

SECTION XIX: GENERAL SAFETY

1. GENERAL POLICY. The following general safety rules shall apply in all City work places. Each Department may prepare separate safety rules applicable to the specific nature of work in their area but not in conflict with these rules.
 - A. Employees shall use extreme caution when operating any type of power equipment.
 - B. Employees shall not operate equipment or use tools for which licensing and training has not been received.
 - C. Employees shall use personal protective equipment appropriate to the job, such as safety glasses, gloves, toe guards, back supports, and hard hats, if required or appropriate to the work performed. (See Section XV: Reimbursable Expenses for more information.)
 - D. Employees shall avoid wearing loose clothing and jewelry while working on or near equipment and machines. Long hair shall be properly secured.
 - E. All accidents, regardless of severity, personal or vehicular, shall be reported immediately to the supervisor or Department Head.
 - F. Defective equipment shall be reported immediately to the supervisor, Department Head, Mayor, or City Manager.
 - G. In all work situations, safeguards required by State and Federal Safety Orders shall be provided.
2. PROPER USE OF TREMONTON CITY EQUIPMENT AND TOOLS.
 - A. Employees shall receive the proper training including an explanation of job hazards, safety procedures and training on all equipment, tools, etc., necessary for the accomplishment of the employee's job description.
 - B. A commercial driver's license (CDL) is required for operators of commercial motor vehicles. No individual shall be allowed to operate such vehicles unless they have a current commercial driver's license in their possession. This license is required pursuant to the Commercial Motor Vehicle Safety Act, signed into law on October 27, 1986. Employees shall renew their commercial driver's license at four year intervals.
 - C. Operators and passengers in a business-use vehicle equipped with seat belts shall wear them when the vehicle is in operation, and all employees operating vehicles shall observe all federal, state, and local traffic laws.

- D. Employees shall keep and maintain tools and equipment clean, safe, and in useable manner.

3. DRIVER QUALIFICATION POLICY.

- A. Definitions. For purposes of this driver qualification policy the following terms shall be defined as follows:

- (1) “Authorized Driver Qualification Standards” means a driver who possesses a valid Utah Driver’s License, maintains all required endorsements, and meets the following standards:

- (a) No more than two (2) violations recorded on the Motor Vehicle Record within two (2) years that are not Single Major Violations; or
- (b) No Single Major Violation recorded on the Motor Vehicle Record; or
- (c) No more than two (2) Preventable Vehicle Collisions while at work within two (2) years; or
- (d) No more of a combination of three (3) driving record events comprised of violations on the Motor Vehicle Record that are not Single Major Violations and Preventable Vehicle Collisions while at work within the last two (2) years.

- (2) “Probationary Driver Qualification Standards” means a driver who possesses a valid Utah Driver’s License, or is in the process of obtaining a valid Utah Driver’s License, maintains all required endorsements, and meets the following standards:

- (a) No more than three (3) violations recorded on the Motor Vehicle Record within two (2) years that are not Single Major Violations; or
- (b) No Single Major Violation recorded on the Motor Vehicle Record; or
- (c) No more than three (3) or more Preventable Vehicle Collisions while at work within the last two (2) years; or
- (d) Any violation on the Motor Vehicle Record for Careless, Reckless, or Distracted driving.

- (e) No more of a combination of four (4) driving record events comprised of violations on the Motor Vehicle Record that are not Single Major Violations and Preventable Vehicle Collisions while at work within the last two (2) years.
- (3) “Preventable Vehicle Collisions” for purposes of this driver qualification policy, “Preventable Vehicle Collisions” shall be the same definition as contained in the Vehicle Collision Policy contained in Section XIX: General Safety.
 - (4) “Single Major Violations” means, but is not limited to, the following:
 - (a) Driving Under the Influence (DUI) or Driving While Intoxicated (DWI) in the past two (2) years;
 - (b) Failure to stop/report a collision;
 - (c) Making a false Collision report;
 - (d) Attempting to elude law enforcement; or
 - (e) Other like violations as determined by the Department Head, Mayor, or City Manager.
 - (5) “Unauthorized Driver Qualification Standards” means a driver who may or may not possess a valid Utah Driver’s License, may or may not maintain all required endorsements, and whose driving record meets, at a minimum, one of the following:
 - (a) More violations recorded on the Motor Vehicle Record within two (2) years that are not Single Major Violations than allowed under Authorized Driver Qualification Standards or Probationary Driver Qualification Standards; or
 - (b) More preventable Vehicle Collisions while at work within two (2) years than allowed under Authorized Driver Qualification Standards or Probationary Driver Qualification Standards; or
 - (c) A combination of violations on the Motor Vehicle Record that are not Single Major Violations and Preventable Vehicle Collisions while at work within the last two (2) years than allowed under Authorized Driver Qualification Standards or Probationary Driver Qualification Standards; or
 - (d) A Single Major Violation recorded on the Motor Vehicle Record; or

- (e) A gross Preventable Vehicle Collision as determined by the Collision Review Committee as contained in the Vehicle Collision Policy contained in Section XIX: General Safety.

