



# **RMCO ANNUAL COMPLIANCE REPORT - SUMMARY FOR TRANSIT COMMISSION**

**Prepared by Regulatory Monitor and  
Compliance Officer (RMCO)**

**Sam Berrada  
SAB Vanguard Consulting Inc.**

**February 19<sup>th</sup>, 2020**

# Regulatory Background

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## ➤ Delegation Agreement:

- Signed by Minister of Transport and the City of Ottawa on October 1, 2011;
- City provided with authority to regulate its light rail transit system.

## ➤ RMCO:

- By-Law No. 2015 – 301: created position of ‘Light Rail Regulatory Monitor and Compliance Officer’ (i.e. RMCO) to monitor and report on compliance with OLRT Regulations (i.e. ‘City Regulations’).

# RMCO Scope / Mandate

## Excerpts from RMCO Mandate and Work Plan:

### ➤ Scope:

- Assessment of Regulatory compliance for Confederation line;
- Encompassing:
  - Safety and Security
  - OC Transpo and Contractors (i.e. RTM, Alstom)
- RMCO not involved in the construction or implementation;
- RMCO has no duty or authority to assess the adequacy, sufficiency, or effectiveness of the City Regulations.

### ➤ Monitoring Approach:

- Risk-based and progressive;
- RMCO monitors regulatory compliance through “... *site visits, interviews, review of relevant documentation, records, and performance reporting*”.

### ➤ Meetings / Reporting:

- Quarterly meetings and reporting to City Manager;
- Annual Compliance Report.

# Monitoring Principles

## Transparency

- Quarterly schedules
- Notification 30 days prior to start of field monitoring

## Structured

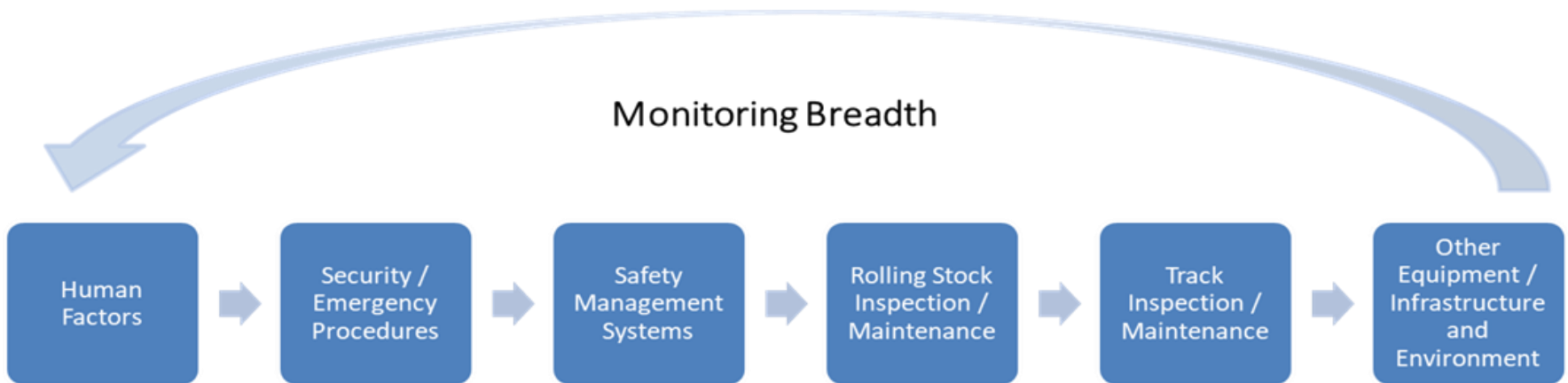
- Risk Based monitoring
- Procedures developed for each monitoring segment
- Quarterly and annual plans to achieve monitoring breadth
- No operational impact

## Communication

- Meetings at start and end of each monitoring segment
- Ongoing communication of results
- Quarterly meetings with City Manager
- Annual reports

# Risk Based Monitoring

- Risk-based selection of Regulations to monitor, using:
  - ✓ Research on commuter rail operations
  - ✓ Accident / incident causation
  - ✓ Review of City Regulations
- Monitoring performed progressively in segments;
- Monitoring to cover 6 key risk areas over 12-18 months



