

STAFF REPORT

SUBJECT: Approval of Updated Public Transportation Agency Safety Plan

FROM: Toan Tran, Director of Operations and Innovation

DATE: June 6, 2022

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**Actions Requested**

Approve the updated PTASP document.

**Background**

The Federal Transit Administration (FTA) requires that public transportation systems receiving federal funds develop a Public Transportation Agency Safety Plan that includes the processes and procedures to implement a Safety Management System. An SMS is a comprehensive approach to bringing management and labor together to control risk better, detect and correct safety problems earlier, and measure safety performance more precisely. The rule (49 CFR Part 673) went into effect on July 19, 2019 with a compliance date of July 20, 2021.

In preparation for the deadline, LAVTA prepared a PTASP that underwent multiple FTA reviews to ensure compliance, and was approved by the LAVTA Board of Directors in December 2020. It formalizes and codifies LAVTA existing safety practices and contractor oversight related to safety in one comprehensive document as well as incorporates the safety plans of the fixed-route and paratransit contractors. The PTASP is not required to be updated unless there are major changes but it must be reviewed at least annually.

The Bipartisan Infrastructure Law (BIL) recently passed adds a few more requirements to the PTASP based on LAVTA's large urbanized area designation:

1. Safety Committee will consist of an equal number of frontline employee and management representatives.
2. Document strategies and mitigations to minimize exposure to infectious diseases consistent with guidelines of the Centers for Disease Control and Prevention (CDC).

The compliance deadline for these additions is July 31, 2022.

**Discussion**

LAVTA has done the annual review of the PTASP and made some updates both to address the change in paratransit contractors since the last approved iteration of the PTASP and the new requirements from the BIL. The SMS of the new paratransit contractor has been incorporated into the PTASP with no changes to LAVTA's oversight component for its contractors (Attach. 1, Exhibit 4). The annual safety performance targets were also updated to reflect a rolling average of the last 5 years of LAVTA's safety performance data, based on FTA's suggested methodology.

The Safety Committee component was already outlined in the PTASP as consisting of both frontline employees and management staff but has been updated to ensure an equal number of representatives from each party.

Throughout the COVID-19 pandemic, LAVTA implemented a number of strategies and initiatives to minimize exposure to infectious diseases that went above and beyond guidelines provided by CDC, California Division of Occupational Safety & Health (Cal/OSHA), and local health authorities. These strategies are now documented in the updated PTASP.

Per the new BIL requirement and as recommended by the Projects & Services Committee, the PTASP has been modified to include a clause that for any kind of infectious diseases, LAVTA and its contractors will adhere to the strictest of the guidelines published by either the CDC, Transportation Security Administration (TSA), Cal/OSHA, or Alameda County Public Health Department.

**Recommendation**

The Projects and Services Committee recommends the Board of Directors approve the updated PTASP document.

Attachments:

1. Updated PTASP
2. PTASP Resolution 24-2022

*Approved:* \_\_\_\_\_

# Livermore Amador Valley **TRANSIT AUTHORITY**



## Public Transportation Agency Safety Plan (PTASP)

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## 1. Transit Agency Information

<b>Transit Agency Name</b>	Livermore Amador Valley Transit Authority		
<b>Transit Agency Address</b>	1362 Rutan Court, Livermore, California, 94551		
<b>Name and Title of Accountable Executive</b>	Tamara Edwards, Interim Executive Director		
<b>Name of Chief Safety Officer or SMS Executive</b>	Toan Tran, Director of Operations and Innovation		
<b>Mode(s) of Service Covered by This Plan</b>	Fixed Route Bus; Paratransit	<b>List All FTA Funding Types (e.g., 5307, 5310, 5311)</b>	5307, 5339, 5311
<b>Mode(s) of Service Provided by the Transit Agency (Directly operated or contracted service)</b>	Fixed Route Bus (contracted); Paratransit (contracted)		
<b>Does the agency provide transit services on behalf of another transit agency or entity?</b>	Yes	No <input checked="" type="checkbox"/>	<b>Description of Arrangement(s)</b> not applicable
<b>Name and Address of Transit Agency(ies) or Entity(ies) for Which Service Is Provided</b>	not applicable		

## 2. Plan Development, Approval, and Updates

<b>Name of Person Who Drafted This Plan</b>	Michael S. Tree, Executive Director (former)	
<b>Signature by the Accountable Executive</b>	<b>Signature of Accountable Executive</b>	<b>Date of Signature</b>
	Interim Executive Director	
<b>Approval by the Board of Directors</b>	<b>LAVTA Board of Directors</b>	<b>Date of Approval</b>
	Resolution 24-2022	
	<b>Relevant Documentation</b>	
<p>A copy of LAVTA Resolution 32-2020, approving the PTASP, is maintained on file by the Director of Finance, LAVTA</p> <p>A copy of LAVTA Resolution 24-2022, approving PTASP updates, is maintained on file by the Director of Finance, LAVTA</p>		
<b>Addresses FTA 49 CFR Part 670</b>	This PTASP addresses all applicable requirements and standards as set forth in FTA's Public Transportation Safety Program, the National Public Transportation Safety Plan, and the Bipartisan Infrastructure Law	

<b>Version Number and Updates</b> <i>(History of successive versions of this plan)</i>			
<b>Version Number</b>	<b>Section/Pages Affected</b>	<b>Reason for Change</b>	<b>Date Issued</b>
1		New Document	12/7/2020
2	Section 3, Exhibit 4, Exhibit 11	Update Safety Performance Targets; new Bipartisan Infrastructure requirements	5/31/2022

**Annual Review and Update of the Public Transportation Agency Safety Plan**

*(The process and timeline for conducting an annual review and update of the PTASP)*

This plan will be jointly reviewed and updated by the Chief Safety Officer and Accountable Executive by July 1 of each year. The Accountable Executive will review and approve any changes, signing the new PTASP, then forward to the LAVTA Board of Directors for review and approval.

### 3. Safety Performance Targets

<b>Safety Performance Targets</b>							
<i>Annual safety performance targets below based on an average of the previous 5 years of LAVTA's safety performance data (2017 through 2021).</i>							
<b>Mode of Transit Service</b>	<b>Fatalities (total)</b>	<b>Average Annual Fatalities (per 100 thousand VRM)</b>	<b>Injuries (total)</b>	<b>Average Annual Injuries (per 100 thousand VRM)</b>	<b>Safety Events (total)</b>	<b>Average Annual Safety Events (per 100 thousand VRM)</b>	<b>Average Annual System Reliability (VRM / failures)</b>
<b>Fixed Route Bus</b>	0	0	2	0.01	3	0.06	22,983
<b>ADA / Paratransit</b>	0	0	0	0	0	0	54,386

<b>Safety Performance Target Coordination</b>		
<i>(How LAVTA coordinates with the State and Metropolitan Planning Organization(s) (MPO) in the selection of State and MPO safety performance targets)</i>		
LAVTA's Accountable Executive will share our PTASP, including safety performance targets, with the Metropolitan Planning Organization (MPO) in our service area each year after its formal adoption by the LAVTA Board of Directors. LAVTA's Accountable Executive will also provide a copy of our formally adopted plan to the California Department of Transportation. LAVTA personnel are available to coordinate with the California Department of Transportation and the MPO in the selection of California and MPO safety performance targets upon request.		
<b>Targets Transmitted to the State</b>	<b>State Entity Name</b>	<b>Date Targets Transmitted</b>
	California Department of Transportation	
<b>Targets Transmitted to the Metropolitan Planning Organization(s)</b>	<b>MPO Name</b>	<b>Date Targets Transmitted</b>
	Metropolitan Transportation Commission (MTC)	



## 4. Safety Management Policy

**Safety is a core value at LAVTA, and managing safety is a core business function. We will develop, implement, maintain, and continuously improve processes to ensure the safety of our customers, employees, and the public.**

### **Responsibility/Accountability:**

LAVTA's Safety Management Policy applies to employees (including contracted) and to every aspect of LAVTA's activities. A positive safety culture includes ownership by all employees to identify and correct any deficiencies at all levels.

### **LAVTA is committed to the following safety objectives:**

- Communicating the purpose and benefits of the Safety Management System (SMS) to all staff, managers, supervisors, employees, and service contractors.
- Providing a culture of open reporting of all safety concerns, ensuring that no action will be taken against any employee who discloses a safety concern through LAVTA's Employee Safety Reporting Program (ESRP), unless such disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures.
- Providing appropriate management involvement and the necessary resources to establish an effective ESRP that will encourage employees to communicate and report any unsafe work conditions, hazards, or at-risk behavior to the management team.
- Identifying hazardous and unsafe work conditions and analyzing data from the ESRP. (After thoroughly analyzing provided data, the transit operations division will develop processes and procedures to mitigate safety risk to an acceptable level.)
- Establishing safety performance targets that are realistic, measurable, and data driven. Continually improving our safety performance through management processes that ensure appropriate safety management action is taken and is effective.

Working proactively towards identifying and reducing the existence of hazards and risks in the workplace and our system, LAVTA implemented a Safety Management System (SMS) to prevent accidents, reduce risk of injury, and minimize damage to property and equipment.

As the Accountable Executive for all operations and activities, I will ensure that resources are available to ensure our SMS is robust and successful. LAVTA executives, employees, and contractors will take steps to prevent workplace incidents and injuries, provide support of safety initiatives, and encourage employee communication in order to achieve a safer, healthier workplace. I hold executives, employees, and contractors accountable for safety performance.

The SMS is managed under my authority by the Chief Safety Officer who reports directly to me. All levels of management and employees are accountable for the delivery of the highest level of safety performance, starting with the Executive Director/CEO.



Michael Tree, LAVTA Executive Director and Accountable Executive

<p><b>Safety Management Policy Communication</b>  <i>(How the safety management policy is communicated throughout LAVTA and to contractors)</i></p>	
<p>The Chief Safety Officer, who leads LAVTA’s SMS activities, distributes the Safety Management Policy Statement to employees and contractor staff. The policy is also posted on bulletin boards at headquarters and in the operations and maintenance break areas of the operating division (on-site contractor areas). LAVTA has incorporated distribution of the Safety Management Policy into new-hire orientation and all-staff annual safety refreshers, and into Safety Committee meetings with internal and contractor staff.</p>	
<p><b>Authorities, Accountabilities, and Responsibilities</b>  <i>(For the development and management of the SMS)</i></p>	
<p><b>Accountable Executive</b></p>	<p>The Executive Director serves as LAVTA’s Accountable Executive with the following authorities, accountabilities, and responsibilities under this plan:</p> <ul style="list-style-type: none"> <li>• Controls and directs human and capital resources needed to develop and maintain the PTASP and SMS.</li> <li>• Designates an adequately trained Chief Safety Officer who is a direct report.</li> <li>• Ensures that LAVTA's SMS is effectively implemented.</li> <li>• Ensures action is taken to address substandard performance in LAVTA’s SMS.</li> <li>• Assumes ultimate responsibility for carrying out LAVTA's PTASP and SMS.</li> <li>• Maintains responsibility for carrying out the agency's Transit Asset Management Plan.</li> </ul>
<p><b>Chief Safety Officer or SMS Executive</b></p>	<p>The Accountable Executive designates the Director of Operations and Innovation as LAVTA’s Chief Safety Officer. The Chief Safety Officer has the following authorities, accountabilities, and responsibilities under this plan:</p> <ul style="list-style-type: none"> <li>• Develops LAVTA’s PTASP and SMS policies and procedures.</li> <li>• Ensures and oversees day-to-day implementation and operation of LAVTA's SMS for both agency and contractors.</li> <li>• Manages LAVTA’s ESRP.</li> <li>• Chairs the LAVTA Safety Committee and <ul style="list-style-type: none"> <li>○ Coordinates the activities of the committee;</li> <li>○ Establishes and maintains LAVTA’s Safety Risk Register and Safety Event Log to monitor and analyze trends in hazards, occurrences, incidents, and accidents; and</li> <li>○ Maintains and distributes minutes of committee meetings.</li> </ul> </li> <li>• Advises the Accountable Executive on SMS progress and status.</li> <li>• Identifies any substandard performance in LAVTA's SMS and develops action plans for approval by the Accountable Executive.</li> <li>• Ensures LAVTA policies are consistent with LAVTA’s safety objectives.</li> <li>• Provides Safety Risk Management (SRM) expertise and support for other LAVTA personnel who conduct and oversee Safety Assurance activities.</li> </ul>

<p style="text-align: center;"><b>Agency Executive Leadership and Contractor Management Staff</b></p>	<p>LAVTA Executive Leadership and Contractor Management Staff also have authorities and responsibilities for day-to-day SMS implementation and operation of LAVTA’s SMS under this plan. LAVTA Executive Leadership and Contractor Management Staff include:</p> <ul style="list-style-type: none"> <li>• Director of Planning and Marketing (LAVTA),</li> <li>• Director of Finance, Human Resources and Procurement (LAVTA),</li> <li>• Operations/Safety/Maintenance managers and supervisors (contractor)</li> </ul> <p>LAVTA Executive Leadership and Contractor Management personnel have the following authorities, accountabilities, and responsibilities:</p> <ul style="list-style-type: none"> <li>• Participate as members of LAVTA’s Safety Committee (operations and maintenance staff will be rotated through the Safety Committee while other positions are permanent members).</li> <li>• Complete training on SMS and LAVTA’s PTASP elements.</li> <li>• Oversee day-to-day operations of the SMS in their departments.</li> <li>• Modify policies in their departments consistent with implementation of the SMS, as necessary.</li> <li>• Provide subject matter expertise to support implementation of the SMS as requested by the Accountable Executive or the Chief Safety Officer, including SRM activities, investigation of safety events, development of safety risk mitigations, and monitoring of mitigation effectiveness.</li> </ul>
<p style="text-align: center;"><b>Key Staff and Activities</b></p>	<p>LAVTA uses the Safety Committee, as well as the monthly Drivers’ Meeting and monthly All-Staff Meeting, to support its SMS and safety programs, which includes active participation and compliance from contractors:</p> <ul style="list-style-type: none"> <li>• <b>Safety Committee (LAVTA/contractor):</b> Any safety hazards reported will be jointly evaluated by the Safety Committee and the Chief Safety Officer during the bimonthly meeting. The Safety Committee members include the Chief Safety Officer (Director of Operations), Paratransit Planner, and contractor staff (General Manager, Safety Manager, Road Supervisor, Operator, and Mechanic), who will meet to review issues and make recommendations to improve safety.</li> <li>• <b>Drivers’ Meetings (contractor):</b> A permanent agenda item in all monthly Drivers’ Meetings is dedicated to safety. Safety issues are discussed and documented, and shared with the Safety Committee.</li> <li>• <b>Monthly All-Staff Meetings (LAVTA):</b> Hazard reports and mitigations will be shared, safety topics will be brought up for open discussion, further feedback solicited, and hazard self-reporting further encouraged. Information discussed in these meetings will be documented.</li> </ul>

<p><b>Contracted Staff Responsibilities</b></p>	<p>Contractors, at a minimum, are required to provide an equivalent level of safety reporting program standards and objectives as outlined in this policy and also implement a process to allow employees to report safety conditions and concerns to management. They may also have their own enhanced safety protocols for risk mitigation beyond what is required from LAVTA. LAVTA provides regularly scheduled oversight of the contractor’s SMS through the described <i>Key Staff and Activities</i> above.</p>
<p><b>Employee Safety Reporting Program</b>  <i>(These are the processes and protections for employees (including contract) to report safety conditions to management)</i></p>	
<p>Our front-line employees are our best source of information for identifying hazards. Nobody knows more about the actual safety performance of the transit system than the employees who deliver the service.</p> <p>The Employee Safety Reporting Program (ESRP) is intended to help the Accountable Executive and other senior managers get important safety information from across the transit agency. It can be an agency's most important source of safety data.</p> <p>There are two types of safety reporting programs: mandatory and voluntary.</p> <ul style="list-style-type: none"> <li>• <b>Mandatory:</b> Employees must report hazards that are compliance-based and address regulatory issues. Employees are required to immediately report every incident and accident. An employee's failure to report or provide truthful information of an unsafe hazard or act could result in disciplinary action.</li> <li>• <b>Voluntary:</b> Employees are strongly encouraged to report hazards and can report anonymously. Every employee is empowered to report any unsafe hazard / risk to their supervisor or senior management without fear of retribution or penalty.</li> </ul> <p>Employees will have the option to report anonymously to maintain confidentiality. The ESRP is non-punitive and employees will not be disciplined for the act of reporting the Hazard or Near Miss. However, employees must report hazards that are compliance-based and address regulatory issues. Record falsification, Drug &amp; Alcohol violations, grossly negligent behavior, and failure to report accidents/incidents and serious safety hazards are examples of employee behaviors that may result in disciplinary action.</p> <p>Forms of reporting can include submitting a completed SMS Hazard/Risk Report Form (Exhibit 2) or utilizing a centrally located Safety Suggestion Box in the break room.</p> <p>The Hazard/Risk Report Form shall be completed immediately, so proactive measures can be taken as soon as possible. Depending on the perceived level of risk and severity, the report shall be submitted immediately or by the end of their shift.</p> <p>Input by employees into the ESRP can include safety concern reporting, operational system description, hazard identification, safety deficiencies, risk assessments, potential consequences of hazards, or recommended safety risk mitigations.</p> <p>Examples of reports may include the following:</p> <ul style="list-style-type: none"> <li>• Safety hazards in the operating environment (for example, county road conditions)</li> <li>• Policies and procedures that aren’t working as intended (for example, insufficient time to complete</li> </ul>	

pre-trip inspections)

- Events that senior managers might not otherwise know about (for example, near misses)
- Information about why a safety event occurred (for example, radio communication challenges contributed to an incident)

The information we receive through this source will help us resolve the reported hazard and notify the supervisor or senior management of changes that may need to be made to mitigate safety hazards in the future.

