

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rail Safety and Carriers Division
Rail Engineering Safety Branch
Rail Transit Safety Section

RESOLUTION ST-28
Date: June 25, 1997

R E S O L U T I O N

GRANTING AN EXTENSION OF TIME FOR BART TO IMPLEMENT A
PROGRAM OF OPERATIONAL EVALUATION OF TRAIN OPERATORS'
PERFORMANCE BY THEIR SUPERVISORS

By letter dated May 13, 1997 the Bay Area Rapid Transit District (BART) requests an extension of time to comply with the provisions of Decision 95-12-034, in Case No. 9867, dated December 18, 1995. Specifically, BART requests additional time to implement the program of operational evaluation of train operators' performance by their supervisors (evaluations program). Decision 95-12-034 requires the implementation of this program by the time the Dublin/Pleasanton Extension (DPX) is operational. The DPX extension became operational on May 10, 1997.

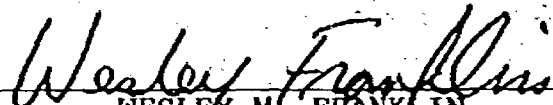
BART's request for additional time for implementation of the evaluations program is based on the fact that the DPX extension was delayed for approximately one year, causing the extension's opening to coincide with the start of negotiations for new contracts with all six of the labor organizations who represent BART employees. The expiration date for these labor contracts is June 30, 1997. BART's position is that the evaluations program is a sensitive issue with the train operators' union and implementation of the program during contract negotiations would adversely impact the success of the program. Additionally, BART requests that it be given four months to implement the program once a union contract has been signed. Should contract negotiations become protracted, BART will go ahead with the implementation of the evaluations program with the anticipation for completion by the end of this year.

Commission staff has no objections to granting the requested extension of time subject to the conditions listed below.

IT IS ORDERED that:

BART is granted a time extension of four months from the date that the 1997 BART union contract negotiations are completed, but not later than December 31, 1997, to fulfill the evaluations program requirement of Decision 95-12-034. In all other respects Decision 95-12-034 shall remain in full force and effect.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on June 25, 1997. The following Commissioners approved it:


WESLEY M. FRANKLIN
Executive Director

P. Gregory Conlon
President
Jessie J. Knight, Jr.
Henry M. Duque
Josiah L. Neeper
Richard A. Bilas
Commissioners