# RMCO Monitoring Activities – Q4 2019

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- First segment monitored Q4 - 2019:
  - Training and certification of employees involved in the movement of trains and LRV's;
  - Involving OC Transpo, RTM and Alstom employees.
- Why monitor training and certification first?
  - Knowledgeable and proficient employees - the cornerstone for safety:
    - ✓ Employees involved in normal operation **as well as exceptions**;
    - ✓ Employees must be trained and ready to take action under various operational situations in order to protect safety;
    - ✓ Encompassing train operations on main line (OC Transpo) as well as LRV movements in maintenance facility (RTM and Alstom).
  - Human Factors involved in all aspects of service and safety.
- Other risk areas such as track and LRV's to be monitored next.

# RMCO Monitoring Activities – Q4 2019

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- Monitoring encompassed multiple verifications to assess compliance using a fact-based approach:
  - ✓ Review of City Regulations and training records;
  - ✓ Sample review of active employee training records;
  - ✓ Sample review of training records for employees who worked a specific week;
  - ✓ Interviews to confirm training / certification;
  - ✓ Review of process for refresher training to maintain certification;
  - ✓ Review of process to assess training needs for employees who return to work after extended absence.
  
- Monitoring performed during October and November 2019:
  - Covered OC Transpo ERO's (Electric Rail Operators) and ERC's (Electric Rail Controllers)
  - Covered RTM Controllers and Alstom Hostlers

# Summary of Findings – Q4 2019

## OC Transpo

	OC TRANSPO - MONITORING FINDINGS
1. REGULATIONS / STANDARDS FOR TRAINING / CERTIFICATION IN PLACE	COMPLIANT
2. REGULATIONS / TRAINING PROGRAM CONTAIN CLEAR REQUIREMENTS FOR TRAINING / CERTIFICATION	COMPLIANT
3. TRAINING AND CERTIFICATION RECORDS IN PLACE	COMPLIANT
4. ACTIVE EMPLOYEES ARE TRAINED AND CERTIFIED	COMPLIANT
5. PROCESS FOR ENSURING EMPLOYEES OBTAIN PRESCRIBED TRAINING / REFRESHERS	COMPLIANT
6. PROCESS FOR ENSURING EMPLOYEES ABSENT FOR EXTENDED PERIOD OBTAIN REQUIRED TRAINING UPON RETURN TO WORK	COMPLIANT
7. MONITORING / SAMPLING - TRAINING RECORDS AND EXAMS	COMPLIANT
8. MONITORING / SAMPLING - EMPLOYEES RETURNING TO WORK AFTER EXTENDED ABSENCE ARE TRAINED AND CERTIFIED	COMPLIANT
9. INTERVIEWS (ERO'S, ERC's, Management)	COMPLIANT

## RTM

	RTM - MONITORING FINDINGS
1. DOCUMENTS SPECIFYING TRAINING / CERTIFICATION IN PLACE	COMPLIANT
2. TRAINING PROGRAM CONTAINS CLEAR REQUIREMENTS FOR TRAINING / CERTIFICATION	COMPLIANT
3. TRAINING AND CERTIFICATION RECORDS IN PLACE	COMPLIANT
4. ACTIVE EMPLOYEES ARE TRAINED AND CERTIFIED	COMPLIANT
5. PROCESS FOR ENSURING EMPLOYEES OBTAIN PRESCRIBED TRAINING / REFRESHERS	COMPLIANT
6. PROCESS FOR ENSURING EMPLOYEES ABSENT FOR EXTENDED PERIOD OBTAIN REQUIRED TRAINING UPON RETURN TO WORK	COMPLIANT. OPPORTUNITY TO IMPROVE*
7. MONITORING / SAMPLING - TRAINING RECORDS AND EXAMS	COMPLIANT
8. MONITORING / SAMPLING - EMPLOYEES RETURNING TO WORK AFTER EXTENDED ABSENCE ARE TRAINED AND CERTIFIED	COMPLIANT
9. INTERVIEWS (ERO'S, ERC's, Management)	COMPLIANT