The Chief Safety Officer will lead the effort on collection, analysis, resolution, and monitoring of hazards and feedback entered through the ESRP. Safety reports collected by the contractor will be addressed in a timely matter, according to their severity, and shared with the Chief Safety Officer/Director of Operations in regularly scheduled meetings and as needed. The Chief Safety Officer will take the lead on the Safety Risk Management process, with inputs from subject-matter experts in operations and maintenance.

## 5. Safety Risk Management

### **Safety Risk Management (SRM) Process**

*(These are the methods/processes of identifying hazards and their consequences, associated safety risks, and mitigations/strategies to address these things once they've been assessed)*

LAVTA uses the SRM process as a primary method to ensure the safety of our operations, passengers, employees, vehicles, and facilities. It is a process whereby hazards and their consequences are identified, assessed for potential safety risk, and resolved in a manner acceptable to LAVTA's leadership. LAVTA's SRM process allows us to carefully examine what could cause harm and determine whether we have taken sufficient precautions to minimize the harm, or if further mitigations are necessary. Our fixed route contractor's SRM process is documented in Exhibit 3. Our paratransit contractor's SRM process is documented in Exhibit 4.

LAVTA's Chief Safety Officer leads LAVTA's SRM process, working with LAVTA's Safety Committee (includes contractors; through regularly scheduled meetings listed in Section 4) to identify hazards and consequences, assess safety risk of potential consequences, and mitigate safety risk. The results of LAVTA's SRM process will be documented in our Safety Risk Register and referenced materials.

LAVTA's SRM process applies to all elements of our system including our operations, maintenance, facilities, vehicles, personnel recruitment, training, and supervision.

In carrying out the SRM process, LAVTA uses the following terms:

- **Event** – Any accident, incident, or occurrence.
- **Hazard** – Any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure belonging to LAVTA; or damage to the environment.
- **Risk** – Composite of predicted severity and likelihood of the potential effect of a hazard.
- **Risk Mitigation** – Method(s) to eliminate or reduce the effects of hazards.
- **Consequence** – An effect of a hazard involving injury, illness, death, or damage to LAVTA property or the environment.

### **Safety Hazard Identification**

The safety hazard identification process offers LAVTA and its contractors the ability to identify hazards and potential consequences in the operation and maintenance of our system. Hazards can be identified through a variety of sources, including:

- ESRP;
- Review of vehicle camera footage;
- Review of monthly performance data and safety performance targets;

- Observations from supervisors (contractor);
- Maintenance reports (contractor);
- Comments from customers, passengers, and third parties, including LAVTA's transit insurance pool and vendors;
- Safety Committee, Drivers', and All-Staff Meetings (LAVTA/contractor);
- Results of audits and inspections of vehicles and facilities;
- Results of training assessments;
- Investigations into safety events, incidents, and occurrences; and
- Federal Transit Administration (FTA) and other oversight authorities (mandatory information source).

When a safety concern is observed by LAVTA's management or supervisory personnel or contractor management staff, whatever the source, it is reported to LAVTA's Chief Safety Officer. Procedures for reporting hazards to LAVTA's Chief Safety Officer are reviewed during All-Staff Meetings and in the Safety Committee meetings. LAVTA's Chief Safety Officer also receives employee reports from the ESRP, customer comments related to safety, and the dispatch daily Operations Log. LAVTA's Chief Safety Officer reviews these sources for hazards and documents them in LAVTA's Safety Risk Register.

LAVTA's Chief Safety Officer also may enter hazards into the Safety Risk Register based on their review of LAVTA's operations and maintenance, the results of audits and observations, and information received from FTA and other oversight authorities, as well as the National Transportation Safety Board.

LAVTA's Chief Safety Officer may conduct further analyses of hazards and consequences entered into the Safety Risk Register to collect information and identify additional consequences and to inform which hazards should be prioritized for safety risk assessment. In following up on identified hazards, LAVTA's Chief Safety Officer may:

- Reach out to the reporting party, if available, to gather all known information about the reported hazard;
- Conduct a walkthrough of the affected area, assessing the possible hazardous condition, generating visual documentation (photographs and/or video), and taking any measurements deemed necessary;
- Conduct interviews with employees in the area to gather potentially relevant information on the reported hazard;
- Review any documentation associated with the hazard (records, reports, procedures, inspections, technical documents, etc.);
- Contact other departments that may have association with or technical knowledge relevant to the reported hazard;
- Review any past reported hazards of a similar nature; and
- Evaluate tasks and/or processes associated with the reported hazard.

LAVTA's Chief Safety Officer will then prepare an agenda to discuss identified hazards and consequences with the Safety Committee during bimonthly meetings. This agenda may include additional background on the hazards and consequences, such as the results of trend analyses, vehicle camera footage, vendor documentation, reports and observations, or information supplied by FTA or other oversight authorities.

Any identified hazard that poses a real and immediate threat to life, property, or the environment must immediately be brought to the attention of the Accountable Executive and addressed through the SRM

process (with or without the full Safety Committee) for safety risk assessment and mitigation. This means that the Chief Safety Officer believes immediate intervention is necessary to preserve life, prevent major property destruction, or avoid harm to the environment that would constitute a violation of Environmental Protection Agency or California environmental protection standards. Otherwise, the Safety Committee will prioritize hazards for further SRM activity.

### **Safety Risk Assessment**

LAVTA assesses safety risk associated with identified safety hazards using its safety risk assessment process. This includes an assessment of the likelihood and severity of the consequences of hazards, including existing mitigations, and prioritizing hazards based on safety risk.

The Chief Safety Officer and Safety Committee (LAVTA/contractor) assess prioritized hazards using LAVTA's Safety Risk Matrix (Exhibit 5) and review the assessments and mitigation in the bimonthly meetings. This matrix expresses assessed risk as a combination of one severity category and one likelihood level, also referred to as a *hazard rating*. For example, a risk may be assessed as "1A" or the combination of a Catastrophic (1) severity category and a Frequent (A) probability level.

This matrix also categorizes combined risks into levels, High, Medium, or Low, based on the likelihood of occurrence and severity of the outcome. For purposes of accepting risk:

- "High" hazard ratings will be considered unacceptable and require action from LAVTA to mitigate the safety risk,
- "Medium" hazard ratings will be considered undesirable and require LAVTA's Safety Committee to make a decision regarding their acceptability, and
- "Low" hazard ratings may be accepted by the Chief Safety Officer without additional review.

Using a categorization of High, Medium, or Low allows for hazards to be prioritized for mitigation based on their associated safety risk.

The Chief Safety Officer schedules safety risk assessment activities on the Safety Committee agenda and prepares a Safety Risk Assessment Package. This package is distributed at least one week in advance of the Safety Committee meeting. During the meeting, the Chief Safety Officer reviews the hazard and its consequence(s) and reviews available information distributed in the Safety Risk Assessment Package on severity and likelihood. The Chief Safety Officer may request support from members of the Safety Committee in obtaining additional information to support the safety risk assessment.

Once sufficient information has been obtained, the Chief Safety Officer will facilitate completion of relevant sections of the Safety Risk Register, using the LAVTA Safety Risk Assessment Matrix, with the Safety Committee. The Chief Safety Officer will document the Safety Committee's safety risk assessment, including hazard rating and mitigation options for each assessed safety hazard in the Safety Risk Register. The Chief Safety Officer will maintain on file Safety Committee agendas, Safety Risk Assessment Packages, additional information collection, and completed Safety Risk Register sections for a period of three years from the date of generation.

### **Safety Risk Mitigation**

LAVTA's Accountable Executive and Chief Safety Officer review current methods of safety risk mitigation and establish methods or procedures to mitigate or eliminate safety risk associated with specific hazards based on recommendations from the Safety Committee (after contractors have gone through their SRM processes documented in Exhibits 3 and 4). LAVTA can reduce safety risk by reducing the likelihood



and/or severity of potential consequences of hazards.

Prioritization of safety risk mitigations is based on the results of safety risk assessments. LAVTA's Chief Safety Officer tracks and updates safety risk mitigation information in the Safety Risk Register and makes the Register available to the Safety Committee and LAVTA staff upon request.

In the Safety Risk Register, LAVTA's Chief Safety Officer will also document any specific measures or activities, such as reviews, observations, or audits, that will be conducted to monitor the effectiveness of mitigations once implemented.

## 6. Safety Assurance

Through our Safety Assurance process, LAVTA and contractors:

- Evaluate our compliance with operations and maintenance procedures to determine whether our existing rules and procedures are sufficient to control our safety risk;
- Assess the effectiveness of safety risk mitigations to make sure the mitigations are appropriate and are implemented as intended;
- Investigate safety events to identify causal factors; and
- Analyze information from safety reporting, including data about safety failures, defects, or conditions.

### **Safety Performance Monitoring and Measurement**

*(Activities used to monitor the system for compliance with procedures for operations and maintenance)*

LAVTA has many processes in place to monitor its entire transit system (including contractors) for compliance with operations and maintenance procedures on a quarterly and annual basis and as needed, including:

- Safety audits,
- Informal inspections,
- Regular review of onboard camera footage to assess drivers and specific incidents,
- Safety surveys,
- ESRP,
- Investigation of safety occurrences,
- Safety review prior to the launch or modification of any facet of service,
- Daily data gathering and monitoring of data related to the delivery of service, and
- Regular vehicle inspections and preventative maintenance.

These activities are mirrored by the contractors and outlined in Exhibits 3 and 4. Results from the above processes from both contractors and internal staff are compared against recent performance trends quarterly and annually by the Chief Safety Officer to determine where action needs to be taken. The Chief Safety Officer enters any identified non-compliant or ineffective activities, including mitigations, back into the SRM process for reevaluation by the Safety Committee (LAVTA/contractor).

*(Activities used to monitor operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended).*

LAVTA monitors safety risk mitigations to determine if they have been implemented and are effective, appropriate, and working as intended. Contractors will monitor these (per Exhibits 3 and 4) and report back to LAVTA and the Safety Committee (LAVTA/contractor). The Chief Safety Officer maintains a list of safety risk mitigations in the Safety Risk Register. The mechanism for monitoring safety risk mitigations varies depending on the mitigation.

The Chief Safety Officer establishes one or more mechanisms for monitoring safety risk mitigations as part of the mitigation implementation process and assigns monitoring activities to the appropriate director,

manager, or supervisor. These monitoring mechanisms may include tracking a specific metric on daily, weekly, or monthly logs or reports; conducting job performance observations; or other activities. The Chief Safety Officer will endeavor to make use of existing LAVTA processes and activities before assigning new information collection activities.

LAVTA's Chief Safety Officer and Safety Committee (LAVTA/contractor) review the performance of individual safety risk mitigations during bimonthly Safety Committee meetings, based on the reporting schedule determined for each mitigation, and determine if a specific safety risk mitigation is not implemented or performing as intended. If the mitigation is not implemented or performing as intended, the Safety Committee will propose a course of action to modify the mitigation or take other action to manage the safety risk. Additionally, the system itself is being evaluated to ensure its effectiveness. The Chief Safety Officer will approve or modify this proposed course of action and oversee its execution.

LAVTA's Chief Safety Officer and Safety Committee also monitor LAVTA's operations on a large scale to identify mitigations that may be ineffective, inappropriate, or not implemented as intended by:

- Reviewing results from accident, incident, and occurrence investigations;
- Monitoring employee safety reporting;
- Reviewing results of internal safety audits and inspections; and
- Analyzing operational and safety data to identify emerging safety concerns.

The Chief Safety Officer works with the Safety Committee and Accountable Executive to carry out and document all monitoring activities.

*(Activities used to conduct investigations of safety events to identify causal and latent factors).*

LAVTA maintains documented procedures for conducting safety investigations of events (accidents, incidents, and occurrences, as defined by FTA) to find causal and contributing factors and review the existing mitigations in place at the time of the event (see Safety Event Investigation Procedures Manual, Exhibit 6). These procedures also reflect all traffic safety reporting and investigation requirements established by California Department of Motor Vehicles.

The Chief Safety Officer maintains all documentation of LAVTA's and the contractors' investigation policies, processes, forms, checklists, activities, and results. Investigation reports are prepared and shared with the Safety Committee (LAVTA/contractor) for integration into their analysis of the event.

The Safety Committee determines whether:

- The accident was preventable or non-preventable;
- Personnel require discipline or retraining;
- Latent factor(s) (beyond human factors such as errors, violations, the condition of an individual, or lack of communication or coordination between individuals, equipment and infrastructure failures in vehicles or technological components, organizational or environmental elements, or elements outside of the agency's control) contributed to the safety event;
- The causal factor(s) indicate(s) that a safety hazard contributed to or was present during the event;
- There are larger factors outside the control of the agency; and
- The accident appears to involve underlying organizational causal factors beyond just individual employee behavior, such as management elements, and agency/contractor policies and procedures.

*(Activities used to monitor information reported through internal safety reporting programs).*

The Chief Safety Officer and Safety Committee (LAVTA/contractor) routinely (bimonthly meetings) review safety data captured in employee safety reports, safety meeting minutes, customer complaints, and other safety communication channels. When necessary, the Chief Safety Officer and Safety Committee ensure that the concerns are investigated or analyzed through LAVTA's SRM process.

The Chief Safety Officer and Safety Committee also review internal and external reviews, including audits and assessments, with findings concerning LAVTA's safety performance, compliance with operations and maintenance procedures, or the effectiveness of safety risk mitigations.

## 7. Safety Promotion

### Competencies and Training

*(The safety training program is relayed and promoted to all agency employees and contractors directly responsible for safety)*

LAVTA's comprehensive safety training program applies to all LAVTA employees and contractors directly responsible for safety, including:

- Bus vehicle operators,
- Dispatchers,
- Maintenance technicians,
- Managers and supervisors,
- Agency Leadership and Executive Management, and
- Chief Safety Officer and Accountable Executive.

LAVTA dedicates resources to conduct a comprehensive safety training program, as well as training on SMS roles and responsibilities. The scope of the safety training, including annual refresher training, is appropriate to each employee's individual safety-related job responsibilities and their role in the SMS. Contractors are required to conduct trainings and report status updates to LAVTA's Chief Safety Officer.

Basic training requirements for any employee or contractor operating LAVTA services, including frequencies and refresher training, are documented in the LAVTA Employee Handbook (Exhibit 7), MV Employee Handbook (Exhibit 8), Operator Requirements and Training Program (Exhibit 9) and/or Maintenance Safety Handbook (Exhibit 10).

Operations safety-related skill training (contractor) includes the following:

- New-hire bus vehicle operator classroom and hands-on skill training,
- Bus vehicle operator refresher training,
- Bus vehicle operator retraining (recertification or return to work),
- Classroom and on-the-job training for dispatchers,
- Classroom and on-the-job training for operations supervisors and managers, and
- Accident investigation training for operations supervisors and managers.

Vehicle maintenance safety-related skill training (contractor) includes the following:

- Ongoing vehicle maintenance technician skill training,
- Ongoing skill training for vehicle maintenance supervisors,
- Accident investigation training for vehicle maintenance supervisors,
- Ongoing hazardous material training for vehicle maintenance technicians and supervisors, and
- Training provided by vendors.

LAVTA's Accountable Executive and Agency Leadership and Contractor Management staff must complete FTA's SMS Awareness online training and an executive session on safety management sponsored by LAVTA's transit insurance pool.

