

2022 MTA Annual Report Appendices

In keeping with New York State PAL §2800 (1) (a) (1), (6), (11), (13), and (17), the following sources provide supplementary details on the MTA’s 2022 accomplishments; operations; projects; the MTA Board structure, members, and 2022 meetings; and the authority’s material pending litigation. All of the appended sources are publicly available under the Transparency section of the MTA website at new.mta.info.

Appendix A. Key Performance Metrics by Agency

The following tables summarize year-to-year performance data by MTA agency, including 2022 ridership, operational metrics, safety metrics, and workforce indicators. Detailed, open-source data are updated regularly and can be accessed at the [MTA Performance Metrics](#) page at the MTA public website. Additional 2022 operational, administrative, and financial information can be found in the MTA [2023 Adopted Budget—February Financial Plan 2023-2026](#) at the public website. The tables below are excerpted from the 2022 [Mission Statement, Measurements, and Performance Indicators Report](#), pursuant to NYS PAL Law §2824-a and §1269.

MTA New York City Transit (NYCT)		
Performance Indicators	2021 Actual	2022 Actual
NYCT Subway Service Indicators		
Weekday Major Incidents – Subways (monthly average)	33.5	40.9
Customer Journey Time Perf. (% within 5 min of scheduled)	83.8%	83.9%
Additional Platform Time (average beyond scheduled)	0:01:26	0:01:22
Additional Train Time (average beyond scheduled)	0:00:12	0:00:28
Weekday Service Delivered – Subways	92.2%	93.1%
Weekday Terminal On-Time Performance – Subways	85.2%	81.5%
Weekday Terminal Delays – Subways (monthly average)	25,370	31,453
Mean Distance Between Failures – Subways (miles)	150,363	145,354
Weekday Wait Assessment – Subways	68.3%	69.1%

Elevator Availability – Subways	96.6%	96.8%
Escalator Availability – Subways	91.3%	92.1%
Total Ridership – Subways	759,810,246	1,013,425,465
Weekday On-Time Performance – Staten Island Railway	96.6%	95.5%
Mean Distance Between Failures – Staten Island Railway (miles)	29,343	62,514
NYCT Bus Service Indicators		
Customer Journey Time Perf – NYCT & MTA Bus (% within 5 min of scheduled)	75.5%	73.3%
Additional Bus Stop Time – NYCT & MTA Bus (average beyond scheduled)	0:01:58	0:01:57
Additional Travel Time – NYCT & MTA Bus (average beyond scheduled)	0:00:00	:22
Bus Customer Wheelchair Lift Usage – NYCT Bus	952,720	1,019,598
Service Delivered – NYCT & MTA Bus (% scheduled buses, peak hrs.)	93.8%	95.0%
Bus Speeds – NYCT & MTA Bus (average route speed, end-to-end)	8.2 mph	8.1 mph
Total Ridership – NYCT Bus	311,893,589*	343,092,962
Mean Distance Between Failures – NYCT & MTA Bus (miles)	7,504*	9,929
Wait Assessment – NYCT & MTA Bus	75.9%	75.6%

Notes: Subway 2021 ridership including SIR was 761,142,069. All indicators are updated regularly on Performance Metrics under Transparency at new.mta.info. The legacy Bus metric “Percent of Completed Trips” is no longer collected. *The 2021 NYCT Bus ridership was revised upward slightly from 311,711,871 reported in 2021. The 2021 Bus MDBF was revised upward slightly from 7,480 reported in 2021.

MTA NYCT, cont.		
Performance Indicators	2021 Actual	2022 Actual
NYCT Paratransit Service Indicators		
Total Paratransit Ridership – NYCT Bus	7,835,975	9,153,605
AAR On-Time Performance Pick up within (30 min) / (15 min)	30 min: 93% 15 min: 80%	30 min: 94% 15 min: 81%
AAR Appointment OTP Trips (30 min early to 1 min late)	N/A	45%
AAR Actual Ride Time at or Better than Planned Ride Time	83%	99%
AAR Customer Experience – Frequent Rider Experience	n/a	98%
AAR Call Center (% of calls answered)	90%	93%
AAR Passenger Complaints (per 1000 completed trips)	7.4	5.9

AAR Registrants	163,500*	170,522
NYCT Safety Indicators		
Customer Injury Rate – Subways (per million customers)	4.06	3.27
Customer Accident Injury Rate – NYCT Bus (per million customers)	2.19	2.43
Collisions with Injury Rate – NYCT Bus (per million vehicle miles)	5.71	8.45
Employee Lost Time and Restricted-Duty Rate – NYCT Subways (per 100 employees)	4.05	4.21
Employee Lost Time and Restricted-Duty Rate – NYCT Bus (per 100 employees)	6.36	6.18
NYCT Workforce Indicators		
Female Representatives in NYCT Workforce	18.3 %	18.7%
Minority Representatives in NYCT Workforce	80.3%	81.7%
NYCT Financial Indicators		
Farebox Operating Ratio	28.3%	33.2%
Operating Cost per Passenger	\$9.14	\$7.85
NYCT Capital Program Indicators		
Commitments in \$ Millions (% of annual goal)	\$3,684 (96%)	\$8,338 (152%)
Completions in \$ Millions (% of annual goal)	\$1,781 (50%)	\$2,784 (56%)

Notes: AAR ridership includes customers, personal care attendants, and guests. AAR 2021 registrants were revised downward slightly from 166,100 reported in 2021. Financial indicators include NYCT Subways, Buses, and Paratransit and are preliminary. The Capital Program projects details are available on the Capital Programs Dashboard under Transparency at new.mta.info.

MTA Long Island Rail Road (LIRR)		
Performance Indicators	2021 Actual	2022 Actual
Service Indicators		
On-Time Performance	96.3%	95.8%
Elevator Availability	98.7%	98.7%
Escalator Availability	95.1%*	95.5%
Total Ridership	35,036,746	52,540,523
Mean Distance Between Failures (miles)	246.946*	235,664
Safety Indicators		

FRA-Reportable Customer Injury Rate (per million customers)	3.94*	2.62
FRA-Reportable Employee Lost Time Rate (per 200,000 worker hours)	3.81*	4.14
Workforce Indicators		
Female Representatives in LIRR Workforce	13.0%	13.2%
Minority Representatives in LIRR Workforce	38.0%	39.3%
Financial Indicators		
Farebox Operating Ratio	19.9%*	26.4%
Operating Cost per Passenger	\$42.50*	\$32.64
Capital Program Indicators		
Commitments in \$ Millions (% of annual goal)	\$345.4 (71%)	\$713.1 (103%)
Completions in \$ Millions (% of annual goal)	\$364.3 (78%)	\$341.5 (82%)

Notes: LIRR ridership is calculated based on the number of tickets sold, multiplied by a factor related to each type of ticket. Monthly/weekly factor is based on the number of weekdays and weekend days per month. *These 2021 data were revised: The 2021 Escalator availability was revised downward slightly from 95.3% reported in 2021. The 2021 MDBF was revised upward from 231,337 reported in 2021. The 2021 Customer Injury Rate was revised upward from 2.2 reported in 2021, and the 2021 Employee Lost Time Rate was revised downward from 4.0 reported in 2021. *The 2021 farebox operating ratio was revised upward slightly since the 2021 report, and the operating cost per passenger was revised downwards slightly.

