



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2013-0245

Final Action:

Sponsor(s): Administration & Finance Committee

NOV 05 2013

Resolution relative to amending the City of West Allis Policies & Procedures Manual No. 1459 (Traffic Violation and Accident Investigation and Reporting) under Human Resources.

WHEREAS, Policy No. 1459, Traffic Violation and Accident Investigation and Reporting, was originally included in the City of West Allis Policies & Procedures Manual on April 16, 2002, and had one minor administrative change on October 30, 2002; and

WHEREAS, the City's Executive Safety Committee has reviewed the existing policy and is recommending certain changes to update and improve some investigation and reporting procedures.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that Policy No. 1459, Traffic Violation and Accident Investigation and Reporting, is approved as presented in the attached restatement.

BE IT FURTHER RESOLVED that the City Administrative Officer, Clerk/Treasurer is authorized and directed to include the amended Policy No. 1459 in the City's Policies & Procedures Manual and distribute said policy to all departments, divisions, and offices.

ADM\ORDRES\ADMR455

ADOPTED

NOV 05 2013

Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

APPROVED

11/11/13

Dan Devine, Mayor

Traffic Violation and Accident Investigation and Reporting	Human Resources	1400		
	1459	1-3	4/16/02	11/5/13

1.0 PURPOSE:

The purpose of this general policy is to set forth policies and procedures to investigate and report periodically to the Common Council on traffic violations and accidents involving City employees, or property.

2.0 ORGANIZATIONS AND PERSONS AFFECTED:

This policy applies to all City of West Allis departments, boards, commissions, and officers, employees and property.

3.0 POLICY:

The City is committed to promote a safe working environment for all employees and citizens. In order to obtain a safe environment, employees are expected to exercise ordinary care in performance of their duties. The prevention of traffic accidents, which may cause personal injury and property damage, is of extreme importance. Among other things, the City desires to prevent and, if necessary, correct employees' unsafe/negligent driving practices by establishing a procedure for investigating and reporting to the Common Council on traffic violations and accidents involving City employees. The City also desires to protect its property and to take such measures as can reasonably prevent future accidents.

4.0 REFERENCES:

City of West Allis Policies and Procedures Manual Section 1435.

5.0 PROCEDURES:

5.1 RESPONSIBILITIES

5.1.1 It shall be the responsibility of any employee operating road machinery or a motor vehicle (whether City-owned or privately-owned) during performance of their work duties within the scope of City employment, to abide by any and all traffic safety policies, rules and/or laws. If an employee is involved in a motor vehicle accident, the employee is required to immediately notify the police and their department or division head.

5.1.2 It shall be the responsibility of the department to conduct an investigation of the accident and to render any employee discipline. The department or division head is responsible to immediately inform the City Administrative Office, the City Attorney's Office, and the City's Safety & Training Coordinator about the accident.

5.2 INVESTIGATION

5.2.1 In the event an employee is involved in a traffic accident during the performance of work duties within the scope of their employment, the Safety & Training Coordinator, in conjunction with the department, will conduct an investigation to determine:

- 1 a. Whether the employee was at fault in causing the accident;
- 2 b. Whether the accident resulted in any personal injuries and/or property damage;
- 3 c. Whether the injuries and/or damage, if any, were substantial.

5.2.2 In order to make such determinations, the Safety & Training Coordinator may get a statement from the driver, any passengers and independent witnesses; review the accident report; visit the accident scene and consider any other relevant information including, but not limited to, driver and vehicle factors and environmental conditions.

5.2.3 In the event a City of West Allis facility is damaged ~~or damage is done to a city facility~~, an employee that is involved in the damage or has knowledge of the damage during the performance of work duties within the scope of their employment shall notify their supervisor, who in turn will notify ~~the West Allis Fire Department~~, the West Allis Police Department, the Director of Engineering/Public Works, the Assistant Director of Public Works and the Safety and Training Coordinator. Once notification is given to those listed, they will in turn notify the appropriate Department/Division heads.

The Safety and Training Coordinator, in conjunction with the appropriate Department/Division Head, will conduct an investigation to determine:

- 1 a. Whether ~~the~~ an employee was at fault in causing the damage;
- 2 b. Whether the damage resulted in any personal injuries;
- 3 c. Whether the damage was substantial.

In order to make such determinations, the Safety and Training Coordinator may get a statement from the person that caused the damage, bystanders or independent witnesses; review the accident report; visit the accident scene and consider any other relevant information including but not limited to, driver or vehicle factors, equipment failure and environmental conditions.

5.3 DETERMINATION AND RECOMMENDATION

5.3.1 All determinations of fault and recommendations of discipline shall be made by the department pursuant to this policy and upon a reasonable basis.

5.3.2 If it is determined the employee was not at fault in causing the accident, no discipline will be recommended.

5.3.3 If it is determined the employee was at fault in causing the accident, the department shall recommend that appropriate discipline be imposed as set forth below in section 5.4.

5.4 DISCIPLINE

5.4.1 Upon reaching the determination that the employee was at fault in causing the accident, discipline shall be recommended by the department ~~which is consistent with the degree of~~

~~fault (considering whether the employee violated any traffic safety policy, rule or law), whether any personal injuries and/or property damage resulted and the seriousness of the injuries and/or damage, if any.~~

The following factors shall be taken into consideration:

- a. The employee's degree of fault (violation of any policies, rules, laws, etc.);
- b. The seriousness of personal injuries and/or property damage, if any;
- c. The employee's work history, including but not limited to, prior discipline and/or accidents.

~~A. If the employee's degree of fault was minor and resulted in minimal, if any, injuries and/or damage, the recommendation shall be in accordance with the progressive discipline succession as follows:~~

- ~~1. Verbal warning;~~
- ~~2. Written warning;~~
- ~~3. One day suspension with written warning;~~
- ~~4. Three day suspension with written warning;~~
- ~~5. Dismissal.~~

~~B. When more serious circumstances surround the accident, the progressive discipline succession will not be applied. More serious circumstances include, but are not limited to:~~

- ~~1. A substantial degree of employee fault which caused the accident;~~
- ~~2. A substantial degree of employee fault which caused the accident and resulted in injuries and/or damage;~~
- ~~3. Some degree of employee fault (even if minimal) which caused the accident and resulted in more than minimal injuries and/or damage.~~

5.5 TRAFFIC VIOLATIONS

Employee traffic violations will be processed in accordance with this policy. The recommendation for discipline for such violations will be based upon the employees' culpability and the seriousness of the infraction.

5.6 QUARTERLY REPORTING

The Safety & Training Coordinator shall report quarterly to the Common Council on all employee traffic violations and accidents. Said report shall include, but not be limited to, the following:

1. Accident date.
2. Department/Division/Office affected.
3. A summary of the incident.
4. Action taken by the Department Head.
5. History.