

Memorandum




To: RTD Board of Directors

From: Debra A. Johnson, General Manager and CEO

Date: July 14, 2021

Re: **Special Event Services**



Pursuant to Director Broom's July 5, 2021 request for staff to provide a briefing on current special event services as compared with pre-2019 levels of service, this memorandum serves as staff's response and provides an overview of how RTD has historically provided services to support special events and the corresponding operational challenges and considerations, with respect to both Rail and Bus Operations. As discussed below, for the upcoming 2021-2022 Broncos season, BroncosRide will continue to be suspended and RTD will provide additional commuter and light rail service to support the Broncos games.

Overview

RTD has historically provided a wide variety of support by way of enhanced bus and rail service for many local and regional events. These events range in size and duration from small single-day local festivals to large-scale musical and sporting events extending over multiple days. Many of the larger events can draw crowds in excess of 60,000 customers.

Planning and providing service for these events is time- and resource-intensive for the agency. RTD staff coordinates and plans for events in partnership with sponsors, local jurisdictions, law enforcement, and other supporting entities. In early planning stages, the event partners share information with RTD regarding expected crowd sizes, logistics surrounding crowd management and traffic control, event schedules, coordination of safety and security teams, and other event support needs. RTD staff utilizes information from planning sessions to prepare for impacts on regularly scheduled services. This includes the development of operational, staffing, communications, and safety/security plans.

Rail Special Services Summary

Though not without logistical, financial, and staff resource implications and considerations, RTD's rail service is scalable and can accommodate special services for large-scale events, including festivals, concerts, and amateur and professional sporting events held in close proximity to the rail system. For example, 21,252 customers used Light Rail services following a 2019 Garth Brooks concert in downtown Denver, and between 8,000 and 10,000 customers typically use rail services to travel to and from Broncos football games.

The dynamics of RTD Rail Operations differ significantly from Bus Operations in that supplemental service for special events can be more flexible and requires fewer staff and vehicle resources. By comparison, RTD Rail Operations only requires between six and 10 additional rail cars to provide service to more than 10,000 customers before and after a given event. RTD Rail Operations currently has the rail vehicle capacity and available operators to sustain this type of operation.

Commuter Rail Special Services Considerations

The Eagle Commuter Rail Concession Agreement (CA) allows for RTD to request a Special Event Adjustment (SEA) from Denver Transit Partners (DTP/O) for:

- 1) Additional trips to adjust non-peak headways to peak headways



- 2) Additional cars to consist to adjust for increased ridership due to various events
- 3) Additional trips to extend service beyond normal service past the last train out of Denver Union Station (DUS)

As an example, for the Major League Baseball All-Star weekend, in anticipation of an influx of customers in the downtown Denver area, RTD requested that DTP/O run four-car consists, as compared to the normal two-car consists. In years past, RTD has also requested additional trips departing later than would be typically scheduled to accommodate crowds leaving DUS after midnight on New Year's Eve.

The CA also allows DTP/O to notify RTD during after an event of increased ridership or when increased capacity is needed. For example, when a 2019 Rockies baseball game resulted in an unanticipated increase in ridership causing large numbers of customers, DTP/O informed RTD that they would need to provide an extra trip on the G Line.

Additional N Line service to special events can be accommodated by utilizing additional rail cars or larger rail car consists contingent upon resource availability and Federal Railroad Administration (FRA) hours of service limitations.

Bus Special Services Summary

Federal Transit Administration (FTA) bus charter regulations strictly prohibit transit agencies that receive federal dollars from competing with private charter service providers. As such, for most large-scale events, RTD Bus Operations is not able to operate special services or shuttles.

BroncosRide—bus shuttle service that began in 1975 and remained in operation through the 2019-20 National Football League (NFL) season—was one of the few remaining special event services for which bus shuttles were provided prior to the service suspension in 2020. The Board of Directors voted to indefinitely suspend BroncosRide services due to staffing and financial challenges faced by the agency at the time.

Broncos Home Game Services

Customers utilizing BroncosRide services were able to access services in outlying areas around the district for transportation directly to the Broncos' stadium. Sports fans utilizing this service paid a full adult or discounted cash fare for a "special services" round-trip ticket based upon whether the service was locally or regionally based, and other fare media were not accepted.

In the fall of 2019, RTD provided bus service to two pre-season games and eight regular season games. Service characteristics for pre-season/weekday games were different from those of weekend games. For pre-season games, RTD utilized 142 buses to provide 155 trips from 19 different locations throughout the district. Pre-season and weekday games averaged 4,142 fans per game (8,284 round trips). For weekday Broncos games, the agency used a combination of private charter and RTD buses; for weekend games, RTD utilized 177 buses to provide 204 trips from 20 different locations throughout the district. Weekend games averaged 5,602 fans per game (11,204 round trips).