MTA Metro-North Railroad (Metro-North)

Performance Indicators	2021 Actual	2022 Actual
Service Indicators		
On-Time Performance (East of Hudson)	97.1%	97.0%
On-Time Performance (West of Hudson)	93.4%	93.2%
Elevator Availability	99.8%	99.8%
Escalator Availability	99.9%	99.8%
Total Rail Ridership (East & West of Hudson)	30,759,001*	48,853,279
Mean Distance Between Failures (miles)	190,518	257,097

Safety Indicators		
FRA-Reportable Customer Injury Rate (per million customers)	2.17*	2.11
FRA-Reportable Employee Lost Time Rate (per 200,000 worker hours)	1.92*	2.15
Workforce Indicators		
Female Representatives in MNR Workforce	12%	11%
Minority Representatives in MNR Workforce	39%	40%
Financial Indicators		
Farebox Operating Ratio	20.4 %*	30.9%
Operating Cost per Passenger	\$40.76	\$28.95
Capital Program Indicators		
Commitments in \$ Millions (% of annual goal)	\$768.2 (99%)	\$688.9 (103%)
Completions in \$ Millions (% of annual goal)	525.3 (55%)	\$868.6 (73%)

Notes: Metro-North ridership is calculated based on the number of tickets sold, multiplied by a factor related to each type of ticket. Monthly/weekly factor is based on the number of weekdays and weekend days per month. *These 2021 data were revised: Total ridership was revised upward slightly from 30,722,008 reported in 2021. Customer Injury Rate was revised upward from 1.79 reported in 2021, and Employee Lost Time rate was revised downward slightly from 1.97 reported in 2021. Subsequent to the original 2021 report, the 2021 farebox operating ratio has been revised downward from 23.6% and the 2021 operating cost per passenger has been revised downward from \$41.95.

MTA Bridges and Tunnels (Bridges and Tunnel)		
Performance Indicators	2021 Actual	2022 Actual
Service Indicators		
Paid Traffic	307,296,238	326,535,000
Safety Indicators		
Collisions with Injury Rate (per million vehicles)	0.67	0.82
Employee Lost Time Injury Rate (per 200,000 work hours)	5.6	5.4
Workforce Indicators		
Female Representation in B&T Workforce	21%	19.1%

Minority Representation in B&T Workforce	57%	57.6%
Financial Indicators		
E-ZPass Market Share	94.9%	95.1%
Total Support to Transit (\$ millions)	\$1,377.0	\$1,429.5
Capital Program Indicators		
Commitments in \$ Millions (% of annual goal)	\$260.3 (150.5%)	\$376.1 (73%)
Completions in \$ Millions (% of annual goal)	\$386.2 (100.5%)	\$905.9 (161%)

Notes: MTA B&T performance data are subject to final audit. Traffic numbers are preliminary, with actuals available later. The 2022 data for Paid Traffic, Safety, E-ZPass, and Support to Transit are reported from the B&T Committee Meeting Materials, February 2023, 2/21/23. Data may be subject to later reconciliation.

MTA Bus Company (MTA BUS)

Performance Indicators	2021 Actual	2022 Actual
Service Indicators		
Bus Passenger Wheelchair Lift Usage	66,881	See NYCT Bus
Total Ridership	71,431,467*	82,609,385
Mean Distance Between Failures – NYCT & MTA Bus (miles)	7,480	See NYCT Bus
Safety Indicators		
Customer Accident Injury Rate (per million customers)	1.30	1.55
Collisions with Injury Rate (per million vehicle miles)	4.54	5.18
Employee Lost Time Rate (per 100 employees)	7.82	7.48
Workforce Indicators		
Female Representation in MTA Bus Workforce	13%	13.0%
Minority Representation in MTA Bus Workforce	81%	84.6%

Financial Indicators		
Farebox Operating Ratio	17.9%	17.8%
Operating Cost per Passenger	\$10.94	See NYCT Bus
Capital Program Indicators*		
Commitments in \$ Millions (% of annual goal)	\$113.3 (197.9%)	\$265.5 (885%)
Completions in \$ Millions (% of annual goal)	\$1.8 (2.7%)	\$166.5 (80%)

Notes: For the purposes of this report, NYCT Bus and MTA Bus, "MTA Bus Operations," are treated separately, though certain operations and performance indicators are combined, as noted above and in the NYCT data on page 4 of this report. The Performance Dashboard at www.mta.info combines data for both bus operations. *The 2021 total ridership was revised upward slightly from 71,426,526 subsequent to the 2021 report. The legacy indicator "Percent of Bus Trips Completed" is no longer collected.

MTA Construction & Development (MTA C&D)

Performance Indicators	2021 Actual	2022 Actual
Workforce Indicators		
Female Representatives in MTA C&D Workforce	37%	29.7%
Minority Representatives in MTA C&D Workforce	50%	64.5%
Capital Program Indicators*		
Commitments in \$ Millions (% of planned value)	\$2,508.5m (292%)	\$1,031.5m (151%)
Completions in \$ Millions (% of planned value)	\$804.9m (44.8%)	\$1,164.8m (62%)

Notes: MTA performance data are subject to periodic adjustment. For details on Capital Program projects visit the Capital Programs section under "Transparency" at www.mta.info.

Appendix B. MTA 2022 Capital Projects

All MTA agency Capital Plan infrastructure projects are now managed across the agencies by [MTA Construction & Development](#). A detailed listing of all project costs, status, locations, and other information for the MTA 2020-2024 Capital Plan can be found at the [MTA Capital Program Dashboard](#) on the MTA public website. Further information on 2022 projects status can be found at the [Capital Projects Milestone Report](#).

2022 MTA Capital Program Project Highlights: Commitments

Project	Current Month Forecast	Actual Value (\$millions)
New York City Transit Major Commitments		
Tiffany Central Warehouse, Sandy Mitigation, Wall, Roof	3/31/22	\$58.39
180th St ROW Bundle / WPR, Dyre	5/31/22	\$167.82
Upgrade SCADA System (BMT) & Backup PCC	8/2/22	\$62.80
8 Av ROW	5/9/22	\$107.39
Sandy Mitigation: Rockaway Line	12/29/22	\$576.51
Overcoating: Jamaica Line	12/28/22	\$205.30
Flushing Line Contract 1: Stations, Escalators, Track	9/19/22	\$302.17
Sandy Mitigation: Substation Hardening	12/27/22	\$159.02
ADA Stations and Elevator Replacement: Package 3	12/28/22	\$646.42
Borough Hall: ADA & Water Remediation	12/28/22	\$166.13
Jamaica Line Station Renewals	12/27/22	\$167.21
CBTC Crosstown Line	12/29/22	\$599.65
ADA Stations & Component Rehab: Package 4	12/29/22	\$224.13
Jamaica Depot Replacement	12/30/22	\$603.74
Long Island Railroad Major Commitments		
ADA Improvements	12/31/22	\$114.60
Metro-North Railroad Major Commitments		
H&H Stations Priority Repairs	4/4/22	\$37.20
MTA Bus Company Major Commitments		
Façade Repair: Baisley Park, JFK, LaGuardia	11/30/22	\$6.00
MTA C&D Network Expansion		
East Side Access - Interim Maintenance Contract	4/12/22	\$20.80
MTA Bridges and Tunnels		
Relocate QMT Refueling Station, QSB Switchgear	7/31/22	\$28.90
Structure Rehabilitation of CBB	10/30/22	\$57.30