B. Driver Qualification Standards.

- (1) Acceptable Driver Qualification Standards. All employees or volunteers operating Tremonton City owned vehicles, or who may operate any vehicle while conducting business for or on behalf of Tremonton City, shall meet acceptable driver qualification standards, which shall include the Authorized Driver Qualification Standards or the Probationary Driver Qualification Standards as defined in this policy.
- (2) Unacceptable Driver Qualification Standards. All employees or volunteers whose driving record meets the Unauthorized Driver Qualification Standards as defined in this policy shall not operate Tremonton City owned vehicles, or operate any vehicle while conducting business for or on behalf of Tremonton City.
 - (a) An Employee or volunteer whose driving record meets the Unauthorized Driver Qualification Standards, who knowingly operates a Tremonton City owned vehicle or operates any vehicle while conducting business for or on behalf of Tremonton City, constitutes misconduct and shall be subject to disciplinary action, up to and including termination.
 - (b) An Employee or volunteer whose driving record meets the Unauthorized Driver Qualification Standards and whose position includes driving as one of his or her essential duties or qualifications of the position as listed in their job description may be terminated from his or her position.
 - (c) An Employee or volunteer whose driving record meets the Unauthorized Driver Qualification Standard, and is not terminated from his or her position, may be reinstated to drive a Tremonton City owned vehicle, or may operate any vehicle while conducting business for or on behalf of Tremonton City when they have had a period of one (1) year without additional violations on his or her Motor Vehicle Record.

C. Driver Qualification Evaluation.

- (1) Driver Qualification Evaluation. As part of the driver evaluation process, all employees or volunteer's driving records shall be screened and monitored on an ongoing basis by the HR/Payroll Clerk, City Recorder,

City Manager, and Department Heads to ensure the driver standards contained in this policy are met and maintained. Employees or volunteer's driving records used during the driver evaluation process shall consist of the following:

- (a) All violations recorded on the Motor Vehicle Record whether they occurred while at work or not, shall be included in the driver qualification evaluation.
 - (b) All Preventable Vehicle Collisions, whether or not the Collision has been recorded on the employees or volunteer's Motor Vehicle Record.
- (2) Driver Qualification Notification Process. Through the driver evaluation process, when the HR/Payroll Clerk, City Recorder, City Manager, or Department Head identifies an employee or volunteer's driving record that does not meet the acceptable driver qualification standards, the City Manager and/or Department Head shall give notice to the employee or volunteer using Driver Qualification Notification Form (See Appendix Number 55). The Driver Qualification Notification Form may be expunged from the employee's personnel file with no additional violation of any type or Preventable Vehicle Collisions on his or her driving record within one (1) year.

4. FIRE DEPARTMENT DRIVING RESPONSE POLICY.

- A. Fire Department personnel shall follow all traffic laws when driving their personal vehicles to the Fire Station to respond to an emergency call. Breaking traffic laws when driving a personal vehicle to the Fire Station to respond to an emergency call shall constitute misconduct and shall be subject to disciplinary action, up to and including termination.
- B. In accordance with UCA 41-6a-210 Fire Department personnel shall be Emergency Vehicle Operator (EVO) certified to be eligible to drive City Fire Department Apparatus. Fire Department personnel shall comply with the requirements of UCA 41-6a-210 when driving City Fire Department Apparatus to the incident scene, hospital, etc. Driving City Fire Department Apparatus without the EVO certification or breaking traffic laws when driving a City Fire Department Apparatus to the incident scene, hospital, etc. shall constitute misconduct and shall be subject to disciplinary action, up to and including termination.
- C. In accordance with Section VII: Disciplinary Action, the Fire Department Officers shall investigate all written complaints regarding Fire Department driving response and shall take appropriate disciplinary action if any as a result of their investigation.