Overall, ridership on BroncosRide bus shuttle services declined steadily from 2012 through 2019. The total approximated bus shuttle service cost was for 2019 Broncos season operations was \$1.8 million.

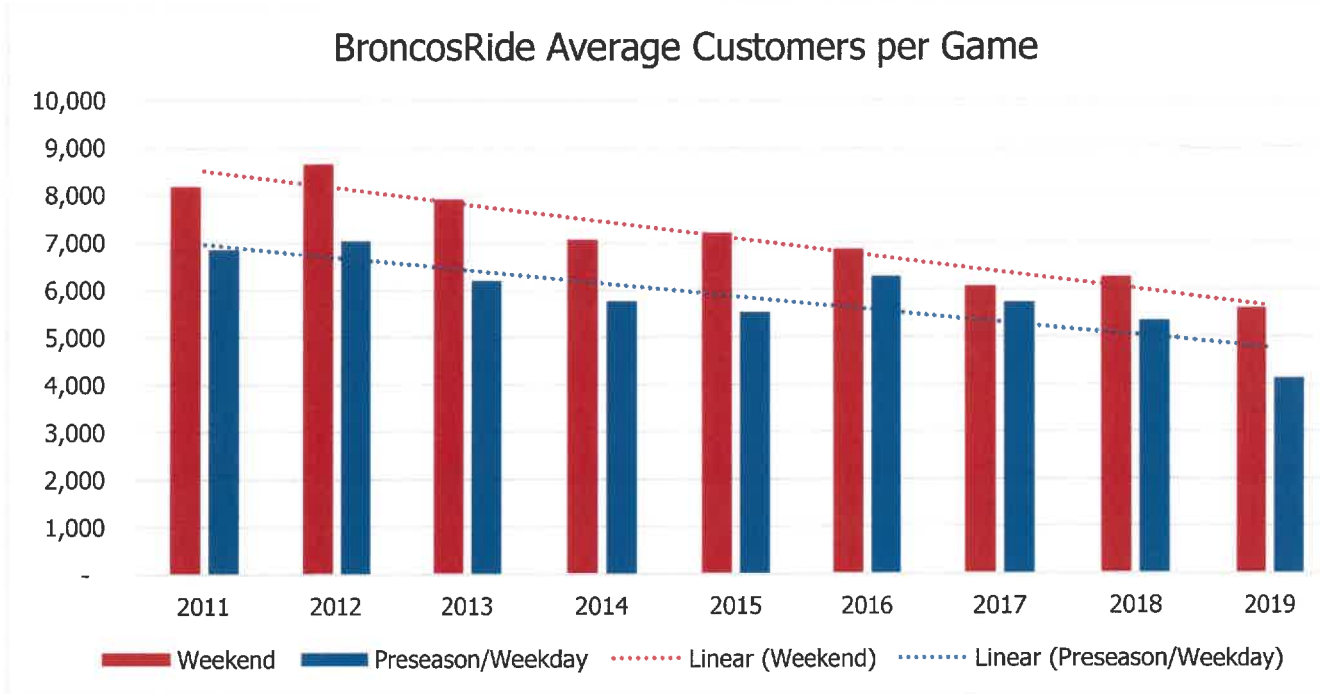


Figure 1: BroncosRide Bus Shuttle Service Ridership Trends

BroncosRide Service Considerations

The provision of BroncosRide services presented significant logistical, equity, and fare collection challenges for the agency and required unsustainable staffing levels as described below:

Weekday Service Challenges

Due to staffing and vehicle availability challenges, RTD historically utilized contracted charter bus services to supplement weekday Broncos game support. BroncosRide contracted services expired in the midst of the COVID pandemic. Staff would have needed to issue a new Request for Proposal for charter services if RTD were to continue to supplement weekday BroncosRide shuttle services.

It should be noted that RTD has not always received all charter buses requested, since RTD is just one customer among many. During the fall of 2019, four charter bus service providers were utilized under existing service contracts to supplement weekday BroncosRide shuttle services.

In addition, the Americans with Disabilities Act (ADA) requires that all bus services directly operated or contracted utilize wheelchair accessible vehicles. To ensure compliance with ADA requirements, RTD would need time to evaluate, develop and implement a weekday service modification plan that ensures only wheelchair accessible vehicles are utilized on BroncosRide services, including through any contracted services.



Fare Payment

Federal Transit Administration (FTA) charter regulations require that fares for special services such as BroncosRide cannot exceed those charged for similar services. That is, premium fares are prohibited, and as such, customers were required to purchase adult or discounted local or regional fare on a cash-only basis.