BWB Lighting, Power Redundancy, Resiliency	12/31/22	\$71.30
R/I Ramps (QR & RM) Manhattan Plaza	12/31/22	\$110.20
Widening Belt Parkway, Ph 1B	12/31/22	\$35.50

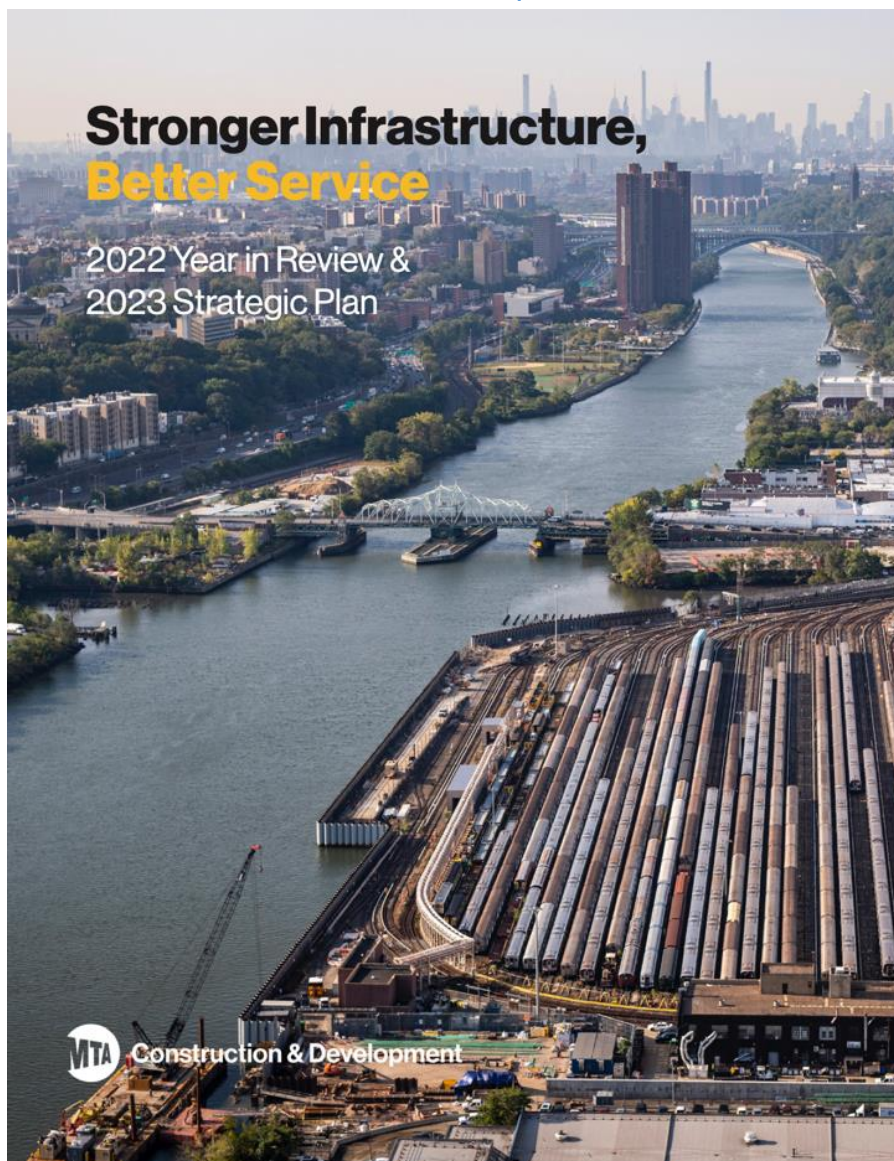
2022 MTA Capital Program Project Highlights: Completions

Project	Current Month Forecast	Actual Value (\$millions)
New York City Transit Major Completions		
207 St Maintenance & Overhaul Shop	12/2/22	\$57.58
Life Cycle Replacement of Code Systems - Phase 1	8/31/22	\$46.97
CBTC Queens Boulevard West - 50 St to Union Tpke	7/22/22	\$462.05
Clifton Shop Sandy Repair/Mitigation & Relocation	12/30/22	\$204.60
ISIM B-DIV: Module 3	12/16/22	\$94.40
Mainline Track and Switch (Various Lines)	12/31/22	\$281.96
Long Island Railroad Major Completions		
JAMAICA CAPACITY IMPROVEMENTS – PHASE 1	12/22/22	\$48.90
SUBSTATION COMPONENTS L070701/XB	11/22/22	\$12.30
2022 Track Program	12/30/22	\$82.00
Metro-North Railroad Major Completions		
86th / 110th Substations	8/30/22	\$30.20
Network Infrastructure Replacement	6/30/22	\$44.40
Willet/Highland Bridges	5/15/22	\$37.20
Rebuild Retaining Walls	5/15/22	\$4.40
GCT/ESA Unified Trash Facility	12/31/22	\$33.30
Cyclical Track Program	6/15/22	\$23.90
Replace / Repair Undergrade Bridges	6/15/22	\$21.70
Park Avenue Viaduct Interim Repairs	1/15/22	\$10.60
Park Avenue Viaduct Master Plan Study	2/10/22	\$6.20
Harlem River Lift Bridge	8/15/22	\$29.60
Purchase MoW Equipment	11/30/22	\$19.30
MTA C&D Network Expansion		
Mid-Day Storage Yard	4/1/22	\$348.60
Systems Package 2 - Tunnel Systems	10/15/22	\$72.00
Systems Pkg 1	12/31/22	\$744.20
MTA Bridges and Tunnels		
Misc. steel Repairs & Overcoat Painting at HHB	3/22/22	\$60.96
ORT Tolling Infrastructure & Flood Mitigation at	3/22/22	\$37.09

RFK		
Structural Steel Repairs at the VZN	4/15/22	\$42.21
Structural Rehabilitation at RFK and painting	8/26/22	\$95.86
Reconstruction of VN Approach Ramps - Phase 1	10/31/22	\$222.24
Installation of Safety Fence at VN	10/31/22	\$43.67

For an overview of 2022 capital projects, planning, and achievements, please download the MTA Construction & Development 2022 Year in Review & 2023 Strategic Plan report below at the MTA public website.