5. VEHICLE COLLISION REVIEW POLICY.

A. Definitions. For purposes of this policy, the following terms shall be defined as follows:

- (1) Non-preventable Vehicle Collisions. A Non-preventable Vehicle Collision means any occurrence which results in property damage and/or personal injury, regardless of who was injured, what property was damaged, to what extent, or where it occurred, in which the authorized driver in question took all reasonable precautions to prevent the Collision and the Collision still occurred.
- (2) Minor Vehicle Collisions. Minor Vehicle Collision means any vehicle Collision with less than \$1,500 of property damage and no personal injury.
- (3) Preventable Vehicle Collisions. A Preventable Vehicle Collision means any occurrence which results in property damage and/or personal injury, regardless of who was injured, what property was damaged, to what extent, or where it occurred, in which the authorized driver in question failed to do everything that could have reasonably been done to prevent it. In the case of vehicle collisions, Preventable Collisions typically include collisions that result from backing up a vehicle and driving faster than conditions permit.
- (4) Major Vehicle Collisions. Major Vehicle Collisions means any vehicle Collision resulting in \$1,500 or more of property damage or causing bodily injury.
- (5) Vehicle. A Vehicle means a machine by which someone travels or something is carried or conveyed, which includes trailers, snowplows, backhoes, or the like.
- (6) Vehicle Collision Review Committee. The Vehicle Collision Review Committee means a committee responsible to determine, as far as possible, the cause of the collision and whether the collision was a Preventable Vehicle Collision or Non-Preventable Vehicle Collision and determining corrective/disciplinary action for Preventable Vehicle Collisions. The Collision Review Committee shall be comprised of the Mayor, City Manager, the Department Head of the authorized driver that was involved in the collision, and other invitees, upon the election of the Mayor or City Manager.
- (7) Safety Committee. The Safety Committee means a committee responsible for the prevention of workplace collisions and the implementation and monitoring of safety activities through policies and procedures, culture,

and programs. The Safety Committee shall be comprised of the Mayor, City Manager, and Department Heads.

- B. Minor Vehicle Collision. A Minor Vehicle Collision involving City employees or volunteers with City vehicles shall be reviewed by the Safety Committee, but is generally not reviewed by the Vehicle Collision Review Committee, unless otherwise deemed by a Department Head. If the Minor Collision is not reviewed by the Vehicle Collision Review Committee, the Department Head shall determine the appropriate corrective/disciplinary action in consideration of the collision, if any.

- C. Major Vehicle Collisions. All Major Vehicle Collisions involving City employees or volunteers and City vehicles shall be reviewed by the Safety Committee and generally the Vehicle Collision Review Committee. The Vehicle Collision Review Committee shall generally not review Major Collisions if no citation has been issued through a police investigation. If a Collision Review Committee Member is involved in an incident or collision that the Vehicle Collision Review Committee is reviewing, that member shall not participate in the review process. The Vehicle Collision Review Committee shall determine, as far as possible, the cause of the collision and whether the collision was a Preventable Vehicle Collision or Non-Preventable Vehicle Collision. In evaluating the collision, the collision Review Committee shall consider any or all of the following information:
 - (1) Written evidence presented by the employee concerned, the supervisor, and the police report of the collision investigation if there be any;
 - (2) Maintenance records, if there be any, or other like information, if available;
 - (3) The past Motor Vehicle Record of the employee or the like, if there be any;
 - (4) Diagrams, photographs, and other like evidence if there be any;
 - (5) Aggravating factors and mitigating factors surrounding the collision;
 - (6) Testimony of others and witnesses present; and
 - (7) Any and all information related to personal injury to City employees or volunteers.

- D. The Vehicle Collision Review Committee shall document its findings as to whether the collision was a Preventable Collision or Non-preventable Collision and corrective/disciplinary action, when appropriate. The findings of the Vehicle

Collision Review Committee shall be recorded on the Report of Tremonton City Vehicle Collision Review Committee.

- (1) Corrective/disciplinary action may include loss of privileges associated with using a vehicle/piece of equipment consistent with the standards contained in the Driver Qualification Policy contained in Section XIX: General Safety, required defensive driving or safety courses, reassignment or termination of employment for gross negligence and excessive collisions.
- (2) The Report of the Tremonton City Vehicle Collision Review Committee shall be placed in the employee's personnel file when corrective/disciplinary action is associated with the collision (see Appendix Number 30 for details) and may be expunged from the employee's personnel file with no other collisions resulting in corrective/disciplinary action after two (2) years.
- (3) The Vehicle Collision Review Committee's findings and Report shall be reviewed and discussed with the Safety Committee at their monthly safety meeting.