Fare and Equity Analysis

An equity analysis has never been completed for the BroncosRide shuttle services in the past because these types of services did not fall under the fare or service equity analysis requirement prescribed in the FTA Title VI Circular. Moreover, the FTA Region 8 Civil Rights Compliance Officer provided concurrence that shuttle service or special services are exempt from the service or fare equity analysis requirement.

Notwithstanding, when considering equity and the associated implications that may affect historically underrepresented populations either directly or indirectly, it becomes incumbent upon RTD to factor in the potential impacts prior to making a decision. Albeit not required, if BroncosRide services were ever reinstated, staff recommends that a service and/or fare equity analysis be performed to ensure there are no unintended consequences.

Consistent with the principles of equity and its practical application as it relates to how RTD provides its services and programs, RTD must consider the populations more likely to be served by this special service and who is more likely to receive more of the benefit from a holistic standpoint. Simply stated, it is unclear whether the provision of Broncos Ride created unfair barriers to equal access to service.

Operator and vehicle considerations

Bus operators cannot exceed US Department of Transportation hours of service limitations and are required to have proper turnaround time for rest between game end-time and next-day work assignments. Additionally, bus vehicle availability to support weekday games is challenging since the number of vehicles needed to support this service would approach or exceed vehicle spare ratios as required by the FTA.

Board Action

In October 2019, staff submitted a memo (See Attachment) to the Board of Directors regarding operator recruitment and retention efforts to address operator staffing shortages. The memo discussed the policy in place at that time requiring certain operators to work overtime without the option to refuse, a system known as "mandating." The memo identified mandating as the single most impactful factor affecting new employee retention, with approximately 68.8% of bus operators consistently mandated to work a sixth day each week.

As a result of the October 2019 memo, and to address the impacts of mandating, staff proposed as part of the May 2020 recommended action regarding service changes a series of service reductions to better align operator staffing levels with the level of scheduled service. As a component of these service changes, staff also recommended that the BroncosRide service be suspended, and the Board of Directors ultimately approved the recommendation, thereby suspending BroncosRide services indefinitely.

Moreover, the findings of the December 2020 RTD performance audit by the Office of the State Auditor (OSA) also cited operator mandated overtime as a key factor driving operator vacancies, lost service hours, and



operator turnover. The suspension of BroncosRide, subsequent mitigation of its attendant staffing and logistical burdens on the agency, is in line with OSA’s recommendations.

Rail Broncos Ridership Support

The customer base utilizing rail services during the 2019-2020 season to Broncos home games averaged 7,589 fans per weekday game (15,177 round trips) and 6,379 fans per weekend game (12,758 round trips) from Empower Field at Mile High and Decatur/Federal Stations. Historical Light Rail ridership is further detailed in Figure 2.