[Access the 2022 report here.](#)



Appendix C. MTA 2022 Board, Structure, and Governance

Description of the MTA

The Metropolitan Transportation Authority (“MTA”), a public benefit corporation of the State of New York (the “State”), has the responsibility for developing and implementing a unified mass transportation policy for New York City (“NYC”) and Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, and Westchester counties (collectively with NYC, the “MTA Commuter Transportation District”).

MTA carries out these responsibilities directly and through its subsidiaries and affiliates, which are also public benefit corporations. MTA and its subsidiaries, are listed by their legal names and estimated number of 2022 employees (full-time and full-time equivalents) as indicated in the MTA [2023 Adopted Budget](#) February Financial Plan 2023 – 2026 (February 2023):

Legal Name	Number of Employees
MTA Headquarters	3,580 employees
The Long Island Rail Road Company	7,976 employees
Metro-North Commuter Railroad Company	7,080 employees
Staten Island Rapid Transit Operating Authority	397 employees
MTA Bus Company	4,014 employees
MTA Construction and Development	212 employees

The following entities, listed by their legal names, are affiliates of MTA:

Legal Name	Number of Employees
Triborough Bridge and Tunnel Authority	1,369 employees
New York City Transit Authority, and its subsidiary, the Manhattan and Bronx Surface Transit Operating Authority	48,627 employees

MTA and the foregoing subsidiaries and affiliates are collectively referred to herein, from time to time, as the “Related Entities.” Throughout this document, the Related Entities are referred to by their popular names, as indicated below.

Certain insurance coverage for the Related Entities is provided by a New York State-licensed captive insurance public benefit corporation subsidiary of MTA, First Mutual Transportation Assurance Company (“FMTAC”).

MTA and its subsidiaries are generally governed by the Metropolitan Transportation Authority Act, being Title 11 of Article 5 of the New York Public Authorities Law, as from time to time amended (the “MTA Act”).

Triborough Bridge and Tunnel Authority is generally governed by the Triborough Bridge and Tunnel Authority Act, being Title 3 of Article 3 of the New York Public Authorities Law, as from time to time amended (the “MTA Bridges and Tunnels Act”).

The New York City Transit Authority and its subsidiary are generally governed by the New York City Transit Authority Act, being Title 9 of Article 5 of the New York Public Authorities Law, as from time to time amended (the “MTA New York City Transit Act”).

Due to the continuing business interrelationship of the Related Entities and their common governance and funding, there are provisions of each of these three acts (the “MTA Act,” the “MTA Bridges and Tunnels Act,” and the “MTA New York City Transit Act”) that affect some or all of the other Related Entities in various ways.

Basic Organizational Structure of MTA Operations

MTA Headquarters (Including the Business Service Center)

MTA Headquarters includes the executive staff of MTA, as well as a number of departments that perform largely all-agency functions, including information technology, security, audit, budget and financial management, capital programs management, finance, governmental relations, insurance and risk management, legal, planning, procurement, real estate, corporate compliance and ethics, and treasury. In addition, MTA maintains its own Police Department with non-exclusive jurisdiction over all facilities of the Related Entities.

Transit System

MTA New York City Transit and its subsidiary MABSTOA operate all subway transportation and most of the public bus transportation provided within New York City (the “Transit System”).

Commuter System

MTA Long Island Rail Road and MTA Metro-North Railroad operate commuter rail services in the MTA Commuter Transportation District (the “Commuter System”).

MTA Long Island Rail Road operates commuter rail service between NYC and Long Island and within Long Island.

MTA Metro-North Railroad operates commuter rail service between NYC and the northern suburban counties of Westchester, Putnam, and Dutchess; from NYC through the southern portion of the State of Connecticut; through an arrangement with New Jersey Transit, the Port Jervis and Pascack Valley commuter rail services to Orange and Rockland Counties; and within such counties and the State of Connecticut.

MTA Bus

MTA Bus operates certain bus routes in NYC formerly served by seven private bus operators pursuant to franchises granted by NYC (the “MTA Bus System”).

MTA Long Island Bus

Pursuant to a lease and operating agreement with the County of Nassau (“the County”), MTA Long Island Bus formerly operated bus service in the County. MTA Long Island Bus operations ceased as of December 31, 2011, the date the lease and operating agreement terminated.

MTA Staten Island Railway

MTA Staten Island Railway operates a single rapid transit line extending from the Staten Island ferry terminal at St. George to the southern tip of Staten Island.

MTA Bridges and Tunnels

MTA Bridges and Tunnels operates all nine of the intra-State toll bridges and tunnels in NYC.

MTA Construction and Development

MTA Construction and Development is responsible for the planning, design, and construction of current and future major MTA system expansion projects for the other Related Entities, including East Side Access (bringing MTA Long Island Rail Road into Grand Central Terminal), system-wide capital security projects, and the Second Avenue Subway.

The legal and popular names of the Related Entities are as follows:

Legal Name	Popular Name
Metropolitan Transportation Authority	MTA
New York City Transit Authority	MTA New York City Transit
Manhattan and Bronx Surface Transit Operating Authority	MaBSTOA
Staten Island Rapid Transit Operating Authority	MTA Staten Island Railway
MTA Bus Company	MTA Bus
Metropolitan Suburban Bus Authority	MTA Long Island Bus
The Long Island Rail Road Company	MTA Long Island Rail Road
Metro-North Commuter Railroad Company	MTA Metro-North Railroad
MTA Construction and Development	MTA Construction & Development
Triborough Bridge and Tunnel Authority	MTA Bridges and Tunnels

Governance of the MTA

Pursuant to statute, MTA's Board consists of a Chair and 16 other voting Members, two non-voting Members and four alternate non-voting Members, all of whom are appointed by the Governor with the advice and consent of the State Senate. The four voting Members required to be residents of the counties of Dutchess, Orange, Putnam, and Rockland, respectively, cast only one collective vote. The other voting Members, including the Chair cast one vote each (except that in the event of a tie vote, the Chair shall cast one additional vote). Members of MTA are, *ex officio*, the Members or Directors of the other Related Entities and FMTAC.

In accordance with legislative amendments enacted in 2009, the MTA Board Chair ("Chair") is also the Chief Executive Officer ("CEO") of the MTA and is responsible for the discharge of the executive and administrative functions and powers of the Related Entities. The CEO of MTA is, *ex officio*, the Chair and CEO of the other Related Entities. The MTA Office of the Chairman is composed of a Chief Operations Officer and Chief Administrative Officer who are charged with the day-to-day administrative, as well as managerial and executive functions allocated to the CEO. On January 20, 2022, the New York State Senate confirmed Janno Lieber as MTA Chair and CEO. ¹ Lisette Camillo serves as Chief Administrative Officer. The position of Chief Operating Officer remains vacant.

The following Committees of the Board assist the Chair and the Board in discharging their responsibilities: (1) the Audit Committee; (2) the Finance Committee; (3) the Committee on Operations of the New York City Transit Authority, the Manhattan and Bronx Surface Transit Operating Authority, the Staten Island Rapid Transit Operating Authority, and the MTA Bus Company; (4) the Committee on Operations of the Metro-North Commuter Railroad; (5) the Committee on Operations of the Long Island Rail Road and the Metropolitan Suburban Bus Authority; (6) the Committee on Operations of the Triborough

¹ Janno Lieber served as Acting Board Chair and CEO of MTA from July 31, 2021.

