

TEMPORARY RESOLUTION NO. 38-20

PERMANENT RESOLUTION NO. 43-20

A RESOLUTION APPROVING TRANSIT'S POLICIES FOR SAFETY POINT SYSTEM, CELL PHONES/PERSONAL ELECTRONIC DEVICES, AND ON-BOARD VIDEO MONITORING PURSUANT TO THE CONTRACT WITH THE OHIO TRANSIT RISK POOL

WHEREAS, the Ohio Transit Risk Pool requires that City Council approve three of Transit's departmental policies;

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO

SECTION 1. City Council hereby approves the policies of Transit for Safety Point System, Cell Phones/Personal Electronic Devices, and On-Board Video Monitoring as set forth in Exhibit A attached hereto together with any changes or amendments that are not inconsistent with this resolution and not substantially adverse to the Authority approved by Council on behalf of the Authority.

SECTION 2. That this resolution shall take effect and be in force from and after the earliest period allowed by law

Passed: 3/9/2020 after 3rd reading. Vote: Yeas 9 Nays 0

Date Approved: 3/9/2020

Clerk: Jessica Lee Sandy

[Signature]
President of Council

Offered by: Cory Sepperson

[Signature]
Mayor

Second by: Thomas A. James

Requested by Public Works Committee



Safety Point System

LFPT is committed to ensuring the safety of the general public, passengers, and employees. To promote a "Safety First" culture within our organization, we use a Safety Point Program and guidelines to ensure compliance and adherence to LFPT policies and procedures. All employees who fall within a safety sensitive position are required to abide by these guidelines and are subject to the Safety Points Program, accrual process, and disciplinary structure.

All employees are required to report any and all traffic violations/citations within 24 hours regardless of whether the violation occurred during business hours or on personal time.

Any work-related accident or incident that involves a LFPT employee or equipment will be investigated by Transit management to determine root cause and responsibility of the accident or incident. If the investigation determines that the accident or incident was "preventable" and is therefore the responsibility of the employee, the employee will be charged with the applicable safety points. Any damage to company equipment will be assessed to the most recent driver who used the vehicle or equipment or who failed to report the damage as required by company policy, and also failed to annotate damages on the daily vehicle inspection report. Any employee involved in a major accident (See guidelines below) will be placed on administrative leave, pending investigation.

Any employee who is involved in a preventable accident or incident will be subject to retraining and disciplinary actions, up to and including termination. **Retraining must be performed before placing the employee back in service.** This determination will be based on the safety point system and the severity of the accident or incident as defined below.

Major Safety Incidents

A major incident is one involving any vehicle which is owned or operated by LFPT, or occurring on City property. For disciplinary actions and reporting purposes, major safety incidents include but are not limited to the following:

- ✓ Fatality
- ✓ Passenger incident or injury involving improperly securing a passenger
- ✓ Preventable roll-away incident
- ✓ Unsafe act resulting in a major injury or property damage
- ✓ Preventable environmental spills
- ✓ Vehicle roll-over/lay-over
- ✓ Vehicle fire
- ✓ Incidents with employee or operator allegation of negligence of equipment or maintenance failure
- ✓ Incidents where employee or operator drug and/or alcohol use may be involved

Major Traffic violations include, but are not limited to, any citation that occurs in a company or personal vehicle involving:

- ✓ Driving under the influence of drugs or alcohol
- ✓ Hit and run accidents (including hit and run of unattended vehicles)
- ✓ Open container; possession of a controlled substance
- ✓ Failure to stop for or immediately report an accident
- ✓ Reckless and careless driving; excessive speeding
- ✓ Driving while impaired
- ✓ Filing a false accident report
- ✓ Homicide, manslaughter, or assault involving the usage of a vehicle
- ✓ Driving with a revoked or suspended license
- ✓ Attempting to evade a police officer.

Minor Safety Incidents

Minor safety incidents are defined as other incidents that do not meet the definition of criteria of a "major" incident.

Safety Violation Point Assessments

Below is a table detailing specific safety violations and the associated point values:

Safety Violation	Points
Non preventable accident/incident	0
Unsafe maneuvers or acts	1
Traffic camera violations	1
Speeding	1
Failure to perform a complete and thorough vehicle inspection	1
Failure to perform a door-to-door ADA service when required	2
Backing incident	2
Conviction of minor traffic violation	2
Failure to report traffic violation/citation to Transit Management within 24 hours	2
Preventable accident/incident without any damage	1
Preventable accident/incident with less than \$500 damage to our vehicle	2
Preventable accident/incident with less than \$2000 damage to our vehicle	3
Preventable accident/incident with less than \$10,000 damage to our vehicle	4
Preventable accident/incident with greater than \$10,000 damage to our vehicle	6
Using cell phone or non-approved electronic device while operating a City vehicle	6
Failure to stop at a railroad crossing	3
Failure to deliver/hand off customer to approved caretaker when required	6
Failure to immediately report a citation, accident/incident	6
Any preventable roll-away incident	6
Failure to secure/transport a wheelchair and or mobility device	6
Tampering, disabling, or interfering with onboard or other monitoring equipment	6
Receiving a speeding citation for 15mph or above the speed limit in a City vehicle	6
Major preventable accident/incident (examples above)	6
Conviction of a major traffic violation (list above)	6

Most incidents that occur will be addressed by the Safety Points Program. In the event that a situation falls outside the Safety Points Program, LFPT has the right to impose discipline, up to and including termination, in the event of an unsafe act, failure to follow company policies and guidelines involving safe work practice and/or procedures, or negligent operation of any company vehicle or equipment occurs. These guidelines would be imposed regardless of the point values assessed under the Safety Point System. Behaviors that are deemed unsafe acts are also subject to disciplinary action regardless of whether or not injury to employee or passenger occurs. Discipline of this nature will be reviewed and approved by the Transit Director, designee, and/or SSD.

