



## ***Safe Driving Policy***

POL\_AD\_1005

### **Definitions:**

**Accident:** Any vehicle event involving a Community Transit employee that results in death, injury, property damage, or loss.

**Accident Review Committee (ARC):** Internal process for reviewing a preventable accident determination and associated accident points.

**Advocate:** An employee appointed by their bargaining unit to represent a fellow bargaining unit driver at the ARC. Non-represented employees may also request an advocate attend their ARC hearing.

**ARC Chair:** Director of Administration, or designee, who leads the ARC.

**Blind Report:** A vehicle accident reported by someone after the fact, at a time or location other than the scene of the accident/event, and without the driver's knowledge.

**Disabling Damage:** Any vehicle damage that either requires a tow or has other property damage needing repair before it can be used for its intended purpose. Towing that is optional and for convenience purposes only is not considered "disabling damage".

**Employee Report:** Report form filled out by the operator/driver of any Community Transit vehicle for an accident or other event.

**Incident:** Any vehicle event which does not result in death, injury, property damage, or loss.

**National Safety Council:** A third-party nonprofit safety organization which provides accident preventability review services.

**No Action:** Any vehicle event in which the driver's actions did not contribute to the event. This may include events involving animals, birds, and acts of nature.

**Non-collision Passenger Accident:** Any accident where a customer or passenger falls, slips, trips, bumps, etc., or is otherwise injured while on board, boarding, alighting, or before boarding or after alighting in which the driver's action was a contributing factor.

**Non-disabling Damage:** Any vehicle damage that does not require a tow or does not have other property damage needing repair before it can be used for its intended purpose.

**Non-preventable Accident:** Any accident in which the driver did everything within reason, according to National Safety Council guidelines, to prevent an accident.

**Preventable Accident:** Any accident in which the driver did not do everything within reason, according to National Safety Council guidelines, to prevent an accident.

**Property Damage:** Any damage to or destruction of public or private property, to include the actual damage costs or estimates to repair damaged property returning it to the condition it was in before the accident, or the cost of replacement.

**Unsubstantiated:** Any vehicle event in which it cannot be determined that a specific driver was associated with it. Unsubstantiated events will not affect an employee's record.

**Visible Injury:** A minor injury which is visible and occurring as a result of the vehicle event. Examples include a small cut or a scrape.

This policy is administered by the Director of Administration, or designee, and applies to all Community Transit employees who operate company vehicles.

### **Section 1: Promoting Safe Driving Standards**

#### **1.1. Community Transit Follows National Safety Council (NSC) Guidelines**

Community Transit has adopted NSC defensive driving guidelines for determining preventability of accidents.

#### **1.2. Community Transit Requires Safe Operation of All Its Vehicles**

Community Transit employees make safe driving decisions based on company policies, training, procedures, and NSC guidelines. Community Transit requires employees to drive defensively and exercise professional judgment while operating company vehicles.

#### **1.3. Employees Receive Defensive Driving Training**

All employees receive defensive driving training to give them maximum opportunity to control safety factors. This training provides employees the opportunity to review and identify defensive driving tactics. Employees may also request additional training.

#### **1.4. Employees Will Receive Retraining**

Employees are required to attend defensive driving retraining after any preventable accident and may be required to attend retraining after non-preventable accidents. The date and time will be determined by Management. Management may decide that employees involved in vehicle-related events receive additional coaching, counseling, and/or training. Employees may also request retraining. A ride check may also be required if determined by Training.

## **1.5. Employees or Management May Request Debriefing or Coaching Sessions**

After any vehicle event, employees or their supervisors may request debriefing or coaching sessions. The purpose of these sessions is to engage in two way communication so the employee has an opportunity to improve their safe driving behaviors and avoid accidents in the future. This coaching may also be conducted by the Training and Risk Management divisions. Coaching is not considered disciplinary action but may be considered when reviewing an employee's record.

## **Section 2: Reporting Accidents/Events**

### **2.1. Employees Must Report Accidents/Events to Dispatch at the Time and Place of the Accident**

Employees must report all accidents/events, including non-collision passenger accidents/events. (PRO-AD-1005-A, *Reporting Accidents/Events*)

### **2.2. Employees Must Event Report for Blind Reports**

Employees must complete an Employee Report every time Community Transit receives a Blind Report involving them.

### **2.3. Only Authorized Personnel May Release Accident Information**

With the exception of cooperating with accident investigators, only the Chief Executive Officer, department Directors, Corporate Communications Manager, Public Disclosure Officer, Manager of Safety, Security and Compliance or their designees are authorized to release accident information. All other Community Transit personnel must treat details of the accident as confidential.

