

Policies regarding vehicle collision review policy

Information compiled April 11, 2007

The Question: We are in the process of developing a vehicle collision review policy. We would like to know what other members do when a preventable accident occurs and results in a fatality. How is the status of the involved operator addressed?

Ben Franklin Transit says... [Click here](#) to view the Accident Analysis Worksheet, that Ben Franklin Transit uses to determine the severity of a preventable accident. Ben Franklin Transit then notifies the employee of the preventability ruling using, the Employee Notification of Accident Preventability notice. [Click here](#) to view the Employee Notification of Accident Preventability notice. The Department manager, along with the employee (operator) team supervisor would then receive the last form, the Accident History Rap Sheet showing the employee's accident history over the last three years plus makes a recommendation of what the employee is to receive in terms of discipline (i.e. Ride Evaluation, Remedial Training, Suspension, a combination of interventions, or Termination). [Click here](#) to view the Accident History Rap Sheet.

The Safety (Risk) Supervisor is the person designated in our agency to initiate the forms and track the accident histories for all our employees. He is also responsible for making the initial determination of preventability. If the employee then wants to appeal the initial decision (within 7 days), then the accident is reviewed by our Safety & Health Committee. This committee has the authority to overturn or concur with the decision made by the Safety (Risk) manager. We have found this format accelerates the process following accidents so that discipline and/or remedial training, if warranted, isn't unnecessarily delayed. For any preventable accidents resulting in a fatality, this would fall under the most severe type of rating and the employee would be subject to termination.

Community Transit says... At Community Transit, a driver who has a preventable fatality accident is relieved from duty and given a directed referred to the EAP for evaluation and development of a treatment plan. While the employee is waiting for the initial appointment, we place him or her on administrative paid leave; if the treatment plan requires added time off (most likely), then the employee may use sick leave, apply for disability benefits and seek sick leave donations.

Such a driver will be removed from their job as a driver. If they have a generally good record with the company (conduct, attendance) we will work with them in an effort to find other employment with the company; if none is available for which they are interested and qualified when they are ready to resume working, we will lay them off, subject to recall when such a position comes vacant. If their employment history is not good, we terminate without recall rights.

Our experience has shown us that drivers who have such serious accidents are unlikely to recover sufficiently from the emotional trauma to make safe bus drivers in the future. We have had one driver in that spot in the past. We also had a couple who had non-preventable fatalities: One was able to resume driving and do so safely, the other was not.

CUBS says... [Click here](#) to view our Guide to determining Preventability. [Click here](#) to view our Vehicle Accident Investigation Manual. [Click here](#) to view our Vehicle Accident Policy & Procedures.

Grays Harbor Transit says... If preventability was in question at the time of serious accident (ie) substantial property damage, serious injury's or fatality we would place the employee on Administrative leave until the investigation is complete and preventability determined. If determined preventable the employee would stay on Administrative leave until appropriate discipline measures have been administered.

Intercity Transit says... This is the way that we review accidents. Within 14 calendar days of an accident, the decision on preventability will be determined. If the investigation is delayed or ongoing, the Operator will be notified in writing of this fact. A notice of one of the following will be delivered to the Operator:

- If the accident was found to be non-preventable, the notice will state that the accident was found non-preventable.
- If the accident was found to be preventable, the notice will include an appointment time for the Operator to meet with the Fixed Route manager to discuss the accident and the determination.

If an operator disagrees with the determination regarding a preventable accident, the operator has seven days to submit a written request for review to the Fixed Route Manager. This request will be reviewed by an Accident Review Panel which consists of one other operator, one outside expert and the Fixed Route Manager.

As far as fatalities, the investigations are the same except with the investigations include investigations by the proper law enforcement authority.

Island Transit says... [Click here](#) to view our policy.

Kitsap Transit says... The only thing that I find that somewhat addresses this is in the 'Positive Performance Counseling System' manual that states "an employee who has a major preventable accident resulting in substantial damage or personal injury will be suspended or terminated". I'm sure this includes death.

In this day & age it seems like maybe it should be specifically spelled out that the employee would be fired, because some lawyer would find a way around it. Hope this helps.

Mason Transit says... The training supervisor investigates the accident / incident. Meets with driver and other parties as need. The training supervisor make a determination of preventable or non preventable, and forwards to the operations manager. The operations manager, with the road supervisor, meets with the driver on the outcome. It may include recommendation of retraining, or other actions.

The driver may submit a written request for review to the operations manager.

An Accident Review Panel meets within 5 days and includes senior full time driver operating a fixed route, senior full time driver operating a dial-a-ride route, senior dispatcher, maintenance person trained in accident investigation, road supervisor, and chaired by the training supervisor.

The panel reviews, investigates, and makes a determination of preventable or non preventable. They report findings to operations manager who meets with driver, with the road supervisor.

If this outcome is challenged, an Accident Review Board can be convened, similar structure, chaired by the operations manager. The outcome is conveyed by the operations manager.

Final appeal goes to the general manager and is final. The entire process must take less than 30 days.

At this time, there are no set consequences for preventable accidents, i.e. days off, suspensions, etc. We are getting more aggressive about mandatory retraining in every case, however. We have not had a challenge to an initial outcome in the 2.5 years I've been here.

Pacific Transit says... Fortunately, we have not had this happen at Pacific, but if we did, we would place the operator out of service pending an investigation. Depending on the results of the investigation, the operator would be terminated, suspended, etc.

Pullman Transit says... Knock on Wood, we have not had a fatality in 28 years of operation, so I will not speculate on what would happen to a driver if that happened. However, we do determine preventability of accidents.

All supervisors are trained in collision investigation, which allows them to make the preventability determination. The supervisor who responds to an incident is the one that makes this determination. After the driver fills out the "Event" description form the responding supervisor reviews the driver response, his/her notes, pictures, and any other information from the incident and make the preventability determination. This is reviewed by the supervisor's immediate supervisor and/or the Transit Manager for their concurrence.

If the employee disagrees with the determination, he/she may appeal the decision to the Transit Manager and/or the City of Pullman's Public Works Director. If the preventable decision is upheld the process is over.

I suppose the employee could file a grievance, but that has not happened and I do not believe it could be covered by the contract. But as we all know, Unions have a way of believing all issues are covered by their contracts.

Spokane Transit says... Thankfully we have not had a fatality to deal with. If a serious accident occurs, we place the driver on paid administrative leave, provide them with counseling through our EAP and a peer Critical Incident Response team member, and do a complete accident investigation. This may take some time to review police reports, interview witnesses, etc. The operator stays out on leave until a determination of preventable or non-preventable is made. Our CBA with ATU 1015 has a provision for an operator to ask for a third party review of the accident determination. We use a Gonzaga University faculty member. After that review and finding, disciplinary action is taken up to and including termination.

Twin Transit says... We are in the process of developing an accident policy. It will probably be modeled on a damage rating system with points assigned according to monetary damage and/or injuries involved. A progressive series of employee actions will then be assigned to the ratings scale, ranging from retraining to progressive discipline. The number of collisions an employee is involved in over a defined period of time will also be taken into account. This is all still in the works though. Fortunately, we have not experienced a collision related fatality and do not currently have a policy in place to deal with such an occurrence. If that happened here today, it would probably be handled under our general progressive discipline policy.