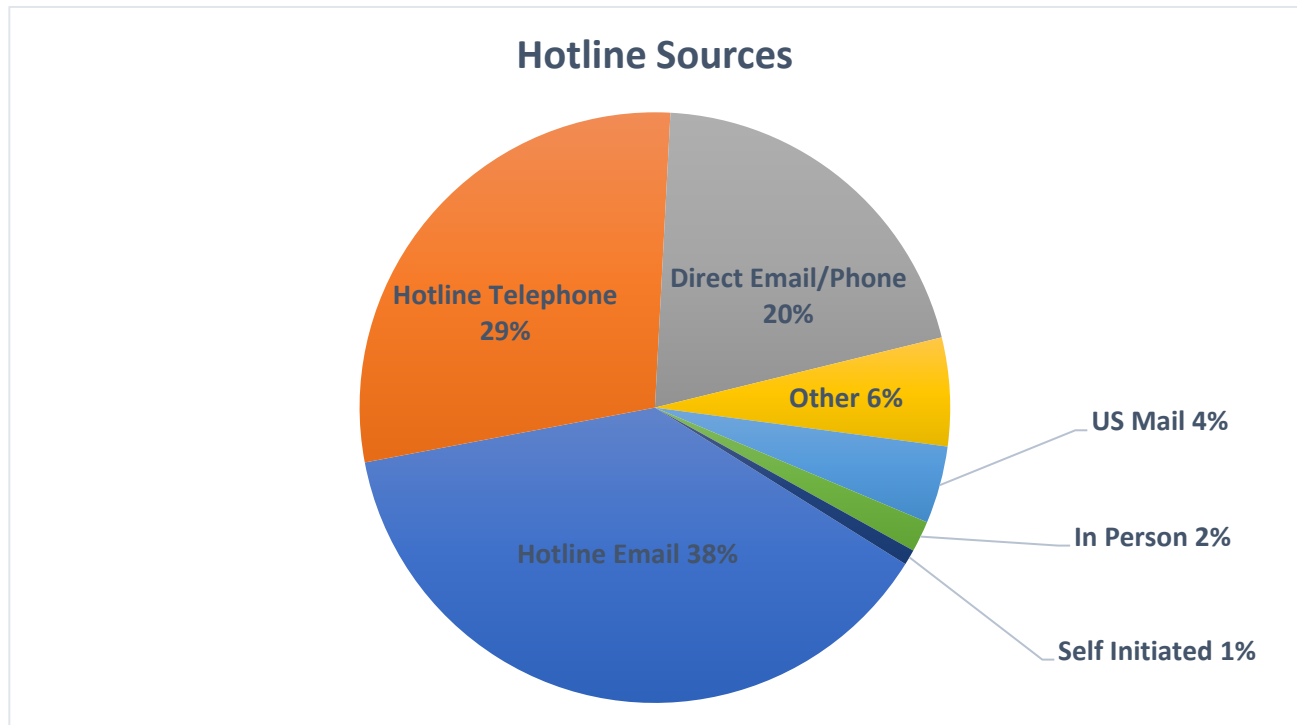
OIG Hotline Activity

The OIG Hotline receives information from WMATA employees, customers, vendors, and the general public. It is an important avenue for reporting criminal and other misconduct. OI staff review the information received to identify systemic and criminal issues and potential areas for WMATA-wide reviews. OI staff are responsible for receiving and evaluating concerns and complaints and determining which WMATA office would best conduct any appropriate inquiry or investigation. Tables 1-4 below provide an overview of the number of complaints received, dispositions, sources of complaints and Whistleblower activity. Due to reduced ridership from the COVID-19 pandemic, complaints received during this reporting period are significantly lower than previous reporting periods.

Table 1: Hotline Complaint Summary

| Complaint Type | No. |
|--|---------------------------|
| Complaints Received | 118 |
| <ul style="list-style-type: none"> • Investigations Initiated from Complaints • Open • Referred to Management or Other Entity • Closed No OIG Action • Closed | 10 10 61 33 4 |
| Investigations Closed ¹ | 4 |

Table 2: Source of Complaints Received



¹ Includes investigations from prior reporting periods

Table 3: Categories of Complaints Received

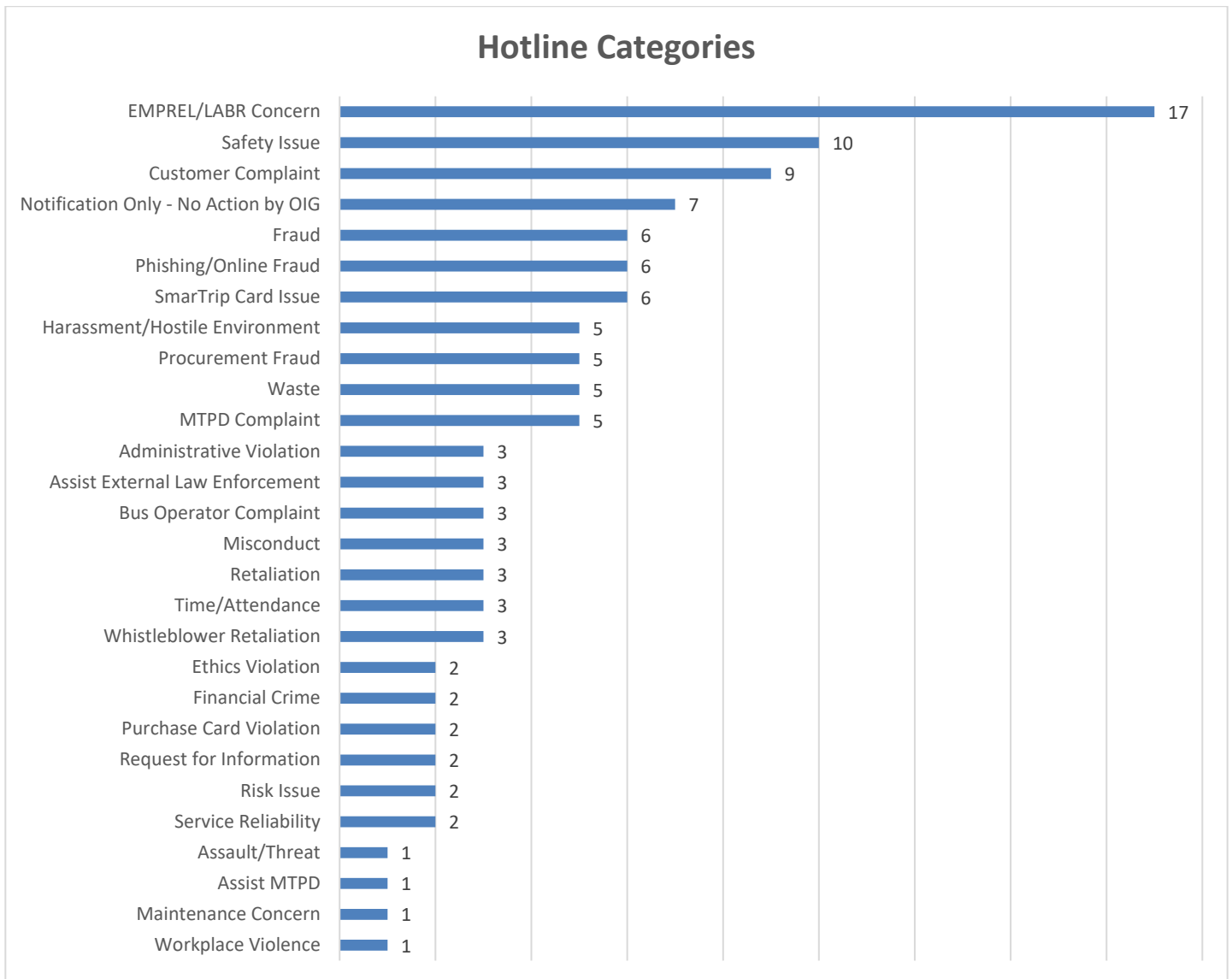


Table 4: Whistleblower Protection Cases

The OIG investigates whistleblower complaints to protect employees from retaliation. Table 4 reflects the number of complaints received.

| Whistleblower Complaints | |
|--|---|
| Complaints Received | 3 |
| Investigations Initiated from Complaints | 0 |

Investigations and Special Projects Summaries

Criminal Cases

Fraud Scheme

On July 10, 2020, Brian Carpenter, a former National Football League player and the owner of a janitorial supply company, pled guilty to committing wire fraud. On December 15, 2020, Carpenter was sentenced in U.S. District Court to six months of home confinement with electronic monitoring, two years of supervised probation, 50 hours community service, with restitution to WMATA in an amount to be determined by the court. On September 29, 2020, a co-conspirator and former WMATA employee, Kirby Smith, was sentenced to 14 days incarceration, two years of supervised release, and ordered to pay restitution to WMATA in the amount of \$174,054.

Reports of Investigation

Duplicate Identification Badges

An OIG investigation determined several WMATA employees used or were in possession of duplicate identification badges (ID) from September 2018 through May 2019. As a result of OIG's investigation, 19 duplicate badges were recovered from a contractor and WMATA employees, including supervisory, line level, and a safety instructor.

OIG found evidence that employees used duplicate badges for a range of improper purposes. The most concerning involved the production and exchange of photo-copied badges so that employees could have colleagues swipe them in/out of the Kronos timekeeping system (Kronos) in the event they were late to work or left work early. OIG confirmed Kronos accepted photocopies of employees' ID bar codes, thus negating the need for the original ID. These circumstances may have allowed employees to be paid and avoid penalty for arriving late or leaving early from work. Evidence suggests this practice is widespread throughout WMATA.

As a result of OIG's report, WMATA revised its internal policy regarding the use and misuse of ID badges. The revised policy states authorized badge holders cannot transfer or loan ID badges to anyone. It also states employees violating the policy are subject to disciplinary action and non-employees are subject to loss of access privileges.

Conflict of Interest

OIG received information suggesting a WMATA employee may have had unreported outside affiliations with two businesses that could conflict with the employee's official WMATA duties. OIG's investigation determined the employee failed to adhere to WMATA's Code of Ethics by not disclosing real property interests and outside employment. Disclosure of these activities is required by policy to avoid both the appearance of and actual conflicts of interest. While the employee ultimately amended the disclosure paperwork, the employee did not thoroughly cooperate with the investigation and information provided to OIG seemed incomplete and not reliable. The matter was referred to management for action. Management subsequently determined no further action was warranted.

Conflict of Interest

OIG initiated an investigation regarding ethics violations associated with the inappropriate acceptance of gratuities by management level personnel in the Office of Track and Structures (TRST). During the investigation, TRST personnel made numerous false statements to OIG. More importantly, OIG's investigation found evidence indicating the practice of accepting gratuities from WMATA vendors may be more pervasive than this occurrence. Based on OIG's investigation, two employees were required to re-pay vendors for gifts received. Both employees also received disciplinary action.

Management Alert

Misuse of WMATA Computer System

OIG issued a Management Alert regarding the abuse of WMATA's Electronic Access Policy. During four recent OIG investigations, WMATA employees were found to have been using WMATA-issued electronic devices and/or WMATA networks to access prohibited websites containing pornographic or sexual related material. Three employees were terminated for their involvement. The OIG recommended several corrective actions to remediate this problem. WMATA agreed to the recommendations and submitted a plan to OIG for implementation of the recommendations.

Special Projects Reports

Bike Parking Racks

OIG reviewed the Bike & Ride projects at the East Falls Church (EFC) and Vienna Metro Stations based on public complaints as well as a request from a United States Senate oversight committee. In addition, OIG also reviewed the construction of a third facility at the College Park Metro station. WMATA spent over \$5.9 million on the three facilities and opened EFC and Vienna 5 years after construction began. OIG's review identified a lack of project coordination and weaknesses in contract awards, contract oversight, record retention, and communications. The report also identified significant project schedule delays causing the project to incur additional costs. As a result of the review, OIG made seven recommendations for improvement. The facilities provide 304 new bike spaces totaling approximately \$19,400 per space.

Silver Line Concrete Panels

OIG completed its evaluation of potential defects to concrete panels installed at the above-grade stations on the Silver Line Phase 2 (SLP2) project. OIG engaged a contractor to inspect the precast concrete panels. OIG also hired a concrete expert to review the deficiencies found. The inspection identified 184 panels that had 342 cracks. The inspection also identified evidence of at least one crack larger than .005 inches and in some cases, multiple cracks on a panel which are required to be repaired. In addition, based on the opinion of the expert hired, OIG recommended that the silane solution or other similar product determined to be suitable be reapplied every 5-7 years and not 10 years as recommended by the contractor. OIG recommended that the first inspection should take place a year following completion of crack repairs, with following intervals determined by observations made during the first post-crack repair inspection. Additionally, OIG recommended that if the panels are accepted, the contractor and MWAA consider modifying the funds in the escrow account to accommodate future costs of additional coats of sealer at each application, the cost of regular visual inspections, and the cost of remediation in the event corrosion is identified.

