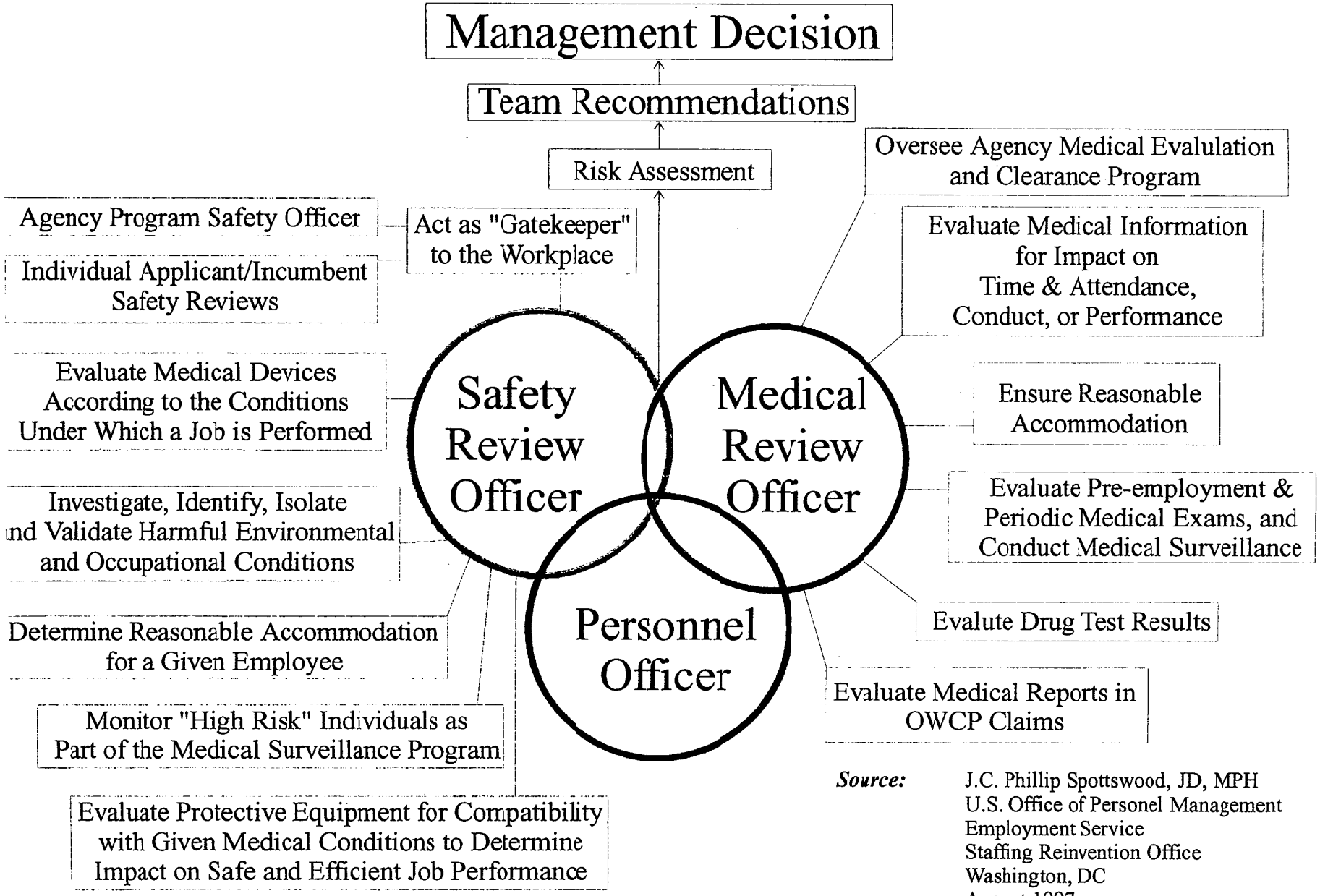
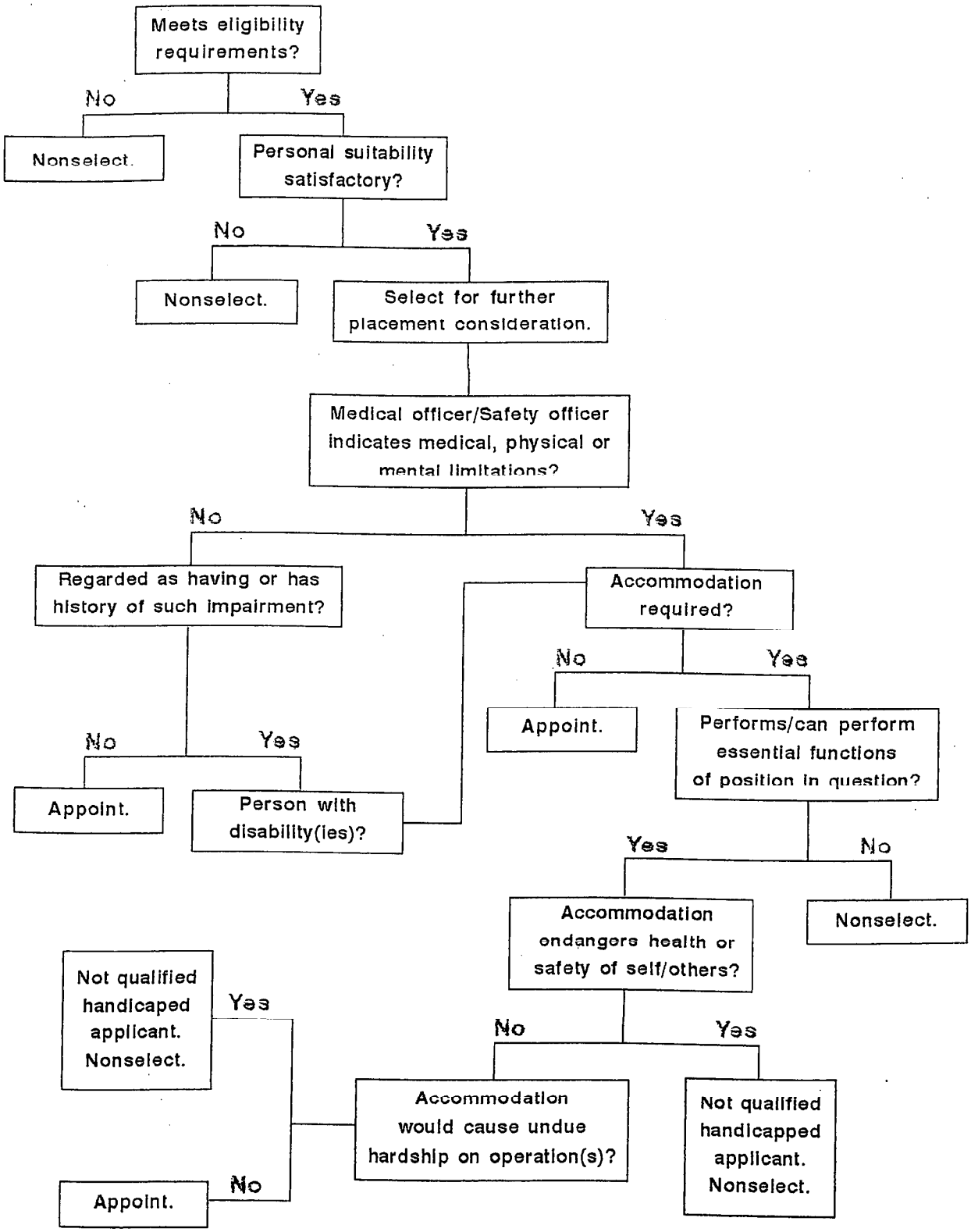
Roles of the Agency Safety and Medical Review Officers

