

Two New York City transit workers killed in 48 hours

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Two New York City transit employees were struck and killed by trains while working on the tracks in Manhattan on the morning of November 21 and the following night, November 22. They were both working in small maintenance crews with no one assigned to watch for oncoming trains.

The first victim was Joy Antony, 41, a signal maintainer. He was performing a test of a track circuit between two express tracks near 96th Street in Manhattan when he was hit by a train at 11:19 a.m. November 21. Another signal maintainer and supervisor were working 100 yards south of Mr. Antony. There was no yellow warning signal to alert train operators that someone was working on the tracks. Mr. Antony also had no one serving as a lookout to warn him of oncoming trains. According to Transport Workers Union (TWU) Local 100, the rules governing this procedure require that there be another person watching for trains whenever employees are required to devote their full attention to working on the signals or tracks.

The worker killed the following night was Kurien Baby, 57, a 14-year New York City Transit Authority veteran. He was working as a lighting maintainer, working by himself placing a flashing yellow light on the tracks near the Canal Street station in Manhattan when a train struck him at about 10:30 p.m. November 22. The purpose of the light was to protect workers who were cleaning the overhead lights in the station. However, he walked out on the tracks alone to accomplish this task with no one to watch out for oncoming trains.

As a result of these incidents, the Transit Authority (TA) suspended all work on the tracks over the weekend, except in emergency cases. It then resumed routine work on Monday morning, November 25. The

TA has agreed that it will assign workers to be solely responsible for alerting crews to oncoming trains to every job on the tracks, at least for the time being. The union, however, is demanding that these procedures be made permanent and that additional safety measures be initiated.

“I believe there is a resistance by the Transit Authority to shift from productive work to flagging, which is protective work,” said John Samuelsen, a vice president for the TWU. “Do you want more bang for your buck, or do you want men and women who work for you to go home at night?”

The deaths of two transit workers in the space of 48 hours were a disaster waiting to happen. There are currently 7,000 transit workers whose duties involve maintaining tracks, signals and the structure of the subway system. Since World War II, 132 workers have been killed on the tracks as a result of either being electrocuted or hit by trains. In the last 20 years, 21 have been killed, and in the last year 4 have died.

Before the current tragedy, the most recent fatality was that of Christopher Bonaparte, 50, a flagman who was killed April 9, 2002 by a train in Brooklyn. Before that Samuel McPhaul, 49, a flagman on a track crew, was electrocuted as a result of falling on the third rail in Manhattan near Grand Central Station on July 17, 2001.

The Transit Authority has publicly released McPhaul’s medical records in an attempt to blame him for his own death. Occupational health experts who reviewed these records, however, could find no connection between his medical condition and the accident. The TA was clearly attempting to shirk responsibility for the hazardous conditions that exist on the tracks, which include poor lighting and difficult walking conditions.

Transit workers have been complaining to the TA for years about the unsafe working conditions in the subway system, including the lack of flagging protection. Flagging is a transit term that generally refers to the procedure for providing protection for other workers in the performance of their duties. It becomes necessary whenever track employees are engaged in the type of work that makes it impossible for them to both accomplish their tasks and watch out for trains.

This protection can take a number of forms, such as placing a flag on or near the tracks during the daylight hours, or a flashing light at night. One person can be assigned to watch out for trains and warn the rest of the crew. In addition, there are portable tripping devices that can be placed on the track to automatically stop trains by engaging their emergency breaks.

Whenever a train operator sees a flag, light or a flagman, the operator knows not only to slow the train to 10 mph, but also to carefully observe the tracks for workers performing their duties. Without this flagging protection, the train operator is not anticipating any problem, and will proceed at speeds as high as 40 mph. Under these conditions anyone on the tracks can be killed instantly. When this happens, in addition to a worker losing his or her life, the train operator must deal with the trauma of being powerless to stop the train from running down a fellow worker.

New York's transit system operates 24 hours a day, seven days a week, and track work can only be done while the trains are running. Since New York subways do not cross state lines, the system does not fall under federal guidelines that include stricter flagging rules. Although the TA has its own rules, they are often ignored and even when fully observed fail to provide enough protection, especially for the small work crews such as those that were involved in the tragic events last week.

While the TA publicly proclaims its concern for safety, supervisors in all departments of the subway and bus system cut corners in order to achieve their work quotas with the fewest number of workers possible. While disciplining employees in astronomical numbers for the slightest infractions, real or imagined, transit management routinely breaks its own most fundamental safety rules, continuously risking the lives of workers in order to obtain the greatest amount of

work from them.



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