

**Weingarten Investigation**

**Investigation with:** [REDACTED]

**Date/Time:** 4/20/2011

**In attendance (name/title):** CHARLES ALLAMAN, LAURA VILAGI

**Representative:** DREW MACQUEEN, TODD PARHAM,

**Declined:** \_\_\_\_\_

➤ **Read the following statements and record the employee's, representatives, and other participants' response(s):**

Human Resource Policy Manual (HRPM) ER-4.1, Standards of Conduct states, "It is the duty and requirement of every employee to give, orally and/or in writing as directed, to any supervisor or DOT official conducting an investigation, inquiry, or hearing in the interest of the agency, **complete and truthful** information and testimony pertaining to all matters in which queried." Additionally, failure to cooperate in an investigation itself is grounds for disciplinary action, as is giving false testimony.

**General Questions**

1. On 1/5/2011, did you sign MBI P10278 (electronic device briefing—see attached)?

**Response:**

**YES**

2. What was the topic of MBI P10278?

**Response:**

**ELECTRONIC DEVICES**

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3. Is it true that your signature is a statement of your understanding of the briefing?

**Response:**

**YES**

4. Do you understand the following statement?

*CBA 2009, Article 4, section 9 states: Radios, television sets, appropriate magazines/publications, pagers/cell phones, and electronic devices will be permitted in designated non-work areas at all facilities for use at non-work times. Pagers/cell phones will be permitted in operational areas but shall be set in the "off" position due to possible interference with NAS communications equipment. The operation of weather radios shall be permitted in operational areas*

**Response:**

**YES**

#### **Spatial Relations Questions**

5. What shift were you assigned on the morning 4/17/2011?

**Response:**

**MIDNIGHT SHIFT**

6. What position were you working on 4/17/11?

**Response:**

**AT 2:00 AM SECTOR R55 BRECKSVILLE AND FRANKLIN**

7. What are your responsibilities while working this position?

**Response:**

HIGH ALTITUDE

8. In relation to the whole facility, where is your position located?

**Response:**

NORTHWEST SIDE OF THE CONTROL ROOM

9. What is the relation of your position to that that of [REDACTED] position on 4/17/11?

**Response:**

ADJACENT TO THE LEFT OF [REDACTED]

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**Response to Vader 22**

10. Were non-ATC communications broadcast over the Area 5 low frequency?

**Response:**

NOT THAT I AM AWARE OF

11. What were those non-ATC communications?

**Response:**

N/A

12. WAS THERE a movie IN YOUR AREA?

**Response:**

NO

13. ARE YOU AWARE OF ANYONE WATCHING a movie OR A DVD PLAYER?

**Response:**

THERE WAS A DVD PLAYER IN THE AREA, BUT NO ONE WAS WATCHING A MOVIE.

14. When did you start watching the movie?

**Response:**

N/A

15. Have you watched movies before while working on position?

**Response:**

ON OCCASION BUT ONLY WHEN NOT WORKING TRAFFIC

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16. Could you communicate to aircraft while these communications were broadcast?

**Response:**

N/A

17. During 4/17/11, were you aware of a plane, Vader 22?

**Response:**

NO

18. Did you hear Vader 22 attempt to reach the facility?

**Response:**

N/A

19. Did you hear Vader 22 attempt to contact on guard frequency at or around 5:36:42?

**Response:**

N/A

20. What were you doing at this time?

**Response:**

N/A

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21. When did you start doing it?

**Response:**

N/A

22. Why did you start doing it?

**Response:**

N/A

23. Is this the first time you have done this?

**Response:**

N/A

24. Who owned the electronic device the movie was on?

**Response:**

I DON'T KNOW

### **Recognition of Movie Questions**

25. When did you realize that [REDACTED] was watching videos?

**Response:**

I WAS NOT AWARE OF THIS

26. Did you know before this MID, that he watched videos during overnight shifts?

**Response:**  
ON OCCASION

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27. What was your reaction when you noticed him watching movies?

**Response:**

N/A

28. Around what time did you notice the movie?

**Response:**

N/A

29. Did you order tell him or any other controller watching the movie to turn it off?

**Response:**

N/A

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30. Did you tell him or any other controller watching the movie to put the electronic device away? N/A

**Response:**

31. Did you tell him to mute the movie?

**Response:**

N/A

32. Specifically, what did you say to the controllers about watching movies while on position?

**Response:**

N/A

33. Did you notice any abnormal equipment issues that evening?

**Response:**

NO

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34. Did the Frontline Manager COME INTO YOUR AREA AND HAVE A CONVERSATION ABOUT THE DVD PLAYER? WHAT WAS SAID?

**Response:**

YES

[REDACTED] and I were in the area, the FLM said I am not going to say anything about the movie, just pause it when you're speaking.

35. Did you discuss this with the Operations Manager? When?

**Response:**

N/A

36. Did YOU observe anyone else watching a movie?

**Response:**

YES AS I WAS WALKING DOWN THE AISLE OF THE CONTROL ROOM I DON'T RECALL EXACTLY WHAT AREAS SOME WERE AND SOME WERE NOT.

37. What did the FLM or OM say to you when they saw the movie playing?

**Response:**

N/A

38. To your knowledge, do the FLMs or OMs know of controllers watching videos in the operational area? HOW DO YOU KNOW THEY KNOW?

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**Response:**

YES THEY KNOW, THE FLM'S WALK THROUGH THE BUILDING AND FOR 20 YEARS AND NO ONE HAS SAID ANYTHING.

39. Have you ever been told not to watch movies?

**Response:**

OTHER THAN BY THE MBI, NO

**Controllers Sleeping Questions**

40. Were you sleeping on duty on 4/17/11?

**Response:**

NO

41. Was [REDACTED] sleeping on duty on 4/17/11?

**Response:**

NO

42. Have you ever slept on duty?

**Response:**

NO

43. Have you ever noticed anyone else sleeping on duty?

**Response:**

NO

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44. Did you notice any controllers sleeping on duty during this time?

**Response:**

NO

45. If controllers were sleeping, who were they?

**Response:**

N/A

46. When you noticed the controllers were sleeping, how did you react?

**Response:**

N/A

47. What specifically did you say to the controllers?

**Response:**

N/A

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**Failure to Log Radio Interference**

48. Did you log radio interference item in the daily log, 7230-4?

**Response:**

**N/A**

49. Why did you fail to log the radio interference item in the daily log?

**Response:**

**N/A**

50. Please add any other statement that may have not been asked regarding what happened that evening?

**Response:**

**NO**

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The information collected during this meeting will be reviewed with Human Resources for a determination of the appropriate follow-up action.

In the meantime you are reminded that you are expected to: **It is my expectation that you comply with all FAA directives, orders and initiatives. Maintain focus on the safe and efficient operation of ATC services. This is an ongoing investigation; you are asked to maintain the confidentiality of this matter. You are not permitted to work an operational position pending the conclusion of this investigation.**  
I am offering you an EAP referral should you feel the need to utilize this service.

Interviewee: \_\_\_\_\_ Date: \_\_\_\_\_  


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