



Policy Name	Vehicle and Driver Safety Policy 06-19
Effective Date	September 28, 2020

## SWMD Vehicle and Driver Safety Policy

### I. PURPOSE

The purpose of this policy is to prevent accidents and ensure the safety of individuals related to driving while on Solid Waste Management Department (SWMD) business. It is the responsibility of all drivers to operate vehicles in a safe and responsible manner that prevents both injuries and property damage. Drivers are expected to drive in a safe and courteous manner, following all safety and department rules including the SWMD Employee Safety Handbook.

Additionally, this policy is meant to help resolve any issues not already specifically addressed by existing City of San Antonio (City) Administrative Directives, policies, or regulations. The guidelines within this policy are intended to supplement existing City Administrative Directives (including Administrative Directive 4.8 *Driver Safety* and 4.11 *Coaching and Discipline*), municipal code provisions, as well as policies or regulations issued by the Office of Risk Management or the Human Resources Department.

The rules set forth in this policy supersede all previously published and approved Solid Waste Management Department policies signed by previous directors on the topics of Progressive and Corrective Discipline Action, Dash Cam, and Electronic Communication Devices.

### II. POLICY APPLICATION

- Current Full Time Employees (Classified and Unclassified)
- Current Part Time Employees
- Current Temporary Employees
- Current Paid and Unpaid Interns
- Current Volunteers
- Current Grant Funded Employees

### III. DEFINITIONS

- a. **City Policy:** Includes all rules and regulations applicable to SWMD employees in the scope of their employment, including but not limited to municipal code provisions, Administrative Directives issued by the City Manager or their designee, Municipal Civil Service rules, and SWMD directives issued by the SWMD department director.
- b. **Accident Review Board (ARB):** Committee that reviews all relevant accident documentation to determine if the accident was preventable or non-preventable, and renders final rulings.
- c. **Director:** Director of the SWMD.
- d. **Preventable:** An event involving property damage, vehicle accident, or personal injury in which the employee failed to exercise sound judgment, required procedures, and reasonable caution to prevent the accident.
- e. **Dash Cam:** Digital event recorder, aka "DriveCam" or "Lytix", event download system, and software that captures audio and video inside and outside a vehicle when triggered by unusual motion such as hard braking, swerving, or a collision.



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- f. **Employee:** Any employee of the SWMD, including full time, part time, temporary workers, and grant employees. Both Exempt and Non-Exempt employees are covered by this policy.
- g. **Non-preventable:** An event involving property damage, vehicle accident, or personal injury in which the employee exercised sound judgment, reasonable caution, and followed appropriate procedures wherein an accident occurred.
- h. **Unsafe Behavior:** Driving behaviors that may contribute to a collisions, accident, injury and/or death. Some examples of unsafe behavior are unbelted drivers, following too close, cell phone use while driving, eating while driving, violating traffic laws, and inattentive or distracted driving.
- i. **Violation:** An act or action by an Employee that violates City A.D., City Policy and/or laws, rules or regulations, including local, state and federal. A sample reference list of Unsafe Behaviors that are subject to discipline is attached at the end of this document under Appendix A. This list is not comprehensive and is not meant to capture all actions subject to discipline.
- j. **Progressive Discipline:** Process of using increasingly severe penalties or measures when an employee violates City Policy.
- k. **Vehicle:** Any motor vehicle including cars, trucks, sports utility vehicles, pick-up trucks, off-road vehicle, motorized equipment, etc.
- l. **Coaching:** The process of bringing a matter to an employee's attention, and assisting with understanding the corrective actions that should be taken to address the matter, documented through an Employee Discussion Worksheet. Per AD 4.11 (Coaching and Discipline) an Employee Discussion Worksheet is not considered discipline and is not subject to grievance or appeal. Coaching instructions specific to Drive Cam are included at the end of the document under Appendix B.

#### IV. Violation Review Period

The time period used when reviewing an employee's proposed disciplinary action shall be the totality of an employee's work history with the SWMD department with a focus on the most recent 24 months, unless otherwise required by City Policy (for example, AD 4.8 Driver Safety Program).

#### V. Application

When an employee violates any rule or regulation related to motor vehicle use, property safety, personnel safety, or exhibits risky behavior that could endanger residents, employees or property, that employee is subject to discipline in accordance with all applicable City Policies.

- a. Violations and risky behavior shall be reviewed in their totality, including the severity of the action, past discipline administered to the employee, and any SWMD or city records that are relevant to the incident (including Dash Cam footage).
- b. Violations shall be considered either "Minor" or "Major" in nature.



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- **Minor Violation Examples:** Following too closely; distracted driving such as eating, vaping, or chewing tobacco while driving; speeding less than 5 mph over the speed limit; incomplete stop at an intersection.
  - **Major Violation Examples:** Violating a state law, rule or regulation; excessive speed; running through a stop sign or a red light; manipulating/tampering with vehicle equipment; driving in the wrong lane or off road.
- c. **Progressive Discipline** (as shown below) shall be used for Violations as appropriate. Discipline for a violation should begin with the least severe action but may take any of the following forms. Repeated and multiple violations throughout an employee's work history with the department, with focus on the most current 24 months, shall require an increase in the severity of disciplinary action to include termination, as follows:

Written Reprimand

One or Two Day Suspension\*

One Week Suspension

Termination

\*One or Two Day Suspensions are not permitted for exempt employees, i.e., salaried employees. For these employees disciplinary action will include written reprimand, one week suspension and/or termination.