Washington Metro Safety Commission Complaint

The Washington Metrorail Safety Commission (WMSC) reported allegations of misconduct at the Rail Operations Control Center (ROCC) to OIG. During interviews, the WMSC received allegations of sexual harassment, sexual assault, and alcohol abuse by a manager in ROCC while at work. WMSC eventually provided OIG with the name of the manager who was allegedly abusing alcohol while at work, but otherwise declined to identify any specific employee or provide detailed information about the allegations, citing confidentiality.

OIG made several attempts to obtain additional information from WMSC to assist in its investigation. Despite these attempts, WMSC provided no further pertinent information. WMSC's final response to OIG was that the allegations of misconduct received by WMSC were "general" and that there was nothing additional to convey. Due to a lack of detailed information from the WMSC, OIG was unable to develop additional investigative leads. OIG was unable to reach an investigative conclusion with respect to the allegations of sexual harassment and sexual assault. OIG found no credible evidence to substantiate the allegation of alcohol abuse but, to the contrary, found credible evidence contradicting that allegation. OIG findings were consistent with the findings of an independent review by an outside law firm hired by WMATA.

Financial Recoveries

On December 15, 2020, Brian Carpenter was sentenced in U.S. District Court for his role in a scheme to defraud WMATA. He was sentenced to six months of home confinement with electronic monitoring, two years of supervised probation, and 50 hours community service. He was also ordered to pay restitution to WMATA in an amount to be determined by the court. A co-conspirator, former WMATA employee, Kirby Smith, was sentenced to 14 days incarceration, two years of supervised release and ordered to pay restitution to WMATA in the amount of \$174,054.

Other Activities

On April 3, 2020, OIG issued a Management Assistance Report regarding various phishing schemes that highlighted weaknesses in billing procedures. On July 15, 2020, WMATA's Office of Accounting received an email from an unknown third-party attempting to defraud WMATA. Accounting personnel immediately took action to verify the e-mail, which was determined to be fraudulent, and reported the matter to OIG for further action. OIG recognized the Office of Accounting for its quick action to prevent WMATA from being victimized by this fraud scheme.

AUDITS

Audit work focuses on areas of concern such as financial and IT security and management; contracts; human capital; administrative issues; and high-risk programs that impact the safe operation of the transit system. During this reporting period, OIG issued two audit reports. An additional six audits were in progress as of December 31, 2020. Auditors also conducted 19 contract audits that identified \$8.3 million in possible savings.

Audit Summaries

Audit of the Replacement of WMATA's Remote Terminal Units

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.

While conducting the WMATA's Cybersecurity over Rail Industrial Control Systems audit, OIG found WMATA had three projects to replace obsolete and unreliable remote terminal units (RTUs) located in the stations. WMATA uses RTUs to communicate the status of train devices, such as interlocking and signal equipment, station equipment, air-condition systems, and traction power systems. RTUs also process train-to-wayside communications data. These projects were initiated to decrease equipment failures, improve system functionality, and provide reliable service to customers.

The audit objective was to determine whether the RTU replacement project was efficient, economical, and provided the required solution.

Audit Results:

WMATA had not established an overall RTU replacement project, or fully integrated and coordinated the activity. WMATA did not complete several critical project lifecycle management processes, such as a business needs assessment, risk assessment, and project plan. The lack of an integrated and fully coordinated enterprise-wide RTU replacement project put individual RTU projects at risk. The issues raised by OIG prompted management to conclude that one of the interim IT RTU replacement projects was infeasible. This project was subsequently repurposed, increasing cost efficiency by putting \$62.9 million to better use including \$23.6 million in net savings.

In addition, WMATA agreed to: (1) develop an enterprise-wide, integrated strategy and modernization plan for industrial control systems/SCADA to include the RTU replacement project; (2) complete the permanent future state high-level SCADA architecture; (3) integrate the RTU replacement project with the permanent fiber optics communication project; (4) put additional oversight and security controls and processes in place; and (5) develop a robust communication plan to coordinate the project across the organization.

WMATA management concurred with the findings and recommendations and is in the process of implementing the recommendations.

Audit of WMATA's Financial Statements for FY 2020

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.

The WMATA Compact, Section 70, states that an audit shall be made of the financial accounts of the Authority, shall be prepared in accordance with generally accepted accounting principles, and shall be filed with the Chairman and other officers as the Board shall direct. The Board, through the adoption of Board Resolution 2006-18, established OIG's responsibility for the supervision of WMATA's annual independent audit of financial statements.

The objective of this audit was to:

- Express opinions on the Authority's financial statements;
- Review compliance with applicable laws and regulations;
- Review the controls in WMATA's computer systems that are significant to the financial statements; and
- Assess WMATA's compliance with Office of Management and Budget's Uniform Guidance.

Audit Results:

RSM US LLP conducted the audit, and OIG performed oversight and monitoring procedures to ensure completion of the audit deliverables. In October 2020, RSM issued WMATA's Financial Report for the years ended June 30, 2020 and 2019. WMATA received an unmodified "clean" opinion on the report.

Table 5: OIG Audit Reports

| Report Number | Report Title | Date Issued |
|---------------|---|-------------|
| OIG 21-01 | Audit of the Replacement of WMATA's Remote Terminal Units | 11/16/20 |

Audits in Progress

Audit of Cybersecurity over Rail

WMATA Strategic Goal: Meet or Exceed Customer Expectations by Consistently Delivering Quality Service.

Metrorail uses many electronic systems to ensure the safe and efficient operation of the rail transit system. Critical activities operated through the rail systems include control of trains, power, station ventilation, voice and data communications, and monitoring of gas and fire sensors. Metrorail has also been designated by the Department of Homeland Security as a critical infrastructure.

The objective is to determine whether cybersecurity measures are in place and effective to protect Metrorail against cyber threats.

Audit of Control and Accountability of Fuel

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.



WMATA manages over 1,500 non-revenue vehicles and spends about \$1.2 million on fuel each year. The audit will examine fuel purchases to ensure fuel for WMATA vehicles is being properly used and accounted for. Topics will include the cost of fuel and whether bulk discounts are being provided. Because this is a high value asset susceptible to theft, control and accountability are essential.

The audit objective is to determine whether WMATA has adequate controls and accountability of fuel.

Audit of Improper Payments

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.

Broadly defined, improper payments are those made for the wrong amount, to the wrong entity, for the wrong reason, or at the wrong time. During FY 2019, WMATA made \$1.1 billion in capital and \$1.5 billion in operating payments through its accounts payable system. The audit will help ensure the elimination and recovery of payments improperly made by WMATA by targeting errors as well as waste, fraud, and abuse.

The audit objective is to identify improper payments in WMATA activities and determine whether WMATA has adequate controls in place to minimize improper payments.

Audit of WMATA's Defined Benefit Pension Plans

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.

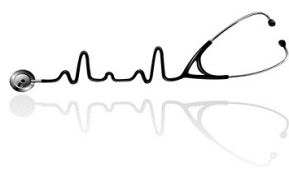


WMATA has five defined benefit pension plans, three of which are still open to new participants of certain unions. The closed plans were available to WMATA employees based on their union representation or lack thereof. At the end of FY 2019, there were 18,970 participants in these plans. The total pension liability was \$5.1 billion of which \$837 million was unfunded. In FY 2019, \$285 million in benefit payments were made to retirees. These pension plans are governed by their own Boards of Trustees, which are comprised of elected members and members designated by WMATA management and Union management.

The audit objective is to assess the effectiveness of the pension program oversight.

Audit of Health and Welfare Funds (L689 & L922)

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.



The Health & Welfare Funds support plans that offer members of unions L689 and L922 a comprehensive package of benefits including medical, prescription drug, dental, vision, life and accident and long-term and short-term disability insurance. In FY 2019, WMATA paid approximately \$236.7 million for these benefits to 11,508 employees.

The Health and Welfare Plans are governed by their own Boards of Trustees, which are comprised of members designated by WMATA management and Union management.

The audit will assess the effectiveness of oversight of the funds.

Audit of WMATA's Mission Critical Legacy Systems

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.

Modern IT infrastructures are core components of many small, medium, and large enterprises. As technology quickly evolves, it is important for enterprises to implement, maintain, and utilize up-to-date systems. However, often systems in use become outdated and fall under the category of legacy systems. Such hardware and software legacy systems are often critical systems needed for the enterprise's core, daily operations. It is necessary to identify existing legacy systems that an enterprise uses, and to determine if - and how - the legacy systems should be upgraded.

The audit will (1) identify the mission critical legacy systems, (2) determine if plans exist to modernize and update these systems, and (3) assess the adequacy of the modernization plans.

Corrective Actions on Audit Recommendations

OIG tracks and documents the status of audit recommendations and WMATA corrective action plans.

Positive change results from the process in which management acts to improve operations based on the recommendations in the published audit report. Management actions are monitored until final action is taken on all recommendations. Listed below are recommendations issued more than 6 months ago that are still outstanding. In every case listed, management's ongoing actions will correct the deficiency identified during the audit.

Table 6: Recommendations Described in Previous Semiannual Reports on Which Corrective Action Has Not Been Completed as of December 31, 2020.

| Report Number | Report Title | Date Issued | Number of Recommendations | | Latest Target Date (Per WMATA Corrective Action Plan) |
|---------------|---|-------------|---------------------------|----------|--|
| | | | Open | Complete | |
| OIG 18-08 | Audit of WMATA's IT Incident Response Process | 06/20/2018 | 2 | 5 | 04/30/21 |
| OIG 19-02 | Audit of WMATA's Security Over Publicly Accessible Web Applications | 09/05/2018 | 1 | 7 | 04/30/21 |
| OIG 19-08 | Audit of Cybersecurity Requirements in WMATA's Procurements | 03/05/2019 | 1 | 5 | 09/30/21 |
| OIG 19-09 | Audit of KRONOS Implementation Project | 04/17/2019 | 1 | 5 | 06/30/21 |
| OIG 19-10 | Audit of WMATA's End-of-Service Life Operating System Software | 05/01/2019 | 3 | 3 | 09/01/22 |
| OIG-19-11 | Audit of WMATA's Software Asset Management Program | 06/19/2019 | 1 | 0 | 06/30/22 |
| OIG 20-04 | Audit of WMATA's Rail Performance Monitoring System | 10/30/2019 | 1 | 2 | 02/26/21 |
| OIG 20-07 | Audit of WMATA's Data Compromise Response Capabilities | 06/19/2019 | 1 | 3 | 05/30/21 |

Summary of Contract Audits

Contract audits are performed within their stated scope and objective(s) as agreed with management and can cover a broad range of financial and non-financial subjects. Because these reports generally involve contractor proprietary information, the reports are not posted on the OIG website and are not publicly distributed.

From July 1, 2020, through December 31, 2020, OIG issued 19 contract audit reports.

Table 7: Contract Audit Reports

| Report Number | Report Title | Date Issued |
|---------------|--|-------------|
| CAM 21-001 | Independent Review of Proposed Rates for Contract FQ15192, General A&E Consultant Services – Systems IDIQ | 7/15/2020 |
| CAM 21-002 | Independent Review of Pre-Award for Contract No. F20064, New Escalator Replacement Project | 8/05/2020 |
| CAA 21-001 | Independent Review of Pre-negotiation Proposal for Contract No. FQ19121/RSC, Full Fleet Traffic Signal Prioritization (TSP) Expansion on 979 Buses | 8/06/2020 |
| CAA 21-002 | Independent Review of Pre-negotiation Proposal for Contract No. CQ18037, Comprehensive Transit Bus Intelligent Transportation System (ITS) Preventive & Corrective Maintenance & Warranty Service | 8/06/2020 |
| CAA 21-003 | Independent Review of Pre-negotiation Proposal for Contract No. FQ18001, 100 40ft Lower-Floor Clean Diesel and 32 60ft Lower-Floor Clean Diesel Articulated Heavy-Duty Transit Buses Engineering Changes of Contract FQ18001, Option 1 | 8/20/2020 |
| CAM 21-003 | Independent Review of Proposed Rates for Contract FQ19172, General Architectural and Engineering Consultant On-Call Design Services | 9/11/2020 |
| CAM 21-004 | Independent Review of Proposed Rates for Contract FQ18033, General Architectural and Engineering Consultant Services – Program Management, Construction Management, and Engineering Support Services IDIQ | 9/11/2020 |

| Report Number | Report Title | Date Issued |
|---------------|---|-------------|
| CAA 21-004 | Independent Review of Proposal for Contract No. RC7000, PCO No. Mod 11, Modification 11 – Warranty Extension | 9/23/2020 |
| CAM 21-005 | Independent Review of Pre-Award Proposal for Contract FQ18001, 100 40ft Lower-Floor Clean Diesel and 32 60ft Lower-Floor Clean Diesel Articulated Heavy-Duty Transit Buses Engineering Changes of Contract FQ18001, Option Year 2 | 10/1/2020 |
| CAM 21-006 | Independent Review of Pre-Award for Contract No. F20164, Platform Rehabilitation Program Contract 3 | 10/16/2020 |
| CAM 21-007 | Independent Review of Pre-Award for Contract No. F20164, Platform Rehabilitation Program Contract 3 | 10/16/2020 |
| CAM 21-008 | Independent Review of Pre-Award for Contract No. FMCAP2002290, Smart Yard Management System | 10/23/2020 |
| CAA 21-005 | Independent Review of Pre-negotiation for Contract F20064, New Escalator Replacement Project | 10/30/2020 |
| CAA 21-006 | Independent Review of Pre-negotiation Proposal for Contract No. FMCAP200229, Smart Yard Management System | 12/17/2020 |
| CAM 21-009 | Independent Review of Proposed Rates for Contract FQ15192, General A&E Consultant Services – Systems IDIQ | 12/23/2020 |
| CAA 21-007 | Independent Review of Proposed Costs for Contract No. RC7000, No-Cost Modification 7000 Series Rapid Transit Railcars | 12/24/2020 |
| CAM 21-010 | Independent Review of Proposed Rates for Contract FQ18033, General Architectural and Engineering Consultant Services – Program Management, Construction Management, and Engineering Support Services IDIQ | 12/30/2020 |
| CAM 21-011 | Independent Review of Proposed Rates for Contract FQ18033, General Architectural and Engineering Consultant Services – Program Management, Construction Management, and Engineering Support Services IDIQ | 12/30/2020 |
| CAM 21-012 | Independent Review of Proposed Rates for Contract FQ19172, General Architectural and Engineering Consultant (GEC) On-Call Design Services | 12/30/2020 |