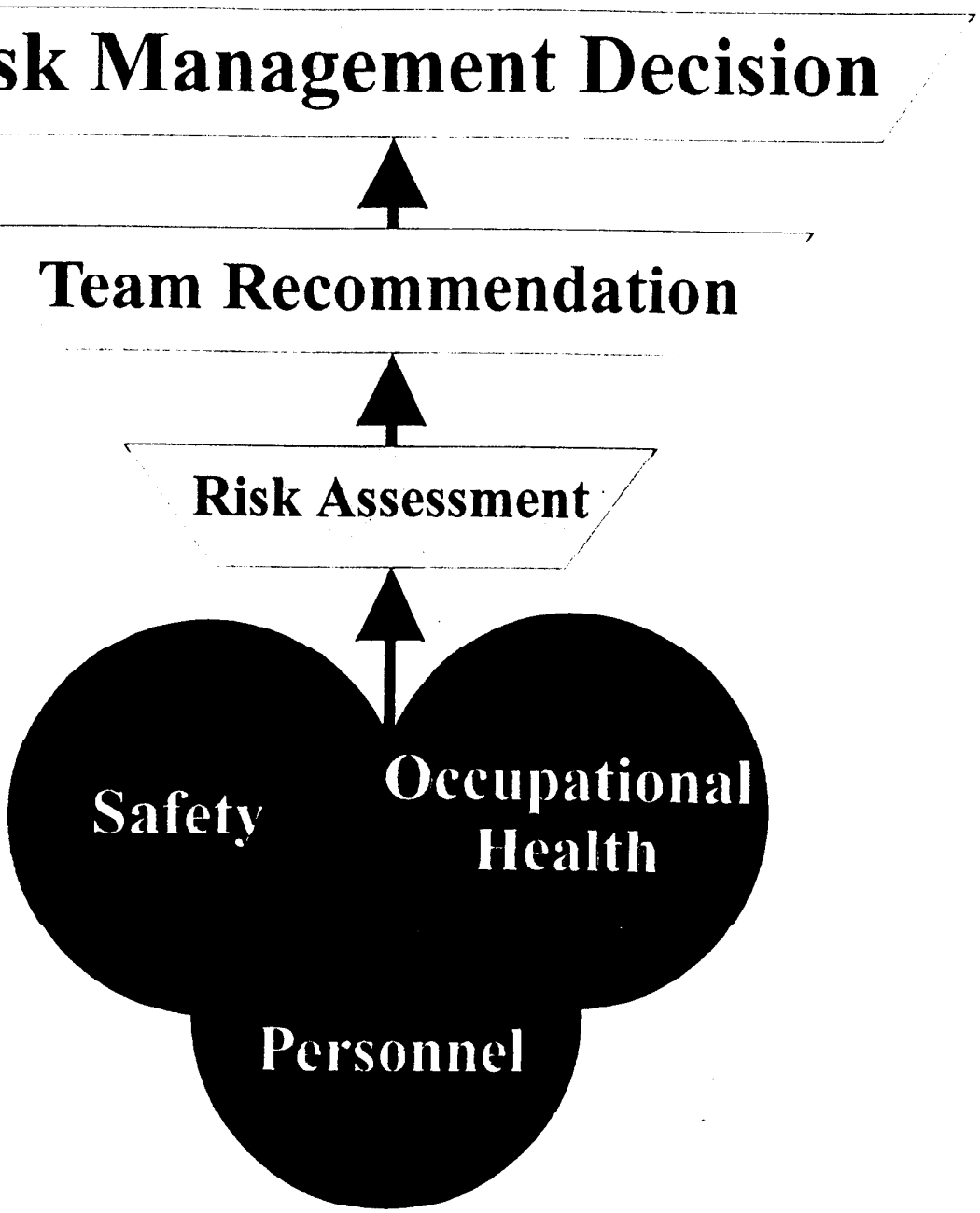


Source: J.C. Phillip Spottswood, JD, MPH
U.S. Office of Personel Management
Employment Service
Staffing Reinvention Office
Washington, DC
August 1997

Agency Medical Evaluation and Clearance Program Management Checklist



Integrated Risk Management



Interdepartmental Collaborative Effort

A multi-functional team approach to medical assessments emphasizing medical, safety, and personnel roles and issues.