Bridge and Tunnel Authority; (7) the Capital Program² Committee; (8) the Diversity Committee; (9) the Corporate Governance Committee; and (10) the Safety Committee. As of April 2019, the Committee on Operations of the Metro-North Commuter Railroad and the Committee on Operations of the Long Island Rail Road and the Metropolitan Suburban Bus Authority meet jointly.

Board Members are assigned by the Chair to serve as chairperson or as a member of several committees. The following chart sets forth the Chair and Committee Assignments for each MTA Board Member as of December 31, 2022.

² On November 17, 2021, upon recommendation from the Corporate Governance Committee, the Board approved revision to the CPOC Charter to align with the consolidation.

BOARD MEMBERS	Audit Committee	Corporate Governance Committee	Diversity Committee	Finance Committee	Capital Program Committee	B & T Committee	LIRR Committee^e	MNR Committee^g	NYC Transit\MTA Bus Committee	Safety Committee
John "Janno" Lieber (Chair & CEO) ⁴		■ C			■ C					■ C
Andrew Albert*				■	■	■			■	■
Jamey Barbas	■ C	■		■	■	■			■	
Frank Borelli Jr. ⁵	■ C	■					■	■		
Gerard Bringmann					■		■	■		■
Norman E. Brown*				■	■	■	■	■	■	■
Victor Calise ⁷				■					■	
Samuel Chu ⁸		■		■	■		■	■		■
Lorraine Cortes-Vazquez ⁹			■						■	■
Michael Fleischer					■		■	■		■
Randy Glucksman*					■	■	■	■	■	
Rhonda Herman ¹⁰		■	■ C	■	■		■	■ C		■
David R. Jones		■		■	■				■	
Kevin S. Law ¹¹				■	■	■	■ C	■		■
Robert W. Linn ¹²	■	■		■	■		■	■	■	■
Blanca P. Lopez ¹³		■		■	■		■	■ C		■
David S. Mack ¹⁴		■			■	■ C	■	■		■
Haeda Mihaltses		■		■	■				■ C	■
Frankie Miranda ¹⁵			■			■			■	■
Robert J. Mujica, Jr.	■			■					■	

³ The LIRR Committee and MNR Committee meet jointly.

⁴ Janno Lieber was confirmed by New York State senate on January 20, 2022.

⁵ Frank Borelli, Jr. was reappointed on June 2, 2022.

⁶ Frank Borelli Jr. serves as Audit Committee Vice Chair

⁷ Victor Calise resigned in June 2022.

⁸ Samuel Chu was appointed on June 2, 2022.

⁹ Lorraine Cortes-Vazquez resigned in June 2022.

¹⁰ Rhonda Herman stopped serving as Westchester representative in May 2022.

¹¹ Kevin S. Law resigned on April 28, 2022.

¹² Robert W. Linn resigned on April 5, 2022.

¹³ Blanca P. Lopez was appointed on June 2, 2022.

¹⁴ David Mack was reappointed on June 2, 2022.

¹⁵ Frankie Miranda was appointed on June 2, 2022.

Harold Porr, III				■	■					
John Samuelson*				■	■	■			■	■
Sherif Soliman ¹⁶	■			■	■				■	
Lisa Sorin ¹⁸	■			■		■			■	■
Vincent Tessitore, Jr.*				■	■		■			■
Midori Valdivia ¹⁹			■			■	■	■	■	
Elizabeth Velez ²⁰			■	■						
Neal Zuckerman		■	■	■	■		■	■		■

■ Indicates committee membership. C Indicates committee Chair. * Indicates Non-Voting Member

The MTA Board held eleven (11) meetings in 2022. The following chart sets forth the meetings of the MTA Board and the attendance of each Board Member at those meetings.

Board Meeting Date	Number of Board Members in Attendance ²¹
January 26, 2022	20
February 24, 2022	18
March 30, 2022	21
April 27, 2022	13
May 25, 2022	14
June 29, 2022	22
July 27, 2022	23
September 21, 2022	20
October 26, 2022	22
November 30, 2022	22
December 21, 2022	22

¹⁶ Sherif Soliman was appointed on June 2, 2022.

¹⁷ Sherif Soliman serves as Capital Program Committee Vice Chair

¹⁸ Lisa Sorin was appointed June 2, 2022.

¹⁹ Midori Valdivia was appointed on June 2, 2022.

²⁰ Elizabeth Velez was appointed on January 20, 2022.

²¹ Board meetings were held both in person and remotely. Attendance indicates in-person and remote participation.

Appendix D. MTA 2022 Material Pending Litigation

Litigation

General

The MTA and its affiliates and subsidiaries maintain extensive property, liability, station liability, force account, construction, and other insurance, which is described in the Annual Disclosure Statement for the MTA's Combined Continuing Disclosure Filings. Monetary claims described below may be covered in whole or in part by insurance, subject to the individual retentions associated with such insurance.

The Related Entities also provide accruals in their financial statements for their estimated liability for claims by third parties for personal injury arising from, among other things, bodily injury (including death), false arrest, malicious prosecution, and libel and slander, for property damage for which they may be liable as a result of their operations, and advertising offense, including defamation, invasion of right of privacy, piracy, unfair competition, and idea misappropriation. The estimated liabilities are based upon independent actuarial advice obtained by the Related Entities. However, except in special circumstances and except for the annual judgments and claims budgeted amounts, additional cash reserves are not generally established in an amount equal to the full amount of the accrual.

MTA

Lockheed Martin Transportation Security Solutions v. MTA Capital Construction and MTA. MTA is a defendant, along with MTA C&D, in an action brought in April 2009 by Lockheed Martin Transportation Security Solutions ("Lockheed") in federal district court in Manhattan. (*Lockheed Martin Transportation Security Solutions v. MTA Capital Construction Company and Metropolitan Transportation Authority.*) Lockheed initially sought a judgment declaring that MTA and MTA C&D were in breach of its contract for furnishing and installing an integrated electronic security ("IESS") program, and an order terminating Lockheed's obligations. Following MTA's termination of its contract, Lockheed amended its complaint to seek damages for delay and disputed work items (\$80 million, later revised to \$93 million) or, alternatively, for the alleged "reasonable value of work performed" by Lockheed (\$137 million, later raised to \$149 million), exclusive of pre-judgment interest, based on its claim that MTA wrongfully terminated the contract. MTA and MTA C&D are vigorously contesting Lockheed's claims for money damages and counterclaimed, alleging that Lockheed materially breached the contract and seeking damages which were estimated to be \$205,909,468, exclusive of pre-judgment interest. Following the completion of discovery, in July 2013, both MTA and Lockheed moved for partial summary judgment in connection with various claims.