## Safety Communication

*(The processes and activities by which safety and safety performance information is communicated throughout the organization and to contractors)*

LAVTA's Chief Safety Officer and Director of Finance (providing the human resources function) coordinate LAVTA's safety communication activities for the SMS. Contractors will, at a minimum, mirror LAVTA's frequency with which safety updates and performance information is communicated to employees and/or as required contractually at monthly meetings and report back to the Chief Safety Officer. LAVTA may also inquire and poll employee and contractor staff to ensure their awareness of the latest safety information shared. These activities focus on the three categories of communication activity established in 49 CFR Part 673:

- **Communicating safety and safety performance information throughout the agency:** LAVTA communicates information on safety and safety performance during monthly All-Staff Meetings. LAVTA also has a permanent agenda item in all monthly Drivers' Meetings (contractor) dedicated to safety. Information typically conveyed during these meetings includes safety performance statistics, lessons learned from recent occurrences, upcoming events that may impact LAVTA's service or safety performance, and updates regarding SMS implementation. LAVTA also requests information from drivers during these meetings, which is recorded in meeting minutes. Finally, LAVTA's Director of Finance, who oversees human resources, posts safety bulletins and flyers on the bulletin boards located in all bus operator and maintenance technician break rooms (contractor areas), advertising safety messages and promoting awareness of safety issues.
- **Communicating information on hazards and safety risks relevant to employees' roles and responsibilities throughout the agency:** As part of new-hire training, LAVTA distributes safety policies and procedures, included in the LAVTA Employee Handbook, to all employees. LAVTA and contractors provide training on these policies and procedures and discuss them during safety talks between supervisors and bus operators and vehicle technicians. Contractors will also communicate their own safety information and trainings as outlined in Exhibits 3, 4, 8, and 9 to staff. For newly emerging issues or safety events at the agency, LAVTA's Chief Safety Officer issues bulletins or messages to employees that are reinforced by supervisors in one-on-one or group discussions with employees. Contractors communicate this information to their employees, log, and report back to the Safety Committee (LAVTA/contractor).
- **Informing employees of safety actions taken in response to reports submitted through the ESRP:** LAVTA provides targeted communications to inform employees of safety actions taken in response to reports submitted through the ESRP, including handouts and flyers, safety talks, updates to bulletin boards, and one-on-one discussions between employees and supervisors. This information is also relayed to contractors so they can pass it on to their staff.

## 8. Additional Information

### **Supporting Documentation**

*(Used to implement and carry out the PTASP that are not included elsewhere in this document)*

LAVTA will maintain documentation related to the implementation of its SMS; the programs, policies, and procedures used to carry out this PTASP; and the results from its SMS processes and activities for three years after creation. Please also see accompanying Exhibits. They will be available to the FTA or other Federal or oversight entity upon request.

## 9. Definitions of Terms Used in the Safety Plan

LAVTA incorporates all of FTA's definitions that are in 49 CFR § 673.5 of the Public Transportation Agency Safety Plan regulation.

- **Accident** means an Event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.
- **Accountable Executive** means a single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the agency's Transit Asset Management Plan, in accordance with 49 U.S.C. 5326.
- **Equivalent Authority** means an entity that carries out duties similar to that of a Board of Directors for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient's Public Transportation Agency Safety Plan.
- **Event** means any Accident, Incident, or Occurrence.
- **Hazard** means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.
- **Incident** means an event that involves any of the following: a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transitagency.
- **Investigation** means the process of determining the causal and contributing factors of an accident, incident, or hazard, for the purpose of preventing recurrence and mitigatingrisk.
- **National Public Transportation Safety Plan** means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.
- **Occurrence** means an Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transitagency.
- **Operator** of a public transportation system means a provider of public transportation as defined under 49 U.S.C. 5302.
- **Performance measure** means an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.
- **Performance target** means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by



the FTA.

- **Public Transportation Agency Safety Plan** means the documented comprehensive Agency Safety Plan for a transit agency that is required by 49 U.S.C. 5329 and Part 673.
- **Risk** means the composite of predicted severity and likelihood of the potential effect of a hazard.
- **Risk mitigation** means a method or methods to eliminate or reduce the effects of hazards.
- **Safety Assurance** means processes within a transit agency's Safety Management System that function to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.
- **Safety Management Policy** means a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its employees in regard to safety.
- **Safety Management System** means the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.
- **Safety performance target** means a performance target related to safety management activities.
- **Safety Promotion** means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.
- **Safety risk assessment** means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.
- **Safety Risk Management** means a process within a transit agency's Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.
- **Serious injury** means any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date when the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or noses); (3) Causes severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves any internal organ; or (5) Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.
- **Transit agency** means an operator of a public transportation system.
- **Transit Asset Management Plan** means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost-effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR Part 625.

## 10. Commonly Used Acronyms

<b>Acronym</b>	<b>Word or Phase</b>
<b>ADA</b>	<b>American's with Disabilities Act of 1990</b>
<b>PTASP</b>	<b>Public Transportation Agency Safety Plan (Part 673)</b>
<b>CFR</b>	<b>Code of Federal Regulations</b>
<b>ESRP</b>	<b>Employee Safety Reporting Program</b>
<b>FTA</b>	<b>Federal Transit Administration</b>
<b>LAVTA</b>	<b>Livermore Amador Valley Transit Authority</b>
<b>MPO</b>	<b>Metropolitan Planning Organization</b>
<b>Part 673</b>	<b>49 CFR Part 673 (Public Transportation Agency Safety Plan)</b>
<b>SMS</b>	<b>Safety Management System</b>
<b>SRM</b>	<b>Safety Risk Management</b>
<b>U.S.C.</b>	<b>United States Code</b>
<b>VRM</b>	<b>Vehicle Revenue Miles</b>

## 11. Commonly Used Acronyms

I acknowledge that I have received a copy of LAVTA's Safety Management Policy and that LAVTA's Public Transportation Agency Safety Plan and its purpose, benefits, procedures, and details of the Employee Safety Reporting Program (ESRP) have been relayed to me. I understand and agree that it is my responsibility to read and familiarize myself with the content contained in the Agency Safety Plan, and that any and all policies or practices can be changed at any time by LAVTA.

I understand that I may report hazards and safety concerns anonymously to maintain confidentiality, and that the ESRP is non-punitive and I will not be disciplined for the act of reporting a Hazard or Near Miss, unless such disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures.

Employee's Signature \_\_\_\_\_

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# Livermore Amador Valley **TRANSIT AUTHORITY**



## Safety Management System (SMS) Plan

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## 1. Safety Management Policy

**Safety is a core value at LAVTA, and managing safety is a core business function. We will develop, implement, maintain, and continuously improve processes to ensure the safety of our customers, employees, and the public.**

### **Responsibility/Accountability:**

LAVTA's Safety Management Policy applies to employees (including contracted) and to every aspect of LAVTA's activities. A positive safety culture includes ownership by all employees to identify and correct any deficiencies at all levels.

### **LAVTA is committed to the following safety objectives:**

- Communicating the purpose and benefits of the Safety Management System (SMS) to all staff, managers, supervisors, employees, and service contractors.
- Providing a culture of open reporting of all safety concerns, ensuring that no action will be taken against any employee who discloses a safety concern through LAVTA's Employee Safety Reporting Program (ESRP), unless such disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures.
- Providing appropriate management involvement and the necessary resources to establish an effective ESRP that will encourage employees to communicate and report any unsafe work conditions, hazards, or at-risk behavior to the management team.
- Identifying hazardous and unsafe work conditions and analyzing data from the ESRP. (After thoroughly analyzing provided data, the transit operations division will develop processes and procedures to mitigate safety risk to an acceptable level.)
- Establishing safety performance targets that are realistic, measurable, and data driven. Continually improving our safety performance through management processes that ensure appropriate safety management action is taken and is effective.

Working proactively towards identifying and reducing the existence of hazards and risks in the workplace and our system, LAVTA implemented a Safety Management System (SMS) to prevent accidents, reduce risk of injury, and minimize damage to property and equipment.

As the Accountable Executive for all operations and activities, I will ensure that resources are available to ensure our SMS is robust and successful. LAVTA executives, employees, and contractors will take steps to prevent workplace incidents and injuries, provide support of safety initiatives, and encourage employee communication in order to achieve a safer, healthier workplace. I hold executives, employees, and contractors accountable for safety performance.

The SMS is managed under my authority by the Chief Safety Officer who reports directly to me. All levels of management and employees are accountable for the delivery of the highest level of safety performance, starting with the Executive Director/CEO.



Michael Tree, LAVTA Executive Director and Accountable Executive

<p><b>Safety Management Policy Communication</b>  <i>(How the safety management policy is communicated throughout LAVTA and to contractors)</i></p>	
<p>The Chief Safety Officer, who leads LAVTA’s SMS activities, introduced staff to SMS principles in December 2020. The Safety Management Policy Statement was distributed to employees and contractor staff as well as posted on bulletin boards at headquarters and in the operations and maintenance break areas of the operating division (on-site contractor areas). LAVTA has incorporated review and distribution of the Safety Management Policy into new-hire and all-staff annual refresher trainings, and Safety Committee meetings with internal and contractor staff.</p>	
<p><b>Authorities, Accountabilities, and Responsibilities</b>  <i>(For the development and management of the SMS)</i></p>	
<p><b>Accountable Executive</b></p>	<p>The Executive Director serves as LAVTA’s Accountable Executive with the following authorities, accountabilities, and responsibilities under this plan:</p> <ul style="list-style-type: none"> <li>• Controls and directs human and capital resources needed to develop and maintain the PTASP and SMS.</li> <li>• Designates an adequately trained Chief Safety Officer who is a direct report.</li> <li>• Ensures that LAVTA's SMS is effectively implemented.</li> <li>• Ensures action is taken to address substandard performance in LAVTA’s SMS.</li> <li>• Assumes ultimate responsibility for carrying out LAVTA's PTASP and SMS.</li> <li>• Maintains responsibility for carrying out the agency's Transit Asset Management Plan.</li> </ul>
<p><b>Chief Safety Officer or SMS Executive</b></p>	<p>The Accountable Executive designates the Director of Operations and Innovation as LAVTA’s Chief Safety Officer. The Chief Safety Officer has the following authorities, accountabilities, and responsibilities under this plan:</p> <ul style="list-style-type: none"> <li>• Develops LAVTA’s PTASP and SMS policies and procedures.</li> <li>• Ensures and oversees day-to-day implementation and operation of LAVTA's SMS for both agency and contractors.</li> <li>• Manages LAVTA’s ESRP.</li> <li>• Chairs the LAVTA Safety Committee and <ul style="list-style-type: none"> <li>○ Coordinates the activities of the committee;</li> <li>○ Establishes and maintains LAVTA’s Safety Risk Register and Safety Event Log to monitor and analyze trends in hazards, occurrences, incidents, and accidents; and</li> <li>○ Maintains and distributes minutes of committee meetings.</li> </ul> </li> <li>• Advises the Accountable Executive on SMS progress and status.</li> <li>• Identifies any substandard performance in LAVTA's SMS and develops action plans for approval by the Accountable Executive.</li> <li>• Ensures LAVTA policies are consistent with LAVTA’s safety objectives.</li> <li>• Provides Safety Risk Management (SRM) expertise and support for other LAVTA personnel who conduct and oversee Safety Assurance activities.</li> </ul>



<p style="text-align: center;"><b>Agency Executive Leadership and Contractor Management Staff</b></p>	<p>LAVTA Executive Leadership and Contractor Management Staff also have authorities and responsibilities for day-to-day SMS implementation and operation of LAVTA’s SMS under this plan. LAVTA Executive Leadership and Contractor Management Staff include:</p> <ul style="list-style-type: none"> <li>• Director of Planning and Marketing (LAVTA),</li> <li>• Director of Finance, Human Resources and Procurement (LAVTA),</li> <li>• Operations/Safety/Maintenance managers and supervisors (contractor)</li> </ul> <p>LAVTA Executive Leadership and Contractor Management personnel have the following authorities, accountabilities, and responsibilities:</p> <ul style="list-style-type: none"> <li>• Participate as members of LAVTA’s Safety Committee (operations and maintenance staff will be rotated through the Safety Committee while other positions are permanent members).</li> <li>• Complete training on SMS and LAVTA’s PTASP elements.</li> <li>• Oversee day-to-day operations of the SMS in their departments.</li> <li>• Modify policies in their departments consistent with implementation of the SMS, as necessary.</li> <li>• Provide subject matter expertise to support implementation of the SMS as requested by the Accountable Executive or the Chief Safety Officer, including SRM activities, investigation of safety events, development of safety risk mitigations, and monitoring of mitigation effectiveness.</li> </ul>
<p style="text-align: center;"><b>Key Staff and Activities</b></p>	<p>LAVTA uses the Safety Committee, as well as the monthly Drivers’ Meeting and quarterly All-Staff Meeting, to support its SMS and safety programs, which includes active participation and compliance from contractors:</p> <ul style="list-style-type: none"> <li>• <b>Safety Committee (LAVTA/contractor):</b> Any safety hazards reported will be jointly evaluated by the Safety Committee and the Chief Safety Officer during the bimonthly meeting. The Safety Committee members include the Chief Safety Officer (Director of Operations), Paratransit Planner, and contractor staff (General Manager, Safety Manager, Road Supervisor, Operator, and Mechanic), who will meet to review issues and make recommendations to improve safety.</li> <li>• <b>Drivers’ Meetings (contractor):</b> A permanent agenda item in all monthly Drivers’ Meetings is dedicated to safety. Safety issues are discussed and documented, and shared with the Safety Committee.</li> <li>• <b>Quarterly All-Staff Meetings (LAVTA):</b> Hazard reports and mitigations will be shared, safety topics will be brought up for open discussion, further feedback solicited, and hazard self-reporting further encouraged. Information discussed in these meetings will be documented.</li> </ul>

<p><b>Contracted Staff Responsibilities</b></p>	<p>Contractors, at a minimum, are required to provide an equivalent level of safety reporting program standards and objectives as outlined in this policy and also implement a process to allow employees to report safety conditions and concerns to management. They may also have their own enhanced safety protocols for risk mitigation beyond what is required from LAVTA. LAVTA provides regularly scheduled oversight of the contractor’s SMS through the described <i>Key Staff and Activities</i> above.</p>
<p><b>Employee Safety Reporting Program</b>  <i>(These are the processes and protections for employees (including contract) to report safety conditions to management)</i></p>	
<p>Our front-line employees are our best source of information for identifying hazards. Nobody knows more about the actual safety performance of the transit system than the employees who deliver the service.</p> <p>The Employee Safety Reporting Program (ESRP) is intended to help the Accountable Executive and other senior managers get important safety information from across the transit agency. It can be an agency's most important source of safety data.</p> <p>There are two types of safety reporting programs: mandatory and voluntary.</p> <ul style="list-style-type: none"> <li>• <b>Mandatory:</b> Employees must report hazards that are compliance-based and address regulatory issues. Employees are required to immediately report every incident and accident. An employee's failure to report or provide truthful information of an unsafe hazard or act could result in disciplinary action.</li> <li>• <b>Voluntary:</b> Employees are strongly encouraged to report hazards and can report anonymously. Every employee is empowered to report any unsafe hazard / risk to their supervisor or senior management without fear of retribution or penalty.</li> </ul> <p>Employees will have the option to report anonymously to maintain confidentiality. The ESRP is non-punitive and employees will not be disciplined for the act of reporting the Hazard or Near Miss. However, employees must report hazards that are compliance-based and address regulatory issues. Record falsification, Drug &amp; Alcohol violations, grossly negligent behavior, and failure to report accidents/incidents and serious safety hazards are examples of employee behaviors that may result in disciplinary action.</p> <p>Forms of reporting can include submitting a completed SMS Hazard/Risk Report Form (Exhibit 1) or utilizing a centrally located Safety Suggestion Box in the driver’s break room.</p> <p>The Hazard/Risk Report Form shall be completed immediately, so proactive measures can be taken as soon as possible. Depending on the perceived level of risk and severity, the report shall be submitted immediately or by the end of their shift.</p> <p>Input by employees into the ESRP can include safety concern reporting, operational system description, hazard identification, safety deficiencies, risk assessments, potential consequences of hazards, or recommended safety risk mitigations.</p> <p>Examples of reports may include the following:</p> <ul style="list-style-type: none"> <li>• Safety hazards in the operating environment (for example, county road conditions)</li> <li>• Policies and procedures that aren’t working as intended (for example, insufficient time to complete</li> </ul>	

pre-trip inspections)

- Events that senior managers might not otherwise know about (for example, near misses)
- Information about why a safety event occurred (for example, radio communication challenges contributed to an incident)

The information we receive through this source will help us resolve the reported hazard and notify the supervisor or senior management of changes that may need to be made to mitigate safety hazards in the future.

The Chief Safety Officer will lead the effort on collection, analysis, resolution, and monitoring of hazards and feedback entered through the ESRP. Safety reports collected by the contractor will be addressed in a timely matter, according to their severity, and shared with the Chief Safety Officer/Director of Operations in regularly scheduled meetings and as needed. The Chief Safety Officer will take the lead on the Safety Risk Management process, with inputs from subject-matter experts in operations and maintenance.

## 2. Safety Risk Management

### **Safety Risk Management (SRM) Process**

*(These are the methods/processes of identifying hazards and their consequences, associated safety risks, and mitigations/strategies to address these things once they've been assessed)*

LAVTA uses the SRM process as a primary method to ensure the safety of our operations, passengers, employees, vehicles, and facilities. It is a process whereby hazards and their consequences are identified, assessed for potential safety risk, and resolved in a manner acceptable to LAVTA's leadership. LAVTA's SRM process allows us to carefully examine what could cause harm and determine whether we have taken sufficient precautions to minimize the harm, or if further mitigations are necessary. Our fixed route contractor's SRM process is documented in Exhibit 2. Our paratransit contractor's SRM process is documented in Exhibit 3.