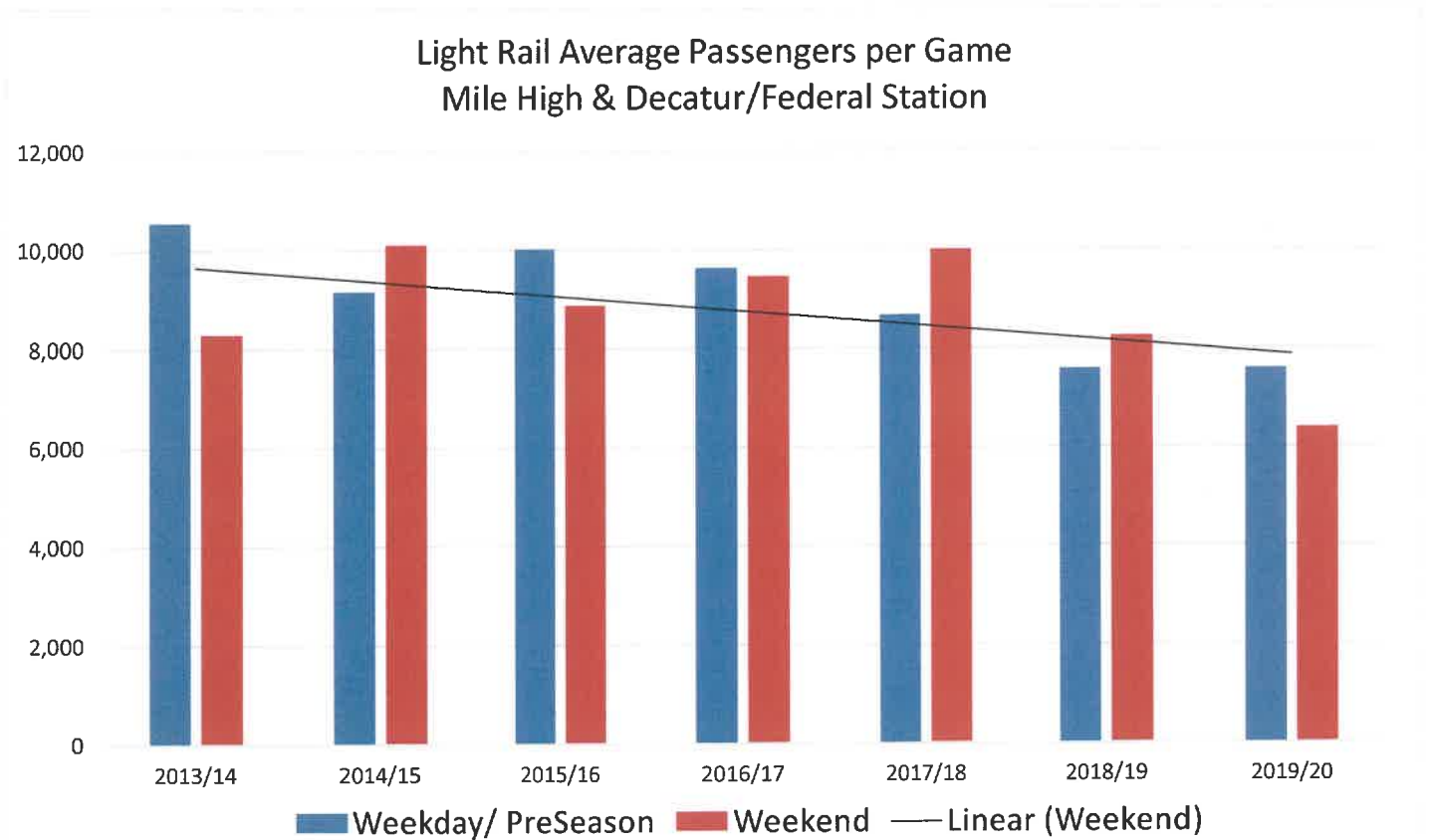


Figure 2: Light Rail Ridership Trends (Mile High & Decatur/Federal Stations)

It must be noted that special events generate fare revenue to offset expenses and introduce many new customers to RTD’s service. Using 2019 figures the direct Rail Operations expense to support a Broncos game was roughly \$60,000. Taking into consideration ridership of roughly 8,000 to 10,000 customers and estimating a combination of Local fares (\$3.00) and Regional fares (\$5.25) per customer, the revenue generated is significant. Although BroncosRide shuttle services are suspended indefinitely, Rail Operations expects a customer base similar to, or potentially heavier than, past seasons as Broncos ticket holders will continue to utilize rail services.

Conclusion

While RTD’s provision of special services for large-scale events enriches the region by allowing enhanced customer mobility, planning for and operation of special services is resource-intensive and impacts RTD’s regularly scheduled services. Further, RTD continues to face challenges regarding operator recruitment and



retention, and the provision of special services creates additional burdens on operators, dispatchers, and other agency staff. The provision of BroncosRide special service in particular created adverse operational, logistical, equity, and access impacts for the agency.

Simply put, it is not in the best interest of the agency and the safety and well-being of the Operator, and the agency's newly evolving and hiring and retention strategies, to reinstate BroncosRide service. Moreover, it is incumbent upon the agency to adhere to Civil Rights laws, including but not limited to ADA, Title VI, as well as FRA and FTA regulations.

That said, RTD Rail Operations will continue to provide scalable, flexible, and responsive enhanced services for special events, including Broncos games, though overtime volunteers may be needed in these instances. While Bus Operations can sustain additional capacity during certain special events, there are no plans at this time to create or reinstate any additional Bus Operations special services.

Finally, RTD staff has been in communication with the Broncos organization since May 2021 regarding the impact of the suspension of the BroncosRide during the 2021-2022 NFL season and beyond.

Attachment

BOARD OF DIRECTORS REPORT

To: David A. Genova, General Manager and CEO

From: Heather McKillop, CFO/AGM, Finance & Administration

Date:

Subject: Board Paper on Mandating

Date: October 16, 2019
GM
Board Meeting Date: October 22, 2019

ATTACHMENTS:

- Board Paper on Mandating (PDF)

Prepared by:
 Heather McKillop, CFO/AGM, Finance & Administration

Approved by:



Heather McKillop, CFO/AGM, Finance & Administration 10/16/2019

Work Force and Operator Mandating

Problem:

Due to labor shortages and issues with recruiting and retaining bus and light rail operators, the Regional Transportation District (RTD) is challenged to deliver its current and planned level of service.