Attachment 2

Semiannual Report to the Board of
Directors, No. 28



OFFICE OF INSPECTOR GENERAL
SEMIANNUAL REPORT
NO. 28





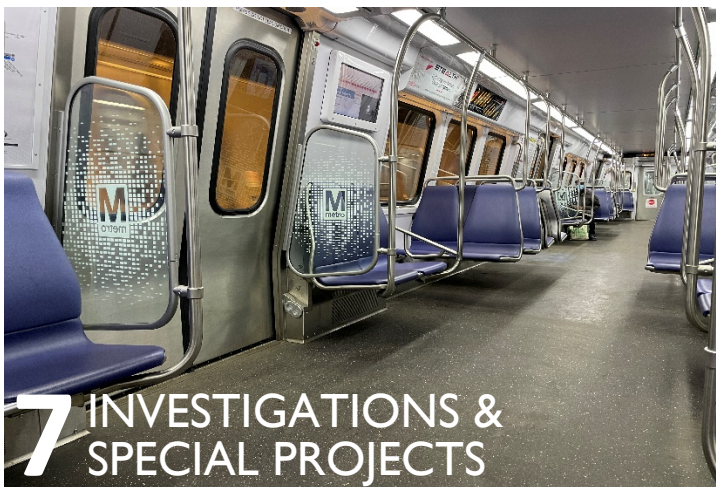
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THE INSPECTOR GENERAL'S MESSAGE TO THE BOARD

JANUARY 1, 2021 – JUNE 30, 2021

In spite of the extraordinary challenges created by the pandemic and the impact it has had on the Washington Metropolitan Area Transit Authority (WMATA) and our region as a whole, I am thankful that my staff quickly adapted as events unfolded and the oversight responsibilities of the WMATA Office of Inspector General (OIG) were never compromised.



Geoffrey A. Cherrington,
Inspector General

Once again, I am pleased to present this Semiannual Report on the activities and accomplishments of the WMATA OIG from January 1, 2021 to June 30, 2021, marking this the OIG's third Semiannual Report released during the COVID pandemic.

Organizationally, WMATA's challenges during the pandemic have been many. Protecting the public and their staff has been, collectively, the greatest priority. Economically, reduced ridership was a crippling blow, but WMATA is working hard to incentivize riders back into the Metro system. As WMATA adapted, so did my staff by remaining committed to detecting inefficiencies, both small and large, in order to minimize fraud, waste, and abuse at WMATA. We are grateful for the opportunity to ensure WMATA is not only operating efficiently, but also as an accessible, inclusive, and safe space for customers and employees alike.

I would also like to welcome our two new members of the WMATA Board of Directors who joined us this reporting period. I, along with my staff, look forward to working together.

During the six months covered by this report, OIG investigative work resulted in three reports of Investigation (ROI), one Management Alert, one Management Assistance Report, and three Special Project Reports. OIG audit work identified weaknesses in WMATA's improper payment program. A report recommended that WMATA establish a comprehensive program to identify improper payments to vendors, as it is a steward of significant public resources. In addition, OIG issued the Audit of WMATA's SmarTrip Regional Partner Comparative Billing Statements for FYs 2019 and 2020 and WMATA's Single Audit for FY2020. We continue to focus our efforts on procurement fraud by conducting contract audits and during this period we issued 24 contract audit reports and two Buy America Act audit reports, identifying \$800,000 in possible savings which WMATA desperately needs during this time of financial uncertainty. As part of our dedication to the Federal Transit Administration's Buy America requirements, we sent an audit team to the bus manufacturing plant to inspect and ensure this mandate was followed. The two audit reports showed the manufacturer was in compliance with FTA regulations.

OIG strives to maintain the highest possible standards of professionalism and quality in investigations, evaluations, inspections, and audits. I would like to commend our dedicated and professional staff for their diligence and commitment to the mission of this office.

Finally, I would like to thank WMATA management and their staff for the collaborative efforts in implementing recommended corrective actions in a timely manner.

Geoffrey A. Cherrington
Inspector General



OVERVIEW OF OIG

BACKGROUND

The Board of Directors established OIG by Resolution 2006-18, approved April 20, 2006. On August 19, 2009, the WMATA Compact was amended to recognize OIG by statute and to make the Inspector General an officer of WMATA. The Inspector General reports to the Board.

MISSION STATEMENT

Under the WMATA Compact OIG is “an independent and objective unit of the Authority that conducts and supervises audits, program evaluations, and investigations relating to Authority activities; promotes economy, efficiency, and effectiveness in Authority activities; detects and prevents fraud and abuse in Authority activities; and keeps the Board fully and currently informed about deficiencies in Authority activities as well as the necessity for and progress of corrective action.” We provide advice to the Board and General Manager/Chief Executive Officer (GM/CEO) to assist in achieving the highest levels of program and operational performance at WMATA.

OUR CORE VALUES

Excellence - We are committed to excellence in our people, our processes, our products, our impact, and in the performance of our mission.

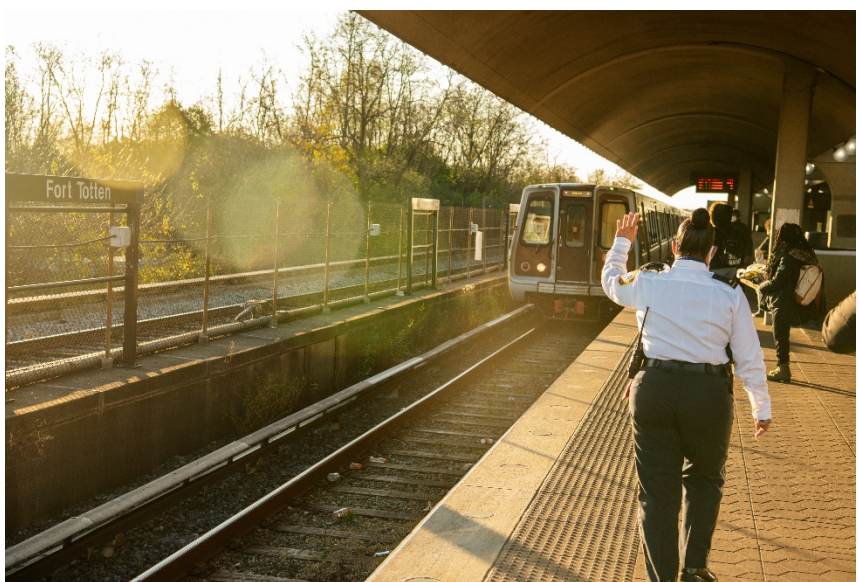
- We value a diverse, educated, and highly trained workforce that reflects independence, initiative, and mutual respect.
- We value operating within an objective code of standards yet remain open to innovation.
- We support WMATA's mission to provide safe, equitable, reliable, and cost-effective public transit.

Accountability - We insist on high standards of professional conduct from OIG employees at all levels and compliance with professional standards to ensure the Board and management can rely on our products.

- We have confidence in the accuracy of our work and that our results hold up to professional scrutiny.
- We encourage an environment of risk-free communication and promote an open, honest, and respectful exchange of ideas and information.

Integrity - We strive to maintain the highest level of trust and integrity in all of our activities, and the approach we take in accomplishing our mission must reflect fairness, balance, and credibility.

- The personal and professional qualities of our employees include honesty, respect for others, and freedom from bias.
- We value and protect our access to information recognizing that reputations, public confidence, and lives can be affected by our actions.



OIG STAFF

OIG is made up of two offices - Investigations and Special Projects (OI) and Audits and Evaluations (OA).

OFFICE OF INVESTIGATIONS & SPECIAL PROJECTS

OI focuses on three areas: Investigations, Special Projects, and Cybersecurity/Data Analytics. OI is comprised of staff who have extensive law enforcement experience at the local, state, and federal levels. Collectively, its staff has more than 300 years of law enforcement experience in conducting fraud, financial, administrative, police misconduct, and myriad economic and general crime investigations. Many of the staff have served in executive level positions where they managed a variety of investigations, both domestic and international. They have received extensive training in law enforcement investigative techniques from federal law enforcement agencies such as the Federal Law Enforcement Training Center, Military Criminal Investigative Academies, the Federal Bureau of Investigation, the Internal Revenue Service, as well as local police academies and private institutions. All of them have college degrees; several have Master and Juris Doctor degrees. Many staff members are Certified Fraud Examiners.

Investigations

OI conducts criminal, civil, and administrative investigations relating to WMATA activities, programs, and operations. Investigations can lead to criminal prosecution, civil penalties, disciplinary action, and/or administrative action. OI also manages the OIG Hotline, including the intake of complaints and determining the appropriate handling of those complaints. Complaints may be investigated by OI or referred to management, to OA for audit consideration, or to another agency, as appropriate. OI also aggressively pursues proactive investigations through data analysis, recruiting confidential informants, and mining financial information to detect evidence of wrongdoing. OI reports to the WMATA Board of Directors on a regular basis regarding these activities.

OI also investigates Whistleblower retaliation complaints. OI makes quarterly reports to the Board regarding Whistleblower complaints and outcomes or litigation that relate to any protected activity or prohibited personnel practices.

Special Projects

Special Projects provides a range of specialized services and products, including quick reaction reviews, onsite inspections, and in-depth evaluations of a major departmental function, activity, or program.

These products include:

- Factual and analytical information;
- Monitoring compliance;
- Measuring performance;
- Assessing the effectiveness and efficiency of programs and operations;
- Sharing best practices; and
- Inquiring into allegations of fraud, waste, abuse, and mismanagement.

Evaluations often result in recommendations to streamline operations, enhance data quality, and minimize inefficient and ineffective procedures.

Cybercrimes and Data Analytics

The OI Cybercrimes and Data Analytics Unit manages OIG's information technology, cyber, forensics, and data analytics programs. Its primary function is to provide investigative support and coordination to OIG investigations and audits. The unit's members also serve as subject experts on matters under their purview such as digital forensic analysis, cyber incident response protocols, and the use of data analytics as a way to uncover fraud and misconduct in WMATA programs and activities. In addition, since OIG is responsible for investigating cybercrimes that affect WMATA programs and operations, OIG coordinates with the Chief Information Officer (CIO), the Chief Information Security Officer (CISO), and all appropriate Information Technology (IT) staff.

OFFICE OF AUDITS

OA is comprised of two teams: the financial and contract audit team, and the information technology and administration audit team. OIG audits provide independent assessments of WMATA programs and operations that help to reduce waste, abuse, and mismanagement and to promote economy and efficiency. OIG also oversees audit work done by outside audit firms on behalf of OIG. Our staff is comprised of auditors with educational backgrounds and degrees in accounting, finance, and information systems. Most of the staff have professional certifications as accountants, internal auditors, fraud examiners, and information systems auditors.

Each July, OIG issues an *Annual Audit Plan* that summarizes the audits planned for the coming fiscal year. OIG seeks management input from the GM/CEO and his staff as a part of the planning phase. Unanticipated high-priority issues may arise that generate audits not listed in the *Annual Audit Plan*.