LAVTA's Chief Safety Officer leads LAVTA's SRM process, working with LAVTA's Safety Committee (includes contractors; through regularly scheduled meetings listed in Section 4) to identify hazards and consequences, assess safety risk of potential consequences, and mitigate safety risk. The results of LAVTA's SRM process will be documented in our Safety Risk Register and referenced materials.

LAVTA's SRM process applies to all elements of our system including our operations, maintenance, facilities, vehicles, personnel recruitment, training, and supervision.

In carrying out the SRM process, LAVTA uses the following terms:

- **Event** – Any accident, incident, or occurrence.
- **Hazard** – Any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure belonging to LAVTA; or damage to the environment.
- **Risk** – Composite of predicted severity and likelihood of the potential effect of a hazard.
- **Risk Mitigation** – Method(s) to eliminate or reduce the effects of hazards.
- **Consequence** – An effect of a hazard involving injury, illness, death, or damage to LAVTA property or the environment.

### **Safety Hazard Identification**

The safety hazard identification process offers LAVTA and its contractors the ability to identify hazards and potential consequences in the operation and maintenance of our system. Hazards can be identified through a variety of sources, including:

- ESRP;
- Review of vehicle camera footage;
- Review of monthly performance data and safety performance targets;

- Observations from supervisors (contractor);
- Maintenance reports (contractor);
- Comments from customers, passengers, and third parties, including LAVTA's transit insurance pool and vendors;
- Safety Committee, Drivers', and All-Staff Meetings (LAVTA/contractor);
- Results of audits and inspections of vehicles and facilities;
- Results of training assessments;
- Investigations into safety events, incidents, and occurrences; and
- Federal Transit Administration (FTA) and other oversight authorities (mandatory information source).

When a safety concern is observed by LAVTA's management or supervisory personnel or contractor management staff, whatever the source, it is reported to LAVTA's Chief Safety Officer. Procedures for reporting hazards to LAVTA's Chief Safety Officer are reviewed during All-Staff Meetings and in the Safety Committee meetings. LAVTA's Chief Safety Officer also receives employee reports from the ESRP, customer comments related to safety, and the dispatch daily Operations Log. LAVTA's Chief Safety Officer reviews these sources for hazards and documents them in LAVTA's Safety Risk Register.

LAVTA's Chief Safety Officer also may enter hazards into the Safety Risk Register based on their review of LAVTA's operations and maintenance, the results of audits and observations, and information received from FTA and other oversight authorities, as well as the National Transportation Safety Board.

LAVTA's Chief Safety Officer may conduct further analyses of hazards and consequences entered into the Safety Risk Register to collect information and identify additional consequences and to inform which hazards should be prioritized for safety risk assessment. In following up on identified hazards, LAVTA's Chief Safety Officer may:

- Reach out to the reporting party, if available, to gather all known information about the reported hazard;
- Conduct a walkthrough of the affected area, assessing the possible hazardous condition, generating visual documentation (photographs and/or video), and taking any measurements deemed necessary;
- Conduct interviews with employees in the area to gather potentially relevant information on the reported hazard;
- Review any documentation associated with the hazard (records, reports, procedures, inspections, technical documents, etc.);
- Contact other departments that may have association with or technical knowledge relevant to the reported hazard;
- Review any past reported hazards of a similar nature; and
- Evaluate tasks and/or processes associated with the reported hazard.

LAVTA's Chief Safety Officer will then prepare an agenda to discuss identified hazards and consequences with the Safety Committee during bimonthly meetings. This agenda may include additional background on the hazards and consequences, such as the results of trend analyses, vehicle camera footage, vendor documentation, reports and observations, or information supplied by FTA or other oversight authorities.

Any identified hazard that poses a real and immediate threat to life, property, or the environment must immediately be brought to the attention of the Accountable Executive and addressed through the SRM

process (with or without the full Safety Committee) for safety risk assessment and mitigation. This means that the Chief Safety Officer believes immediate intervention is necessary to preserve life, prevent major property destruction, or avoid harm to the environment that would constitute a violation of Environmental Protection Agency or California environmental protection standards. Otherwise, the Safety Committee will prioritize hazards for further SRM activity.

### **Safety Risk Assessment**

LAVTA assesses safety risk associated with identified safety hazards using its safety risk assessment process. This includes an assessment of the likelihood and severity of the consequences of hazards, including existing mitigations, and prioritizing hazards based on safety risk.

The Chief Safety Officer and Safety Committee (LAVTA/contractor) assess prioritized hazards using LAVTA's Safety Risk Matrix (Exhibit 4) and review the assessments and mitigation in the monthly and quarterly meetings. This matrix expresses assessed risk as a combination of one severity category and one likelihood level, also referred to as a *hazard rating*. For example, a risk may be assessed as "1A" or the combination of a Catastrophic (1) severity category and a Frequent (A) probability level.

This matrix also categorizes combined risks into levels, High, Medium, or Low, based on the likelihood of occurrence and severity of the outcome. For purposes of accepting risk:

- "High" hazard ratings will be considered unacceptable and require action from LAVTA to mitigate the safety risk,
- "Medium" hazard ratings will be considered undesirable and require LAVTA's Safety Committee to make a decision regarding their acceptability, and
- "Low" hazard ratings may be accepted by the Chief Safety Officer without additional review.

Using a categorization of High, Medium, or Low allows for hazards to be prioritized for mitigation based on their associated safety risk.

The Chief Safety Officer schedules safety risk assessment activities on the Safety Committee agenda and prepares a Safety Risk Assessment Package. This package is distributed at least one week in advance of the Safety Committee meeting. During the meeting, the Chief Safety Officer reviews the hazard and its consequence(s) and reviews available information distributed in the Safety Risk Assessment Package on severity and likelihood. The Chief Safety Officer may request support from members of the Safety Committee in obtaining additional information to support the safety risk assessment.

Once sufficient information has been obtained, the Chief Safety Officer will facilitate completion of relevant sections of the Safety Risk Register, using the LAVTA Safety Risk Assessment Matrix, with the Safety Committee. The Chief Safety Officer will document the Safety Committee's safety risk assessment, including hazard rating and mitigation options for each assessed safety hazard in the Safety Risk Register. The Chief Safety Officer will maintain on file Safety Committee agendas, Safety Risk Assessment Packages, additional information collection, and completed Safety Risk Register sections for a period of three years from the date of generation.

### **Safety Risk Mitigation**

LAVTA's Accountable Executive and Chief Safety Officer review current methods of safety risk mitigation and establish methods or procedures to mitigate or eliminate safety risk associated with specific hazards based on recommendations from the Safety Committee (after contractors have gone through their SRM processes documented in Exhibits 2 and 3). LAVTA can reduce safety risk by reducing the likelihood

and/or severity of potential consequences of hazards.

Prioritization of safety risk mitigations is based on the results of safety risk assessments. LAVTA's Chief Safety Officer tracks and updates safety risk mitigation information in the Safety Risk Register and makes the Register available to the Safety Committee during bimonthly meetings and to LAVTA staff upon request.

In the Safety Risk Register, LAVTA's Chief Safety Officer will also document any specific measures or activities, such as reviews, observations, or audits, that will be conducted to monitor the effectiveness of mitigations once implemented.

### 3. Safety Assurance

Through our Safety Assurance process, LAVTA and contractors:

- Evaluate our compliance with operations and maintenance procedures to determine whether our existing rules and procedures are sufficient to control our safety risk;
- Assess the effectiveness of safety risk mitigations to make sure the mitigations are appropriate and are implemented as intended;
- Investigate safety events to identify causal factors; and
- Analyze information from safety reporting, including data about safety failures, defects, or conditions.

#### **Safety Performance Monitoring and Measurement**

*(Activities used to monitor the system for compliance with procedures for operations and maintenance)*

LAVTA has many processes in place to monitor its entire transit system (including contractors) for compliance with operations and maintenance procedures on a quarterly and annual basis and as needed, including:

- Safety audits,
- Informal inspections,
- Regular review of onboard camera footage to assess drivers and specific incidents,
- Safety surveys,
- ESRP,
- Investigation of safety occurrences,
- Safety review prior to the launch or modification of any facet of service,
- Daily data gathering and monitoring of data related to the delivery of service, and
- Regular vehicle inspections and preventative maintenance.

These activities are mirrored by the contractors and outlined in Exhibits 2 and 3. Results from the above processes from both contractors and internal staff are compared against recent performance trends quarterly and annually by the Chief Safety Officer to determine where action needs to be taken. The Chief Safety Officer enters any identified non-compliant or ineffective activities, including mitigations, back into the SRM process for reevaluation by the Safety Committee (LAVTA/contractor).

*(Activities used to monitor operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended).*

LAVTA monitors safety risk mitigations to determine if they have been implemented and are effective, appropriate, and working as intended. Contractors will monitor these (per Exhibits 2 and 3) and report back to LAVTA and the Safety Committee (LAVTA/contractor). The Chief Safety Officer maintains a list of safety risk mitigations in the Safety Risk Register. The mechanism for monitoring safety risk mitigations varies depending on the mitigation.

The Chief Safety Officer establishes one or more mechanisms for monitoring safety risk mitigations as part of the mitigation implementation process and assigns monitoring activities to the appropriate director,



manager, or supervisor. These monitoring mechanisms may include tracking a specific metric on daily, weekly, or monthly logs or reports; conducting job performance observations; or other activities. The Chief Safety Officer will endeavor to make use of existing LAVTA processes and activities before assigning new information collection activities.

LAVTA's Chief Safety Officer and Safety Committee (LAVTA/contractor) review the performance of individual safety risk mitigations during bimonthly Safety Committee meetings, based on the reporting schedule determined for each mitigation, and determine if a specific safety risk mitigation is not implemented or performing as intended. If the mitigation is not implemented or performing as intended, the Safety Committee will propose a course of action to modify the mitigation or take other action to manage the safety risk. Additionally, the system itself is being evaluated to ensure its effectiveness. The Chief Safety Officer will approve or modify this proposed course of action and oversee its execution.

LAVTA's Chief Safety Officer and Safety Committee also monitor LAVTA's operations on a large scale to identify mitigations that may be ineffective, inappropriate, or not implemented as intended by:

- Reviewing results from accident, incident, and occurrence investigations;
- Monitoring employee safety reporting;
- Reviewing results of internal safety audits and inspections; and
- Analyzing operational and safety data to identify emerging safety concerns.

The Chief Safety Officer works with the Safety Committee and Accountable Executive to carry out and document all monitoring activities.

*(Activities used to conduct investigations of safety events to identify causal and latent factors).*

LAVTA maintains documented procedures for conducting safety investigations of events (accidents, incidents, and occurrences, as defined by FTA) to find causal and contributing factors and review the existing mitigations in place at the time of the event (see Safety Event Investigation Procedures Manual, Exhibit 5). These procedures also reflect all traffic safety reporting and investigation requirements established by California Department of Motor Vehicles.

The Chief Safety Officer maintains all documentation of LAVTA's and the contractors' investigation policies, processes, forms, checklists, activities, and results. Investigation reports are prepared and shared with the Safety Committee (LAVTA/contractor) for integration into their analysis of the event.

The Safety Committee determines whether:

- The accident was preventable or non-preventable;
- Personnel require discipline or retraining;
- Latent factor(s) (beyond human factors such as errors, violations, the condition of an individual, or lack of communication or coordination between individuals, equipment and infrastructure failures in vehicles or technological components, organizational or environmental elements, or elements outside of the agency's control) contributed to the safety event;
- The causal factor(s) indicate(s) that a safety hazard contributed to or was present during the event;
- There are larger factors outside the control of the agency; and
- The accident appears to involve underlying organizational causal factors beyond just individual employee behavior, such as management elements, and agency/contractor policies and procedures.

*(Activities used to monitor information reported through internal safety reporting programs).*

The Chief Safety Officer and Safety Committee (LAVTA/contractor) routinely (bimonthly meetings) review safety data captured in employee safety reports, safety meeting minutes, customer complaints, and other safety communication channels. When necessary, the Chief Safety Officer and Safety Committee ensure that the concerns are investigated or analyzed through LAVTA's SRM process.

The Chief Safety Officer and Safety Committee also review internal and external reviews, including audits and assessments, with findings concerning LAVTA's safety performance, compliance with operations and maintenance procedures, or the effectiveness of safety risk mitigations.

## 4. Safety Promotion

### Competencies and Training

*(The safety training program is relayed and promoted to all agency employees and contractors directly responsible for safety)*

LAVTA's comprehensive safety training program applies to all LAVTA employees and contractors directly responsible for safety, including:

- Bus vehicle operators,
- Dispatchers,
- Maintenance technicians,
- Managers and supervisors,
- Agency Leadership and Executive Management, and
- Chief Safety Officer and Accountable Executive.

LAVTA dedicates resources to conduct a comprehensive safety training program, as well as training on SMS roles and responsibilities. The scope of the safety training, including annual refresher training, is appropriate to each employee's individual safety-related job responsibilities and their role in the SMS. Contractors are required to conduct trainings and report status updates to LAVTA's Chief Safety Officer.

Basic training requirements for any employee or contractor operating LAVTA services, including frequencies and refresher training, are documented in the LAVTA Employee Handbook (Exhibit 6), MV Employee Handbook (Exhibit 7), Operator Requirements and Training Program (Exhibit 8) and/or Maintenance Safety Handbook (Exhibit 9).

Operations safety-related skill training (contractor) includes the following:

- New-hire bus vehicle operator classroom and hands-on skill training,
- Bus vehicle operator refresher training,
- Bus vehicle operator retraining (recertification or return to work),
- Classroom and on-the-job training for dispatchers,
- Classroom and on-the-job training for operations supervisors and managers, and
- Accident investigation training for operations supervisors and managers.

Vehicle maintenance safety-related skill training (contractor) includes the following:

- Ongoing vehicle maintenance technician skill training,
- Ongoing skill training for vehicle maintenance supervisors,
- Accident investigation training for vehicle maintenance supervisors,
- Ongoing hazardous material training for vehicle maintenance technicians and supervisors, and
- Training provided by vendors.

LAVTA's Accountable Executive and Agency Leadership and Contractor Management staff must complete FTA's SMS Awareness online training and an executive session on safety management sponsored by LAVTA's transit insurance pool.


## Safety Communication

*(The processes and activities by which safety and safety performance information is communicated throughout the organization and to contractors)*

LAVTA's Chief Safety Officer and Director of Finance (providing the human resources function) coordinate LAVTA's safety communication activities for the SMS. Contractors will, at a minimum, mirror LAVTA's frequency with which safety updates and performance information is communicated to employees and/or as required contractually at monthly meetings and report back to the Chief Safety Officer. LAVTA may also inquire and poll employee and contractor staff to ensure their awareness of the latest safety information shared. These activities focus on the three categories of communication activity established in 49 CFR Part 673:

- **Communicating safety and safety performance information throughout the agency:** LAVTA communicates information on safety and safety performance in its quarterly newsletter and during quarterly All-Staff Meetings. LAVTA also has a permanent agenda item in all monthly Drivers' Meetings (contractor) dedicated to safety. Information typically conveyed during these meetings includes safety performance statistics, lessons learned from recent occurrences, upcoming events that may impact LAVTA's service or safety performance, and updates regarding SMS implementation. LAVTA also requests information from drivers during these meetings, which is recorded in meeting minutes. Finally, LAVTA's Director of Finance, who oversees human resources, posts safety bulletins and flyers on the bulletin boards located in all bus operator and maintenance technician break rooms (contractor areas), advertising safety messages and promoting awareness of safety issues.
- **Communicating information on hazards and safety risks relevant to employees' roles and responsibilities throughout the agency:** As part of new-hire training, LAVTA distributes safety policies and procedures, included in the LAVTA Employee Handbook, to all employees. LAVTA and contractors provide training on these policies and procedures and discuss them during safety talks between supervisors and bus operators and vehicle technicians. Contractors will also communicate their own safety information and trainings as outlined in Exhibits 2, 3, 7, and 8 to staff. For newly emerging issues or safety events at the agency, LAVTA's Chief Safety Officer issues bulletins or messages to employees that are reinforced by supervisors in one-on-one or group discussions with employees. Contractors communicate this information to their employees, log, and report back to the Safety Committee (LAVTA/contractor).
- **Informing employees of safety actions taken in response to reports submitted through the ESRP:** LAVTA provides targeted communications to inform employees of safety actions taken in response to reports submitted through the ESRP, including handouts and flyers, safety talks, updates to bulletin boards, and one-on-one discussions between employees and supervisors. This information is also relayed to contractors so they can pass it on to their staff.

## 5. Plan Approval and Updates

<b>Name of Person Who Drafted This Plan</b>	Michael S. Tree, Executive Director	
<b>Signature by the Accountable Executive</b>	<b>Signature of Accountable Executive</b>	<b>Date of Signature</b>
	 Executive Director	10/20/2020
<b>Approval by the Board of Directors</b>	<b>LAVTA Board of Directors</b>	<b>Date of Approval</b>
	Resolution 32-2020	
	<b>Relevant Documentation</b>	
	A copy of LAVTA Resolution 32-2020, approving the Public Transportation Agency Safety Plan (PTASP) and LAVTA's SMS, is maintained on file by the Director of Finance, LAVTA	

<b>Version Number and Updates</b> <i>(History of successive versions of this plan)</i>			
<b>Version Number</b>	<b>Section/Pages Affected</b>	<b>Reason for Change</b>	<b>Date Issued</b>

<b>Annual Review and Update of the Public Transportation Agency Safety Plan</b> <i>(The process and timeline for conducting an annual review and update of the PTASP)</i>
This plan will be jointly reviewed and updated by the Chief Safety Officer and Accountable Executive by July 1 of each year. The Accountable Executive will review and approve any changes, signing the new PTASP, then forward to the LAVTA Board of Directors for review and approval.