Supervisors and managers may elect to utilize Coaching (through an Employee Discussion Worksheet) in lieu of disciplinary action for minor violations and situations where the employee has not been Coached previously.

- d. An Employee can only be Coached for minor violations two (2) times in a twelve (12) month period for similar violations, after which discipline must progress to at least the next level of severity. Additionally, when a Violation occurs that is greater or more severe in nature than a previous Violation, the discipline applied must be more progressive (severe) than the previous discipline issued.
- e. As stated in AD 4.8 (Driver Safety Program), the Director may, in their sole discretion, adjust points assigned to an employee based on the particular facts of an accident, collision, or other risky behavior. If an accident is the result of extremely dangerous driving behavior (including but not limited to excessive speed, running through a controlled intersection, road rage, etc.) the Director will increase the points assigned based on the severity and/or magnitude of the accident, and the amount shall be enough to ensure a suspension or termination.

Additionally, the Director may increase points for any preventable accident to ensure that a new disciplinary action is administered for every preventable accident. Or, the Director may reduce points based on extenuating circumstances, an employee's work function, or other relevant information.

- f. **Multiple Preventable Occurrences:**



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- Accident discipline involving **Motor Vehicle Accidents** should also reference AD 4.8 (Driver Safety Program) in addition to this policy.
- Accident discipline involving **Property Damage** should also reference AD 4.8 (Driver Safety Program) in addition to this policy.
- Accident discipline involving **Personal Injury** should also reference AD 4.11 (Coaching and Discipline) in addition to this policy.

g. Exceptions:

- **Grace Period:**

A 60 day grace period is provided to side-load equipment operators and solid waste collection truck drivers (e.g., rear-load truck drivers and alley collection truck drivers) who meet one of the following criteria:

- In Training;
- Recently Hired; or
- Recently promoted into a side-load equipment operator or collection truck driver position.

This grace period covers the 60 days after date of hire or date of promotion. This grace period is provided at the discretion of the district manager and allows the district manager to exclude certain accidents when the resulting damage is minor. The accident still proceeds through the ARB process, but the Director may assess "0" points at their discretion.

- **Overhanging Tree Branches:** Accidents where a vehicle collides with an overhanging tree branch will be ruled as non-preventable if (i) the collision occurred along a collection street or alley, and (ii) the damage estimate to the vehicle and/or property (exclusive of the tree) is minimal as determined by the Director or his designee.

- h. All disciplinary action is coordinated with the assigned Human Resources Business Partner for SWMD or the Human Resources Department.

## VI. Forfeiture of Annual Leave

Employees with a suspension of two days or fewer may forfeit annual leave and forgo the appeal process in accordance with the Municipal Civil Service Rules, at the discretion of the Director.

## VII. Post-Accident Alcohol and Drug Testing

Any Employee involved in an equipment or vehicle accident in a CoSA owned vehicle, or personal vehicle conducting CoSA business, that meets the criteria of City Policy (including AD 4.3 - Alcohol and Controlled Substance Testing) is subject to mandatory post-accident testing.



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## VIII. Responsibilities

- Director and Assistant Directors:
  - Receive appeals.
  - Ensure employees are aware of the Progressive Disciplinary Action Policy.
  - Exercise discretionary authority when determining corrective disciplinary action.
- Human Resources:
  - Ensure progressive steps have been followed.
  - Make recommendations on cases not outlined in this policy.
  - Prepare disciplinary actions promptly.
  - Post all reprimands and suspensions in the employee file.
- SWMD Safety Section:
  - Manage the Drive Cam Program.
  - Ensure weekly and monthly Drive Cam reports are generated and received by district managers and assigned department leadership.
  - Provide training as necessary to employees, supervisors and managers and respond to requests for assistance.
  - Work to resolve any Drive Cam specific issues such as Drive Cam access, video downloads, reports, and drivers/vehicles/event recorders assigned incorrectly.
- Managers:
  - Ensure this policy is disseminated, understood by employees, and followed.
  - Make recommendations on progressive discipline when required.
  - Administer disciplinary action and coach employees as appropriate.
  - Access Drive Cam website once a day to determine if any events require action under this policy.
  - Report any issues with the Drive Cam to the Safety Section within three days of discovery.
- Supervisors:
  - Ensure this policy is disseminated, understood by employees, and followed.
  - Make recommendations on progressive discipline when required.
  - Administer disciplinary action and coach employees as appropriate.
  - Access Drive Cam website once a day to determine if any events require action under this policy.
  - Report any issues with the Drive Cam to the Safety Section within three days of discovery.
- Employees:
  - Know and understand the rules set forth in this policy.
  - Follow instructions and guidance from supervisors.
  - Have a clear understanding of appropriate behaviors and actions.
  - Take action to correct violations.
  - Understand the consequences of repeated violations.
  - Report any issues with the Drive Cam to the supervisor the day of discovery.
  - Not attempt to change anything on the event recorder. Examples include placing anything in front of the lens that looks inside the cab, changing the direction of the lens, or unplugging the event recorder. Such actions will be a



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violation of this policy, and also constitute an unauthorized manipulation or equipment which is a violation of the SWMD Commercial Motor Vehicle Pre and Post Trip Inspection Policy.