INVESTIGATIONS & SPECIAL PROJECTS

BACKGROUND

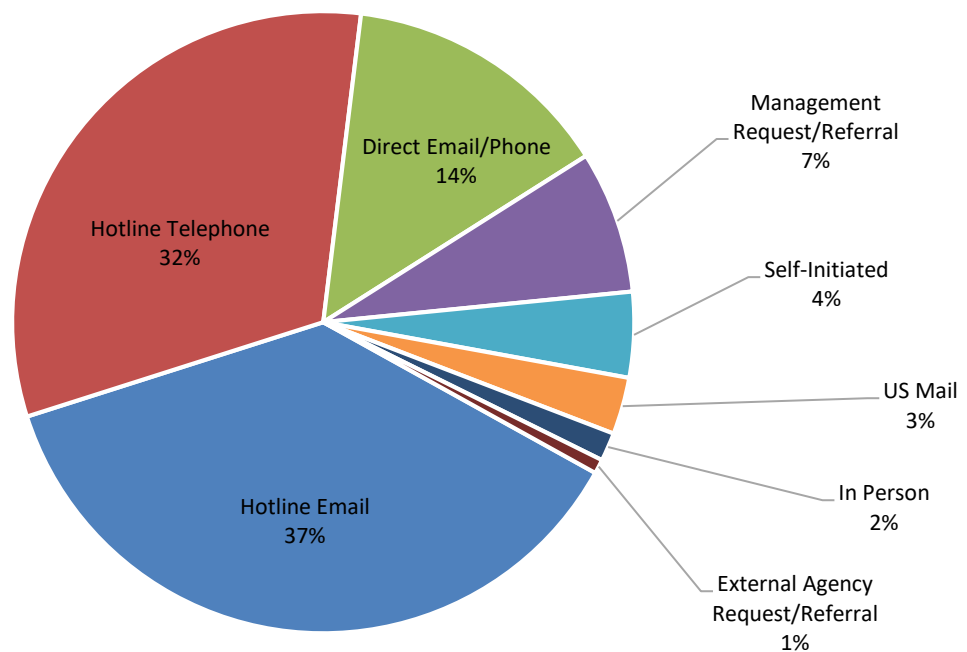
During this reporting period, OI conducted both criminal and administrative investigations involving allegations of wrongdoing. Several of these investigations involved potential criminal activity. OIG Special Agents and Investigators worked closely with federal, state, and local law enforcement agencies and prosecutors to pursue criminal charges when appropriate. During this reporting period, OI issued numerous subpoenas related to ongoing investigations. To ensure the confidentiality and integrity of sensitive information, only a summary of the variety of complaints and investigations conducted is provided in this report.

OIG HOTLINE ACTIVITY

The OIG Hotline receives information from WMATA employees, customers, vendors, and the general public. It is an important avenue for reporting criminal and other misconduct. OI staff review the hotline information received to evaluate the need for OIG investigative action or referral to an outside agency or internal WMATA office for appropriate review and action. Tables 1-4, below, provide an overview of the number of complaints received, dispositions, sources of complaints, and Whistleblower activity. Due to reduced ridership from the COVID-19 pandemic, complaints received during this reporting period are significantly lower than previous reporting periods.

Table 1: Hotline Complaint Summary

| Complaint Type | No. |
|---|--------------------------|
| Complaints Received | 135 |
| <ul style="list-style-type: none"> Investigations Initiated from Complaints Open Referred to Management or Other Entity Closed No OIG Action Investigations Closed¹ | 11 9 65 50 4 |

Table 2: Source of Complaints Received

¹ Includes investigations from prior reporting periods

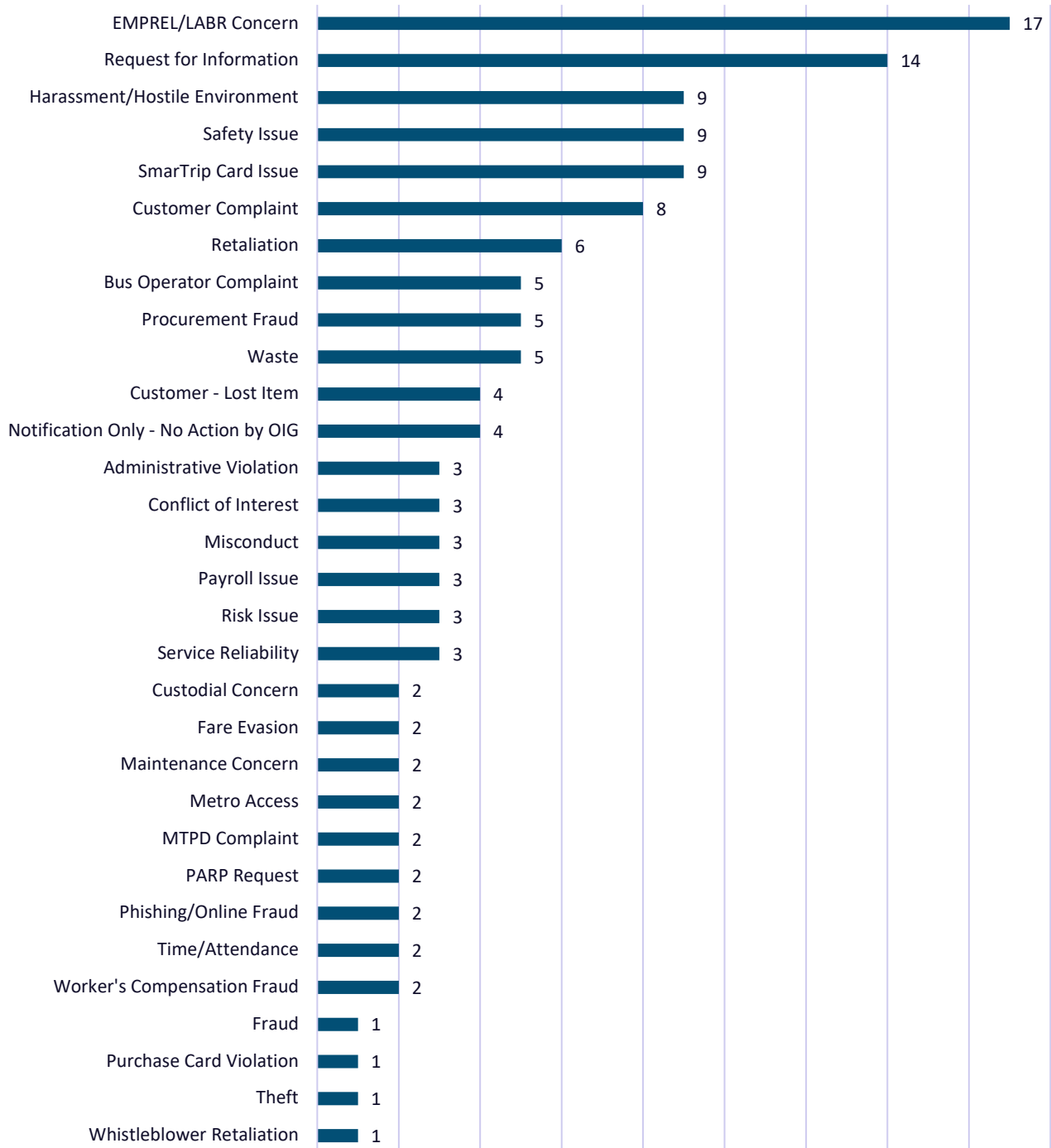
Table 3: Categories of Complaints Received

Table 4: Whistleblower Protection Cases

The OIG investigates whistleblower complaints to protect employees from retaliation.

| Whistleblower Complaints | |
|--|---|
| Complaints Received | 1 |
| Investigations Initiated from Complaints | 0 |

PROSECUTORIAL OUTCOMES FROM CRIMINAL CASES

Guilty Plea – Social Security Benefits Fraud

With OIG's assistance, the Social Security Administration, Office of Inspector General, investigated Sonya Burford, a former WMATA employee, who pleaded guilty on May 5, 2021 to the federal charge of theft of government property for stealing \$322,938 in Social Security benefits to which she was not entitled. OIG also issued an ROI detailing its involvement in this case, described later in this section.

[Read the press release here.](#)

Indictment – Fuel Injector Theft Case

Former WMATA employee, David Wright, was indicted on June 22, 2021 for two counts of theft by the Prince George's County State's Attorney's Office. Wright is accused of stealing fuel injectors and other WMATA bus engine parts, valued at more than \$155,000, and selling them online to various vendors and individuals.

REPORTS OF INVESTIGATION

Payroll Lending Scheme

OIG identified a payroll lending scheme operated by a WMATA employee. The employee loaned other WMATA employees various amounts of money, ranging from several hundred to several thousand dollars. In exchange for these loans, the employee charged interest rates as high as 498%. Employees were instructed to direct deposit a predetermined amount from their WMATA paycheck to a certain account to ensure repayment. Between March 2018 and April 2019, the employee received \$139,107.47 in loan repayments from WMATA employees. As a result of OIG's investigation, the employee settled with the State of Maryland for multiple civil violations, including operating a business without a license, usury, and failing to provide receipts and financial statements to customers. The employee was ordered to pay a civil penalty of \$5,000, pay restitution to each respondent, totaling \$13,892.10, and cease collecting outstanding debt in the amount of \$55,560.00. The employee was also terminated by WMATA management.

Whistleblower Retaliation

OIG received a complaint alleging whistleblower retaliation. The complaint alleged Management denied pay, falsified performance reports, and issued an inaccurate disciplinary memorandum after concerns were raised about the lack of COVID-19 related personal protective equipment. OIG's investigation did not substantiate the allegation of whistleblower retaliation.

Social Security Fraud

OIG received information that WMATA employee, Sonya Burford, was unlawfully collecting monthly social security benefit payments to which she was not entitled. The investigation revealed Burford's late husband was a legitimate social security beneficiary. After his death, Burford continued to unlawfully receive her deceased husband's benefit payments for 14 years. The investigation also confirmed Burford failed to report her husband's death to the Social Security Administration. In total, Burford fraudulently received \$322,938 in social security payments.

Metro Transit Police Department, Criminal Investigation Division

OIG received information alleging between 2010 and 2017, the Metro Transit Police Department (MTPD) Criminal Investigation Division (CID) failed to investigate approximately 3,110 complaints of felony and misdemeanor offenses, including armed robberies, sexual offenses, assaults, and other crimes within MTPD's jurisdiction. The OIG investigation revealed MTPD could only produce minimal documentation for 1,445 of the 3,110 complaints referenced above. Approximately 84.1% (1,215 cases) lacked any documentation of investigative activity. MTPD acknowledged the lack of documentation and provided OIG with some corrective actions implemented as early as 2017. MTPD responded, indicating that they have implemented eight of OIG's recommendations, OIG continues to review the matter.

SPECIAL PROJECT REPORTS

MetroAccess Customer Complaint – Travel Time

U.S. Congressman Gerald Connolly's office forwarded a complaint to OIG regarding travel times for passengers using MetroAccess (MACS). The complaint reported issues involving both late pick-ups and lengthy travel time, allegedly caused by confusing GPS information. OIG identified several issues with MACS service involving travel time, routing, performance measurement, and customer communication. OIG made five recommendations to the CEO/GM for improvement to MACS service. Management concurred with all five conditions and 4 out of 5 recommendations.



[Read the report here.](#)

MTPD Internal Affairs Review

OIG reviewed policies, procedures, and practices for MTPD's investigation of complaints against its personnel between February 2018 and February 2020. The review found MTPD conducts its internal affairs investigations in a manner consistent with its policies, regardless of the rank of the subject of the complaint. The case file management system for documenting investigations generally provided enough justification for the findings. However, OIG reviewed several files in which documentation was missing or insufficient. OIG also noted MTPD General Order 231 lacks instruction for investigation of complaints against senior officials. Also, MTPD does not prepare and disseminate an annual summary of complaints against MTPD officers, dispositions, and corrective actions taken. OIG made 12 recommendations to management for improvement, including a recommendation to refer allegations of misconduct against captains and above to OIG for further review, however, MTPD did not concur with this recommendation. [Read the report here.](#)

Chicago Transit Authority – WMATA Comparison

A former WMATA Board Vice Chair requested OIG compare the performance of the Chicago Transit Authority (CTA) to WMATA to determine whether the two transit authorities' policies, practices, and operational philosophies resulted in different performance outcomes. In several national transit reports, CTA is reported to operate with lower costs and better asset utilization than most other large transit authorities. OIG's review sought to determine if there were any operational or business practices employed by CTA that WMATA may want to consider in future strategic planning efforts. OIG's review began with a 2019 base year and found areas where CTA has performance advantages in headcount, system complexity, and flexible work rules. CTA also has a more substantial, lower cost, bus centric ridership base. OIG found WMATA performed better in rail service with respect to farebox recovery and comparably in other areas. [Read the report here.](#)

Conflict of Interest

OIG received a complaint from the WMATA Board regarding a potential conflict of interest involving a vendor and several WMATA employees. OIG determined no conflict of interest existed and the vendor performed according to management's satisfaction.

