

POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE

SECTION: HUMAN RESOURCES	REFERENCE NUMBER: 409.11
SUBJECT: RISK MANAGEMENT	INITIAL EFFECTIVE DATE: 11/30/2018
TITLE: SAFETY REVIEW COMMITTEES	LAST REVISION DATE:

ADMINISTRATIVE DIRECTIVE

PURPOSE

It is the goal of the City of Denton to standardize the review and disposition of all vehicle accidents and on-the-job injuries involving its employees. Safety Review Committees (SRC) shall be set up by Department, or by functional work groups where appropriate, and shall meet on a regular basis to determine actions required to comply with this policy.

I. SCOPE

This policy applies to all City of Denton employees. These review procedures will be followed for all vehicle accidents, as defined herein, involving City employees that occur during the furtherance of City business, regardless of whether the vehicle is City-owned or employee-owned, and for all reportable on-the-job injuries. Vehicle accidents and on-the-job injuries will be reviewed to determine whether the employee committed a preventable, unsafe act or failed to follow written and/or verbal safety rules, commonly accepted safety practices, or industry guidelines.

II. DEFINITIONS

Minor Damages – Scuffs and/or scratches to vehicles not requiring repair or damages to property that can be repaired in-house by personnel within their department.

Preventable Injury – An on-the-job injury that results from an unsafe act on the part of the injured employee or from the injured employee’s failure to follow written or verbal safety rules, industry guidelines, or common safety practices, or failed to exercise reasonable, prudent judgement given the circumstances.

Preventable Vehicle Accident – A vehicle accident in which the employee failed to do everything reasonable to avoid the collision or damaging event.

Reportable On-the-job Injury – An injury that requires professional medical attention and/or results in time lost from the job. If time is lost on the day of the injury, it is not automatically a lost time injury. In order for the injury to meet the definition of a “reportable” injury (as defined by the Texas Department of Insurance), there must be time lost other than the day of the injury.

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Vehicle Accident – an event in which damage occurs to a vehicle, motor driven equipment, or other property, or where an injury occurs to any person due to the operation (use of or failure to use steering, braking, acceleration, and/or operational systems) of a vehicle or motor driven equipment by an employee. This does not include normal wear and tear as determined by the supervisor.

III. SAFETY/REVIEW COMMITTEE (SRC)

Risk Management shall work with departments, or functional work groups, to form an SRC. Smaller departments and/or those with minimal vehicle accidents/on-the-job injuries may be combined into one (1) larger SRC. The purpose of the SRC will include but not be limited to:

- Analyzing trends;
- Reviewing vehicle accidents and on-the-job injuries and recommending point assessments (as required); and
- Recommending procedural, structural, or operational modifications (as appropriate).

A. GENERAL GUIDELINES

Each department shall appoint a chairperson and committee members to represent the various work areas within the department for the SRC. Committee members will serve for a term of two (2) years. Every effort will be made to have stability of committee membership to ensure consistency throughout the year. Committee members will be changed on a rotational basis annually. Rotation of members will be staggered. Rotating only half of the members per year will help maintain a consistent application of this procedure.

B. COMMITTEE STRUCTURE

- Committees will be set up based on Departments, combined Departments, and/or “functional areas” as appropriate.
- Committee members will be appointed by the Department head as appropriate, based on the Committee makeup.
- Committee members will be representative of the divisions and departments that make up the Committee. Some committee members may represent multiple divisions based on size and function (e.g. 1 representative for all 3 libraries; 1 representative for all of Technology Services).

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- Committee chairpersons will be appointed by the Department head/Assistant City Manager/Deputy City Manager as appropriate, based on the Committee makeup (e.g. committees with multiple departments will have the chair selected by the ACM/DCM).
- The Committee chairperson will be a manager level position, or higher, and will serve as a non-voting member, except in cases of a tie.
- For each member assigned to the committee, there will also be a designated alternate who will serve in the event that the original member is unable to attend a committee meeting. When a committee member's two year term is complete, the alternate may become the new full-time member unless someone else has been appointed by the manager or Department head.