By decision dated September 16, 2014, the court granted in part and otherwise denied each party's respective motion. With respect to the MTA's motion, the Court

dismissed Lockheed's claim under a *quantum meruit* theory, thereby reducing the MTA's exposure by roughly \$50 million, to approximately \$94 million (exclusive of pre-judgment interest). Trial commenced on October 6, 2014 and concluded on November 14, 2014. Based on the trial record, MTA reduced its damages claim to \$189 million, exclusive of pre-judgment interest. Lockheed's claim for damages remained the same. Post-trial papers were submitted on November 24, 2014 and the final reply papers were submitted on December 5, 2014. The parties now await the decision of the Court. The outcome of this action cannot be determined at this time.

In July 2009, Lockheed's performance bond sureties on the contract commenced a related action in federal district court in Manhattan against Lockheed and the MTA defendants, alleging that they are unable to conclude that the conditions to their obligations under the bond have been satisfied. They seek a declaration of the rights and obligations of the parties under the bond. (*Travelers Casualty and Surety Company et. al v. Metropolitan Transportation Authority, et al.*). MTA and MTA C&D answered and counterclaimed against the sureties, seeking damages in connection with the sureties' violation of their bond obligations in an amount to be determined at trial. The matter was consolidated with the *Lockheed* action above. In October 2013, the sureties moved for partial summary judgment on their exposure, seeking a reduction of their potential obligation by \$5.4 million to account for a progress payment issued by MTA to Lockheed post-default. By decision dated September 15, 2014, the Court denied that motion. The outcome of this action must await the outcome of the underlying action (*Lockheed v. MTA*, discussed above), and cannot be determined at this time.

Actions for Personal Injuries/Property Damage/Workers' Compensation. As of December 31, 2022, there were approximately 11 actions and claims pending against the MTA based on the Federal Employers' Liability Act, no-fault claims, and other torts, which would be paid from the MTA's operating budget in the event of any liability. Also, as of that date, there were approximately 15 pending Workers' Compensation cases.

Transit System

Actions for Personal Injuries/Property Damage. As of December 31, 2022, MTA New York City Transit and MaBSTOA had an active inventory of 10,129 personal injury claims and lawsuits and 1,489 property damage matters arising out of the operation and administration of the Transit System. In addition, with respect to the Access-A-Ride (Paratransit) program, as of December 31, 2022, there was an active inventory of approximately 652 personal injury cases and approximately 70 property damage cases arising out of the operation of vehicles leased to outside vendors that provide Access-A-Ride service. Such Access-A-Ride claims are covered by a commercial automobile policy which in 2022 had policy limits of \$3 million per occurrence, subject to a \$2 million deductible.

As of December 31, 2022, MTA Staten Island Railway had a pending inventory of 3 claims and lawsuits relating to personal injury and property damage arising from the operations of MTA Staten Island Railway.

Workers' Compensation and No-Fault. As of December 31, 2022, MTA New York City Transit and MaBSTOA had an active inventory of approximately 11,435 Workers' Compensation cases and approximately 1,515 no-fault cases. As of December 31, 2022, there were 25 Workers' Compensation cases for MTA Staten Island Railway,

Actions Relating to the Transit Capital Program. MTA New York City Transit has received claims from various contractors engaged in work on various Transit Capital Program projects. The aggregate amount demanded by all such claimants, if recovered in full, could result in an increase in the cost of the capital projects that are the subject of such disputes. The capital program contemplates the payment of such claims from project-specific and general program contingency funds, as well as other available monies pledged for capital purposes.

In addition, as previously reported, a lawsuit was commenced in 2016 relating to a specific capital project, captioned Bronx Independent Living Services, et al. v. MTA, et al., challenging the lack of elevator accessibility at Middletown Road Station. MTA and NYCT were sued by two disabled rights advocacy organizations and two individuals who allege violations of the Americans with Disabilities Act and other legislation, for proceeding with certain construction work at the station without including, in the scope of such work, the installation of elevators or ramps. The complaint seeks declaratory and injunctive relief; no claim for monetary relief is asserted. MTA and NYCT answered the complaint in September 2016 and denied any asserted violation of applicable law. In March of 2018, the federal government was granted leave to join the action, and filed an intervenor-complaint, which defendants answered in April of 2018. Fact discovery was conducted and Plaintiffs' motion for partial summary judgment was granted by the court in March of 2019. The court held that the alterations made at the Middletown Road station affected the "usability" of the station, thereby triggering the application of the federal DOT regulation set forth in 49 C.F.R. Section 37.43(a)(1). Expert discovery relating to the defendants' principal defense in the action, that installation of an elevator or ramp at the Middletown Road Station as part of a larger renewal project was "technically infeasible" within the meaning of the federal DOT regulations and hence not required, was completed. The parties' cross-motions for summary judgment were each denied on March 29, 2021. The parties are engaged in settlement negotiations. The outcome of the litigation cannot be determined at this time. It should be noted that were plaintiffs to prevail in obtaining an injunction requiring installation of an elevator or ramp at the Middletown Road station, the costs associated with such an injunction would have to be covered by the NYCT capital program.

In late April 2017, two purported class actions relating to subway system accessibility were filed against NYCT and the MTA by several individuals and advocacy organizations on behalf of persons with disabilities that prevent them from using the stairs in the subway system. The plaintiffs in both cases seek declaratory and injunctive relief, not money damages. The City of New York was also named as a defendant in both cases but was voluntarily dismissed, with a tolling agreement, from the federal class action. In Center for Independence of the Disabled, New York ("CIDNY"), et al. v. MTA, et al. (Southern District of New York), plaintiffs allege, among other things, that defendants inadequately maintain the existing elevators in the subway system, provide insufficient

notice to elevator users about outages, and provide insufficient alternative transportation during elevator outages. These alleged deficiencies are claimed to constitute discrimination in violation of Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the City Human Rights Law. Defendants' motion for summary judgment was granted in March 2020. In that decision, the District Court noted that the NYCT had shown that system-wide, elevators are in working order an average of 96.5 to 98.7 percent of the time, and that the plaintiffs had not identified any legally required elevator maintenance that NYCT had failed to undertake. However, in August 2021 the Second Circuit vacated the judgment and remanded the case to the District Court, but solely for further consideration of whether NYCT provides sufficient notice of elevator outages as a reasonable accommodation. It is currently anticipated that the Defendants' renewed summary judgment will be fully briefed by May 2023. In CIDNY v. MTA (Supreme Court, New York County), the same plaintiffs asserted that defendants, by not having installed elevators in all subway stations in the system, discriminated against plaintiffs on the basis of their disabilities in violation of the New York City Human Rights Law. Plaintiffs and the Transit Defendants have entered into a settlement agreement of this matter (the "Elevator Settlement Agreement"), which has received preliminary Court approval. A class-action Fair Hearing is scheduled for April 24, 2023, following which the parties will seek final Court approval of the Elevator Settlement Agreement.