MANAGEMENT ASSISTANCE REPORTS (MAR)

MAR-21-0001 Metro Transit Police Department, Criminal Investigation Division

As a result of OIG's investigation into the allegation that MTPD failed to investigate approximately 3,110 victim and general complaints, a MAR was issued to assist management in improving its investigative and record keeping processes. The MAR identified 10 recommendations for improvement. The MTPD Chief of Police indicated an internal audit of investigative case files was ongoing. [Read the report here.](#)



AUDITS & EVALUATIONS

BACKGROUND

Audit work focuses on areas of concern such as financial and IT security and management; contracts; human capital; administrative issues; and high-risk programs that impact the safe operation of the transit system. During this reporting period, OIG issued 29 audit reports. An additional seven audits were in progress as of June 30, 2021. 24 of the audit reports were procurement/contract audits that identified \$800,000 in possible savings.

PROCUREMENT AND CONTRACT AUDITS TO ASSIST IN IDENTIFYING FRAUD, WASTE, AND ABUSE

OIG issued 24 contract audits and two Buy America audits that identified \$800,000 in possible savings. Contract audits are performed within their stated scope and objective(s) as agreed with management. They can cover a broad range of financial and non-financial subjects, which assist WMATA's procurement department in their contract negotiation process. These audits may uncover fraud, waste, and abuse or other procurement related issues. Because these reports generally involve contractor proprietary information, the reports are not posted on OIG's website and are not publicly distributed.

Table 7: Contract and Buy America Audit Reports

| Report Number | Report Title | Date Issued |
|---------------|--|-------------|
| CAM 21-013 | Independent Review of Proposed Rates for Contract FQ18033, General Architectural and Engineering Consultant Services – Program Management, Construction Management, and Engineering Support Services IDIQ | 1/04/2021 |
| CAM 21-014 | Independent Review of Proposed Rates for Contract FQ18033, A&E Consultant Services, IDIQ | 1/12/2021 |
| CAM 21-015 | Independent Review of Pre-Award for Contract C20145, Regional Call Service Center | 1/22/2021 |
| CAA 21-008 | Independent Review of Proposal Cost for Contract No. CQ19222/JJH, Zero Base Budget | 2/03/2021 |
| CAM 21-016 | Independent Review of Proposed Rates for Contract FQ15192, General Architectural and Engineering Consultant Services – Systems IDIQ | 2/05/2021 |
| CAA 21-009 | Independent Review of Post-Delivery Buy America Audit for Contract FQ18001, Option 2, 40ft Lower-Floor Clean Diesel (40XD) and 60ft Lower-Floor Clean Diesel Articulated (60XD) Heavy-Duty Transit pilot buses | 3/03/2021 |
| CAA 21-010 | Independent Review of Price Proposal for Contract No. F20155, Bus Polycarbonate Window Replacement Program | 3/16/2021 |
| CAM 21-017 | Independent Review of Pre-Award for Contract FQ19218, “AC Switchgear Room Rehabilitation Nine Stations” | 4/02/2021 |
| CAA 21-011 | Independent Review of Pre-Award Buy America Audit for Contract FQ18001, Option 3, 100 40ft Lower-Floor Clean Diesel Heavy-Duty Transit Buses | 4/09/2021 |
| CAM 21-018 | Independent Review of Proposed Rates for Contract FQ18033, A&E Consultant Services – PM/CM and New Design GEC | 4/22/2021 |
| CAM 21-019 | Independent Review of Proposed Rates for Contract FQ18033, A&E Consultant Services, IDIQ | 4/29/2021 |
| CAM 21-020 | Independent Review of Proposed Rates for Contract FQ15192, General Architectural and Engineering Consultant Services – Systems IDIQ | 4/29/2021 |
| CAM 21-021 | Independent Review of Pre-Award for Contract No. FIRPG211113, “Structural Project A” | 5/10/2021 |
| CAM 21-022 | Independent Review of Proposed Rates for Contract No. FQ18033, A&E Consultant Services – PM/CM IDIQ | 5/14/2021 |
| CAM 21-023 | Independent Review of Pre-Award for Contract FQ19151, “Rehabilitation of WMATA Parking Garages – 5 Locations Addison, Anacostia, Wheaton, New Carrollton and Huntington” | 5/14/2021 |
| CAM 21-024 | Independent Review of Proposed Rates for Contract FQ18033, A&E Consultant Services, IDIQ | 5/18/2021 |
| CAM 21-025 | Independent Review of Pre-Award for Contract FLAND211142/CLAND21020/LP, “Parking Facilities Preventive Maintenance Services” | 5/18/2021 |
| CAM 21-026 | Independent Review of Proposed Rates for Contract FQ15192, “A&E Consultant Services” | 5/20/2021 |

| Report Number | Report Title | Date Issued |
|---------------|---|-------------|
| CAM 21-027 | Independent Review of Pre-Award for Contract FLAND211142/CLAND21020/LP, "Parking Facilities Preventive Maintenance Services" | 5/28/2021 |
| CAM 21-028 | Independent Review of Proposed Rates for Contract FQ18033, General Architectural and Engineering Consultant Services – Program Management, Construction Management, and Engineering Support Services IDIQ | 6/04/2021 |
| CAM 21-029 | Independent Review of Pre-Award for Contract C20050/CCMNT20041, "7K Maintenance Parts" | 6/10/2021 |
| CAM 21-030 | Independent Review of Proposed Rates for Contract FQ19172, New Design GEC | 6/10/2021 |
| CAM 21-031 | Independent Review of Proposed Rates for Contract FQ18033, A&E Consultant Services – PM/CM | 6/10/2021 |
| CAM 21-032 | Independent Review of Proposed Rates for Contract FQ18033, General Architectural and Engineering Consultant Services – Program Management, Construction Management, and Engineering Support Services IDIQ | 6/17/2021 |
| CAM 21-033 | Independent Review of Pre-Award for Contract No. FIRPG211121, Station Platform Rehabilitation Program Contract 4 | 6/30/2021 |
| CAM 21-034 | Independent Review of Pre-Award for Contract No. FIRPG21117, Yellow Line Tunnel Rehabilitation - CMAR | 6/30/2021 |

AUDIT SUMMARIES

Audit of WMATA's SmarTrip Regional Partner Comparative Billing Statements for FYs 2019 and 2020.

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.

WMATA has a funding agreement with ten local jurisdictions (the Participating Jurisdictions) to provide a seamless regional system for transit fare collections for both the service areas of the Authority and the Maryland Transportation Administration using smart card technology.

WMATA and the Participating Jurisdictions have agreed to fund their share of the operating expenses of the SmarTrip system. The agreement defines the regionally shared operating expenses, allocation methods, and funding requirements.



Each year, WMATA is required to prepare SmarTrip Regional Partner Comparative Billing Statements to provide an allocation of the actual operating expenses incurred for the Regional SmarTrip Program for each of the Participating Jurisdictions for the current and prior fiscal years ended June 30. The actual operating expenses incurred and the allocation to each Participating Jurisdiction are audited at the end of each fiscal year.

The objective of this audit was to express an opinion on WMATA's SmarTrip Regional Partner Comparative Billing Statements for FYs 2020 and 2019.

Audit Results: RSM US LLP conducted the audit on behalf of OIG. In January 2021, RSM issued the report - *SmarTrip Regional Partner Comparative Billing Statements for the Fiscal Years Ended June 30, 2019 and 2020*. WMATA received an unmodified "clean" opinion on the report. [Read the report here.](#)

WMATA's Single Audit for FY 2020

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.

The WMATA Compact, Section 70, states that an audit shall be made of the financial accounts of the Authority, shall be prepared in accordance with generally accepted auditing principles, and shall be filed with the Chairman and other officers as the Board shall direct. The Board, through the adoption of Board Resolution 2006-18, established OIG's responsibility for the supervision of WMATA's annual independent audit of financial statements.



The objective of a Single Audit is to ensure a recipient of federal funds is in compliance with the federal program's requirements for how the money can be used. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the Single Audit.

Audit Results:

- Internal Controls over Financial Reporting: Unmodified opinion
- Internal Controls over Compliance: No findings
- Compliance and other matters: No findings

[Read the report here.](#)

Review of WMATA's Improper Payments

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.

Broadly defined, improper payments are those made for the wrong amount, to the wrong entity, or for the wrong reason. A comprehensive improper payments program would ensure that WMATA has a defined proactive process to safeguard its resources against future improper payments and to recover funds when improper payments occur.

The audit objective was to determine whether WMATA appropriately monitors disbursements.

Review Results: While WMATA has disbursement controls to prevent improper payments, it has not established a comprehensive improper payment program. For example, WMATA has not:

- Identified WMATA transactions that can be susceptible to improper payments;
- Performed an improper payment risk assessment;
- Designed controls to detect and reduce improper payments;
- Utilized data analytics tools such as the "DNP" Portal, as a detective internal control, to help ensure payments were appropriate; and
- Reported improper payment metrics to WMATA leadership.

This condition occurred because WMATA does not have a WMATA-specific requirement for identifying and reducing improper payments. OIG recommended that WMATA establish a comprehensive program as it is a steward of significant public resources.

WMATA management concurred with the finding and recommendation and is in the process of implementing the recommendation. [Read the report here.](#)

Table 5: OIG Audits and Other Reports

| Report Number | Report Title | Date Issued |
|---------------|---|-------------|
| OIG 21-03 | Audit of WMATA's SmarTrip Regional Partner Comparative Billing Statements for FYs 2020 and 2019 | 2/25/21 |
| OIG 21-04 | WMATA's Single Audit for FY 2020 | 2/25/21 |
| OIG 21-05 | Review of WMATA's Improper Payments | 6/28/21 |

AUDITS & REVIEWS IN PROGRESS

Audit of WMATA's Cloud Computing Strategy

WMATA Strategic Goal: Meet or exceed customer expectations by consistently delivering quality service.

Cloud computing provides on-demand access to a shared pool of computing resources. The adoption of cloud computing has become mainstream by large enterprises because it provides benefits such as: (1) potential cost savings, (2) improved delivery, (3) ease of scalability and procurement efficiencies, as well as (4) operational efficiencies and security. WMATA has a limited presence in the cloud computing environment.

The objective of the audit is to assess the strategy and plan for migrating applications to the cloud.

Audit of WMATA's COVID-19 Emergency Procurements

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.

Health concerns, confinement measures, and border closures adopted in the wake of the COVID-19 crisis have caused severe disruption in the supply and distribution chain of goods and services that the public sector needs. At the same time, public buyers around the world need goods urgently and at dramatically increased volumes. In particular, the demand for employee and passenger safety materials (e.g., face masks, protective gloves, cleaning supplies) has massively surged.

The audit objective is to determine if COVID-19 emergency procurements were justified and complied with regulations.

Review of WMATA's Electrification of Buses

WMATA Strategic Goal: Meet or exceed customer expectations by consistently delivering quality service.



WMATA operates a fleet of almost 1,600 buses serving neighborhoods and business districts across hundreds of square miles. With nearly 400,000 daily riders (pre-pandemic), Metrobus is crucial to the mobility, prosperity, and livability of citizens in the national capital region.

The objective of the audit is to assess the zero-emission bus fleet modernization program.

Audit of Control and Accountability of Fuel

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.



WMATA manages over 1,500 non-revenue vehicles and spends about \$1.2 million on fuel each year. The audit will examine fuel purchases to ensure fuel for WMATA vehicles is being properly used and accounted for. Topics will include the cost of fuel and whether bulk discounts are being provided. Because this is a high value asset susceptible to theft, control and accountability are essential.

The audit objective is to determine whether WMATA has adequate controls and accountability of fuel.

Audit of WMATA's Defined Benefit Pension Plans

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.



WMATA has five defined benefit pension plans, three of which are still open to new participants of certain unions. WMATA employees were eligible to join the various closed plans based on their union representation or lack thereof. At the end of FY 2019, there were 18,970 participants in these plans. The total pension liability was \$5.1 billion of which \$837 million was unfunded. In FY 2019, \$285 million in

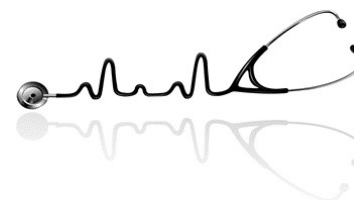
benefit payments were made to retirees. These pension plans are governed by their own Boards of Trustees, which are comprised of members designated by WMATA management and Union management or elected by plan participants.

The audit objective is to assess the effectiveness of the pension program oversight.

Audit of Health and Welfare Funds (L689 & L922)

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.

The Health & Welfare Funds support plans that offer members of unions L689 and L922 a comprehensive package of benefits including medical, prescription drug, dental, vision, life and accident, and long-term and short-term disability insurance. In FY 2019, WMATA paid approximately \$236.7 million for these benefits to 11,508 employees.



The Health and Welfare Plans are governed by their own Boards of Trustees, which are comprised of members designated by WMATA management and Union management.

The audit will assess the effectiveness of oversight of the funds.

Audit of WMATA's Mission Critical Legacy Systems

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.

