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Inexperienced worker put West Haven train on wrong track while supervisor was in bathroom, union says

Friday, May 31, 2013

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WEST HAVEN — The fatal accident on the Metro-North rail line Tuesday occurred after an inexperienced worker sent a train onto the wrong track while a more senior employee was in the bathroom, several sources say.

Chris Silvera, secretary/treasurer for International Brotherhood of Teamsters Local 808, said Thursday trains are routed from a rail traffic control center in New York's Grand Central Terminal. Multiple sources familiar with the operation and Tuesday's incident said this isn't the first time a train has been sent down the wrong track, citing a recent mix-up in New York in which no one was injured.

Robert Luden, 52, died Tuesday when he was struck around noon by a commuter train that had just left New Haven and was heading for New York. The East Haven resident, who had worked for Metro-North for 27 years, was pronounced dead on the scene.

He had been working with other employees to move rail off of a track adjacent to the one traveled by the train that hit him.

An investigation was launched by MTA police and expanded to include the Federal Railroad Administration, the National Transportation Safety Board and the New York State Department of Labor, which has an interstate agreement with Connecticut to investigate incidents here because Metro-North workers are New York state employees, MTA spokeswoman Marjorie Anders has said. The probe is expected to take months.

Rail traffic controllers from the shift have been suspended until further notice, Anders said Wednesday.

Silvera said he believes the train was put on track 1, although that track had a "blocked" status and was considered inactive so it could be used to perform maintenance. He also believes that the block was initially applied by a more senior worker. Sources say that person was a supervisor.

Silvera, who was traveling to Washington at the time, said he was told that the senior worker "went to the bathroom, and he was surprised at what he had seen" when he returned. Other sources have also said the senior worker was not present when the block was removed.

An employee who was "inexperienced for sure ... he's a new guy," apparently put the track back into an operational status.

"This person obviously removed the block on the track, and routed the train onto the track at normal speed, which is about 70 miles per hour," Silvera said.

Silvera and multiple sources said track foremen such as Luden must get a form that specifies how long a track will be closed. According to Silvera, track foremen must communicate when a track is ready to be reopened, or else the track must be fully inspected to ensure it's ready to be reactivated.

Silvera said he's known Luden since Luden started in the railroad industry and added that investigating agencies will eventually render a decision.

"It's not fair to speculate. Robert was a friend of mine, so I have to restrain myself. ... Those individuals will bear the scars for a long time," Silvera said.

He said he will remember Luden as always having a smile on his face.

"It was a pleasure to work with him. I've worked with a lot of guys over the years. He was one who was special to me," Silvera said. "When I heard it on Tuesday, when I was on my way to Washington, it sucked the wind out of me."

This story has been edited from its original version to clarify that Chris Silvera was not present in the rail traffic control center during the incident.

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