Issue:

Many bus and light rail operators have been required to work six (6) days per week every week for the last four (4) years. Working overtime without an option to refuse is referred to as being “mandated” to work. Mandated work is assigned based on seniority. The more seniority, the less likely it is that you will be mandated to work on your days off. The less seniority, the more likely it is that you will be required to work on your days off. Mandating begins with the lowest seniority employees until work is covered and then continues to return to the lowest seniority employee without going all the way to the top of the seniority list. This results in a cycle of the lowest seniority employees experiencing the most mandating, it is most challenging for new employees. Mandating is the single biggest factor affecting new employee retention. Even though mandating predominately impacts lower seniority employees, on many occasions we have had to mandate as high as number 1 on light rail on the seniority list and as high as number 3 in bus. The chart below represents the number of employees on a weekly basis that are mandated to work their days off. For example, so far in 2019 68.8% of bus operators and 41.7% of light rail operators have been mandated to work one of their days off each week.

Weekly Average					
	2015	2016	2017	2018	2019
Bus - FTEs Mandated	590	560	620	636	603
Total Bus Operators	847	909	849	855	876
% of Mandates vs FTE	69.7%	61.6%	73.0%	74.4%	68.8%
Light Rail - FTEs Mandated			71	78	67
Total LRT Operators	157	170	161	177	161
% of Mandates vs FTE			44.3%	44.2%	41.8%

History:

RTD has always had some level of overtime required to operate our service. Overtime may consist of special services such as sporting events, community events, concerts, etc. Overtime was available to those that desired to work it, but was not routinely required. However, since 2016, RTD has opened five new rail lines and one bus rapid transit line. Between 2013 and 2019, RTD has added approximately 600,000 in-service hours or a 20%

increase over 2013. At the same time the economy started to rapidly improve and the Denver Metro's unemployment rate dropped from 6.1% in 2014 to 2.6% in September 2019¹ creating severe tightening in the availability of labor.

The labor market is tight everywhere and many professions including those that require a commercial driver's license have been deeply impacted. Here are some headlines:

- ATA: Trucking industry was short more than 60,000 drivers in meeting demand at the end of 2018²
- CDOT raises hourly rate for snowplow drivers; looking to hire more than 100³

Other industries are also feeling the pinch and labor shortages are affecting service.

- Labor shortage taking a toll on Denver restaurants⁴
- Behind Deadline: Home projects in Colorado suffer from worker shortage⁵
- Colorado construction industry finds no relief from labor shortages⁶

Recruitment and Retention Efforts

In 2015, we formed the Recruitment and Retention Working Group which consisted of a cross section of employees that were organized to try to improve recruitment efforts as well as retention of existing employees. The following are some of the recommendations that came out of this effort and have been implemented:

- Recruitment
 - Advertising on buses
 - Advertising on all RTD fleet vehicles
 - Implemented signing bonus of \$2,000 for bus operators, light rail operators, and mechanics
 - Implemented referral bonus to \$1,000 for bus operators, light rail operators, and mechanics that are hired
 - Started accepting hand written applications.
 - Changed customer care "On hold" message to advertise that RTD is hiring bus and light rail operators.
 - Added hiring message on destination signs on buses
 - Implemented "One Stop Job Shop" hiring process for bus operators, light rail operators, and mechanics

¹ U.S. Bureau of Labor Statistics, Unemployment Rate in Denver-Aurora-Lakewood, CO (MSA) [DENV708URN], retrieved from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series/DENV708URN>, October 9, 2019.

² Transport Topics, July 24, 2019, Eric Miller, Staff Reporter

³ Fox 31 News, October 9, 2019, Christine Rapp

⁴ CBS 4 Denver, September 18, 2018

⁵ CBS 4 Denver, June 12, 2019, Karen Leigh

⁶ Denver Post, August 28, 2019, Aldo Svaldi

- Bring in all applicants at one time
 - Conduct background check
 - Conduct drug screening
 - Present job offers
- Redirected WIN efforts internally for community based recruiting
 - In last nine (9) months, HR has attended 121 community outreach events
- Implemented new application process that is significantly more user friendly
- Expanded where we advertise positions
- Launched targeted marketing campaigns
- Retention
 - Increased shift differential pay
 - Implemented incentive pay of \$2.00/ hour for working split shifts
 - Increased professional development funds from \$1,500/ year to \$2,000/year
 - Increased bus and light rail operators pay by \$1/hour in July of 2017 in addition to the CBA increase of 3% that was implemented in March 2017

Collective Bargaining Unit Negotiations

The issue of mandating employees to work on their days off was a central theme of the negotiations in 2017/2018. Also during this period, staff reported to the Board several times regarding labor, wages, economy, and service increases over time beginning with the 2001 recession that affected market conditions and workforce.