In May of 2019, *De La Rosa v. MTA, et al.* (formerly *Forsee, et al. v. MTA, et al.*) was commenced in federal court (Southern District of New York) against MTA, NYCT and the City of New York challenging the lack of elevator accessibility at all NYC subway stations. This action was brought by three individuals and various advocacy organizations on behalf of people whose disabilities make the use of stairs "difficult, dangerous or impossible." The complaint alleged that defendants violated the Americans with Disabilities Act and other state and local laws by proceeding with renovation work at subway stations over the years without installing elevators or ramps. Plaintiffs sought declaratory and injunctive relief. The above-referenced Elevator Settlement Agreement is also in settlement of *De La Rosa v MTA* and is subject to the same Fair Hearing and final Court approval.

Commuter System

Actions for Personal Injuries/Property Damage. As of December 31, 2022, Metro-North Railroad had an active inventory of approximately 360 personal injury claims and lawsuits arising out of the operation and administration of Metro-North Railroad, of which 178 were the result of claims filed by employees pursuant to FELA, and approximately 182 were claims filed by third parties. Also, as of that date, there were 16 pending property damage cases.

Valhalla Law Suits. An incident occurring on February 3, 2015, when a Metro-North Railroad Harlem Line train struck an automobile in a highway-rail grade crossing between the Valhalla and Hawthorne stations, has resulted in assertion of personal injury claims against the railroad. The driver of the automobile and five passengers on the train were killed. A number of passengers, and the train engineer, were injured. The National Transportation Safety Board (NTSB) adopted its report on the causes of the accident on

July 25, 2017, finding that the probable cause of the accident was the driver of the automobile, for undetermined reasons, moving the vehicle on to the tracks while the Commerce Street highway-railroad grade crossing warning system was activated, into the path of the Metro-North Railroad train. Contributing to the severity of the accident was the third rail penetrating the passenger compartment of the lead passenger railcar and the post-accident fire. While there is no indication from the NTSB's findings that Metro-North Railroad was at fault in connection with this incident, 37 lawsuits have been filed to date against Metro-North, many of which name other defendants as well. Notwithstanding Metro-North's position that it has no responsibility for this incident, if plaintiffs are successful in their claims against Metro-North, damages could exceed the self-insured retention and impact the FMTAC and excess layers of insurance.

The motions for summary judgment were recently decided. Judge Lubell of Westchester County Supreme Court issued three separate decisions. The Court denied the motion of defendant Mount Pleasant and Engineer Smalls individually. Metro-North's motion was partially granted and denied, allowing certain claims pertaining to the operation of the train, the design of the crossing and the training of the engineer. The Town of Mount Pleasant has submitted a motion to renew/reargue. Metro-North is considering possible motion and appellate practice considering the recent decision. It is likely that if the case were to go to trial it would be scheduled in the second or third quarter of 2023, notwithstanding possible appeals.

As of December 31, 2022, LIRR had an active inventory of approximately 1,290 personal injury claims and lawsuits arising out of the operation and administration of the LIRR, of which 770 were the result of claims filed by employees pursuant to FELA, and approximately 520 were claims filed by third parties. Also, there were approximately 31 pending property damage matters and 188 affirmative claims.

1. New Hyde Park Collision

On October 8, 2016, while LIRR was conducting track work east of the New Hyde Park Station on track placed out of service, a piece of track equipment derailed fouling live track and was struck by a train carrying passengers, causing the passenger train to derail. Numerous passengers and several employees were injured due to this accident. The Federal Railroad Administration ("FRA") along with MTA/LIRR conducted investigations into this matter. There has been a total of 72 claims related to this accident; 57 passenger injuries, 8 employee injuries and the remaining are the property damage claims. The derailment caused damage to three passenger cars, the track area and the track equipment involved. At this time, 33 lawsuits have been filed against MTA/LIRR. LIRR has paid out the entire \$11 million FMTAC Force Account retention limit in expenses and settlements and \$7.8 million has impacted the excess layer of insurance. The current outstanding reserves are \$5.3 million and there are 11 open lawsuits.

2. Atlantic Terminal Bumper Block Strike

An incident occurred on January 4, 2017, when an LIRR Far Rockaway Line train struck a bumper block in the Atlantic Terminal-Brooklyn Station. This incident resulted in 173 injury claims, which includes 11 employee FELA claims. To date, 122 claims have been put into suit. LIRR has paid out the entire \$11 million FMTAC Station Maintenance retention limit in expenses and settlements and \$13.4 million has impacted the excess layer of insurance. The current outstanding reserves are \$5.7 million and there are 16 open lawsuits.

Actions Relating to the Commuter Capital Program. From time to time, LIRR and MTA Metro-North Railroad receive claims relating to various Commuter Capital Program projects. In general, the aggregate amount demanded by all such claimants, if recovered in full, could result in a material increase in the cost of the capital projects that are the subject of such disputes. The capital program contemplates the payment of such claims from project-specific and general program contingency funds, as well as other available moneys pledged for capital purposes.

1. Amtrak v. LIRR – Amtrak claims that the railroads operating in Penn Station (PSNY) are responsible for the cleanup of PCBs and other hazardous substances that were deposited on the tracks, which may have migrated to other areas of the station including but not limited to, lighting, drains and other equipment. LIRR operated commuter rail lines in PSNY during a 50-year period when PCBs were used in train transformers. Amtrak alleges that these transformers leaked and contaminated the tracks in PSNY. Amtrak presented to LIRR a model which claims, based on the number of trains and usage, that LIRR is responsible for 20% of cleanup costs which are approximately \$30,000,000.00 to date. LIRR has entered into a tolling agreement with Amtrak while further investigation is being conducted.

2. Newtown Creek – Newtown Creek is a federally-listed Superfund site. A group of private parties known as the Newtown Creek Group (NCG) are working together on the investigation and eventual remediation of Newtown Creek. In 2017, NCG sent a Notice of Potential Liability Pursuant to CERCLA to LIRR concerning the Creek. In addition, the NCG has asserted that LIRR may be a potential responsible party due to its historical operations along Newtown Creek. Additional parties were sent similar notices, who are acting cooperatively along with LIRR as the “small parties group”. The NCG has approached the small parties group, requesting that the group agree to contribute to the cost of an “early action” remedy of the first two miles of the 3.5-mile creek. The members of the small parties group made an initial settlement offer for remediation costs relative to the first 0-2 miles of contamination at the Superfund site and investigation costs to date relative to the entire Superfund site which was rejected.

MTA Bridges and Tunnels

Actions for Personal Injuries/Property Damage. As of December 31, 2022, MTA Bridges and Tunnels had an active inventory of approximately 132 personal injury claims and lawsuits (including intentional torts such as false arrest) and approximately 25

property damage matters arising out of the operation and administration of the MTA Bridges and Tunnels facilities (including construction).

Workers' Compensation and No-Fault. As of December 31, 2022, MTA Bridges and Tunnels had an active inventory of approximately 589 Workers' Compensation cases and 1 no-fault case.

Actions Relating to MTA Bridges and Tunnels' Capital Program. From time to time, MTA Bridges and Tunnels receives claims relating to various MTA Bridges and Tunnels' Capital Program projects. In general, the aggregate amount demanded by all such claimants, if recovered in full, could result in a material increase in the cost of the capital projects that are the subject of such disputes. The Capital Program contemplates the payment of such claims from project-specific and general program contingency funds, as well as other available moneys pledged for capital purposes. Therefore, such claims are not listed here.

