




MEMORANDUM

TO: Bob Snidemiller

FROM: Stephen Gainey 

DATE: June 17, 2011

RE: Procedures for Responding to At-Fault Accidents

The following describes the responsibilities of our two offices in responding to at-fault accidents. As you know, we have already implemented these procedures. While they seem to be working, we are always open to discussions about improvements.

I. Transportation Department's Responsibilities:

- Determine "at-fault" or "not-at-fault" for all accidents involving a school bus. The Transportation Department will refer all at-fault accidents to Employee Relations. If Transportation cannot immediately determine whether the accident is at-fault or not-at-fault, Transportation will refer the accident to Employee Relations while Transportation is finalizing its determination.
- Determine if an accident is minor or major. This includes making an estimate of the monetary amount for any damage.
- Minor accidents will be defined as (1) accidents with no potential risk of injury and (2) property damage of less than \$2,000. Property damage includes damage to the bus or any other property.
- Major accidents will be defined as (1) accidents with a potential risk of injury and/or (2) property damage greater than \$2,000. Property damage includes damage to the bus or any other property.

Bob Snidemiller

June 17, 2011

Page 2

- Access and forward to Employee Relations the following:
 - Details of current accident
 - Reports and details of any past accidents of the driver
 - Driving record for drivers involved in an at-fault accident
 - Internal personnel documents (letters, memos, corrective counseling, police reports, photographs, drivers' statements, Transportation's accident report and assessment, previous records of Accident Review Board, and other available information)

If the at-fault accident is determined to be minor, the Transportation Director of Operations *may* immediately remove the driver from driving the school bus and reassign the driver to other duties during a review by Employee Relations. In the alternative, the Transportation Department may recommend to Employee Relations that the driver be suspended with pay during the review.

If the at-fault accident is determined to be major, the Transportation Director of Operations *shall* immediately remove the driver from driving the school bus and reassign the driver to other duties during a review by Employee Relations. The Transportation Department may recommend to Employee Relations that the driver be suspended.

II. Employee Relations' Responsibilities

A. Minor Accidents:

After it receives a report of an accident, Employee Relations will conduct a comprehensive review of the driver's personnel file and driving record. In the absence of any concerns during this review, the following guidelines will be applied:

1st Occurrence = written warning and mandatory 2-hour defensive driving class, and other safety measures implemented by Transportation

2nd Occurrence = dismissal, unless employee accepts responsibility under a formal agreement with a three-day suspension without pay. **Dismissal if the occurrence is within one year of the previous occurrence.**

3rd Occurrence = Termination

Bob Snidemiller

June 17, 2011

Page 3

When Employee Relations identifies additional concerns during the comprehensive review of the accident and information about the driver, Employee Relations will recommend more serious penalties up to and including termination.

As a part of its review, Employee Relations will meet with the driver in order to give the driver an opportunity to respond to concerns. Before making a recommendation for consequence to the Assistant Superintendent for Human Resources, Employee Relations will discuss the proposed outcome with the Senior Director of Transportation. After the decision, Employee Relations will notify the driver and Transportation Department of the personnel decision.

B. Major Accidents:

Employee Relations will review the matter and recommend an appropriate consequence. A likely result of a major accident is dismissal. As a part of its review, Employee Relations will meet with the driver in order to give the driver an opportunity to respond to concerns. Before making a recommendation to the Assistant Superintendent for Human Resources of a consequence, Employee Relations will discuss the proposed outcome with the Senior Director of Transportation. Employee Relations will notify the driver and Transportation Department of the personnel decision.

Note: Employee Relations will maintain past practice for handling criminal matters and will also handle cases involving driving-while-impaired charges.

c: David Neter
Don Haydon
Anthony Manzo
Phyllis Lewis