## 6. Definitions of Terms Used in the Safety Plan

LAVTA incorporates all of FTA's definitions that are in 49 CFR § 673.5 of the Public Transportation Agency Safety Plan regulation.

- **Accident** means an Event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.
- **Accountable Executive** means a single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the agency's Transit Asset Management Plan, in accordance with 49 U.S.C. 5326.
- **Equivalent Authority** means an entity that carries out duties similar to that of a Board of Directors for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient's Public Transportation Agency Safety Plan.
- **Event** means any Accident, Incident, or Occurrence.
- **Hazard** means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.
- **Incident** means an event that involves any of the following: a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.
- **Investigation** means the process of determining the causal and contributing factors of an accident, incident, or hazard, for the purpose of preventing recurrence and mitigating risk.
- **National Public Transportation Safety Plan** means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.
- **Occurrence** means an Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.
- **Operator** of a public transportation system means a provider of public transportation as defined under 49 U.S.C. 5302.
- **Performance measure** means an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.
- **Performance target** means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the FTA.
- **Public Transportation Agency Safety Plan** means the documented comprehensive Agency Safety Plan for a transit agency that is required by 49 U.S.C. 5329 and Part 673.

- **Risk** means the composite of predicted severity and likelihood of the potential effect of a hazard.
- **Risk mitigation** means a method or methods to eliminate or reduce the effects of hazards.
- **Safety Assurance** means processes within a transit agency's Safety Management System that function to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.
- **Safety Management Policy** means a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its employees in regard to safety.
- **Safety Management System** means the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.
- **Safety performance target** means a performance target related to safety management activities.
- **Safety Promotion** means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.
- **Safety risk assessment** means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.
- **Safety Risk Management** means a process within a transit agency's Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.
- **Serious injury** means any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date when the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or noses); (3) Causes severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves any internal organ; or (5) Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.
- **Transit agency** means an operator of a public transportation system.
- **Transit Asset Management Plan** means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost-effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR Part 625.

## 7. Commonly Used Acronyms

Acronym	Word or Phase
ADA	American's with Disabilities Act of 1990
PTASP	Public Transportation Agency Safety Plan (Part 673)
CFR	Code of Federal Regulations
ESRP	Employee Safety Reporting Program
FTA	Federal Transit Administration
LAVTA	Livermore Amador Valley Transit Authority
MPO	Metropolitan Planning Organization
Part 673	49 CFR Part 673 (Public Transportation Agency Safety Plan)
SMS	Safety Management System
SRM	Safety Risk Management
U.S.C.	United States Code
VRM	Vehicle Revenue Miles



Livermore Amador Valley  
TRANSIT AUTHORITY



## LAVTA SMS Hazard/Risk Report Form

This report concerns:	<input type="checkbox"/> Hazard <input type="checkbox"/> Risk <input type="checkbox"/> Near Miss <input type="checkbox"/> Other		
Hazard Type:	<input type="checkbox"/> Policy/Procedure <input type="checkbox"/> Operational <input type="checkbox"/> Environmental <input type="checkbox"/> Equipment/Design <input type="checkbox"/> Training		
REPORTED BY:	<input type="checkbox"/> Employee <input type="checkbox"/> Customer/Passenger <input type="checkbox"/> Other:	ie: PD or FD	
NAME:		LOCATION:	
Description of Safety Concern:			
PHOTOS:		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Severity Analysis: According to Severity Matrix		<input type="checkbox"/> 1 Catastrophic <input type="checkbox"/> 2 Critical <input type="checkbox"/> 3 Marginal <input type="checkbox"/> 4 Negligible	
Recommended Safety Risk Mitigation:			
Supervisor/Safety Manager Comments/Actions:			
Supervisor/Safety Manager:			

HAZARD PROBABILITY TABLE

Probability Level	Description
A – Frequent	Likely to occur frequently. Continually experienced in the fleet/inventory.
B – Probable	Likely to occur several times in life of an item. Likely to occur frequently in the fleet/inventory.
C – Occasional	Likely to occur sometime in life of an item. Likely to occur several times in the fleet/inventory.
D – Remote	Unlikely, but possible to occur in the life of an item. Reasonably expected in the fleet/inventory.
E – Improbable	So unlikely, occurrence is not expected. Unlikely to occur, but possible in the fleet/inventory.

SEVERITY FACTOR

Severity	Risk Outcome
1 – Catastrophic	Accident: Death/permanent disability Facility: Major property damage, destruction of equipment
2 – Critical	Accident: Permanent partial disability Facility: Extensive equipment damage & supporting systems
3 – Marginal	Accident: Lost days due to injury/illness Facility: Minor damage to equipment
4 – Negligible	Accident: First aid usage or minor medical treatment Facility: Slight equipment or system damage

RISK ASSESSMENT FREQUENCY/  
SEVERITY MATRIX

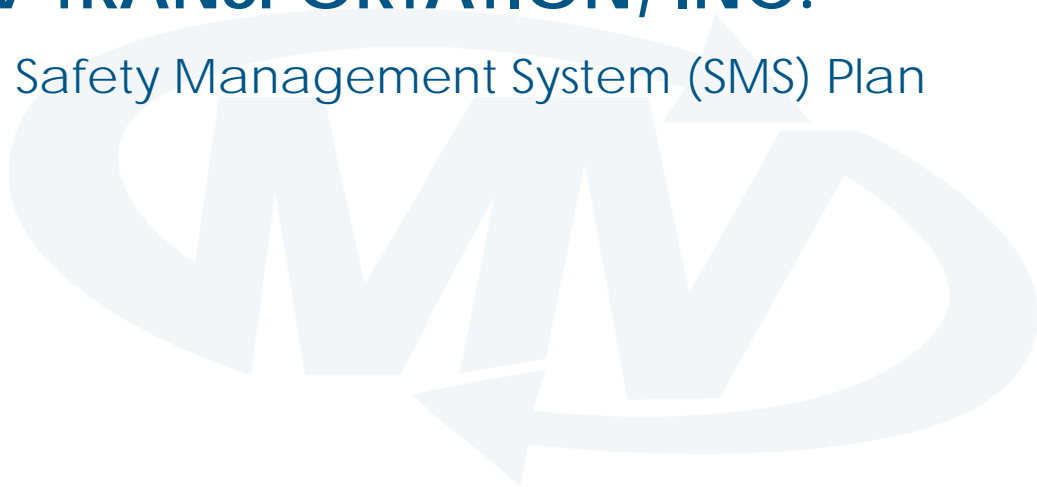
Frequency	Severity			
	1 Catastrophic	2 Critical	3 Marginal	4 Negligible
A – Frequent	1/A	2/A	3/A	4/A
B – Probable	1/B	2/B	3/B	4/B
C – Occasional	1/C	2/C	3/C	4/C
D – Remote	1/D	2/D	3/D	4/D
E – Improbable	1/E	2/E	3/E	4/E

HAZARD RESOLUTION TABLE

Severity / Frequency	Resolution
1/A   1/B   1/C   2/A   2/B   3/A	Unacceptable—correction required.
1/D   2/C   2/D   3/B   3/C	Unacceptable—correction may be required after review by CEO.
1/E   2/E   3/D   3/E   4/A   4/B	Acceptable—with review by CEO.
4/C   4/D   4/E	Acceptable—without review.

# MV TRANSPORTATION, INC.

Safety Management System (SMS) Plan



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# 1. Safety Management Policy

## Safety Management System (SMS) Policy Statement

MV Transportation, Inc. is committed to providing the highest level of safety for the public, our employees and contractors. Satisfying our customers' special needs with 100% regulatory compliance and the lowest possible risk is our first operational priority. We will never increase our risk of accident or injury to solve operational problems in the course of providing the *Best Customer Experience*.

To meet that commitment, MV Transportation has adopted the [Safety Management System \(SMS\)](#) and developed safety policies and activities in support of an effective SMS. This plan is based on the four components of SMS: Safety Management Policy, Safety Risk Management, Safety Assurance, and Safety Promotion.

Every employee and contractor are directed and empowered to administer the SMS and its specific activities for the prevention, control, and resolution of unsafe conditions and actions. The primary objectives of this SMS plan are to proactively identify and mitigate safety hazards and risks, promote a positive safety culture, and maintain regulatory compliance.

Our safety objectives are to:

- Ensure that effective safety management systems and processes are integrated into all of our activities.
- Designate an individual responsible for the safety function who reports directly to the Chief Executive Officer of the company and authorize that individual to develop and implement programs to promote safety.
- Ensure all employees and contractors are aware that safety is their primary responsibility and they are held accountable for delivering the highest level of safety in their daily work activities.
- Clearly define the safety accountabilities and responsibilities to all employees and contractors, including the responsibility of managers and supervisors to develop, implement, and enforce safety rules and procedures in their respective work areas.
- Provide all employees and contractors with appropriate safety information and skills training; ensure employee and contractor competence in all safety matters related to their position with the company.
- Develop and embrace a positive safety culture in all of our activities that recognizes the importance and value of effective safety management and acknowledges that safety is the number one operating value in everything we do.
- Ensure a culture of open reporting of all safety hazards, ensuring that no action will be taken against any employee who discloses a safety concern through the proper chain of command, unless such disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures.

- Promote and maintain a positive safety culture with positive recognition and reinforcement of safe behaviors.
- Ensure that all equipment, systems and services meet our safety performance standards through periodic audits and inspections.
- Establish performance metrics and measures of our safety performance against our safety performance indicators and safety performance targets.
- Continually develop and improve our safety processes through actively monitoring, measuring, and reviewing our performance against our objectives and targets.
- Conduct safety and management reviews to improve our safety performance and ensure that relevant and corrective actions are taken.
- Comply with all state and federal regulatory requirements and standards.

Signed:



Thomas Egan, Chief Executive Officer

Date: 10-28-2019

## 1.1 Commitment to Safety Statement

Providing the highest level of safety for all MV Transportation employees, passengers, and the communities we serve is our core operating value. Safety is at the forefront of delivering the *Best Customer Experience* and is the first of our key components of successful performance.

Doing work safely must be the foundation of all operational activities. Safety standards will never be compromised, subordinated or diminished by any other goal. Safety is the process that drives all functions and activities and is at the center of everything we do at MV Transportation.

MV Transportation is committed to being the safest organization possible and is committed to an incident and injury free workplace and security excellence. We will review and continually improve our practices to continuously drive improvements in safety, health, environmental, and security performance.

Accountability is fundamental to our mission. Every individual at MV is responsible for working and acting safely and embracing safety as a lifestyle. Compliance with this Commitment, applicable laws, and other requirements is the responsibility of every employee and contractor acting on our behalf.

Safety leadership is a core responsibility of management and is the company's most important management value. Managers at all levels will set the standard in our industry, from the Chief Executive Officer to the first-level supervisor.

Every employee is responsible to:

- Promote and maintain a safe work environment for all personnel and our passengers.
- Act consistently to influence safe behaviors and eliminate unsafe behaviors, actions and decisions.
- Go above and beyond the minimum safety standards of his / her job.
- Directly participate in all aspects of our safety program.
- Abide by all applicable safety rules and regulations.
- Work with management to decrease our exposure to risk.
- Immediately report all incidents/accidents and hazards.
- Complete all assigned safety training programs to continuously enhance safety skillset.
- Intervene in an activity if it is observed that its being conducted with an unacceptable level of risk.
- Encourage and reinforce the safe behaviors of others.
- Resolve circumstances responsibly that require corrective action.
- Insist upon an unwavering commitment to safety.

MV leadership is committed to supporting this statement with the resources and accountability necessary to achieve safety excellence.



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Tom Egan  
Chief Executive Officer



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Mark Collins  
President and Chief Operating Officer



## Contractor Management

It is the responsibility of MV Transportation to ensure that contractor work practices meet established safety standards of the agency and any and all federal, state, and local regulations and requirements. (Safety Policy S-10).

MV Transportation will monitor contractor compliance through scheduled and unscheduled safety audits of equipment, work sites and practices, regulatory compliance, and required records. Significant violations, especially in areas of safety, will be addressed by the appropriate management person, and may include termination of the contract or other legal action.

### 1.2 Safety Management System Development

This Safety Management System (SMS) plan was developed to outline our systematic procedures, practices, and policies for managing risks and hazards. Additional plan elements are available as references to support the information outlined in this document.

Key definitions of our process throughout our Safety Risk Management includes the following:

- A **hazard** is a condition or object with the potential of causing injuries to personnel, damage to equipment or structures, loss of material, or reduction of ability to perform a prescribed function. The potential for harm is defined as **safety risk**. It refers to the chance that people, equipment, or the environment could be harmed by the consequences of a hazard.
- What is done to address and reduce that risk is **mitigation**.
- **Consequence** means an effect of a hazard, involving injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.
- **Event** means any accident, incident, or occurrence.

This SMS plan will be reviewed periodically to continuously improve in our mitigation of safety risk. We will review and continuously improve our practices to drive continuous improvement. Effectiveness at the site level will be determined at least annually through the Safety Director audit. Reviews may occur more frequently.

This plan outlines the SMS activities for all employees and contractors employed by MV Transportation. Additional manuals and procedures should be referenced for more in-depth procedural detail. We will work with the transit agency at the site-location level to ensure these activities are also featured in their Agency Safety Plan.

### 1.3 Operations and Maintenance Procedures

It is the policy of MV Transportation that company operations and all personnel will comply with all applicable requirements federal and state safety regulations (Safety Policy S-10).

The system will be monitored for compliance with and sufficiency of operations and maintenance procedures. Non-compliance will be addressed through training, coaching, and management oversight, among other approaches. Non-compliance may result in disciplinary action, in

accordance with our policies and procedures. Insufficient procedures will be addressed through the Safety Risk Management process outlined in this plan. Any task that cannot be done safely should not be attempted until it can be done safely.

It is the responsibility of the operator to perform thorough Daily Vehicle Inspections (DVIs) and submit those reports to dispatch personnel. It is the responsibility of the mechanics to review and repair all defects before the vehicle goes back into service. The procedure is listed out in greater detail in our Maintenance Manual. Monthly audits of facilities including yard and surrounding areas will also be conducted to verify OSHA compliance and hazard identification, mitigation and resolution.

A vehicle with a safety defect is reported immediately by the operator. The vehicle shall be removed from service and not returned until repaired or replaced as soon as possible. In cases when the defect prevents the vehicle from being safely driven back to the garage, it is towed using a contracted service.

No operator or other authorized employee is asked, required, or permitted to drive a vehicle with a known major safety defect and is required to wear a safety vest as well as any other appropriate PPE.

As outlined in our Maintenance Manual, it is the responsibility of the maintenance manager to provide the general manager with a detailed account of the day's vehicle status and maintenance activities. The maintenance manager shall ensure the operations manager is kept up-to-date on all daily meetings and reports.

It is the policy of MV Transportation that maintenance managers are responsible to ensure all fleet vehicles are systematically inspected, maintained, and repaired. The preventative maintenance intervals shall conform to the OEM service specifications, FTA standards, and contractual requirements. (MP-03-02 – Preventative Maintenance). All reasonable maintenance services are to be conducted in accordance with OEM standards. (MP-03-10 – Seasonal Maintenance).

Please refer to the Maintenance Shop Safety Manual and Maintenance Manual for further detail outlining policies and procedures, as well as our Safety Vest Policy S-46 and Yard Safety Procedures.

### **Safety in Design, Acquisition and Procurement**

Operational safety and passenger safety are the highest priorities when defining vehicle and facility design requirements. Design criteria are established to ensure the equipment meets or exceeds all safety, flammability and environmental requirements and meets all state and federal standards and regulations. MV Transportation's Procurement Department owns the procurement process and works closely with all impacted departments.

Conditions covered in the Contract Specifications include verification of compliance, commencing with the design phase and periodic inspections and testing during the construction phase performed by qualified consultants. A thorough inspection and system testing is performed before the equipment is conditionally accepted.

The Procurement Group works in conjunction with the maintenance, safety, and operations department when purchasing personal protective equipment for employees, controlling

chemicals and other hazards in the workplace, mandating safety requirements in specific contracts and requiring compliance from specific vendors and clients with MV Transportation's safety requirements.

## 1.4 Employment and Recruitment Selection

MV Transportation follows industry practices when hiring employees and contractors, including employment, criminal background, and MVR reports as required. Our hiring practices are compliant with FTA regulations on pre-employment / new hire testing and onboarding.