Other Litigation.

Farina, et al. v. MTA, TBTA, et al. – A putative class action lawsuit (*Farina v. MTA, TBTA, Transworld Systems, Inc., and Conduent, Inc.*) was filed in the U.S. District Court for the Southern District of New York on February 16, 2018 and assigned to U.S. District Judge Naomi Reice Buchwald. TBTA and MTA were served on February 21, 2018. The representative plaintiff in the *Farina* case alleged that the \$100 violation fee allegedly imposed for each toll violation at TBTA bridges and tunnels is excessive and that the fee policies, practices, and collection methods are illegal and unconstitutional. Putative class action lawsuits were also filed by the same plaintiffs' counsel in the same federal court on February 20, 2018 (*Gardner v. MTA, TBTA, The Port Authority of New York and New Jersey, AllianceOne Receivables Management, Inc. and Conduent, Inc.*) and on March 5, 2018 (*Troiano v. MTA, TBTA, The Port Authority of New York and New Jersey, New York State Thruway Authority, Transworld Systems, Inc., AllianceOne Receivables Management, Inc. and Conduent, Inc.*). TBTA and MTA were served in *Gardner* on March 6, 2018, and in *Troiano* on April 6, 2018. The allegations regarding TBTA and MTA were substantially the same in all three actions, except that *Gardner* and *Troiano* also alleged that \$50 violation fees are excessive and improper. On April 16, 2018, the Court consolidated the three cases into one case and on April 30, 2018, plaintiffs filed one consolidated complaint (*Farina, Gardner, Troiano, Ritchie, and Rojas v. MTA, TBTA, The Port Authority of New York and New Jersey, New York State Thruway Authority, Transworld Systems, Inc., AllianceOne Receivables Management, Inc., Linebarger Goggan Blair & Sampson, LLP and Conduent, Inc.*). The consolidated complaint included plaintiffs Farina, Gardner, and Troiano as well as two additional plaintiffs, Ritchie and Rojas, whose alleged claims also arose from the assessment of \$50 and \$100 violation fees.

After discovery and on June 30, 2021, the TBTA and the Port Authority filed Motions for Summary Judgment. On March 10, 2022, the Court issued its Opinion and Order granting TBTA's Motion for Summary Judgment as to both remaining claims (Excessive Fines and Unjust Enrichment) against each of the Plaintiffs. The Court also

granted the Port Authority's Motion for Summary Judgment. The Court entered its judgment on March 11, 2022.

On April 11, 2022, Plaintiffs filed their Notice of Appeal to the U.S. Court of Appeals for the Second Circuit. By so-ordered stipulation filed on September 14, 2022, the appeal was withdrawn with prejudice as to Appellee Port Authority. On September 23, 2022, Plaintiffs-Appellants served and filed their opening brief as to Appellee TBTA. On December 23, 2022, Appellee TBTA filed its answering brief. On February 3, 2023, Plaintiffs-Appellants filed their reply brief.

Conte, et al. v. MTA and TBTA – This putative collective action lawsuit was filed in the U.S. District Court for the Southern District of New York on March 23, 2021 and assigned to U.S. District Judge Valerie E. Caproni. Plaintiffs, Bridge and Tunnel Maintainers and Custodians, allege that they regularly perform pre-shift work without compensation; there is a time-shaving policy that automatically rounds officers' check-in times up to their scheduled tour; supplemental pay, including differentials and bonuses, are not included in the regular rate of pay when calculating overtime; that the payment of overtime is delayed; and that, for Maintainers, overtime is only paid for time in excess of 80 hours in a workweek, rather than 40. On May 28, 2021, MTA and TBTA filed answers with appropriate affirmative defenses. The matter was mediated on October 21, 2021 before Carol Wittenberg and the parties were unable to reach a settlement. The parties are engaging in discovery. On December 8, 2021, Plaintiffs filed a motion for conditional certification of a collective action under the Fair Labor Standards Act (FLSA) and the motion was granted on January 4, 2022. MTA and TBTA did not oppose the motion but reserved the right to move to decertify the collective after the close of fact discovery. Notice was issued to all putative members of the FLSA collective who had not yet joined. The opt-in period closed on March 4, 2022, and approximately 223 opt-in plaintiffs filed consent to join forms. At the status conference on November 10, 2022, the Court stayed all deadlines until April 7, 2023 to enable the parties to update their discovery responses and expert analyses and try to resolve the case by then or proceed with motions for decertification and summary judgment soon thereafter. Outside counsel is vigorously defending this matter.

Mercado, et al. v. MTA and TBTA – This putative collective action lawsuit was filed in the U.S. District Court for the Southern District of New York on August 17, 2020 and assigned to U.S. District Judge Analisa Torres. Thereafter, the parties engaged in motion practice related to conditional certification of a putative Fair Labor Standards Act (FLSA) collective and consolidation with a similar matter commenced by other Bridge and Tunnel officers, which extended the time for TBTA and MTA to interpose answers to the complaint. Plaintiffs, Bridge and Tunnel Officers, allege that they regularly perform pre-shift and post-shift work without compensation; there is a time-shaving policy that automatically rounds officers' check-in times up to their scheduled tour; supplemental pay, including differentials and bonuses, are not included in the regular rate of pay when calculating overtime; and that the payment of overtime and other wages is delayed. On July 15, 2021, MTA and TBTA filed answers with appropriate affirmative defenses. The

matter was mediated on January 19, 2022 before Carol Wittenberg and the parties were unable to reach a settlement but continued settlement negotiations and engaging in discovery. Eventually, the parties agreed to a proposed settlement and later executed a settlement agreement on July 28, 2022. The settlement papers were ultimately submitted for Court approval on December 9, 2022, where final approval remains pending.

MTA Bus

As of December 31, 2022, MTA Bus had an active inventory of approximately 1,394 personal injury claims and lawsuits, approximately 1,560 property damage matters, approximately 652 no-fault cases arising out of the operation and administration of the MTA Bus System, and approximately 2,028 Workers' Compensation cases.

Metropolitan Suburban Bus Company ⁽²²⁾

Actions for Personal Injuries/Property Damage. As of December 31, 2022, MSBA had an active inventory of 10 personal injury claims and lawsuits, and 1 property damage matter arising out of the operation and administration of MTA LI Bus.

Workers' Compensation and No-Fault. As of December 31, 2022, MSBA had approximately 1 Workers' Compensation cases and 1 open no-fault claims.

Here end the Appendices to the MTA 2022 Annual Report, pursuant to PAL §2800 (1) (a) (1), (6), (11), (13), (17). Visit the Transparency page at new.mta.info for additional 2022 reports, data, and information.

⁽²²⁾ The MTA subsidiary Metropolitan Suburban Bus Authority discontinued its provision of transportation services at the end of 2011. Its activities are limited to the winding up of its affairs.