C. COMMITTEE DUTIES/PROCEDURES

- Committees shall meet on a regular basis (in most cases monthly) if there are accidents/injuries to review, but no less than quarterly. Committees can meet more frequently, or in specially called circumstances, as needed. Even if there are no accidents/injuries to review, committees are encouraged to meet to review safety protocols or potential safety issues.
- Committees shall review ALL accidents (regardless of damage amount) involving vehicles, and mobile equipment and ALL on-the-job injuries (regardless of severity or time lost).
- Any employees who are involved in an accident and/or injury being reviewed by the Committee will have an opportunity to speak to the Committee about the incident if they choose to. Employees will be sent a form (Attachment 3) where they indicate in writing whether they want to appear at the Committee or waive that opportunity.
- The Committee may ask to speak with witnesses, if any, to the vehicle accident and/or injury.
- Committees shall determine whether each accident and each injury is PREVENTABLE or NON-PREVENTABLE. For purposes of the review, the definition of PREVENTABLE ACCIDENT and PREVENTABLE INJURY are found in the DEFINITIONS sections of this Directive.
- If the Committee determines that the accident or injury is preventable, then the Committee will use the tables in Attachment A to determine a recommended point assessment. The point assessment will be based on whether there were violations on the

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part of the employee, and based on the severity of the injury and/or the amount of property damage (to the City and/or to a third-party).

- The Committee will not recommend any disciplinary or remedial action but will instead send the recommended point ranking to the appropriate Department head who will assign any disciplinary or remedial action to the employee based on the tables in Attachment B.
- While the Committee will not recommend anything specific to the employee, the Committee can make recommendations or suggestions to improve the overall safety of the activity or operation that led to the accident and/or injury.
- The tables provided in Attachment A and Attachment B are merely guidelines which are meant to provide the SRC, the Department head, and the Director of Human Resources (or designee) with a framework for assessing vehicle accidents and on-the-job injuries to ensure consistency and best practices throughout the City. Deviation from the tables is permissible where circumstances warrant.
- Committee members shall keep all information received or discussed during the review process, as well as the deliberation or votes of any Committee member, confidential to the extent allowed by law.

IV. RISK MANAGEMENT DUTIES

- Collect and log all vehicle/mobile equipment accidents and on-the-job injuries into a centralized Risk Management Information System.
- Provide the necessary information to the appropriate Committee to enable them to review the accident and/or injury. This will include a copy of the Accident/Injury Report, injury severity information, property damage costs or estimates, etc.
- Serve in a non-voting, advisory capacity on various Accident/Injury Review Committees as appropriate.
- Work to ensure consistency and fairness on every Committee.
- Work with other Committees as needed.

V. ELECTRIC SAFETY & TRAINING DUTIES

- Serve in a non-voting, advisory capacity on various Accident/Injury Review Committees as appropriate.
- Work to ensure consistency and fairness on every Committee.
- Work with other committees as needed.

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VI. POINT ASSESSMENTS

- Points assigned by the SRC are cumulative and will remain on an employee's record for an 18 month rolling assessment period.
- The Department head shall base their disciplinary and remedial action recommendations on the accumulated point total.
- The accumulated point total shall stay on an employee's record even if they change jobs, or move to a different division or department, or if the employee separates from the City but is later re-employed within the 18-month rolling assessment period.

VII. INVESTIGATION AND REPORTING

- Irrespective of the Committee's review, evaluation, and point assessment, or the Department head's disciplinary action and remedial action determination, any serious injury to an employee (an injury requiring hospitalization lasting longer than three (3) days or a fatality) shall require a thorough, root cause analysis by the Department head, in conjunction with Risk Management and/or Utilities Safety and Training.
- The Department head shall submit a written report detailing the results of the investigation to the City Manager, with a copy to Risk Management, within ten (10) working days following the injury. The report shall include the Department head's assessment regarding the root cause of the injury and any recommended changes in processes, procedures, structure, personnel, or equipment to be implemented in order to minimize the likelihood of a reoccurrence and improve safety.

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ATTACHMENT A

1. Tables 1, 2, and 3 are the Safety Review Committee's (SRC) guide for assessing points based on the circumstances of the vehicle accident or on-the-job injury.
2. Point assessments in each table are the maximum points that can be assessed for each category.
3. Points may be assessed to an employee from each of the tables, if applicable, for a given vehicle accident or on-the-job injury.
4. If multiple injuries occur, or damage occurs to multiple items, points from Tables 2 and 3 can be assessed more than once.
5. If the SRC recommends less than the maximum point assessment for a category, then it must provide justification for the recommendation to the Department head.