## 1.5 Drug and Alcohol Program

The Drug and Alcohol Program Manager is responsible for administering the corporate program. The location Designated Employer Representative (DER) are responsible for location program compliance. The policies and procedures conform to the drug and alcohol regulations of the United States Department of Transportation's (DOT), Federal Transit Administration (FTA) and/or the Federal Motor Carrier Safety Association (FMCSA), based on the service environment that the agency and contract operates under. The policy identifies that employees are subject to testing and includes the testing requirements, prohibited behavior, consequences of positive results and resources for employee assistance and rehabilitation.

MV Transportation is committed to a Drug and Alcohol free workplace through a Zero Tolerance policy. Participation by covered employees in MV Transportation's prohibited drug use and alcohol misuse program is a condition of employment. Supervisors must not permit a safety-sensitive employee to perform his/her job function if the employee has violated any provision of the Policy. Our Drug and Alcohol-Free policy extends to contractor personnel in safety-sensitive positions.

## 1.6 Workplace Violence Program

MV Transportation is firmly committed to providing a workplace free from acts of violence or threats of violence. In keeping with this commitment, the Company has established a policy strictly prohibiting any employee from threatening or committing an act of violence in the workplace, while on duty, while on company related business, or while operating any vehicle or equipment owned or leased by the Company.

Assistance is needed from all employees to achieve a workplace secure and free from violence. MV is committed to a "zero tolerance" policy and compliance with this policy in respect to workplace violence is every employee's responsibility. Any and all incidents involving an act or threat of violence must be reported immediately to the employee's supervisor or the Human Resources department. Any employee may do so without fear of retaliation of any kind. After the incident is reported to a supervisor, he/she will report the matter to the Human Resources department, who will conduct an investigation and take appropriate action.

Any employee who engages in or contributes to violent or threatening behavior may be subject to disciplinary action, up to and including termination.

## 1.7 Fitness for Duty

Fitness for duty is determined by Human Resources and Safety Management. It is the policy of MV Transportation that all drivers are professionals that manage fatigue and come to work well rested and prepared to provide a full measure of safe and reliable customer service (Safety Policy S-18).

All employees that take medical leave must provide a return to work release from his/her health care provider prior to returning to work. The return to work statement should be submitted to the Leaves Manager in the Benefits department.

Employees returning to work after 30 days or more break in service will be required to undergo a background check, return-to-work physical and drug test, as permitted or required by applicable federal or state law which includes but is not limited to regulations and requirements set forth by the DOT, FTA, FMCSA, OSHA and ADA.

## 1.8 Policies and Procedures Review

All policies and procedures require periodic reviews for applicability and accuracy. Policies and procedures include a revision date to ensure that all copies of the document are current. Specific policies and procedures are reviewed by department managers with the assistance of the Human Resources Department. Changes to policies and procedures will be made at the corporate level after a thorough review has been performed.

The contractor's safety policies and procedures will also be reviewed periodically for accuracy and compatibility with MV Transportation policies and procedures.

To submit a request for revision, individuals must complete a Change Request. Details of the request must include the policy or procedure, description of the requested process change, any known impact, and implementation efforts.

## 1.9 Employee Safety Reporting Program (ESRP)

Our front line employees are our best source of information for identifying hazards. Nobody knows more about the actual safety performance of the transit system than the employees who deliver the service.

The Employee Safety Reporting Program (ESRP) is intended to help the Accountable Executive and other senior managers get important safety information from across the transit agency. It can be an agency's most important source of safety data.

There are two types of safety reporting programs: mandatory and voluntary.

- **Mandatory:** Employees must report hazards that are compliance-based and address regulatory issues. Employees are required to immediately report every incident and accident. An employee's failure to report or provide false information of an unsafe hazard or act could result in disciplinary action.
- **Voluntary:** Employees are strongly encouraged to report hazards and can report anonymously. Every employee is empowered to report any unsafe hazard / risk to their supervisor or senior management without fear of retribution or penalty.

Employees will have the option to report anonymously to maintain confidentiality. The ESRP is non-punitive and employees will not be disciplined for the act of reporting the Hazard or Near Miss. However, employees must report hazards that are compliance-based and address regulatory issues. Record falsification, Drug & Alcohol violations, gross negligent behavior, and failure to report accidents/incidents and serious safety hazards are examples of employee behaviors that may result in disciplinary action.

Forms of reporting can include submitting a completed SMS Hazard/Risk Report Form (found in the Appendix) or utilizing a centrally located Safety Suggestion Box at the division location. The transit agency may also have an additional form of Employee Safety Reporting.

The Hazard/Risk Report Form shall be completed immediately, so proactive measures can be taken as soon as possible. Depending on the perceived level of risk and severity, the report shall be submitted immediately or by the end of their shift.

Input by employees into the ESRP can include safety concern reporting, operational system description, hazard identification, safety deficiencies, risk assessments, potential consequences of hazards, or recommended safety risk mitigations.

Examples of reports may include the following;

- Safety hazards in the operating environment (for example, county road conditions)
- Policies and procedures that aren't working as intended (for example, insufficient time to complete pre-trip inspections)
- Events that senior managers might not otherwise know about (for example, near misses)
- Information about why a safety event occurred (for example, radio communication challenges contributed to an incident)

The information we receive through this source will help us resolve the reported hazard and notify the supervisor or senior management of changes that may need to be made to mitigate safety hazards in the future.

The Safety Department will lead the effort on collection, analysis, resolution, and monitoring of hazards and feedback entered through the ESRP. The Safety Department will take the lead on the Safety Risk Management process, with inputs from subject-matter experts in operations and maintenance.

Information collected through our ESRP will feed into our hazard identification and analysis process. Please reference that section of the plan for further information on mitigation, resolution, and communication.

## 1.10 Authorities, Accountabilities & Responsibilities

Safety accountabilities and responsibilities span from corporate organizational roles to contract management and front-line employees. All employees are responsible for safe operations, as outlined in our Commitment to Safety statement.

The **CEO** provides strategic direction and has the responsibility for providing the leadership and resources to carry out the Safety Management System plan.

**Agency Leadership and Executive Management** are tasked and authorized with making sure that the organization safety policies and procedures are followed and communicated to their direct reports, general managers, managers and front-line supervisors. They will provide positive leadership and direction in maintaining the safety policy as a major priority in all operations. This group is responsible for providing resources to acquire and maintain safety and health equipment, devices and programs. They will support safety standards and behaviors ensuring that steps are made to identify and mitigate hazard and risk.

The **Safety Leadership team**, including the Chief Safety Officer, VP of Safety, or Director of Safety, has the authority and responsibility for making sure the safety policies and procedures are adhered by and promoted by senior management, department supervisors and managers, area safety directors and key safety team members. The Safety Leadership team will stay informed of law changes or updates concerning employee safety and record keeping and will amend safety policies as required. This group will conduct periodic reviews of safety standards to remain current with federal and state requirements. They will provide guidance in maintaining a high standard of safety training programs and assist in analyzing safety data to identify future mitigation strategies. The Directors of Safety will conduct an annual audit to ensure compliance with Federal, State and Local rules and regulations as well as company policies and procedures.

**Key Staff**, including Department Supervisors, Managers and all other employees, are tasked with following all company safety policies to include, but not limited to, FTA, FMCSA, USDOT, ADA safety regulations. Managers and Supervisors are responsible for staying current on all internal and external safety training. They are also responsible with reporting or responding to accidents, injuries, near misses, unsafe working conditions and potential hazards within their scope of influence. Supervisors and Managers will evaluate employee performance ensuring each employee's safe behavior and work methods and coach, retrain and discipline as required. They will conduct monthly facility audits to ensure compliance. They are also responsible for promoting the ESRP and reviewing and resolving all submissions responsibility.

In addition to the above overview of safety roles and responsibilities by group, the following highlights the site-specific roles and responsibilities. This is in addition to the responsibilities listed out in our Commitment to Safety (page 4) and SMS plan objectives (page 2).

**General Manager:** Ultimate responsibility for the safety performance of the location and authorizes activities to support an effective SMS.

**Operations Manager:** Responsible for promoting operational safety and adhering to our policies and procedures.

**Safety and Training Manager:** Responsible for the day-to-day implementation and operation of the SMS.

**Maintenance Manager:** Responsible for OSHA compliance and site-specific maintenance activities.

**Trainers / Instructors:** Responsible for ensuring that we are training every employee to proficiency in accordance with our performance standards.

**Supervisors:** Responsible for playing an active role in SMS activities, including sufficient road observations and identifying potential safety hazards with recommended solutions.

**Location Safety Committee:** Responsible for ensuring that reported safety items are reviewed and addressed, as well as discussing proactive measures to mitigate future risk.

### 1.11 Emergency Management Integration and Procedures

Every site location is to maintain an updated Emergency Action Plan (Safety Policy S-21). The purpose of the Emergency Action Plan is to assist employees and management in making quality decisions during times of crisis, and to comply with regulatory standards for Emergency Action Plans.

The Facility Emergency Action Plan will be reviewed and updated annually. Certain practice drills are to be planned and carried out for preparedness during emergency scenarios.

The Emergency Action Plan is available on our intranet site and should be printed and stored in the division.

### 1.12 SMS Documentation and Records

Processes that require documentation or forms to support an effective SMS are listed out in this plan within the corresponding section.

Site locations that are subject to the PTASP Final Rule will be required to maintain documentation and recordkeeping for a minimum of 3 years.

## 2. Safety Risk Management

The FTA defines Safety Risk Management as a process within the agency's Public Transportation Agency Plan for identifying hazards and analyzing, assessing, and mitigating the safety risk.

Through risk identification and assessment, a determination is made of the probability and severity of potential losses. Safety and loss control programs are developed to modify and eliminate or reduce the risks of these exposures.

## 2.1 Accident and Incident Reporting and Response

It is the policy of MV Transportation to minimize injury, damages, pain and suffering for people involved in vehicular mishaps involving MV vehicles, to promptly respond, report and to thoroughly investigate these occurrences. (Safety Policy S-32)

All incidents, including near misses and minor events, should be reported as soon as possible – whether or not the incident did or could have resulted in personnel injuries, illnesses, or property damage.

The incidents shall be immediately reported from the scene. Operator at scene shall immediately contact Dispatch and provide incident details.

When possible, it is the responsibility of the General Manager to make sure that a manager or supervisor responds to the accident to ensure care for our driver and equipment, secure the incident site, preserve evidence, review of accident investigation and proper review of company liability.

The initial accident/incident claim line information sheet should be completed with details to convey to our claims hotline.

Accident and incident response procedures will vary depending on the severity of an incident (“major” vs. “minor” definition thresholds outlined in Safety Policy S-32). All employees, supervisors and managers should be knowledgeable on response procedures outlined in Risk Management SAF-001 Accident Procedures guideline and High Priority Event notification procedures.

The General Manager and Safety Manager are responsible for ensuring a timely investigation and report is completed.

Reports are reviewed by the department manager, who determines preventability (Safety Policy S-1). Reports may also be reviewed by Risk Management and the Director of Safety. Additional actions and activities may be requested from the Risk Management department or Regional Director of Safety.

Copies of the accident/incident reports and a summary are kept for review and reporting as necessary.

### **Work Injuries**

Work injuries include any injury, occupational disease, or disability that arises out of, or in the course of, any work-related activity and requires first aid or medical treatment. Worker’s compensation OSHA-related injuries are considered work injuries for the purpose of this policy.

Injuries should be reported by the injured employee or a witness to dispatch or his/her immediate supervisor as soon as possible. If the injured employee needs medical attention, the appropriate response by coworkers (dispatch, supervisor, manager) is to:

- Assess the injury.
- Call 911 if necessary.
- Begin emergency medical treatment, if willing and able.



- Continue treatment until emergency responders arrive.
- Inform Management or Director of Safety.
- Complete a written report as soon as possible.

The injured employee must complete an Employee Injury Report for the Human Resources and Safety department as soon as possible. In compliance with OSHA regulations, all reportable employee injuries will be recorded by a representative from the Safety department and a summary will be posted from February 1 to April each year for employee review.

The Supervisor will conduct an investigation to determine the root cause of the incident surrounding the injury (Safety Policy S-30). The Supervisor will issue a written report for review by Risk Management, Regional Manager - Maintenance, General Manager and Area Safety Director. Recommendations may be issued and will follow normal channels of communication. Investigative resources will include the Employee Injury Report, eyewitness accounts, employee interviews, equipment testing, and any other reasonable means to determine root causes. Injury reports will be kept on file for future analysis.

### **Accident and Incident Investigation**

It is the policy of MV Transportation to investigate all incidents/injuries, to identify causes, and to correct deficiencies, if any (Safety Policy S-1). Effective incident investigation is an essential step towards making improvements in the system or process that can prevent future incidents from similar causes. It is the key to correcting and improving unsafe behavior in the workplace.

Identifying all factors that came into play to cause an incident, accident, or injury, and getting down to the root cause, is the only way to ensure proper steps will be taken to prevent a recurrence. This includes examining driving and work procedures and revising them if found faulty; and identifying violations of MV, OSHA, DOT, FTA, or other procedures, rules or regulations. (Safety Policy S-32)

After corrective actions have been identified and put in place, the management team or Regional Safety Director will follow-up to ensure that corrective actions remain in place and have effectively corrected incident causes.

## **2.2 Safety Hazard Identification and Analysis**

Hazards identifications could be submitted directly, or could be derived from trends or other data analyses.

Hazards can be identified through a variety of sources, including;

1. Reviews
2. Observations
3. Investigations
4. ESRP
5. Passenger feedback

When a hazard has been identified, it will be tracked in a Safety Risk Register log, using the FTA template provided. This includes the description of the risk, rating of the risk, the action to address it, and how we are going to monitor that action for its effectiveness.

The hazard will be rated with an “as reported” risk assessment ranking, which will be followed up for a re-evaluation after a mitigation strategy has been implemented.

#### **Reviews**

- DriveCam scored or coachable events – driver specific or aggregated trends of at-risk behaviors
- Monthly performance or quarterly reviews of both leading and lagging indicators

#### **Observations**

- Road observations and ride checks
- Mystery rider program (if applicable at the site location)
- Customer/passenger comments
- Third-party notifications

#### **Audits and Inspections**

- Monthly facility inspection
- Daily walk-through
- Pull-out procedures
- New driver assessments (Safety Policy S-37)
- Refresher training (Safety Policy S-12)
- Annual safety director audit
- Maintenance audit

#### **Investigations**

- Accident and incident investigation
- Injury root cause investigation

### **Hazard Analysis**

Once a hazard has been identified, it must then be analyzed. Analysis may include a description of the hazard, supporting results documents, photos, and/or suggestions for resolution. Unless a hazard can be eliminated, it’s safety risk must then be managed. We analyze this in terms of how likely it is to happen (probability or frequency) and how bad it could be (severity). Hazard Probability Categories and Hazard Resolution Matrix, see [Attachment A](#), and then by determining the best method for remediation. Near Miss reporting will be collected through Dash Camera Systems, as well as encouraged through the ESRP. If not captured through a Dash Camera System, Near Miss reporting can be completed on the Hazard Risk Form and reported to the location Safety Manager or Supervisor.

## 2.3 Evaluation, Mitigation and Communication of Safety Risk

The last step is to develop possible mitigation strategies that address identified safety risks. In evaluating safety risks, identifying what is being done now vs. what can be done in the future is an important consideration.

The review must identify facts, establish root causes, and suggest methods for mitigating or preventing recurrence.

Statistics from accident and incidents are tracked and compared to performance measures and targets to identify where mitigations may or may not be effective.

The identified hazards are reviewed and assessed, and a priority is set based on severity of risk using the Hazard Resolution Matrix.

The Location Safety Committee plays an important part of hazard reduction and hazard resolution. The committee should provide inputs/ideas to ensure a safe work environment is established and maintained. (Safety Policy S-39).

### **Hazard Resolution and Communication**

When the safety hazard and analysis has been completed, the location supervisor or manager who will then coordinate efforts with essential personnel to resolve the hazard in a timely manner. In cases where an immediate threat to safety exists, work will be immediately suspended by the location management while the hazard is addressed and mitigated.

Many hazards can be resolved through more than one means, but the general process for determining the best method should be by considering engineering controls, administrative work practices, or employee actions.

Communication of resolution and status of SMS activities is listed out in section 4 of this plan.

## 3. Safety Assurance

The FTA defines Safety Risk Management as a series of processes within a transit agency's Safety Management System that function to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

Safety Assurance subcomponents includes:

1. Safety Performance and Monitoring and Measurement
2. Management of Change
3. Continuous Improvement

### 3.1 Safety Performance and Monitoring and Measurement

Data is constantly collected through the transit agency's Safety Assurance activities. This will include both leading and lagging indicators.

Leading indicators are used to anticipate and prevent injuries and accidents. This data source can include information collected from road observations, ride checks, mobile blitzes, or the ESRP. Our behavior-based indicators, as measured by DriveCam or another safety monitoring technology, is one of our best indicators for future success, as it measures the unsafe behaviors present in our operation.

Our lagging indicators measures what has happened, including accidents and injuries. This metric allows you to analyze historical information, as well as view in real-time if your risk mitigation plans are reducing the accidents and injuries.