Source: J.C. Phillip Spottswood, JD, MPH
U.S. Office of Personnel Management
Employment Service
Staffing Reinvention Office
Washington, DC
September 1998

WASH POST 4-16-97

Student Wins $800,000 for Ruined Foot

Faulty Metro Escalator Snared Victim's Shoe

By Toni Locy and Bill Miller
Washington Post Staff Writer

A federal jury awarded $800,000 yesterday to Peter J. Wainwright, 25, a student whose foot was mangled six years ago by an escalator at the Dupont Circle Metro station.

The jury deliberated less than three hours before finding that Wainwright's foot was caught in the top of the up escalator because Metro failed to keep it properly maintained. According to testimony during the trial, the station manager refused to leave his kiosk to throw the emergency shut-off switch.

A psychiatrist testified that the station manager, who was diagnosed as being schizophrenic and who was taking the drugs Lithium and Thorazine, was not to blame for the accident but should not have been made responsible for public safety. Instead of walking 10 feet to his emergency shut-off button, witnesses said, the manager gave vague instructions to a homeless man on how to find the switch on the escalator.

"I have small children, and I kept thinking that this could have happened to them," said Kathy Miller, the jury forewoman. She said jurors did the best they could to compensate Wainwright.

"I'm just glad this is finally over," Wainwright said after the verdict.

A mechanical expert testified that

See METRO, B5, Col. 3

Courtland Milloy is away. His column will resume when he returns.

Jury Awards $800,000 for Foot Mangled by Metro Escalator

METRO, From B1

all seven of the escalator's comb plates—the devices that keep debris from getting caught in the escalator—were missing the night of July 2, 1991. Wainwright was on his way to a movie when his sneaker was caught in the gap created by the missing comb plates, and his right foot was pulled in up to his ankle under what amounted to about 4,000 pounds of pressure.

John Leroy Thompson, who was panhandling nearby, heard Wainwright's screams and ran to help. Only minutes before, Thompson said he had heard a loud pop and noticed that a comb plate was bouncing around at the top of the escalator. He said another man, wearing flip-flops, was the first to be caught, but he escaped.

Thompson said he got down on his hands and knees and searched frantically for the off button he assumed would be there, then ran down the "down" escalator to alert the station manager. "I asked him if he would shut it off, and he said no," Thompson said. "He told me the button was 'up there,' " then headed back to his booth.

Searching again, Thompson found the button under the right handrail. "I pushed it, and it stopped the escalator," he said, adding that he was afraid to let go and kept his finger on the button until firefighters and rescue workers had freed Wainwright's foot.

Wainwright testified that the top of his foot was sheared off, reminding him of "a skeleton in biology class."

Surgeons at Georgetown University Hospital saved Wainwright's foot by transplanting skin, an artery and a vein from his back to his foot. They also cut a remaining tendon in half and reattached it so that he could have some control of his foot and toes.

Today, Wainwright, a Washington native who works as a rooter in California while attending school, walks without a noticeable limp. But his foot is bloated and distorted, and most of his toes are "dead." Without a shoe for support, the toes roll under his foot and trip him. His doctors cannot say how long he will have use of his foot because arthritis likely will set in.

"Money can't compensate for this," said Robert P. Cave, one of Wainwright's attorneys, as he left U.S. District Court yesterday.

Metro's attorneys, David Keyser and Gerard J. Stief, declined to comment on the verdict. They had contended that Wainwright was negligent, suggesting that he was "horsing around" on the escalator. They also argued that Metro could not be faulted because the escalator broke only minutes before Wainwright got on it.

But Carl J. White, an expert on escalators, testified that the comb plates had to be replaced May 23 and again June 25, indicating that the steps were out of alignment and kept knocking out the comb plates.