In order to improve working conditions and the ability to recruit and retain employees, the following improvements were made for represented employees:

- Increased starting base pay for operators to \$19.40/hour in 2018 (10% increase), \$19.98 in 2019, and \$20.58 in 2020
- Increased existing employee wages by 8% in 2018, 3% in 2019, and 3% in 2020
- Kept \$2/hour incentive pay for split shifts and \$2/ hour incentive pay for being mandated to work
- Daily assignments of Extra Board work cannot have a greater spread than 13 consecutive hours instead of 14 hours
- The minimum number of straight runs on weekdays shall not be less than 60% and 75% on the weekends, this reduced the number of split shifts by 5% on weekdays and 10% on weekends
- Day Board operators shall not be assigned work that gets off after 8:00pm to the extent practicable, and in no circumstances work that gets off after 8:30pm; and the Night Board operators shall not be assigned work that starts before 9:30am
- Allowed for more recovery time in service schedules for restroom usage

These changes did help with recruitment but many of the changes actually led to a higher number of operators required to be able to provide services for some of these provisions. The increased need for operators resulting from these changes only exacerbated the mandating issue.

In February 2018, Mike Meader, Chief Safety Officer, presented to the Board the issue of mandating and the toll it was taking on our employees. Each month, staff presents the amount of dropped runs that both bus and rail are experiencing as a result of the labor shortage. These things have not improved and in fact are getting worse.

Between January 2017 and September 2019, RTD has hired 791 bus operators and 177 train operators. For comparison, our total headcount needed for bus operators is 1,083 and train operators is 216. In the last 33 months, we have hired the employee equivalent of 73% of our entire bus operator workforce and 82% of our total train operator workforce. However, during this same 33 months, RTD has had over 710 bus operators and 201 train operators leave their positions. Although some are related to promotions or retirements, most are leaving for other reasons.

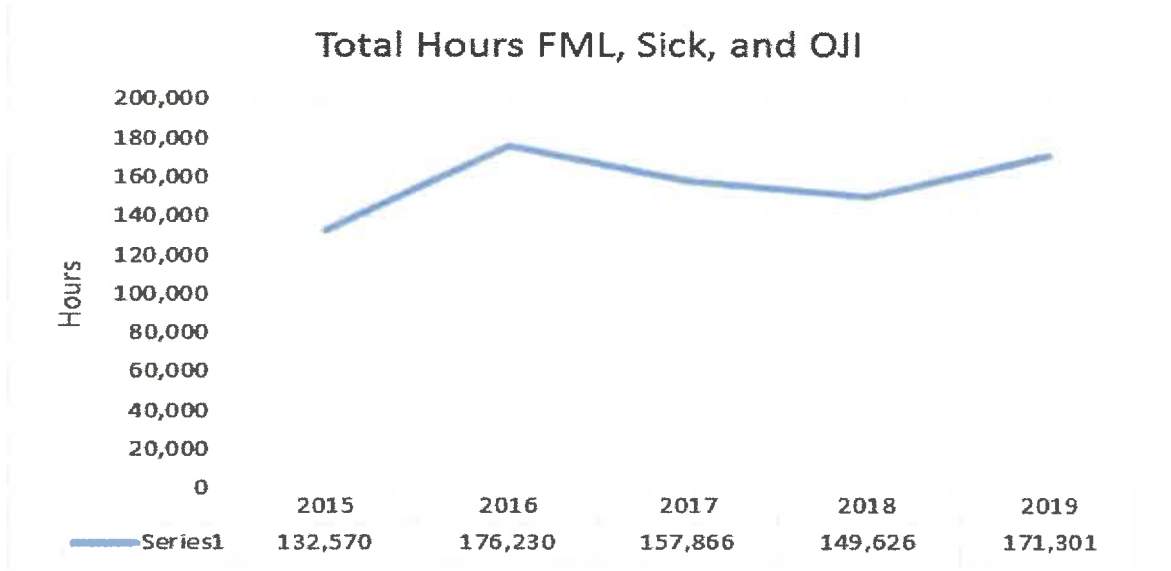
Current State

In 2018, the Board adopted the 2019 General Manager's Core and Task goals. Task Goal #2 is "Address Service and Human Capital." One of the tasks under "Achieves Goal" is "incrementally optimize service through the runboard process to bring balance regarding service delivered and headcount available" and under "Exceeds Expectations" one of the tasks is "mandating reduced by 20% from 2018 levels."

Employees

We are getting more and more requests from bus and light rail operators to, "please do something about the mandating situation." The excessive overtime is taking a toll on our employees.