Safety performance indicators will help measure inputs, outputs, outcomes, or impacts. It is a signal or early warning sign.

Safety performance targets are quantifiable and is the expected change over a period of time.

Daily monitoring will be conducted through inspections, observations, and evaluations.

Safety Performance Targets are spelled out in the PTASP addendum of this plan.

#### **Mitigation Monitoring**

The Mitigation Monitoring plan helps ensure safety performance monitoring and measurement activities are performed to confirm that mitigations are effective, appropriate, and fully implemented.

A Mitigation Monitoring plan may include the selected safety risk mitigation, the indicators or targets, description of how it will be monitored, timeframe, responsibility, and updates.

While the Mitigation Monitoring plan addresses the mitigation and monitoring activities, the Corrective Action Plan documents the corrective action and helps address short-term defects or compliance issues. The Corrective Action Plan is intended to eliminate the behavior that caused the event, while Mitigation Monitoring is to continuously monitor the hazard.

The Mitigation Monitoring process is owned by the location's management team, with assistance from the Regional Safety Director. The Mitigation Monitoring process requires periodic reviews to ensure that the risk level is being mitigated and reduction of the frequency of the hazard is taking place.

A periodic audit of contractor safety plans, Safety Data Sheets, and Personal Protective Equipment requirements will be conducted by the Safety Team and the General Manager.

### 3.2 Management of Change

Our operating environment has many areas that can and will be subject to a change. Prior to implementation of a proposed change, an assessment will be performed by using the Hazard/Risk

Report form to determine if the change will impact safety performance or if there are any new hazards that will be present.

If a new hazard is identified, it is put through the SRM process and evaluated. A risk mitigation strategy will be created or modified to mitigate risk for that change. Once the change is made it will be monitored for effectiveness.

The size and scope of the change can vary from something small to something as large as new service or routes. Efforts will be made to assess if there is a possible impact to safety prior to operations taking place.

### 3.3 Continuous Improvement

The overall safety performance of the system and the performance of SMS activities will be continuously measured and evaluated to determine the effectiveness and appropriateness of risk mitigations.

The data and information that will be collected through Safety Assurance activities will tell us how we are doing and what areas we can improve on.

Insight through these sources may trigger more frequent reviews and a revised strategy to ensure that mitigations are effective.

Local management will work with the agency to determine frequency of meetings with the contractor management to review the SMS process.

## 4. Safety Promotion

### 4.1 Competencies & Training

It is the policy of MV Transportation that all employees will undergo new hire training based upon type of service and experience level. Mastery is verified through evaluations prior to being released to revenue service.

Job-specific training programs have been developed to enhance safety skills necessary for safe, secure, and reliable customer service. This includes training for operators, trainers, supervisors, maintenance staff, operations, and management personnel.

MV Transportation maintains a continuous safety communication campaign through the form of safety meetings (Safety Policy S-27). Every month, a fleet safety and injury prevention topic will be reviewed to refresh the fundamentals and key learning points. Annual refresher training on key areas will also be conducted along with periodic promotion of prevention activities.

Maintenance monthly training will focus on OSHA compliance for shop safety. The training complies with current state and federal standards and covers potential safety and health hazards as well as safe work practices and procedures to eliminate or minimize hazards.

Information concerning safety hazards or issues is provided to employees through new hire orientation, location safety committee meeting minutes, company-wide or departmental

meetings, Safety Team briefings, monthly safety meetings, bulletin board postings, memos, or other written communications.

All MV operators will receive refresher or remedial training, as necessary, throughout their employment with the Company (Safety Policy S-12). This can include, but is not limited to, defensive driving techniques, ADA and Wheelchair Securement activities, Fatigue Management, Pedestrian and Bicyclist awareness, as well as hands-on training. This training provides a procedure for evaluation job skills and determining subsequent retraining needs or employees who are returning to work after an extended leave, employees who have been involved in an accident and refresher skill training.

Training, retraining, proficiency checks, and safety meeting attendance will be recorded and documented.

Training records are kept by the department supervisors and managers and will include:

- Date of training
- Employee names
- Copies of training materials
- Training subject
- Location of training
- Name of trainer
- Signature of trainer and trainee

A training audit and training needs assessment will be conducted at least bi-annually, or as a result of activities that come out of the SRM process.

### **Safety Culture**

Our Vision is to deliver the *Best Customer Experience* with industry-leading Safety, Reliability, and Innovation. Our fundamental safety belief is that Safety is a core business value and there is nothing more important than promoting and maintaining a safe operation.

Our Safety Culture Guide outlines the importance of implementing initiatives at the local level to promote a positive safety culture.

To foster a positive safety culture, supervisors and management should make every effort to demonstrate their commitment to safety, offering the highest level of respect and dignity and a genuine concern for the welfare of their workers. Supervisors and management will exhibit the behaviors they want to see as part of their location's safety culture.

Elements of our Safety Culture Guide include:

- Employee engagement and buy-in
- Accountability and ownership of employees
- Positive recognition
- Reinforcement of safe behaviors
- Safety award programs
- Administration of the Katherine McClary Safe Operator Award program
- Safety campaigns and blitzes
- Incentive and reward contests

Supervisors and managers will pay attention to, measure, and publicly acknowledge the desired behaviors and performance outcomes by workers. The purpose of this and other safety-related programs is to focus our employees on working safely, and then reward them for their success.

## 4.2 Safety Communication

### Communication of the SMS

A variety of methods may be used to communicate the SMS plan, including updates or memos. Communication can include updates related to SMS concerns/issues, lessons learned, analysis, new requirements or tracking mechanisms, and/or roles and responsibilities.

It is the responsibility of the location management to train employees on how to identify and report hazards. Management and supervisors will encourage employees to report their safety concerns or hazards.

Safety actions that are taken in response to reports submitted through the ESRP will be communicated to employees during the safety meetings or posted in a common area.

Our Policy and Commitment to Safety statement will be distributed to all managers to be reviewed with all employees during initial onboarding. This will be reviewed at least annually to continuously promote a safe work environment and communicate our commitment to an incident and injury free workplace.

Our policies, procedures, written statements, and formalized plans that support our SMS activities are available to all managers through our intranet site.

### Continuous Awareness and Safety Communication

Management and supervisors will facilitate in daily safety communication and planning engagement blitzes and campaigns accordingly.

Dispatchers will play an active role in this process by delivering safety radio announcements.

The Daily Safety Message will be printed and posted throughout the facility.

Material that supports the monthly fleet safety topic and/or injury prevention topic that is distributed from corporate will be displayed throughout the facility.

Additional means of communication includes:

<ul style="list-style-type: none"><li>• New Hire Orientation Training</li><li>• Operational Safety Calls</li><li>• Safety Meetings</li><li>• One-on-one dialogue between supervisors and employees</li><li>• Safety Briefings/Toolbox Talks</li></ul>	<ul style="list-style-type: none"><li>• Safety Bulletin Board</li><li>• Safety Committees</li><li>• Posters, Flyers, &amp; Memos</li><li>• E-mail Communications</li><li>• Internal Websites</li><li>• Video/TV Displays</li></ul>
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## 5. Supporting Resources

Maintenance, Facility & Fleet	Operator Safety	General Procedures & Regulatory Compliance
Maintenance Shop Safety Handbook	Employee Handbook	Code of Federal Regulations (CFR)
Vehicle Maintenance Plan (PM)	Safety Manual	Crime Prevention Environmental Design (CPTED)
Aerial Platform Certification	New Hire Orientation	Emergency Action Plan
Powered Industrial Truck (Forklift) Certification	Fitness for Duty Evaluation	Fire Prevention Plan
Clean Air Act (608,609)	Operations Policies and Procedures Handbook	HAZCOM Plan
Noise Protection	Recruiting and Hiring Practices	Hearing Conservation Program
Lock Out/Tag Out	Incident Management and Investigation	Heat Illness Prevention
Personal Protective Equipment	Safety Audits/Inspections	Lockout Tagout Program
Respiratory Protection	Safety Reports and Forms	Safety and Security Program
Welding, Cutting and Brazing Safety	Safety Communication TV Displays	System Safety Program Plan
OSHA 10-Hour	Wheelchair Certifications	System security and Emergency Preparedness Plan
OSHA 30- Hour	Defensive Driving Program	KMA Safe Driver Award Program
Heat Stress	Operator Refresher Training	Monthly Safety Meetings
Housekeeping	Safety Committees	Customer Service Training
HAZCOM	Safety Calendar – Weekly & Monthly Topics	Continuity of Operations Plan
Bloodborne Pathogens	Bi-monthly Safety Stand-down	



## 6. Plan Development

### 6.1 Approval and Updates

Name of Entity That Drafted This Plan	MV Transportation	
Signature by the Accountable Executive	Signature of Accountable Executive	Date of Signature
Approval by the Board of Directors or an Equivalent Authority	Name of Individual/Entity That Approved This Plan	Date of Approval
	Relevant Documentation (title and location)	
Certification of Compliance	Name of Individual/Entity That Certified This Plan	Date of Certification
	Relevant Documentation (title and location)	

### 6.2 Version Updates

Version Number and Updates			
<i>Record the complete history of successive versions of this plan.</i>			
Version Number	Section/Pages Affected	Reason for Change	Date Issued
1		Creation	10/2019

### 6.3 Annual Audit and Review of Plan

**Annual Audit & Review and Update of the Safety Management Systems Plan**  
*Describe the process and timeline for conducting an annual review and update of the Safety Management Systems Plan.*

During the final quarter the Safety Plan Committee will meet and review current SMS plan and make changes accordingly and update this SMS document. A communication will be sent out with an explanation of changes and a pdf copy of the updated plan will be made available via e-mail or web.



# PTASP Addendum

## Transit Agency Information

Transit Agency Name			
Transit Agency Address			
Name and Title of Accountable Executive			
Name of Chief Safety Officer or SMS Executive			
Mode(s) of Service Covered by This Plan		List All FTA Funding Types (e.g., 5307, 5310, 5311)	
Mode(s) of Service Provided by the Transit Agency (Directly operated or contracted service)			
Does the agency provide transit services on behalf of another transit agency or entity?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Description of Arrangement(s)
Name and Address of Transit Agency(ies) or Entity(ies) for Which Service Is Provided			

## Safety Performance

### Safety Performance Targets

<b>Safety Performance Targets</b>						
Specify performance targets and definitions based on the safety performance measures established under the National Public Transportation Safety Plan. The table below provides targets for fatality rate (reportable fatalities per revenue mile); injury rate (reportable injuries per revenue mile); safety event rate (reportable safety event per revenue mile); and system reliability (revenue miles between major mechanical failures).						
Mode of Transit Service	Preventable Accidents per 100K miles	Employee Injuries (Rate )	Fatalities (Rate )	Safety Events (Rate)	System Reliability (Rate)	

# Safety Performance Target Coordination

Safety Performance Target Coordination		
<p>MV Transportation will work with the agency to support them in their PTASP which includes analyzing historical trends to establish safety performance targets. Agency will coordinate directly with MPO and MV will help in this process as needed.</p>		
Targets transmitted to stakeholders	Name	Date Targets Transmitted





# Attachment A

## 1 HAZARD PROBABILITY TABLE

Probability Level	Description
A – Frequent	Likely to occur frequently. Continually experienced in the fleet/inventory.
B – Probable	Likely to occur several times in life of an item. Likely to occur frequently in the fleet/inventory.
C – Occasional	Likely to occur sometime in life of an item. Likely to occur several times in the fleet/inventory.
D – Remote	Unlikely, but possible to occur in the life of an item. Reasonably expected in the fleet/inventory.
E – Improbable	So unlikely, occurrence is not expected. Unlikely to occur, but possible in the fleet/inventory.

## 2 RISK ASSESSMENT FREQUENCY/SEVERITY MATRIX

Frequency	Severity			
	1 Catastrophic	2 Critical	3 Marginal	4 Negligible
A – Frequent	1/A	2/A	3/A	4/A
B – Probable	1/B	2/B	3/B	4/B
C – Occasional	1/C	2/C	3/C	4/C
D – Remote	1/D	2/D	3/D	4/D
E – Improbable	1/E	2/E	3/E	4/E

## 3 HAZARD RESOLUTION TABLE

Severity / Frequency	Resolution
1/A   1/B   1/C   2/A   2/B   3/A	Unacceptable—correction required.
1/D   2/C   2/D   3/B   3/C	Unacceptable—correction may be required after review by CEO.
1/E   2/E   3/D   3/E   4/A   4/B	Acceptable—with review by CEO.
4/C   4/D   4/E	Acceptable—without review.

# Attachment B

MV Transportation SMS Hazard/Risk Report Form	
This report concerns:	<input type="checkbox"/> Hazard <input type="checkbox"/> Risk <input type="checkbox"/> Near Miss <input type="checkbox"/> Other
Hazard Type:	<input type="checkbox"/> Policy/Procedure <input type="checkbox"/> Operational <input type="checkbox"/> Environmental <input type="checkbox"/> Equipment/Design <input type="checkbox"/> Training
REPORTED BY:	<input type="checkbox"/> Employee <input type="checkbox"/> Customer/Passenger <input type="checkbox"/> Other: <span style="font-size: small;">ie: PD or FD</span>
NAME:	LOCATION:
Description of Safety Concern:	
PHOTOS:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Hazard Analysis: <small>According to Hazard Severity Matrix</small>	<input type="checkbox"/> 1 Catastrophic <input type="checkbox"/> 2 Critical <input type="checkbox"/> 3 Marginal <input type="checkbox"/> 4 Negligible
Recommended Safety Risk Mitigation:	
Supervisor/Safety Manager Comments/Actions:	
Supervisor/Safety Manager:	

## Hazard/Risk Resolution

<b>Hazard/Risk Resolution</b>			
<b>Is Hazard/Risk corrected "On the Spot"?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	If the answer is "No" then proceed with the steps below:	
This report must be forwarded to the SAFETY DEPARTMENT; report is assigned to specific department(s) for hazard rectification; report is assigned a priority			
<b>Priority:</b>	<input type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low		
<b>Hazard/Risk/ Near Miss deficiency corrected?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Date closed if "Yes"</b>	<b>Date</b>
If answer is NO, notify Safety department to begin continuing action for resolution, and send to the Safety Team or Staff for recommendations.			
<b>List how the Hazard/Risk/Near Miss was resolved</b>			
<b>Date Resolved</b>	<b>Date</b>		



## Appendix

Please add any relevant contract documentation specific to plan.



# *Transdev, CCCTA / LAVTA*

## Agency Safety Plan



# Transit Agency Information

(AGENCY NAME)	CCCTA / LAVTA		
(AGENCY NAME) Address	1362 Rutan Ct. Livermore CA 94551		
Name and Title of Accountable Executive	Johanna Duran-General Manager		
Name of Chief Safety Officer or SMS Executive	Juana Lopez-Safety/operations Manager		
Mode(s) of Service Covered by This Plan	Subcontractor (Big Star)	List All FTA Funding Types (e.g.,5307, 5310, 5311)	5307,5339

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# Approvals

The individuals below, submitting and signing this Agency Safety Plan (ASP), verify it was prepared in accordance with the appropriate and applicable requirements and guidelines set forth by the Federal Transit Administration in 49 CFR Parts 625, 630, 670, 673 and others, that they are authorized representatives of the Transit Agency; that their signatures attest that all items and conditions contained in this plan are understood, accepted and approved; and that they are committed to implementing the Agency Safety Plan and achieving its safety goals and objectives.

APPROVED BY:

\_\_\_\_\_  
Chief Executive Officer, *Accountable Executive*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Board Chairman/Designee

\_\_\_\_\_  
Date

RECOMMENDED BY:



\_\_\_\_\_  
General Manager, *SMS Executive*

4/06/2022  
Date



\_\_\_\_\_  
Manager, Safety and Security

4/06/2022  
Date

## Revisions/Amendments

Revision No	Revision Date	Revised Sections	Purpose

## Change Log

Number	Section/Pages	Change	Purpose

# Executive Summary

## Applicability

CCCTA / LAVTA is committed to comprehensive safety planning. As an operator of a public transportation system that receives Federal financial assistance under Title 49 of the United States Code (USC) Chapter 53, the Transit Agency is subject to 49 CFR Part 625, 630, 670, 673, and this Safety Plan is fully compliant with that Rule as well as with the requirements of the National Public Transportation Safety Plan (NSP) as promulgated through 49 CFR 670.

## Policy

CCCTA / LAVTA and the Federal Transit Administration (FTA) have adopted the principles and methods of System Safety and of Safety Management Systems (SMS) as the basis for enhancing the safety of public transportation. All rules, regulations, policies, guidance, best practices, and technical assistance administered will, to the extent practical and consistent with legal and other applicable requirements, follow the principles and methods of SMS.

The Safety Plan, hereafter CCCTA / LAVTA referred to as the Transit Agency Safety Plan is an agency-wide safety plan that meets and is responsive to FTA's Public Transportation Safety Program (PTSP). The Transit Agency Safety Plan reflects the specific safety objectives, standards, and priorities of CCCTA / LAVTA. CCCTA / LAVTA has incorporated its System Safety compliance into SMS principles and methods tailored to the size, complexity, and scope of its own public transportation system and the environment in which it operates.

