



New York City Transit

December 28, 2018

Mr. Barry L. Kluger
Inspector General
Office of the Inspector General
Metropolitan Transportation Authority
Two Penn Plaza, 5th Floor
New York, NY 10121

Re: Unauthorized Use of Non-Employee Access Passes (MTA/OIG #2018-52)

Dear Mr. Kluger:

This is in response to your December 3, 2018, letter summarizing your findings of the policies and procedures of NYC Transit's Department of Security regarding the issuance of non-employee access passes for business use. We appreciate your office identifying areas on which we should focus, and offering strategies to further enhance our access pass operations. Below are our responses to your recommendations.

1. ***“Make System Access and, when appropriate MetroCard Temporary Transportation passes unusable on buses unless the use of buses for MTA-related-business purposes is required and approved by a NYC Transit project manager.”*** This recommendation has been fully implemented. As of May 2018, all System Access cards are unusable on buses. MetroCard Temporary Transportation cards are usable on buses and are only issued for MTA-related business purposes and require the written approval of the Department/Division head.
2. ***“Convert all System Access and MetroCard Temporary Transportation pass-usage data to a format that supports computerized screening and analysis to enhance the effectiveness and efficiency of the monitoring process.”*** This recommendation is fully implemented. We have already adopted some of the methodologies identified by your staff which has proved to be very helpful in finding unauthorized pass-usage.

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3. ***“Provide employers with pass-usage data on a regular basis to help them comply with the obligations they assumed when obtaining access passes for their employees.”***
This recommendation will be implemented commencing in the first quarter of 2019. In advance of the February pass renewal cycle, all vendors that will be requesting passes for their employees will be made aware of the new requirement of reviewing pass-usage data quarterly reports that they will receive from NYC Transit regarding their respective employees. This information will enable vendors to self-audit their employee’s pass usage. This requirement will also be included in the new application packet provided to vendors.
4. ***“Consider the imposition of financial penalties on employers, in addition to requiring reimbursement, where despite receiving the relevant data the employers’ compliance with their obligations is lax.”*** This recommendation will be fully implemented in the first quarter of 2019. All our vendors/contractors will be informed that, in addition to being liable for any/all unauthorized swipe activity on their employees’ access card, they may be subject to additional administrative fees.
5. ***“Expedite the development of guidelines to implement the required background check of non-employee access pass applicant.”*** The Department of Security has recommenced meetings with the Law Department to explore various options, which include coordinating with other MTA-agencies and/or regional partners. NYC Transit hopes to introduce a non-employee background check process by the end of the second quarter of 2019.

In closing, let me reiterate our thanks to your staff in identifying areas that needed improvement and offering strategies to strengthen our non-employee access pass operations. Should your staff have any questions or require additional information, please have them contact John Martello at (718) 694-3601.

Sincerely,



Andy Byford
President, NYC Transit

cc: R. Diehl
K. Tobin
J. Martello