TABLE 1 – VIOLATIONS

<u>Description</u>	<u>Category</u>	<u>Point Assessment</u>
Non-Preventable Accident or Injury	A	0
Violation of safety instructions (written or verbal) or a violation of commonly accepted safety practices	B	0-1
Violation of division or departmental safety rules, Standard Operating Procedures (S.O.P.'s), operator's manual, or the Texas Driver Handbook	C	1-2
Violation of City Safety Procedure, City Ordinance, or State Law (regardless of whether or not a citation was issued)	D	2-4
Intentional/flagrant violation of City Safety Procedure, City Ordinance or State Law	E	4-6

TABLE 2 – INJURIES (Employee or third-party)

<u>Description</u>	<u>Category</u>	<u>Point Assessment</u>
Non-Preventable Accident or Injury or no professional medical attention OR lost time from work	A	0
Preventable minor injury requiring professional medical attention but NOT involving any lost time from work	B	0-2
Preventable serious injury involving professional medical attention AND lost time from work	C	2-4
Preventable severe injury requiring hospitalization of at least one day	D	4-6
Preventable injury involving a fatality, loss of limb, or permanent paralysis	E	6-8

TABLE 3 – PROPERTY DAMAGE (City or third-party)

<u>Description</u>	<u>Category</u>	<u>Point Assessment</u>
Non-Preventable and/or damage to property less than \$500	A	0
Preventable – \$501 to \$3,000 in total damage	B	0-1
Preventable - \$3,001 to \$8,000 in total damage	C	1-2
Preventable - \$8,001 to \$18,000 in total damage	D	2-4
Preventable - \$18,001 to \$30,000 in total damage	E	4-6
Preventable – in excess of \$30,000 in total damage	F	6-8

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ATTACHMENT B

- Table 4 is the Department head's (or designee) recommendation guide for assessing disciplinary/remedial action for the total accumulated points during the 18-month rolling assessment period (including the accident/injury currently under review). The Department head (or designee) should consider the total accumulated points when assessing disciplinary/remedial action for the employee. When recommending disciplinary/remedial action, all preceding levels of action as listed in the table should be considered in the final recommendation. The Department head (or designee) should analyze the employee's accident history (frequency and severity) and prior overall work performance in choosing the appropriate level of disciplinary/remedial action from Table 4.
- Disciplinary or Remedial actions involving more than 10 points must be reviewed with Human Resources prior to final assessment.

TABLE 4 – DISCIPLINARY/REMEDIAL ACTION

<u>Total Points During Assessment Period</u>	<u>Disciplinary Action</u>	<u>Remedial Action</u>
Less than 2 points	None Required	None Required
2 - 4 points	Coaching - counseled by Supervisor with documentation to manager	Review violation with Supervisor
4 - 6 points	Coaching - counseled by manager with documentation to Department head	Review violation with manager and attend Defensive Driving Class (DDC) if applicable
6 - 8 points	Warning - counseled by Department head	Manager shall re-evaluate the employee's overall driving and/or safety performance and report to the Department head
8 – 10 points	Reprimand	Retraining of employee, attend DDC, and other training or special direction to improve the employee's safety performance
10 – 12 points	Suspension - 1 to 3 days without pay	Retraining of employee, attend DDC, and other training or special direction to improve the employee's safety performance
12 – 14 points	Suspension - 3 to 5 days without pay	If applicable, remove from driving status for a period of time as determined by the Department head. If feasible, reassign to a position that does not require driving
14 – 17 points	Suspension - 5 to 10 days without pay	If applicable, remove from driving status for a period of time as determined by the Department head. If feasible, reassign to a position that does not require driving
18 + points	Dismissal	Termination of Employment

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ATTACHMENT C

ACCEPTANCE/DECLINATION FORM

Name: _____ Job Title: _____

Employee #: _____ Date of Incident: _____

I am receiving this form because I was involved in an accident and/or injury that is being reviewed by the Safety Review Committee. As an involved party in this accident and/or injury I understand that have an option, if I desire, to speak to the Committee about this incident.

I understand that the committee may assign points based off any violations, injuries, and/or property damage that resulted from this accident and/or injury. I understand that disciplinary and/or remedial actions affecting my employment may result from the Committee's determination of point assessment in accordance with this policy and the Disciplinary Action Policy 109.01.

I want to speak to the Committee about the accident and/or injury _____

I do not want to speak to the Committee about the accident and/or injury _____

Employee Name

Signature

Witness Name

Signature