We have seen a noticeable increase since 2015 regarding the number of operators on Family Medical Leave (FML), Sick Leave, or On the Job Injury (OJI) leave. See chart below.



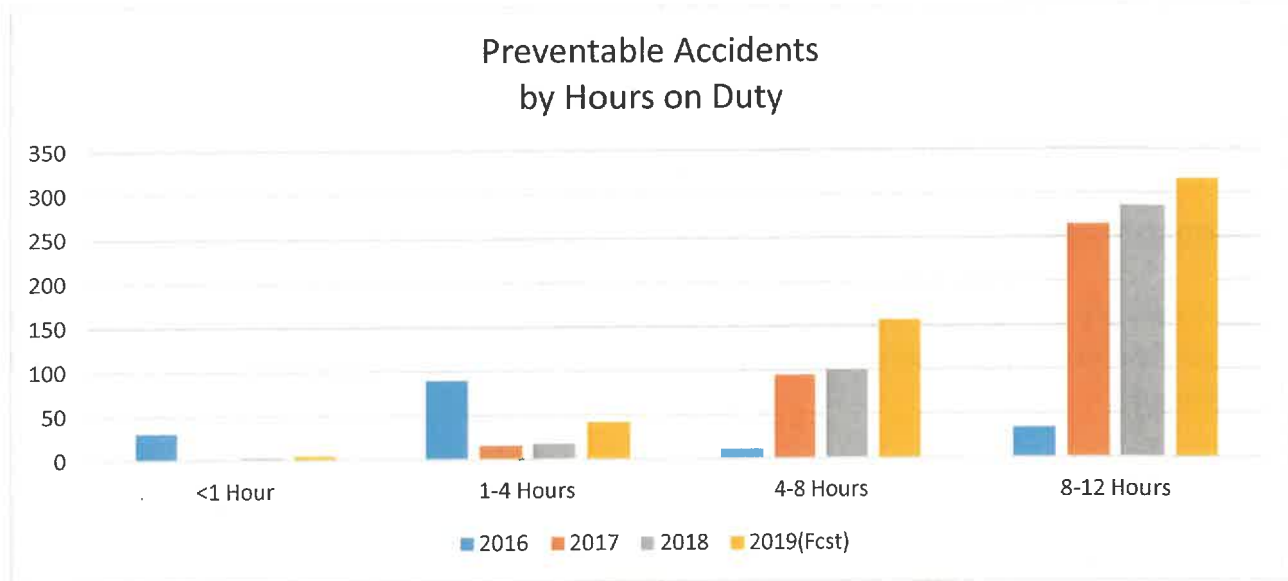
Through September, based on the trend to date, we estimate 171,301 hours related to FML, Sick, and OJI. 171,301 hours equates to 82 operators being out for a whole year.

In a National Safety Council report, transportation employees have the highest level of feeling tired at work (70%).⁷ This same report identified nine risk factors: shift work, quick shift returns (less than 12 hours), long shifts (more than 10 hours), long weeks (50 hours or more), high risk hours (late night/ early morning), demanding job, no rest breaks during shift, sleep loss (less than 7 hours), long commute.⁸ Of those nine risk factors, eight are applicable to what is occurring as a result of mandating our employees.

The following is a chart of RTD preventable accidents by hours on duty. You can see that the more hours an operator is on duty, the higher rate of preventable accidents.

⁷ Fatigue in Safety-Critical Industries, National Safety Council, Final Report

⁸ Fatigue in Safety-Critical Industries, National Safety Council, Final Report



In addition to safety concerns, operators report, that loss of time with family and missing planned events, such as doctor appointments and school activities are also impacting them. Mike Meader has been meeting with employees to discuss safety. Since 2018, he has talked directly to 386 bus operators, 92 rail operators, street supervisors and division management. Operators state mandating as their number one complaint and in asking how it has impacted them they said: tired/exhausted (78%), affected relationships at home (70%), health is worse (70%), schedules unrealistic (83%), schedules have impacted safe operations (80%), leadership is not engaged (70%).

RTD staff has been meeting with Union representatives on a regular basis to work on issues related to retaining employees and providing a better work environment. These issues include: availability of restrooms, handling of biohazard materials, handling conflicts with customers, safety concerns, and use of retired & part-time employees.