- Must stay on their assigned route.
- Must keep any non-city business to a minimum.

Approval:

David Newman, Director

9-28-2020  
Date



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**APPENDIX A**

**Unsafe Behavior Reference List:** The following are unsafe behaviors and actions that will be observed, coached, disciplined and generally brought to the attention of managers, supervisors, and other department leadership under this Policy. This list is not comprehensive, and other behaviors may be added over time.

**SWMD RISKY DRIVING BEHAVIORS**

BEHAVIOR	DEFINITION
<b>Driver Unbelted</b>	Events where the driver was not properly secured by a seatbelt
<b>Event Recorder (ER) Obstruction</b>	Events where the Event Recorder (ER) was intentionally blocked or there is an attempt to damage it
<b>Late Response</b>	Events where the driver is alert, and not distracted, yet responds late to a readily visible situation ahead
<b>Passenger Unbelted</b>	Events where the passenger does not appear to properly secured by a seatbelt
<b>Food/Drink</b>	Events where the driver is drinking or eating while driving
<b>Incomplete Stop</b>	Events where the driver slows significantly but does not make a complete stop at stop sign or traffic light
<b>Following Distance</b>	Events where the driver is following too close behind the vehicle ahead
<b>Other Concern</b>	Events where the driver makes a poor driving decision that exposed the driver to risk or caused significant wear and tear to the vehicle
<b>Cell Phone</b>	Events where the driver is holding or actively using a cell phone while driving
<b>Near Collision (Unavoidable)</b>	Events where there was a narrow escape with another vehicle, object or pedestrian. It's considered unavoidable if the driver could not reasonably avoid it.
<b>Other Distraction</b>	Events where the driver is distracted while driving
<b>Other Violation</b>	Events where an unsafe or risky Traffic Violation occurs
<b>Failed to Stop</b>	Events where the driver failed to stop at a regulation stop sign or line painted with the word "STOP"



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<b>Near Collision</b>	Events where there was a close call with another vehicle, object or pedestrian. It's considered avoidable if the driver could have reasonably avoided it
<b>Collision</b>	Events where the vehicle came in contact with another vehicle or object
<b>Smoking/Vaping</b>	Incident where the driver is smoking tobacco or using a vaping product in a non-designated area.
<b>Red Light</b>	Events where the driver enters an intersection after the traffic light turned red
<b>Speed Violation</b>	Incidents where the driver exceeds the maximum speed permitted by law
<b>Mirror Use</b>	Events where the driver fails to effectively check the side or rear view mirrors and a risky situation occurs
<b>Electronic Device</b>	Events where the driver is using an electronic device while driving. If the distraction contributed to the event activation, it will be marked as "Risky"
<b>Too Fast for Conditions</b>	Events where the driver is driving too fast for the roadway or environment
<b>Possible Collision</b>	Events where there is uncertainty of whether or not the vehicle came in contact with another object
<b>Intersection Awareness</b>	Events where the driver fails to effectively scan the intersection and a risky situation occurs





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## Appendix B

### Procedure for Coaching Related to Dash Cam:

- **District Managers:**
  - 1) Access the website at <https://online.drivecam.com/Login.aspx>.
  - 2) Login with your password.
  - 3) Click the tab that states "Coaching" events in the other tabs don't require coaching.
  - 4) View the video.
  - 5) Click on the magnifying glass to the immediate right of the word unassigned, this will produce a list of drivers. NOTE: If the drivers name can't be found, notify the Safety Section to have the name placed in your database.
  - 6) Click on the appropriate drives name.
  - 7) Click the "Save Changes" button that appears below the comments section.
  - 8) Notify the supervisor of the appropriate driver that they have an event that requires coaching.
  
- **Supervisors:**
  - 1) Access the DriveCam website at <https://online.drivecam.com/Login.aspx>.
  - 2) Login with your password.
  - 3) Click the tab that states "Coaching" events in the other tabs don't require coaching.
  - 4) View the video.
  - 5) Arrange a time with the employee for a coaching session.
  - 6) When employee arrives, have the employee view the video.
  - 7) Ask them what they see in the video that might violate department policy.
  - 8) Identify for them the violation that occurred as well as any positive action that might have been observed.
  - 9) Thank them for their time and dismiss them.
  - 10) On the DriveCam website beneath the video box, there is a place for supervisors to document the coaching session, place comments in this box.
  - 11) Click the down arrow in the box that states, "No Change."
  - 12) Click on the word "Resolved."



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- 13) Click the "Save Changes" button that appears below the comments section.
- 14) In the event coaching doesn't achieve the appropriate change in unsafe driving behavior, disciplinary action can and will be used to change driver behavior.