## **Section 3: Analyzing Accidents/Events**

### **3.1. Determining Event Classification**

All events are evaluated to determine the event classification and if loss occurred. (PRO-AD-1005-B, *Determining Event Preventability & Classification*). Events are classified as Incident, Accident, Unsubstantiated or No Action. In most cases the event classification is determined within **seven (7)** calendar days from the event. Additional investigation or other unusual or extenuating circumstances may result in the event needing additional evaluation time. If additional evaluation time is needed, the employee is notified.

For the purposes of determining event classification, the following does not constitute "loss":

- Property damage totals estimated to be less than \$1,000.

- Scratches to skid plate unless they contribute to other damage to vehicles, property, or people.
- Damage to wheel blocks unless it contributes to other damage to vehicles, property, or people.
- In Maintenance and Transportation Supervision, damage occurring as a result of the normal duties of recovering a vehicle after an event.
- Security events resulting in willful, malicious damage to vehicles committed by others.
- Other circumstances as determined by the Director of Administration.

### 3.2. Determining Event Preventability

All events are reviewed and any additional investigation or analysis is conducted to determine the preventability of an event for that driver. (PRO-AD-1005-B, *Determining Event Preventability & Classification*). In most cases the preventability determination is made within **seven (7)** calendar days after the event classification is completed. Additional investigation or other unusual or extenuating circumstances may result in the event needing additional evaluation time. If additional evaluation time is needed, the employee is notified.

### 3.3. Points for Preventable Accidents

Accident points are assessed for preventable accidents based on the unique set of elements of each accident. Employees are assessed points for the accident element with the single highest point value. Injury points are assessed by accident element, not per injured individual. Any injury to the driver is excluded from this calculation. See examples calculations below.

No points are assessed for non-preventable accidents.

Accident Element	Points
Non-disabling vehicle or property damage (\$1,000 - \$9,999)	10
Non-disabling vehicle or property damage (\$10,000 - \$24,999)	20
Non-disabling vehicle or property damage (\$25,000 or more)	30
Disabling vehicle or property damage (\$1,000 - \$9,999)	20

Disabling vehicle or property damage (\$10,000 - \$24,999)	30
Disabling vehicle or property damage (\$25,000 or more)	50
Injuries (Visible only)	10
Injuries (1-2 transported from the scene of the event)	25
Injuries (3-4 transported from the scene of the event)	50
Injuries (5 or more transported from the scene of the event)	75
Fatality	100

Example A: Accident has non-disabling property damage valued at \$10,000 and 2 transported from the scene = 25 points

Example B: Accident has disabling property damage valued at \$5,000 and visible injuries = 20 points

#### **Section 4: Establishing Accident Review Committee (ARC)**

This section sets the criteria for the make-up of the ARC.

##### **4.1. ARC Has Two Employee-Designated Members**

Each of the following workgroups designates two primary representatives and two alternates to serve on the ARC:

- ATU
- IAM Supervisors
- IAM Mechanics
- Non-represented employees

The four workgroups above establish their own processes for determining designated members.

When an employee requests an accident review, the designated primary representatives from the employee's workgroup serve on the ARC. Designated alternates serve if primary representatives are unavailable.

Designated members serve two-year terms: one year as an alternate and one year as a primary member. No designated member may serve two consecutive terms.

#### **4.2. ARC Chair Designates Two ARC Members**

#### **4.3. All ARC Members Must Meet These Criteria:**

- Have no preventable accidents for the last five consecutive years.
- Have no accident currently in the appeal process.
- Be employed by Community Transit for a minimum of two of the five preventable accident-free years.
- Have successfully completed a defensive driving training course within the previous two years. ARC members may attend refresher defensive driving training after their ARC appointment.
- Not be currently employed by Community Transit as an Instructor.

#### **4.4. ARC Members Receive Compensation**

All committee members are compensated for actual time spent in ARC meetings. Compensation is consistent with labor contracts and applicable wage and hour laws.

### **Section 5: Appealing Preventable Accident Calculations and Determinations**

This section applies when an employee appeals an accident point calculation and/or a preventable accident determination to the Accident Review Committee (ARC).

#### **5.1. Employees May Appeal to the ARC**

Employees who decide to appeal an accident's point calculation and/or an accident preventability determination must do so in writing within **fourteen (14)** calendar days from the event preventability notification. (PRO-AD-1005-C, *Appealing Preventable Accident Determinations to Accident Review Committee*)

#### **5.2. ARC Chair Approves Requests to Postpone or Cancel ARC Hearings**

The ARC Chair must receive a written request to postpone or cancel an ARC hearing at least **five (5)** calendar days before the scheduled hearing date. Requests to postpone a hearing are approved only for exceptional circumstances.