Modern IT infrastructures are core components of many small, medium, and large enterprises. As technology quickly evolves, it is important for enterprises to implement, maintain, and utilize up-to-date systems. However, systems in use often become outdated and fall under the category of legacy systems. Such hardware and software legacy systems are often critical systems needed for the enterprise's core, daily operations. It is necessary to identify existing legacy systems that an enterprise uses, and to determine if, and how, the legacy systems should be upgraded.

The audit will: (1) identify the mission critical legacy systems, (2) determine if plans exist to modernize and update these systems, and (3) determine the adequacy of the modernization plans.

CORRECTIVE ACTIONS ON AUDIT RECOMMENDATIONS

OIG tracks and documents the status of audit recommendations and WMATA corrective action plans.

Positive change results from the process in which management acts to improve operations based on the recommendations in the published audit report. Management actions are monitored until final action is taken on all recommendations. Listed below are recommendations issued more than 2 months ago that are still outstanding. In every case, management's ongoing actions will correct the deficiency identified during the audit.

Table 6: Recommendations Described in Previous Semiannual Reports on Which Corrective Action Has Not Been Completed as of June 30, 2021

| Report Number | Report Title | Date Issued | Number of Recommendations | | Latest Target Date (Per WMATA Corrective Action Plan) |
|---------------|--|-------------|---------------------------|----------|---|
| | | | Open | Complete | |
| OIG 19-08 | Audit of Cybersecurity Requirements in WMATA's Procurements | 03/05/2019 | 1 | 5 | 09/30/21 |
| OIG 19-10 | Audit of WMATA's End-of-Service Life Operating System Software | 05/01/2019 | 3 | 3 | 09/01/22 |
| OIG-19-11 | Audit of WMATA's Software Asset Management Program | 06/19/2019 | 1 | 0 | 06/30/22 |
| OIG 21-01 | Audit of the Replacement of WMATA's Remote Terminal Units | 11/16/2020 | 6 | 3 | 12/31/21 |
| OIG 21-05 | Review of WMATA's Improper Payments | 06/28/2021 | 1 | 0 | 06/30/22 |

REPORT FRAUD, WASTE, OR ABUSE

Please Contact:

Email: hotline@wmataoig.gov

Telephone: 1-888-234-2374

Address: WMATA
Office of Inspector General
Hotline Program
500 L'Enfant Plaza, S.W., Suite 800
Washington, D.C. 20024

Attachment 3

Public information from Semiannual Report
to the Board of Directors, No. 29

OVERVIEW OF OIG

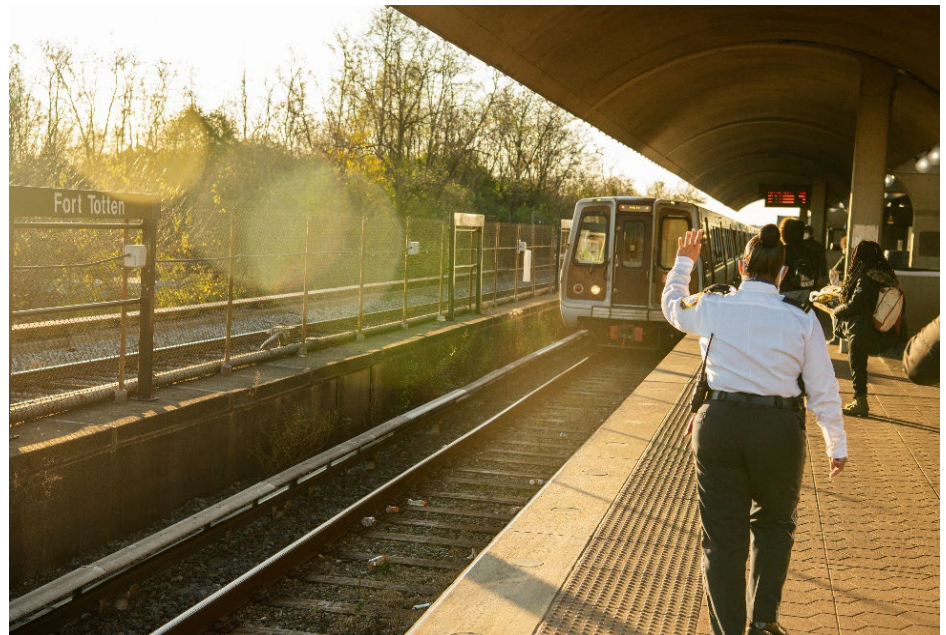
BACKGROUND

The Board of Directors established OIG by Resolution 2006-18, approved April 20, 2006. On August 19, 2009, the WMATA Compact was amended to codify OIG by statute and to make the Inspector General an officer of WMATA. The Inspector General reports to the Board.

MISSION STATEMENT

Under the WMATA Compact OIG is “an independent and objective unit of the Authority that conducts and supervises audits, program evaluations, and investigations relating to Authority activities; promotes economy, efficiency, and effectiveness in Authority activities; detects and prevents fraud and abuse in Authority activities; and keeps the Board fully and currently informed about deficiencies in Authority activities as well as the necessity for and progress of corrective action.” We provide advice to the Board and General Manager/Chief Executive Officer (GM/CEO) to assist in achieving the highest levels of program and operational performance at WMATA.

**Promoting
economy,
efficiency,
and
effectiveness
in Authority
activities**



OUR CORE VALUES

Excellence

We are committed to excellence in our people, our processes, our products, our impact, and in the performance of our mission.

We value a diverse, educated, and highly trained workforce that reflects independence, initiative, and mutual respect.

We value operating within an objective code of standards yet remain open to innovation.

We support WMATA's mission to provide safe, equitable, reliable, and cost-effective public transit.

Accountability

We insist on high standards of professional conduct from OIG employees at all levels and compliance with professional standards to ensure the Board and management can rely on our products.

We have confidence in the accuracy of our work and that our results hold up to professional scrutiny.

We encourage an environment of risk-free communication and promote an open, honest, and respectful exchange of ideas and information.

Integrity

We strive to maintain the highest level of trust and integrity in all of our activities, and the approach we take in accomplishing our mission must reflect fairness, balance, and credibility.

The personal and professional qualities of our employees include honesty, respect for others, and freedom from bias.

We value and protect our access to information recognizing that reputations, public confidence, and lives can be affected by our actions.



OFFICE OF INVESTIGATIONS & SPECIAL PROJECTS

OIG is comprised of two offices - Investigations and Special Projects (OI) and Audits and Evaluations (OA).

OI focuses on three areas: Investigations, Special Projects, and Cybersecurity/Data Analytics. OI is comprised of staff who have extensive law enforcement experience at the local, state, and federal levels. Collectively, its staff has more than 300 years of law enforcement experience in conducting fraud, financial, administrative, police misconduct, and myriad economic and general crime investigations. Many of the staff have served in executive level positions where they managed a variety of investigations, both domestic and international. They have received extensive training in law enforcement investigative techniques from the Federal Law Enforcement Training Center, Military Criminal Investigative Academies, the Federal Bureau of Investigation, the Internal Revenue Service, as well as local police academies and private institutions. All of them have college degrees; several have Master and Juris Doctor degrees. Many staff members are Certified Fraud Examiners.

Investigations

OI conducts criminal, civil, and administrative investigations relating to WMATA activities, programs, and operations. Investigations can lead to criminal prosecution, civil penalties, disciplinary action, and/or administrative action. OI also manages the OIG Hotline, including the intake of complaints and determining the appropriate handling of those complaints. Complaints may be investigated by OI or referred to management, to OA for audit consideration, or to another agency, as appropriate. OI also aggressively pursues proactive investigations through data analysis, recruiting confidential informants, and mining financial information to detect evidence of wrongdoing. OI reports to the WMATA Board of Directors on a regular basis regarding these activities.

OI also investigates Whistleblower retaliation complaints. OI makes quarterly reports to the Board regarding Whistleblower complaints and outcomes or litigation that relate to any protected activity or prohibited personnel practices.

Special Projects

Special Projects provides a range of specialized services and products, including quick reaction reviews, onsite inspections, and in-depth evaluations of a major departmental function, activity, or program.

These products include:

- Factual and analytical information;
- Monitoring compliance;
- Measuring performance;
- Assessing the effectiveness and efficiency of programs and operations;
- Sharing best practices; and
- Inquiring into allegations of fraud, waste, abuse, and mismanagement.

Cybercrimes and Data Analytics

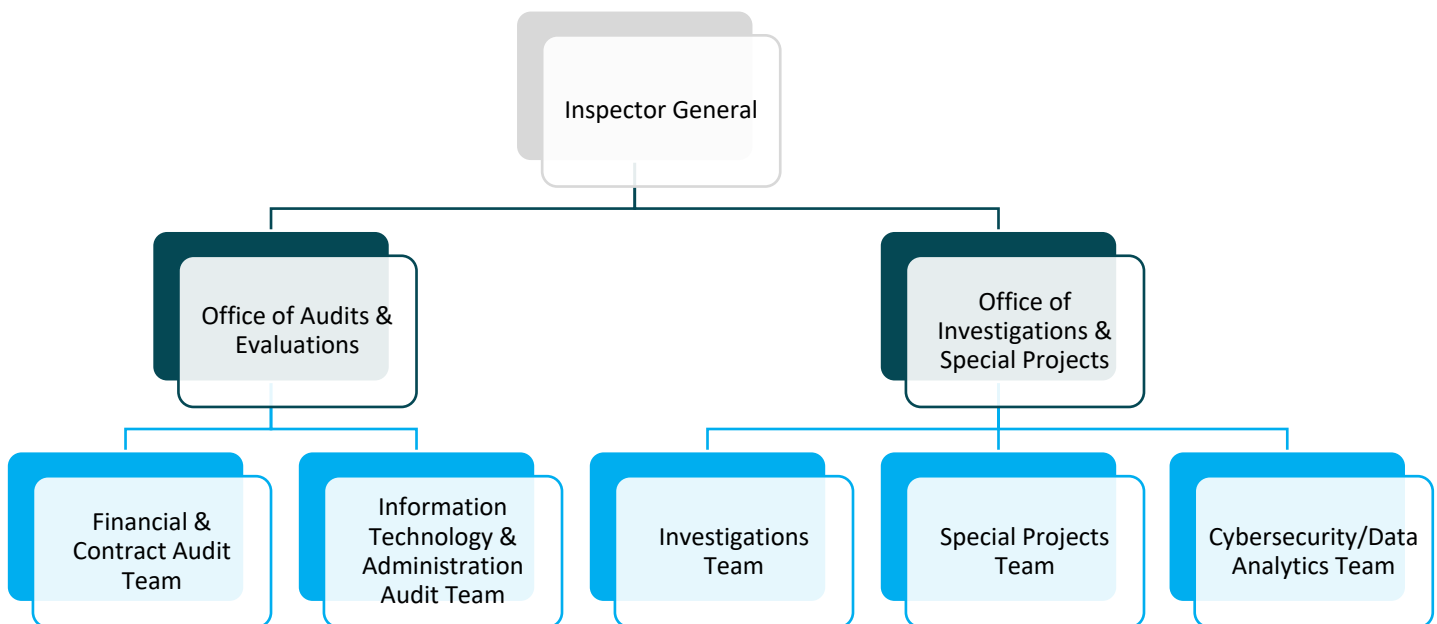
The OI Cybercrimes and Data Analytics Unit manages OIG’s information technology, cyber, forensics, and data analytics programs. Its primary function is to provide investigative support and coordination to OIG investigations and audits. The unit’s members also serve as subject experts on matters under their purview such as digital forensic analysis, cyber incident response protocols, and the use of data analytics as a way to uncover fraud and misconduct in WMATA programs and activities. In addition, since OIG is responsible for investigating cybercrimes that affect WMATA programs and operations, OIG coordinates with the Chief Information Officer, the Chief Information Security Officer, and all appropriate Information Technology (IT) staff.

OFFICE OF AUDITS

OA is comprised of two teams: the financial and contract audit team, and the information technology and administration audit team. OIG audits provide independent assessments of WMATA programs and operations that help to reduce waste, abuse, and mismanagement and to promote economy and efficiency. OIG also oversees audit work conducted by outside audit firms on behalf of OIG. Our staff is comprised of auditors with educational backgrounds and degrees in accounting, finance, and information systems. Most of the staff have professional certifications as accountants, internal auditors, fraud examiners, and information systems auditors.

Each July, OIG issues an *Annual Audit Plan* that summarizes the audits planned for the coming fiscal year. OIG seeks management input from the GM/CEO and his staff as a part of the planning phase. Unanticipated high-priority issues may arise that generate audits not listed in the *Annual Audit Plan*.