In addition, staff has been reaching out to peer agencies for their recruiting "best practices" to see if we can add them to our efforts. Most recently we talked to the Jacksonville Transit Authority. Based on those conversations, we have taken a number of steps:

- Recently upgraded our subscription with Indeed to enhance our search optimization so that we will show at the top of the search
- Increased our class sizes for both bus and light rail to accommodate more new hires
- Starting targeted outreach to the Nepali, Indian, Ethiopian, Sudanese, and Sikh communities in the metro area after focusing much of our targeting to the Hispanic community
- Improved our job descriptions to be conducive to social media postings
- Added a recruiter to specifically help with hiring bus and light rail operators

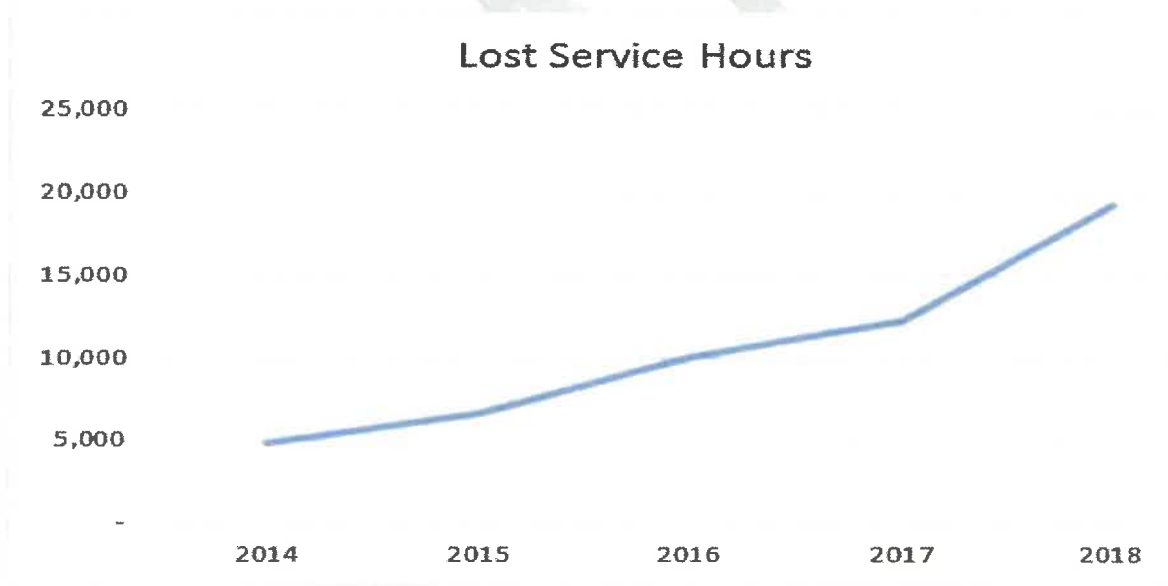
- Having discussions with a recruiting firm about providing us with temporary light rail, bus, and paratransit operators
- Trying to work through the issues that might be inconsistent with the CBA such as lodging, per diem, dues, etc.

Customer Impact

While we are providing a high level of service availability, we are seeing increased reductions in service or dropped service. Dropped service is service that was scheduled but not delivered.

Bus Service:

For 2014, service availability for bus was 99.80% only 4,831 hours of service were dropped during the entire year. The worst year was 2018, when service availability had dropped to 99.21% and 19,269 hours of service were dropped. In 2019 through September, we are at 99.54% service availability with 8,520 hours of service dropped.



Light Rail:

Dropped service is a more recent phenomenon on rail. Light rail has had to mandate much more infrequently until recently. When the Southeast Extension (E, F, and R Extension) opened in May 2019, we added 6,350 annualized hours of service. This required 20 additional light rail operators. In July, light rail dropped 27 hours of service or 26 trips. In August, this climbed to 285 hours or 296.5 trips.

Attachment: Board Paper on Mandating (3985 : Board Report on Mandating)

Conclusion:

The labor shortage has dramatically impacted our employees and our ability to deliver reliable service to our customers. This is eroding public confidence in our service. RTD has worked to significantly improve our recruitment efforts over the last three years. In addition, we have worked with the Union to improve overall working conditions and have increased operator pay to put them above market in the Denver Metro area. Even with all of these efforts, we are still having to mandate many of our employees on a regular basis 6 days a week every week. Even with the mandating, we are dropping service. Additional steps beyond recruitment and retention needs to be taken to be able to bring relief to our employees and bring service reliability to our customers.

Next Steps:

Staff will continue to look for new recruitment techniques and provide for increased training classes so all applicants can get into training as quickly as possible. In addition, staff is proposing curtailing a significant amount of service for a temporary period in order to bring our service in-line with the amount of operators we have available to run service without as much mandating. The proposed draft plan would reduce the need for 58 operators (bus and rail). These next steps wouldn't completely alleviate the need to mandate employees, but would reduce the needs for the same employees to work 6 days every week. In addition, this should significantly reduce any dropped service and provide more reliable service on the routes that RTD will be providing. On November 12th, the proposed draft plan will be presented to the Board at the Operations committee.