## Alstom

	ALSTOM - MONITORING FINDINGS
1. DOCUMENTS SPECIFYING TRAINING / CERTIFICATION IN PLACE	COMPLIANT
2. TRAINING PROGRAM CONTAINS CLEAR REQUIREMENTS FOR TRAINING / CERTIFICATION	COMPLIANT
3. TRAINING AND CERTIFICATION RECORDS IN PLACE	COMPLIANT
4. ACTIVE EMPLOYEES ARE TRAINED AND CERTIFIED	COMPLIANT
5. PROCESS FOR ENSURING EMPLOYEES OBTAIN PRESCRIBED TRAINING / REFRESHERS	COMPLIANT
6. PROCESS FOR ENSURING EMPLOYEES ABSENT FOR EXTENDED PERIOD OBTAIN REQUIRED TRAINING UPON RETURN TO WORK	OPPORTUNITY*
7. MONITORING / SAMPLING - TRAINING RECORDS AND EXAMS	COMPLIANT
8. MONITORING / SAMPLING - EMPLOYEES RETURNING TO WORK AFTER EXTENDED ABSENCE ARE TRAINED AND CERTIFIED	OPPORTUNITY**
9. INTERVIEWS (ERO'S, ERC's, Management)	COMPLIANT

\* Note: Process is general and lacks specificity. RTM agreed to improve.

\* Note: No process in place. Alstom agreed to improve.

\*\* Note: No records at time of monitoring since process was not in place.



# Summary of Findings (cont'd) – Q4 2019

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## ➤ OC Transpo:

- ✓ Full compliance

## ➤ RTM:

- ✓ Compliance in all areas monitored
- ✓ Opportunity to strengthen training process following extended absences

## ➤ Alstom:

- ✓ Compliance in all areas monitored, but missing process to manage training following extended absences

## ➤ Actions and Follow-up:

- ✓ RTM and Alstom agreed to address opportunities by developing process using City Regulation as a guide
- ✓ Development in progress with quarterly follow-up.

# Monitoring Plan for Q1 - 2020

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- Regulatory areas to be monitored:
  - Track inspections (segment 1) and repair / disposition of inspection findings (segment 2);
  - Involves primarily RTM and Alstom.
  
- Progress:
  - Notifications for Q1 - 2020 monitoring completed;
  - Review of Regulations, data and records in progress;
  - Field monitoring in February for segment 1;
  - Expect to complete both monitoring segments in April.
  
- Next Regulatory areas to be monitored in 2020:
  - Monitoring activities to be performed all quarters;
  - Regulatory areas to be monitored will be selected using risk-based approach, including emergent information.

# Summary and Next Steps

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- Completed first monitoring segment during fall 2019:
  - ✓ Strong compliance results;
  - ✓ Opportunities identified being tracked for progress.
  
- Regulatory monitoring in 2020:
  - ✓ Monitoring started in January – focus on track inspections and repairs;
  - ✓ Regulatory monitoring to be performed during all quarters in 2020.
  
- Reporting:
  - ✓ Following Transit Commission meeting, annual compliance report to be included in Feb. 26<sup>th</sup> City council meeting;
  - ✓ Quarterly meetings will be held with City Manager in 2020;
  - ✓ Next annual report (Q1 - 2021) to cover all monitoring performed in 2020.

# RMCO Bio

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## **Sam Berrada (SAB Vanguard Consulting Inc.)**

### **Experience:**

- 37 years in Safety, Regulations and railway operations, including:
  - Vice President - Safety and Sustainability for CN Rail
  - 35 years in railways - 14 positions with leadership roles in Safety, Regulations, Auditing, Training and Sustainability
  - Experience in freight, passenger and commuter operations
  - Extensive experience in development and implementation of safety management systems, audit and compliance programs, training and transportation engineering
  - Member of Institute of Internal Auditors (IIA)

### **Education:**

- Masters in Business Administration – McGill University, 1997
- Masters in Engineering - McGill University, 1985
- Bachelors in Mechanical Engineering – McGill University, 1982

Questions ?