Maximum Allowable Standard allowable points (subject to change) are as follows:

- ✓ New Employee's within Introductory Period- Receipt of 4 or more points will result in termination. Any new employee who receives 2 or more occurrences within the introductory period will result in termination regardless of total point accumulation.
- ✓ Employees beyond the Introductory Period- Receipt of 6 or more safety points within an 18 month rolling calendar will result in termination. Any employee who receives 3 or more

applicable), mailing address, requester name, requested method of delivery, date of incident, and description of incident. Any reproduction of videos generated without authorization of the Grantee or designee is prohibited WITHOUT EXCEPTION. Video segments will only be released from the office of the Law Director.

Release: All staff, including outside sources (i.e., Third Party Contractors) will be required to complete a release form to acknowledge the cameras will be recording while they work. The release will include the name of the staff person, address, signature, witness, and date.

Compliance: It is the responsibility of the Public Transit Director to ensure adherence to this policy.

Cell Phones/Personal Electronic Devices

The use of personal cell phones/ texting devices/ pagers and all hands-free cell phone equipment (Bluetooth) is strictly prohibited while driving a company vehicle. Personal cell phones, texting devices, pagers, and all hands-free equipment should be turned off (not on vibrate or silent mode) while a driver is in control of a company vehicle.

If an employee is expecting or receives an urgent call during business hours, the employee must request supervisor permission to take the call away from the employee's work station.

Employees must adhere to all federal, state, local, and company rules and regulations regarding the use of cell phones and/or PDAs while driving. Employees should not use handheld cell phones for business purposes while driving, and should locate a lawfully designated area to park and make the call.

Except for business purposes, employees who are scheduled to be on the phones as part of their required job duties, use of personal mobile device phones is not allowed during business hours except when away from the work area on a scheduled break. All mobile devices must be kept out of sight in a desk drawer or purse. If you have an urgent need to use your cell phone outside of break times you must discuss the situation with your supervisor. This includes use of cell phones for texting, calling, gaming, watching movies/TV, listening to music, etc.

On-Board Video Monitoring

Purpose: To provide guidelines for use of LFPT on board video monitoring equipment.

To provide guidelines for secure and uniform methods of recording, storing, releasing, and recycling audio/video recordings.

To release LFPT and the City of Lancaster employees from any and all claims that may arise in the use of a person's personal image or audio recording during an audio/video reproduction project. This release does not apply to audio/video recordings that are released to the media or used otherwise.

POLICY

Equipment (Cameras): All equipment is owned by LFPT. Personal use is strictly prohibited.

Vehicles: All LFPT vehicles are equipped with audio/video monitoring/recording cameras for driver safety, passenger safety, or as needed for other purposes.

The cameras are programmed to automatically start recording when the vehicle ignition is turned on and stop recording five minutes after shut-off.

Assignability: It is the responsibility of the driver to ensure that the audio/video equipment is functional prior to each shift. The driver will notify a dispatcher of the functionality (yes or no) of the camera. It is not necessary to take a vehicle out of service because of a non-functional camera, but the vehicle's video system will not be used until repaired.

The dispatcher will report any equipment failure to the Dispatcher or on the Daily Vehicle Inspection to arrange for repairs and document the failure in the vehicle's "Camera" file located on the Network. LFPT staff will make certain that any video media installed in the recording system is removed and properly stored (if necessary) before taking the vehicle to service.

The maintenance technician will perform routine maintenance in accordance with the manufacturer's instructions. When receiving a vehicle with a recording system, the maintenance technician will check to confirm that the video media has been removed before power is disconnected or restored to the vehicle/video recorder.

Storage: All audio/video captured will automatically overwrite every 48 hours, erasing all information captured. In the event of an incident or accident, the information will be downloaded/removed from the camera and stored permanently on the City of Lancaster Network in a designated file with the date and time of incident/accident.

Recordings downloaded will become a permanent record for the City of Lancaster Public Transit.

Video recordings may be saved for reasons other than accidents/incidents, including Driver Safety Review or training.

A supervisor will view any video recordings that may be used for safety review or training. Once approved, the supervisor will forward the video to the appropriate trainer for use.

Public Records Request: To view records, a records request must be made in writing to the City of Lancaster, Office of the Law Director. Request should include the requesting organization (if

occurrences within an 18 month rolling calendar will result in termination regardless of total point accumulation.

- ✓ Any operator/driver charged with "Operating a Vehicle Impaired (OVI) regardless of points standing (regardless of whether the violation was incurred during working hours) will not be permitted to operate an LFPT vehicle unless professional driving privileges are granted by order of a court of competent jurisdiction specifically allowing driving privileges within the course and scope of employment. The operator shall also complete a defensive driving remedial training program, including an alcohol awareness module before returning to work.