OIG ORGANIZATIONAL CHART



INVESTIGATIONS & SPECIAL PROJECTS



3 ROIs

Handicap Placards

Unauthorized and Unsafe Use of
Cell Phone

Unauthorized Recording

BACKGROUND

During this reporting period, OI conducted both criminal and administrative investigations involving allegations of wrongdoing. Several of these investigations involved potential criminal activity. OIG Special Agents and Investigators worked closely with federal, state, and local law enforcement agencies and prosecutors to pursue criminal charges when appropriate. During this reporting period, OI issued numerous subpoenas related to ongoing investigations. To ensure the confidentiality and integrity of sensitive information, only a summary of the variety of complaints and investigations conducted is provided in this report.



2 SPECIAL PROJECT REPORTS

MTPD Promotional Practices

COVID Review

REPORTS OF INVESTIGATION

Handicap Placards

OIG initiated an investigation alleging WMATA employees were misusing disability placards (placards) in the vicinity of Western Metrobus Division. Specifically, the complaint alleged that a large number of WMATA employees without a legitimate need for a parking accommodation utilized placards in their vehicles solely to obtain free parking in close proximity to their work locations. The OIG investigation revealed similar activity at the Montgomery Metrobus Division.

The OIG investigation revealed that 46 employees repeatedly used placards not issued to them or any passengers of their vehicles at the time of use, in direct violation of District of Columbia Municipal Regulations §18-2718 (Vehicles parked at Western Metrobus Division) and Maryland Code, Transportation §13- 616.1(h)(2) (Vehicles parked at Montgomery Metrobus Division). The employees' conduct also violated the WMATA Bus Service Employee Rulebook's rule of conduct that states, "Employees shall not engage in immoral, indecent, or unlawful conduct while on or off duty; or about Authority premises."

All 46 employees were informed of the regulations and codes governing the possession and usage of placards during their interviews with OIG. Four employees voluntarily surrendered their placards to OIG. An additional 30 employees told OIG that they were no longer in possession of the placards stating they were returned, lost, stolen, or discarded at the time of their interviews. With respect to the remaining 12 employees, they provided OIG various reasonable justifications for why the placards should remain in their possession and any remaining placards were not surrendered.

Unauthorized and Unsafe Use of Cell Phone

During the course of an ongoing investigation, OIG obtained an audio recording in which a WMATA Train Operator, Office of Rail Transportation, was speaking by phone with a financial claims representative regarding a personal matter while operating an in-service train. As a safety concern and violation of multiple WMATA policies, OIG reported the matter to Management for immediate review and action.

Unauthorized Recording

OIG received a complaint containing electronic audio files from a WMATA employee in which he surreptitiously recorded his conversations with managers within WMATA's Office of Bus Transportation (BTRA). The employee's complaint involved human resource matters outside the purview of OIG. The recordings, however, appeared to have been made unlawfully. Under Maryland criminal law, the employee's recording of BTRA managers without their consent could constitute a criminal violation. Accordingly, OIG investigated the matter. OIG's investigation found sufficient evidence to substantiate that at least two recordings were made by the employee without consent from the BTRA managers at the WMATA Bus Division in Landover, Maryland.

OIG also determined there are no apparent WMATA policies, staff notices, or guidelines expressly delineating jurisdictional consent laws and potential legal consequences for WMATA employees engaging in non-consensual recordings.

SPECIAL PROJECT REPORTS

MTPD Promotional Practices

OIG reviewed MTPD's promotions to the rank of captain between 2017 and 2020. OIG found MTPD made noncompetitive appointments which were inconsistent with its General Order (GO) regarding promotional practices and WMATA's Policy Instruction (P/I) 7.2.2/1. MTPD used acting assignments to appoint certain employees without proactive recruitment to fill the vacant position. MTPD failed to communicate such opportunities for promotional advancement to all eligible employees, creating a lack of transparency in the process.

In addition, those promotions did not include a review process by the Office of Equal Employment



Opportunity (OEE0), the Chief Human Capital Officer, or the GM/CEO for approval as required by WMATA P/I 7.2.2/1. MTPD's GO regarding promotions does authorize the Chief of Police to modify the GO so long as it remains consistent with WMATA P/I 7.2.2/1, which is the overarching policy. Further, MTPD has not updated its GO since November 2011, despite a revision scheduled in November 2012.

During the review, OIG learned of an investigation by OEE0 regarding a complaint of discrimination involving MTPD's promotional practice. OEE0 investigated the complaint and issued its final report in October 2020, without finding any discrimination. However, OEE0 recommended MTPD take certain corrective action to improve its promotional practices. OIG found that MTPD has not yet taken corrective action regarding its promotional process as recommended by OEE0.

COVID Response

At the request of the WMATA Board of Directors, OIG reviewed WMATA's Coronavirus (COVID-19) response related to its social distancing efforts. In developing this report, OIG conducted interviews with WMATA senior managers and staff; researched Centers for Disease Control and Prevention guidelines as well as federal, state, and local guidance and protocols; gathered information from WMATA, the American Public Transportation Association, and other public sources; and benchmarked other transit agencies.

MANAGEMENT ALERT

OIG issued a Management Alert to elevate concerns regarding the integrity of the procurement process for a federally funded contract, COVID-19 Management Response Support. OIG obtained and verified evidence that multiple vendors who submitted bids for consideration on this contract were provided insider information and internal WMATA solicitation documents before the public release of the solicitation.



HOTLINE ACTIVITY

The OIG Hotline receives information from WMATA employees, customers, vendors, and the general public. It is an important avenue for reporting criminal and other misconduct. OI staff review the hotline information received to evaluate the need for OIG investigative action or referral to an outside agency or internal WMATA office for appropriate review and action. Tables 1-4, below, provide an overview of the number of complaints received, dispositions, sources of complaints, and Whistleblower activity throughout this reporting period. Due to reduced ridership from the COVID-19 pandemic, the volume of complaints received during this reporting period are significantly lower than previous reporting periods.

TABLE 1: HOTLINE COMPLAINTS RECEIVED

| | |
|--|-----|
| Total Complaints Received | 185 |
| Investigations Initiated from Complaints | 15 |
| Open | 13 |
| Referred to Management or Other Entity | 106 |
| Closed No OIG Action | 51 |
| Investigations Closed ¹ | 3 |

¹ Includes investigations from prior reporting periods.

TABLE 2: SOURCES OF HOTLINE COMPLAINTS

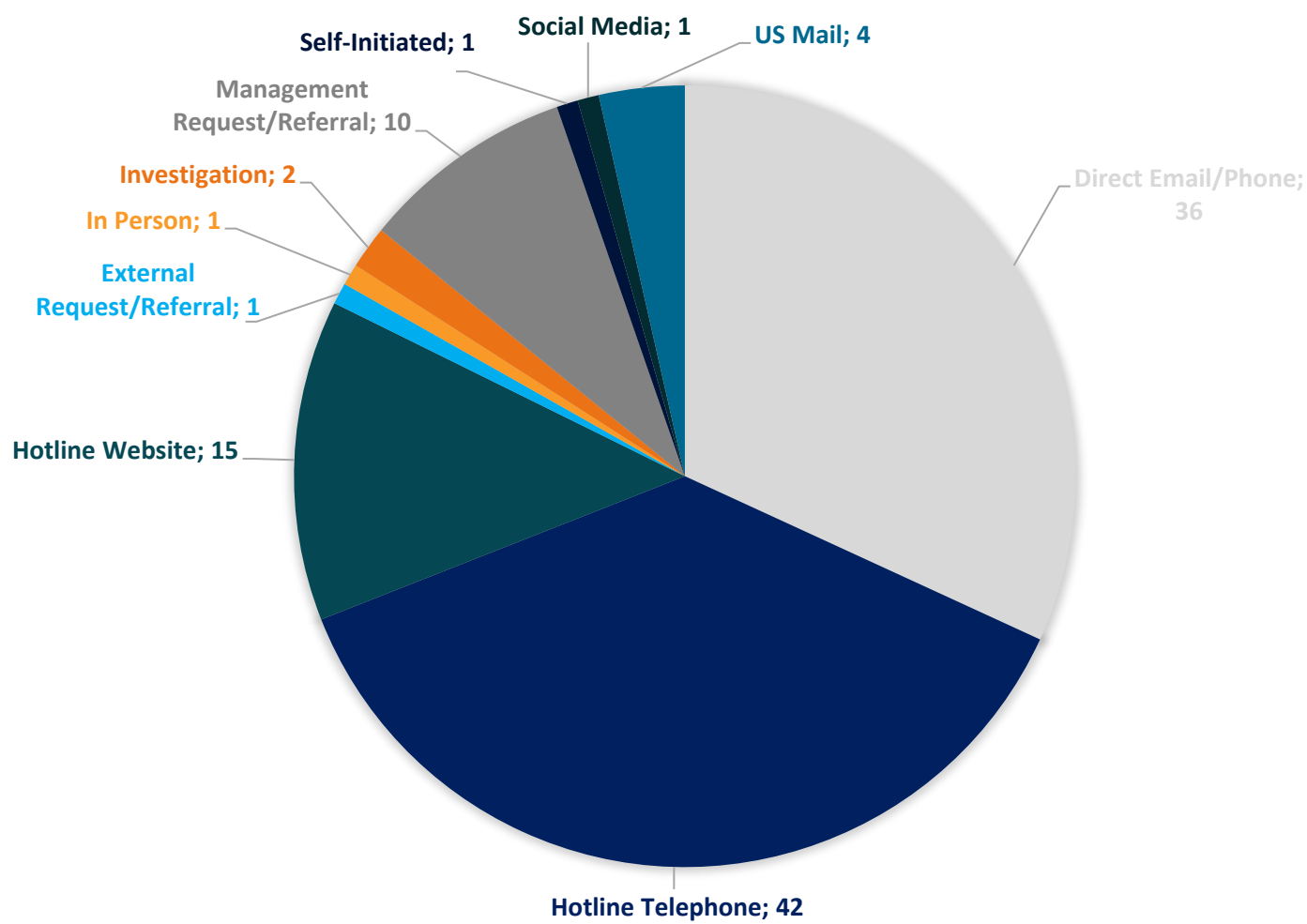


TABLE 3: CATEGORIES OF HOTLINE COMPLAINTS

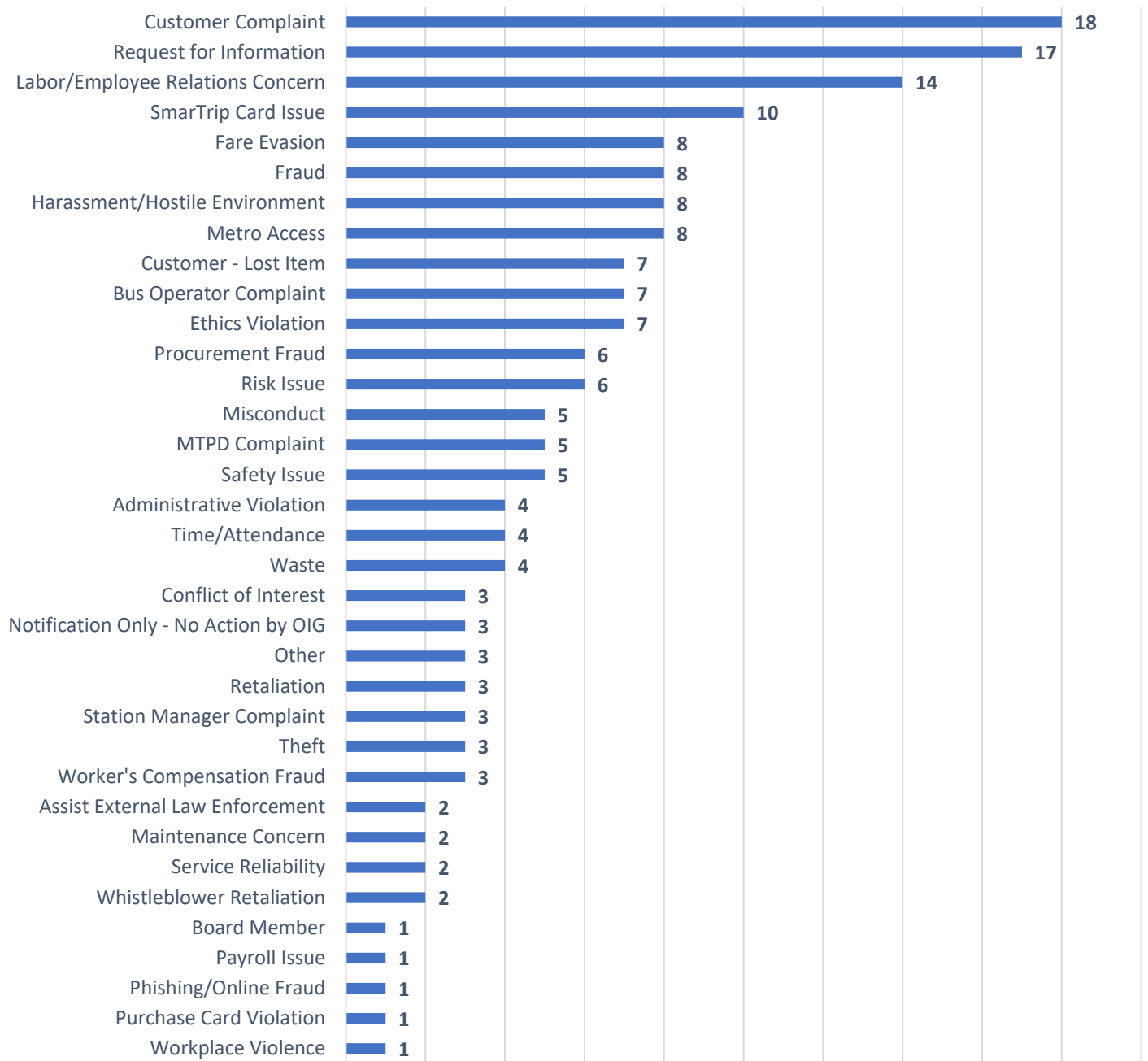


TABLE 4: WHISTLEBLOWER COMPLAINTS RECEIVED

| Complaint Status | Total |
|--|-------|
| Complaints Received | 1 |
| Investigations Initiated from Complaints | 0 |

AUDITS & EVALUATIONS



23 AUDIT REPORTS
ISSUED

BACKGROUND

Audit work focuses on areas of concern such as financial and IT security and management; contracts; human capital; administrative issues; and high-risk programs that impact the safe operation of the transit system. During this reporting period, OIG issued 23 audit reports. An additional nine performance and financial audits were in progress as of December 31, 2021.