#### **5.3. Employees Receive Pay to Attend ARC Hearings**

An employee and one advocate attending ARC hearings are compensated for actual time spent during the hearing. Compensation is consistent with labor contracts and

applicable wage and hour laws. Time spent to investigate or to review the accident is not paid.

#### **5.4. Employees May Submit Evidence at the ARC Hearing**

An employee or their advocate may make a presentation to the ARC. The presentation may include any additional evidence or information, such as witness reports or photos, they deem helpful to their case. Presentations are limited to 15 minutes.

When exceptional circumstances warrant it, the ARC Chair may convene a special ARC session.

#### **5.5. ARC Reviews Accident Points and Preventability Determinations**

The ARC Chair presents all appeals for review and advises the committee members on the NSC guidelines. Committee members recalculate the accident point total and sustains or overturns the preventability of an accident. In the case of a tie, the ARC Chair casts the deciding vote.

#### **5.6. ARC May Verify Evidence Presented at Hearing**

In the event that the committee members need to verify the evidence presented at the ARC hearing, the vote to sustain or overturn preventability is delayed until verification is complete.

#### **5.7. ARC Chair Notifies Employee of the ARC's Decision**

The ARC Chair must send written notification to the employee, the employee's bargaining unit, and supervisor informing them of the ARC's decision. In most cases this occurs within **seven (7)** calendar days of the ARC's decision. This deadline may be extended due to unusual or extenuating circumstances. The employee may request a verbal decision from the ARC Chair.

#### **5.8. ARC Preventability Decisions May Be Appealed to the National Safety Council (NSC)**

Either the employee or the ARC Chair may appeal the ARC's decision about an event's preventability to the NSC. All appeals must be in writing and received by the ARC Chair within **fourteen (14)** calendar days of the ARC's decision. (PRO-AD-1005-D, *Appealing Accident Review Committee's Decision to National Safety Council*)

#### **5.9. NSC's Decision Is Final**

The NSC's decision about any accident sent for review is final. The NSC establishes criteria to determine which cases will be reviewed. If the NSC will not review a case, the ARC's decision is final.

**Section 6: Administration of Preventable Accidents**

This section applies to all employees with preventable accidents.

**6.1. Cumulative Net Points**

All employees with preventable accidents receive corrective action based on the cumulative point total assigned to their record after an accident. Appendix A of this policy divides points from the Preventable Accident Point Scale into ranges and lists corrective actions associated with each point range.

**6.2. Accident Point Roll Off**

Employees will have 15 accident points rolled off their records on the anniversary of their most recent preventable accident. Employees continue to roll off accident points until their cumulative point total becomes zero. Accident points do not roll off on a pro-rated basis for partial years of preventable accident-free driving.

**6.3. Loss of Driving Privileges**


Employees lose their privileges to drive company vehicles if either of the following occurs:

- Cumulative accident point total reaches 100 or more, or
- Has a preventable fatality accident.

If the employee's job requires driving a company vehicle, the company will place the employee in a layoff status and assist the employee in applying for jobs at Community Transit that they are qualified to perform. If there are no suitable positions, Community Transit will initiate the separation process. Employees separated under this section are eligible for rehire in non-driving positions.

**6.4. Documentation**

The Training Department documents all training. Managers and supervisors document all coaching.

Approved by:		Revised Policy Written by:	Don Burr, Manager of Safety, Security and Compliance Sara Burnett, Labor Relations Manager
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See Also:	PRO-AD-1005-A, Reporting Accidents/Events PRO-AD-1005-B, Determining Event Preventability & Classification PRO-AD-1005-C, Appealing Preventable Accident Determinations to Accident Review Committee PRO-AD-1005-D, Appealing Accident Review Committee's Decision to National Safety Council

**Appendix A: Corrective Action Based on Preventable Accident Point Scale**

<b>Net Points</b>	<b>Corrective Action</b>
0-25	Coaching (documented)
26-50	Coaching and Counseling (written)
51-99	Review Day * (written)
100	Loss of Driving Privileges. See Section 6.3.
Fatality	Loss of Driving Privileges. See Section 6.3.

\* A paid Review Day at work with Training, Risk Management, and/or the employee's Manager or Supervisor reviewing event history, skills assessment, and on road evaluation to determine what else the company can do to help the employee be successful. This review includes a written warning by the employee's Manager or Supervisor.