

# MBTA ACCESSIBILITY LAWSUIT UPDATE

Greater Boston Residents Working Together for ADA Compliance by the MBTA  
Daniels-Finegold Et Al. v. MBTA Summer 2011

Federal Court: Civil Action No. 02 CV 11504 MEL

Issue XIX

## Farewell and Thank you Gary!

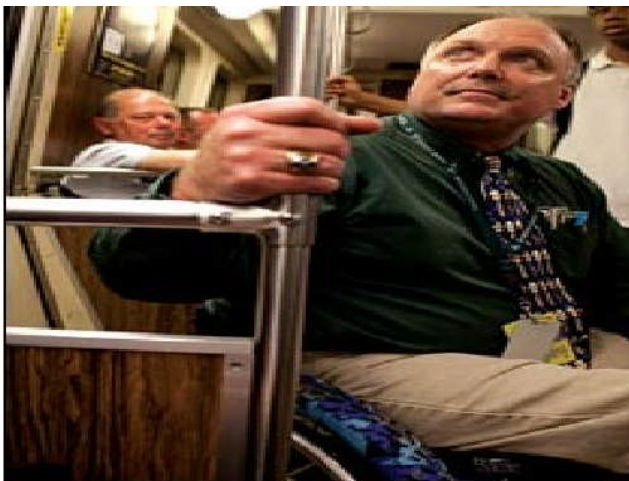
Gary Talbot, Assistant General Manager for System-Wide Accessibility at the MBTA, will be leaving his position at the end of August. He gave this sad news in person at the Public Meeting on June 22, 2011. Gary has done a tremendous job towards improving MBTA's accessibility. In our latest interview he brought to life some interesting stories and facts about his work at the T. His first task at the MBTA was to look at the system and the settlement agreement. There was so much to do, that one problem, by itself, was deciding where to start. At this point, Judge King, GBLS, BCIL, and the plaintiffs were a great help. They advised him to start with the Fixed Route Bus System. "Don't tackle everything at once," Gary recalls having been told. After he achieved a certain level of success with the Fixed Route Bus System, Gary then turned to the rail system. He tried to apply to the rail system what he learned from the Fixed Route Bus System.

Gary is really proud of System-Wide Accessibility's input in changing the MBTA's policy, procedures and operating rules in general. However, during the period that Gary has been working with the MBTA, he has also had regrets. Regarding these, Gary admits: "What I would have redone, if I could go back, is to try harder to force a lot of things into the CIP (Capital Improvement Plan) of the MBTA. It's not that I didn't try hard, but probably I should have been tougher on this matter and called for the help of the judge, the plaintiffs and the larger community."

Gary's years with the MBTA provided him with extraordinary experiences which helped to shape his work. He remembers two of these stories in particular. "Once I got a phone call from a blind person, whom I knew personally, since he wrote an article about me," Gary writes. "He waited every day at the bus stop at 7 AM in order to catch the bus for work, but most of the time he was ignored by the bus driver, who often even accelerated the bus so that the customer could not recognize that the bus was passing by. What really touched me," Gary continues, "was that he wasn't complaining, but he just wanted to get on that bus to save his job." Gary tried for a week to solve the problem. After a few calls, executives in operations guaranteed Gary that he wouldn't ever hear a complaint from this customer again. "That experience helped me to better understand the importance of the work I was doing."

Another problem that Gary found when working on MBTA's access issues was dirty elevators. He sought to solve the problem by advising the maintenance staff to put bleach in the water in order to disinfect the elevators. "I thought I had solved this problem, until one day I met a blind woman at a train station," he recalls. "I introduced myself and asked her about the changes underway in the Rail System. She said that she absolutely loved the new system and all the changes except for one." Residual bleach on the floor of the elevators had hurt her dog's feet many times in the morning. Immediately, Gary called up to request safer cleaning products. "I thought that I'd done a good job by suggesting we disinfect the elevators, when I found out that I hadn't thought about everyone who uses the system," Gary says. "It may look like a small thing, but it was really important to me and this customer. It was a lesson that taught me to always make sure that everybody is benefiting from the changes that I was suggesting."

When Gary first came to Boston, he faced the problems of accessing public transportation for people with disabilities first-hand. After traveling for many hours from Florida, he was dead tired and impatient to get home. He and his wife (Pam) turned in their rental car and jumped on a shuttle to Logan Airport to wait to get on the Silver Line to South Station. However, when the bus arrived at the terminal, the bus driver let two persons out of the rear door and immediately drove away. "It was a very important experience for me, because it was really humiliating. It puts you in an unwanted spotlight with other passengers, because they were neglected by the driver due to your 'fault.' I am glad that nowadays fewer drivers by pass our customers but this is still a huge issue, but even one is more than we or our customers can afford. I wanted to fire that driver four years ago, but his union claimed that he hadn't received the proper training as yet. Maybe they were right. However, nowadays I'd fire in an instant a driver with such bad behavior. Drivers who don't have enough information about accessibility can be educated, but someone who just drives by doesn't deserve to be a driver for the MBTA at all," says Gary firmly.



Before coming to Boston, Gary worked to make Disneyworld accessible. “The experience that I gained working at Disney helped me a lot. There are many similarities, but there is also a big difference between the MBTA and Disney. Disney is a magical place to have fun. Basically, I felt that it was my duty to ensure that everyone had access to fun. The MBTA is something much more important. People depend on the MBTA to go to work, school, hospital etc. The MBTA is crucial for people with disabilities so that they can lead independent lives and fully integrate into society. That’s what the ADA is all about. If we are to have equal opportunities in education and work, we must have equal opportunities in transportation as well. This was the major reason that convinced me to leave Disney for the MBTA.”

When I asked him about the future, he said that he would like to work with AMTRAK for about four to five years and then he would probably open his own consulting business. Given his education (mechanical engineer) and his recent experiences, working to make Disney and the MBTA accessible to people with disabilities, Gary also hopes that one day he would be able to develop new transportation equipment for people with disabilities. At the end of the interview, Gary wanted to give a warm salute and also a message, “I’d like to thank everybody that accepted me to be part of this family. They have made their issues mine as well. They’ve made my job successful. I’d like to ask only one last thing. Treat the person that will replace me with the same respect and openness and embrace him/her the same way you did with me. Also, I know that we’re going to be successful. It’s only a matter of time until we finally reach the finish line. It must be quick though; the good people of the Commonwealth have waited way longer than they should have. I only dream that one day, we will not use the international symbol of accessibility to designate an accessible station or vehicle because everything in our system will be fully accessible. And as a result, the MBTA will be seen as the global benchmark for accessible and inclusive public transportation.”

*By Herald Kosta. I am a college student from Albania, interning at GBLS. I want to thank Gary Talbot for being so candid and helpful to me during this interview.*

#### **Barriers to accessing health care?**

Such as: inpatient rooms without accessible bathrooms; not being weighed at doctor’s appointments; service dogs not being allowed in hospitals; or other issues.

GBLS and BCIL are working together to improve accessibility at health care facilities and the MBTA for individuals with disabilities. To share your experiences, please contact:

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#### **Finding problems on the MBTA?**