\$13.1 million
IDENTIFIED IN
POSSIBLE SAVINGS

PROCUREMENT & CONTRACT AUDITS

OIG issued 21 contract audits and one Buy America audit that identified \$13.1 million in possible savings. Contract audits are performed within their stated scope and objective(s) as agreed with management. They can cover a broad range of financial and non-financial subjects, which assist WMATA's procurement department in their contract negotiation process. These audits may uncover fraud, waste, and abuse or other procurement related issues. Because these reports generally involve contractor proprietary information, the reports are not posted on OIG's website and are not publicly distributed.

AUDIT SUMMARIES

Audit of WMATA's Mission Critical Legacy Systems

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.

Modern IT infrastructures are core components of many small, medium, and large enterprises. As technology quickly evolves, it is important for enterprises to implement, maintain, and utilize up-to-date systems. However, systems in use often become outdated and fall under the category of legacy systems. Such hardware and software legacy systems are often critical systems needed for an enterprise's core, daily operations. It is necessary to identify existing legacy systems that an enterprise uses, and to determine if, and how, the legacy systems should be upgraded.

The audit determined whether WMATA has developed plans for modernizing or replacing legacy systems and the adequacy of the modernization plans.

Review Results: WMATA had not developed or has incomplete modernization plans for six mission critical systems sampled by OIG. These systems include train controls, rail yard, inventory, payroll, as well as train and bus fare functions.

IT management stated this occurred because of unexpected events (e.g., COVID-19 and the Jackson Graham Building fire) coupled with a reactive replacement process and resource challenges. The absence of modernization plans could impact WMATA's ability to operate and meet system and mission requirements effectively and efficiently.

OIG recommended that WMATA develop and implement a comprehensive modernization and replacement program for all mission critical legacy systems with the requisite funding.

AUDITS & REVIEWS IN PROGRESS

Audit of WMATA's Cybersecurity Program

WMATA Strategic Goal: Build and maintain a premier safety culture and system.

According to the FBI, cyber threats have grown exponentially with nation state and cyber criminals increasing the scale, scope, and level of sophistication of their cyber-attacks. The FBI reported that the number of cyber-attack complaints is up to 4,000 per day, which represents a 400 percent increase from pre-pandemic levels. Recent incidents include the SolarWinds hack that compromised hundreds of systems worldwide, and the Colonial Pipeline incident that shut down the nation's largest gas pipeline.

The objective of the audit is to assess the adequacy of WMATA's cybersecurity program.

Audit of WMATA's Cloud Computing Strategy

WMATA Strategic Goal: Meet or exceed customer expectations by consistently delivering quality service.

Cloud computing provides on-demand access to a shared pool of computing resources. The adoption of cloud computing has become mainstream by large enterprises because it provides benefits such as: (1) potential cost savings, (2) improved delivery, (3) ease of scalability and procurement efficiencies, as well as (4) operational efficiencies and security. WMATA has a limited presence in the cloud computing environment.

The objective of the audit is to assess the strategy and plan for migrating applications to the cloud.

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The audit objective is to determine whether WMATA has adequate controls and accountability of fuel.

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WMATA has five defined benefit pension plans, three of which are still open to new participants of certain unions. WMATA employees were eligible to join the various closed plans based on their union representation or lack thereof.



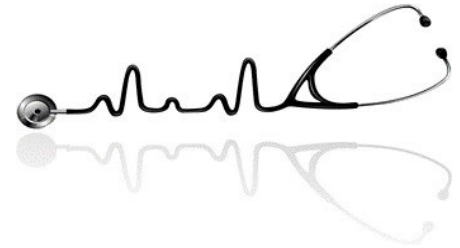
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The Health and Welfare Funds support plans that offer members of unions L689 and L922 a comprehensive package of benefits including medical, prescription drug, dental, vision, life and accident, and long-term and short-term disability insurance. In FY 2019, WMATA paid \$236.7 million for these benefits to 11,508 employees.



The Health and Welfare Plans are governed by their own Boards of Trustees, which are comprised of members designated by WMATA management and Union management.

The audit will assess the effectiveness of oversight of the funds.

Audit of WMATA's Financial Statements for FY 2021

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.

The WMATA Compact, Section 70, states that an audit shall be made of the financial accounts of the Authority, shall be prepared in accordance with generally accepted accounting principles, and shall be filed with the Chairman and other officers as the Board shall direct. The Board, through the adoption of Board Resolution 2006-18, established OIG's responsibility for the supervision of WMATA's annual independent audit of financial statements.

The objective of this audit is to:

- Express opinions on the Authority's financial statements,
- Review compliance with applicable laws and regulations,
- Review the controls in WMATA's computer systems that are significant to the financial statements, and
- Assess WMATA's compliance with the Office of Management and Budget's Uniform Guidance.

WMATA's Single Audit for FY 2021

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.

The objective of a Single Audit is to ensure a recipient of federal funds is in compliance with the federal program's requirements for how the money can be used. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the Single Audit.



Audit of WMATA's SmarTrip Regional Partner Comparative Billing Statements for FYs 2020 and 2021

WMATA Strategic Goal: Ensure financial stability and invest in our people and assets.

WMATA has a funding agreement with ten local jurisdictions (the Participating Jurisdictions) to provide a seamless regional system for transit fare collections for both the service areas of the Authority and the Maryland Transportation Administration using smart card technology. WMATA and the Participating Jurisdictions have agreed to fund their share of the operating expenses of the SmarTrip system. The agreement defines the regionally shared operating expenses, allocation methods, and funding requirements.

Each year, WMATA is required to prepare SmarTrip Regional Partner Comparative Billing Statements to provide an allocation of the actual operating expenses incurred for the Regional SmarTrip Program for each of the Participating Jurisdictions for the current and prior fiscal years ended June 30. The actual operating expenses incurred and the allocation to each Participating Jurisdiction are audited at the end of each fiscal year.



The objective of this audit is to express an opinion on WMATA's SmarTrip Regional Partner Comparative Billing Statements for FYs 2021 and 2020.

SUMMARY OF CONTRACT AUDITS

From July 1, 2021, through December 31, 2021, OIG issued 21 contract audits that identified \$13.1 million in possible savings and one Buy America Act audit.

Contract and Buy America Act Audit Reports

| Report Number | Report Title | Date Issued |
|---------------|--|-------------|
| CAM 22-001 | Independent Review of Pre-Award for Contract No. FIRPG211121, Station Platform Rehabilitation Contract 4 | 7/1/2021 |
| CAA 22-001 | Independent Review of Pre-Negotiation Proposal for Contract FQ15005A, On-Call Planning Support, Task Order 018 Modification 002 – Zero Emissions Bus Test and Evaluation Program – Battery Electric Bus Phase II | 7/08/2021 |
| CAM 22-002 | Independent Review of Proposed Rates for Contract FQ18033, General Architectural and Engineering Consultant – Program Management, Construction Management (PMCM) and Engineering Support Services IDIQ | 7/28/2021 |
| CAM 22-003 | Independent Review of Pre-Award for Contract FDULS211272 – PMCM | 8/3/2021 |
| CAM 22-004 | Independent Review of Proposed Rates for Contract FQ18033, General Architectural and Engineering Consultant Services – PMCM and Engineering Support Services IDIQ | 8/17/2021 |
| CAM 22-005 | Independent Review of Proposed Rates for Contract FQ18033, General Architectural and Engineering Consultant Services – PMCM | 8/20/2021 |
| CAM 22-006 | Independent Review of Pre-Award for Contract FQ19151R, Rehabilitation of WMATA Parking Garages, Category “A” (Addison, Huntington, Wheaton) & Category “B” (Anacostia & New Carrollton) | 8/23/2021 |
| CAM 22-007 | Independent Review of Pre-Award for Contract FQ19151R, Rehabilitation of WMATA Parking Garages Category B: Anacostia & New Carrollton | 8/25/2021 |
| CAM 22-008 | Independent Review of Proposed Rates for Contract FQ18033, A&E Consultant Services – PMCM | 8/26/2021 |
| CAM 22-009 | Independent Review of Proposed Rates for Contract FQ19172, New Design GEC | 8/26/2021 |
| CAM 22-010 | Independent Review of Proposed Rates for Contract FQ18033, General Architectural and Engineering Consultant On-Call Design Services | 9/22/2021 |
| CAM 22-011 | Independent Review of Proposed Rates for FQ15190D, Services for Business Case Development | 9/30/2021 |
| CAA 22-002 | Independent Review of Pre-Negotiation Proposal for Contract CBMNT200220, Bus Fire Suppression System Maintenance | 10/7/2021 |
| CAA 22-003 | Independent Review of Revised Price Proposal for Contract No. FDECO211039, ATC Equipment Replacement | 10/13/2021 |
| CAM 22-012 | Independent Review of Proposed Rates for Contract FQ19172, General Architectural and Engineering Consultant On-Call Design Services | 10/26/2021 |
| CAA 22-004 | Independent Review of Post-Delivery Buy America Audit for Contract FQ18001, Option 3, 40ft Lower-Floor Clean Diesel (40XD) Heavy-Duty Bus | 10/28/2021 |

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| CAM 22-013 | Independent Review of Proposed Rates for Contract FQ18033, General Architectural and Engineering Consultant Services – PMCM | 11/5/2021 |
| CAM 22-014 | Independent Review of Proposed Rates for Contract FQ19172, General Architectural and Engineering Consultant On-Call Design Services | 11/9/2021 |
| CAM 22-015 | Independent Review of Proposed Rates for Contract FQ18033, General Architectural and Engineering Consultant On-Call Design Services | 11/15/2021 |
| CAM 22-016 | Independent Review of Proposed Rates for Contract FQ18033, General Architectural Engineering Consultant Services – PMCM | 12/7/2021 |
| CAM 22-017 | Independent Review of Pre-Award for Contract FIRPG211179, Tunnel Water Leak Mitigation | 12/13/2021 |
| CAM 22-018 | Independent Review of Proposed Rate for Contract FQ18033, A&E Consultant Services, IDIQ | 12/16/2021 |

CORRECTIVE ACTIONS ON AUDIT RECOMMENDATIONS

OIG tracks and documents the status of audit recommendations and WMATA corrective action plans. Positive change results from the process in which management acts to improve operations based on the recommendations in the published audit report. Management actions are monitored until final action is taken on all recommendations. Listed below are recommendations issued that are outstanding. In every case, management's ongoing actions will correct the deficiency identified during the audit.

Recommendations Described in Previous Semiannual Reports on
Which Corrective Action Has Not Been Completed
as of December 31, 2021

| Report Number | Report Title | Date Issued | Number of Recommendations | | Latest Target Date Per WMATA Corrective Action Plan |
|---------------|--|-------------|---------------------------|----------|---|
| | | | Open | Complete | |
| OIG 19-10 | Audit of WMATA's End-of-Service Life Operating System Software | 5/1/2019 | 3 | 3 | 9/1/2022 |
| OIG-19-11 | Audit of WMATA's Software Asset Management Program | 6/19/2019 | 1 | 0 | 6/30/2022 |
| OIG 21-01 | Audit of the Replacement of WMATA's Remote Terminal Units | 11/16/2020 | 2 | 7 | 11/30/2022 |
| OIG 21-05 | Review of WMATA's Improper Payments | 6/28/2021 | 1 | 0 | 6/30/2022 |
| OIG 22-01 | Audit of WMATA's Mission Critical Legacy Systems | 8/24/2021 | 3 | 3 | 12/31/2022 |