## Definitions

The Terms and Abbreviations used in this document are consistent with federal regulations and guidance as shown in Chapter 1.

# Safety Plan

## General

CCCTA / LAVTA has established a Safety Plan that meets or exceeds the General Requirements of 49 CFR Part 625, 630, 670, 673, including the following required elements:

- The Safety Plan, and subsequent updates, will be signed by the *Accountable Executive*, and approved by the Transit Agency Board of Commissioners.
  - The Safety Plan documents the processes and activities related to SMS implementation.
  - The Safety Plan includes performance targets based on the safety performance criteria established under the National Public Transportation Safety Plan (NSP), and the state of good repair standards established in the regulations that implement the National Transit Asset Management System and are included in the NSP.
  - The Safety Plan addresses all applicable requirements and standards as set forth in the NSP.
  - The Safety Plan will comply with the minimum safety performance standards authorized through the National Public Transportation Safety Plan.
  - The Transit Agency will establish a process and timeline for conducting an annual review and update of the Safety Plan.
- 
- The Safety Plan includes reference to an emergency preparedness and response plan and procedures that address the assignment of employee responsibilities during an emergency; and coordination with Federal, State, regional, and local officials with roles and responsibilities for emergency preparedness and response in the Transit Agency area.
  - The Safety Plan includes bus and demand response modes of service. The Transit Agency will maintain the Safety Plan in accordance with the recordkeeping requirements in subpart D of Part 673.

## Certification of Compliance

CCCTA / LAVTA will certify it has established this Safety Plan meeting the requirements of Part 673 by one year after the effective date of the final rule.

On an annual basis, CCCTA / LAVTA will certify its compliance with Part 673.

## Coordination with Planning Processes

To aid in the planning process, will make its safety CCCTA / LAVTA performance targets available to the Department of Transportation and the Metropolitan Planning Organization (MPO).



# Safety Management System

CCCTA / LAVTA establishes and implements a Safety Management System (SMS) compliant with Part 673. The Transit Agency SMS is appropriately scaled to the size, scope and complexity of the Transit Agency, and includes four components as required by 49 CFR 673:

- a. Safety Management Policy (Part I)
- b. Safety Risk Management (Part II)
- c. Safety Assurance (Part III)
- d. Safety Promotion (Part IV)

## Safety Management Policy

CCCTA / LAVTA has a written statement of safety management policy (Chapter 1) that includes the Transit Agency's safety objectives and safety performance targets. The CCCTA / LAVTA safety management policy will be communicated throughout the organization.

### Responsibilities

As detailed in Chapter 2, CCCTA / LAVTA has also established the necessary authorities, accountabilities, and responsibilities for managing safety amongst the following individuals in the Transit Agency, as they relate to development and management of the Transit Agency SMS:

- (1) *Accountable Executive*. The Transit Agency has identified the Chief Executive Officer (CEO) as the Accountable Executive. The CEO is accountable for ensuring the agency's SMS is effectively implemented throughout the Transit Agency system; and ensuring action is taken, as necessary, to address substandard performance in the Transit Agency's SMS. The CEO may delegate specific responsibilities, but the ultimate accountability for the Transit Agency's safety performance cannot be delegated and always rests with the CEO.
- (2) *Chief Safety Officer (CSO) or Safety Management System Executive (SMSE)*. The Manager of Safety, who reports directly to the General Manager, or other designee assigned by the CEO, will serve as the CSO and the Accountable Executive when the CEO position is vacant or unavailable.
- (3) *CCCTA / LAVTA leadership and executive management Foothill Transit-Arcadia* has also identified other members of its leadership and executive management who have authorities or responsibilities for day-to-day implementation and operation of an agency's SMS.
- (4) *Key staff*. CCCTA / LAVTA has designated key staff, groups, or committees to support the CEO and the Chief Safety Officer in developing, implementing, and operating the agency's SMS.

CCCTA / LAVTA has also established a process that allows employees to report safety conditions to senior management with protections for employees who report adverse safety conditions to management.

## Safety Risk Management

### Safety Risk Management Process

CCCTA / LAVTA has developed and implemented a Safety Risk Management process for all elements of its public transportation system. The Safety Risk Management process is comprised of the following activities:

- Identification of safety hazards,
- Analysis of safety hazards,
- Safety risk evaluation, and
- Safety risk mitigation.

### Safety Hazard Identification and Analysis

CCCTA / LAVTA has established a process for hazard identification and analysis (Chapter 4).

CCCTA / LAVTA includes, as a source for hazard identification and analysis, data as well as information provided by outside agencies.

### Safety Risk Evaluation and Mitigation

CCCTA / LAVTA has established activities to evaluate and prioritize the safety risk associated with the potential consequences of safety hazards (Chapter 4). Safety risks are evaluated in terms of probability and severity and consider mitigations already in place to reduce the probability or severity of the potential consequence(s) analyzed. CCCTA / LAVTA has established criteria for the development of safety risk mitigations that are necessary based on the results of the agency's safety risk evaluation.

## Safety Assurance

CCCTA / LAVTA has developed and implemented a safety assurance process, consistent with this subpart.

### Safety Performance Monitoring and Measurement

CCCTA / LAVTA has established activities (described in Chapter 4) to:

- ✓ Monitor the Transit Agency system for compliance with, and sufficiency of, the agency's procedures for operations and maintenance;
- ✓ Monitor Transit Agency operations to identify hazards not identified through the Safety Risk Management process (per 49 CFR §673.25);
- ✓ Monitor Transit Agency operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended;
- ✓ Investigate safety events to identify causal factors; and monitor information reported through any internal safety reporting programs

### Management of Change

CCCTA / LAVTA has established a process for identifying and assessing changes that may introduce new hazards or impact safety performance. If CCCTA / LAVTA determines a change may impact its safety performance, then CCCTA / LAVTA will evaluate the proposed change through its Safety Risk Management process. (See Chapter 5.)

## Continuous Improvement

*CCCTA / LAVTA* has established a process to assess its safety performance (Chapter 5). If identifies any *CCCTA / LAVTA* deficiencies as part of its safety performance assessment, then will develop and carry out, *CCCTA / LAVTA* under the authority of the CEO, a plan to address the identified safety deficiencies.

## Safety Promotion

### Safety Communications

*CCCTA / LAVTA* fosters open and robust communication regarding safety between all levels of the agency (Chapter 6). This starts with fully promulgating the safety policy to all employees *CCCTA / LAVTA*. *CCCTA / LAVTA* uses notices, posters and bulletins to ensure all employees are aware of the agency's and their own safety commitments and requirements.

In addition, the Safety Department supports all other departments in ensuring safety messaging and awareness are communicated effectively within each department. Employees are required and encouraged to report hazards, take responsibility for safety in their tasks and work areas, educate themselves on safety in addition to formal training, and attend safety briefings, trainings, activities and events.

Finally, all levels of the agency are required, through formal and informal communications, to ensure safety information is disseminated throughout the agency. This Plan sets forth the requirements for both the formal and informal reporting that supports our SMS.

### Competencies and Training

*CCCTA / LAVTA* has established a comprehensive safety training program for all agency employees and contractors directly responsible for the management of safety in the Transit Agency's system (Chapter 6). The training program includes refresher training, as necessary.

# Safety Plan Documentation and Recordkeeping

## Safety Plan Documentation

At all times, CCCTA / LAVTA maintains documents that set forth and support its Safety Plan, including those related to the implementation of *Foothill Transit-Arcadia* 's SMS, and results from SMS processes and activities. CCCTA / LAVTA maintains documents included in whole, or by reference, that describe the programs, policies, and procedures CCCTA / LAVTA uses to carry out the Safety Plan. These documents are available upon request by the FTA, other Federal entities as required. CCCTA / LAVTA maintains these documents for a minimum of three years.

## Safety Plan Records

In addition to any documents or records required elsewhere by Part 673, CCCTA / LAVTA maintains in perpetuity records of:

- (a) Safety risk mitigations developed in accordance with § 673.25;
- (b) Results from CCCTA / LAVTA performance assessments as required under § 673.27; and
- (c) Employee safety training taken for purposes of compliance with this part and the Public Transportation Agency Safety Program.

# Part I -- Safety Management Policy

## Chapter 1 – Safety Policy Statement

### 1.0 General Safety Policy

It is the policy of *CCCTA / LAVTA* to provide safe and reliable transportation service for the general public, to provide safe and healthful working conditions for our employees, and to comply with applicable occupational and environmental laws and regulations.

Operational and safety training, accident investigation, Standard Operating Procedures, and audit/inspection programs are documented and referenced in the Transit Agency's Safety Plan. The purpose of this plan, among others, is to recognize and correct unsafe acts and conditions, to promote safety awareness, and to assist in the prevention of injuries and illness as well as incidents that are harmful to the environment.

Every *CCCTA / LAVTA* employee and any outside contractor who serves *CCCTA / LAVTA* has the duty to adhere to the Safety Plan; to recognize, report and correct hazards; to work in a safe manner; to promote safety awareness; and to actively assist in accident prevention.

The General Manager accepts overall responsibility for safety at *CCCTA / LAVTA*. The Operations Manager, the Maintenance Manager, and the Safety Manager are responsible and accountable for implementation of the Safety Plan in their respective areas.

All *CCCTA / LAVTA* employees must carry out their assigned duties in a safe and efficient manner. The Safety and Security Review Committee is responsible for taking a proactive position in assisting *CCCTA / LAVTA* management to implement SMS and identify and control hazards to ensure the highest practical degree of safety for *CCCTA / LAVTA* riders and employees. As Chairman of the Safety Committee, the Chief Safety Officer bears the primary responsibility for coordinating implementation of the Safety Plan and monitoring compliance.

The signatures of the Chief Executive Officer, General Manager, and the Chief Safety Officer included in the Approvals section of this plan attest that this plan is understood, accepted and approved; and management is committed to implementing SMS through the Safety Plan and achieving its safety goals and objectives.

### 1.1 Safety Management Policy Statement

*CCCTA / LAVTA* is furthermore committed to comprehensive safety planning, and as an operator of a public transportation system that receives Federal financial assistance under Title 49 USC Chapter 53, also complies with 49 CFR Part 673.

*CCCTA / LAVTA* has adopted the principles and methods of Safety Management Systems (SMS) as the basis for enhancing the safety of public transportation. All rules, regulations, policies, guidance, best practices, and technical assistance administered will, to the extent practical and consistent with legal and other applicable requirements, follow the principles and methods of SMS.

*CCCTA / LAVTA* has a written statement of safety management policy that includes the safety objectives and safety performance targets. Safety Management Policy Statement

## **Subject: Safety**

**Scope:** This policy applies to all employees of *Transdev* North America, Foothill Transit-Arcadia.

At CCCTA / LAVTA, safety is first — our core belief, our deepest conviction and our highest priority. Our responsibility and accountability for safety extends to all *Transdev* North America, CCCTA / LAVTA employees as we care for our customers, passengers, the general public such as motorists, cyclists and pedestrians, and each other.

Operational safety shall always serve as the guiding principle and paramount priority when developing any *Transdev* North America, CCCTA / LAVTA operational policies, practices and procedures. All decisions need to be viewed through the lens of safety.

The prevention of accidents, injuries, unsafe incidents and illness is the responsibility of every CCCTA / LAVTA North America employee. All employees, from the Chief Executive Officer to the frontline employee, are expected to lead by example and:

- ✓ Provide a safe and healthy working environment;
- ✓ Abide by all safety policies, rules and regulations;
- ✓ Expect and insist upon a total commitment to safety from fellow employees; and
- ✓ Immediately raise any safety concerns to his or her supervisor or safety representative.

## 1.1.2 Communication

CCCTA / LAVTAs' safety management policy will be communicated throughout the organization through:

- Training in SMS for all employees;
- Notice to All Personnel from the GM;
- Email to all management and office personnel with electronic access;
- Signed receipt from all employees and new hires;
- Inclusion in employee Safety Briefings; and
- Posted on all general bulletin boards.

The Safety Plan will always be available to all employees. It will be maintained in an accessible electronic file and in hard copy(s) by all key SMS personnel in locations accessible to employees under their supervision and management.

## 1.2 Authority – Appendix I

### 1.2.1 Transit Agency – Appendix II

### 1.2.2 Vehicle Description – Appendix III

### 1.2.3 Maintenance Facility – Appendix IV

### 1.2.4 Safety Performance Indicators – Appendix V

### 1.2.5 Federal

Statutory mandates in the Moving Ahead for Progress in the 21st Century Act (Pub. L. 112–141; July 6, 2012) (MAP–21), reauthorized by the Fixing America's Surface Transportation Act (Pub. L. 114–94; December 4, 2015) and codified at 49 U.S.C. 5329(d), are in place to strengthen the safety of public transportation systems that receive Federal financial assistance under Chapter 53. This legislation defines requirements for the adoption of Safety Management Systems (SMS) principles and methods; the development, certification, and update of Public Transportation Agency Safety Plans; and the coordination of Public Transportation Agency Safety Plan elements with other FTA programs and proposed rules, as specified in 49 U.S.C. 5329.

In Section 20021 of MAP–21, Congress directed FTA to establish a comprehensive Public Transportation Safety Program, one element of which is the requirement for Public Transportation Agency Safety Plans. Pursuant to 49 U.S.C. 5329(d), FTA must issue a final rule requiring operators of public transportation systems that receive financial assistance under Chapter 53 to develop and certify Public Transportation Agency Safety Plans. FTA also is required to issue a rule designating certain Urbanized Area Formula Program recipients.

## 1.3 Terms and Abbreviations

*The following definitions used in this document are consistent with 49 CFR Parts 625, 630, 670, 673, and 674 as of September 2016. The source of each is noted in brackets, including the recent “SMS Glossary of Terms: FTA’s Guide to Relevant Terms for SMS Development” of September 2016 shown as “[SMS]”*

1. **Accident:** Any event involving a transit vehicle or taking place on transit-controlled property where one or more of the following occurs:
  - A loss of life;
  - A report of a serious injury to a person;
  - A collision of a transit vehicles;
  - A runaway of transit vehicle
  - An evacuation for life safety reasons; or
  - Any transit vehicle, at any location, at any time, whatever the cause
  - An accident must be reported in accordance with the thresholds for notification and reporting set forth in Part 674.
2. **Administrator:** The Federal Transit Administrator or the Administrator’s designee
3. **Advisory:** a notice from FTA to recipients regarding an existing or potential hazard or risk in public transportation that recommends recipients take a particular action to mitigate the hazard or risk. [670]
4. **Agency Safety Plan (ASP):** a document adopted by a Transit Agency detailing its safety policies, objectives, responsibilities, and procedures.
5. **Audit:** an examination of records and related materials, including, but not limited to, those related to financial accounts. [670]
6. **BTW:** Behind-The-Wheel, a type of required Operator training
7. **CEL:** Certifiable Elements List
8. **CEO:** Chief Executive Officer of the Transit Agency
9. **Chief Safety Officer (CSO):** an adequately trained individual who has responsibility for safety and reports directly to an chief executive officer, Chief Executive Officer, president, or equivalent officer. The CSO does not serve in other operational or maintenance capacities, [unless Transit Agency is a small public transportation provider as defined in Part 673, or a public transportation provider that does not operate a rail fixed guideway public transportation system]. [673, SMS]
10. **CM:** Construction Manager.
11. **Consequence:** the potential outcome(s) of a hazard. [SMS]
12. **Continuous Improvement:** a process by which a transit agency examines safety performance to identify safety deficiencies and carry out a plan to address the identified safety deficiencies. [SMS]
13. **Contractor:** An entity that performs tasks on behalf of FTA, a State Safety Oversight Agency, or a Transit Agency, through contract or other agreement
14. **Corrective Action Plan (CAP):** A plan developed by a Transit Agency that describes the actions the Transit Agency will take to minimize, control, correct, or eliminate risks and hazards, and the schedule for taking those actions. Either a State Safety Oversight Agency or FTA may require a Transit Agency to develop and carry out a Corrective Action Plan



15. **Direct recipient:** an entity that receives funds directly from the Federal Transit Administration. [625]
16. **Event:** An Accident, Incident, or Occurrence
17. **Facility:** a building or structure that is used in the provision of public transportation. [625]
18. **FMLA:** Family Medical Leave Act
19. **FRA:** The Federal Railroad Administration is an agency within the United States Department of Transportation
20. **FTA:** The Federal Transit Administration is an agency within the United States Department of Transportation
21. **Grade Crossing** (as defined in the National Transit Database glossary): an intersection of roadways, railroad tracks, or dedicated transit rail tracks that run across mixed traffic situations with motor vehicles, streetcar, light rail, commuter rail, heavy rail or pedestrian traffic; either in mixed traffic or semi-exclusive situations.
22. **Hazard:** Any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a rail's fixed guideway public transportation system; or damage to the environment
23. **Hazard Analysis:** The method by which hazards are identified and analyzed as to their possible effects upon the safe operation of the entire system (i.e.: Failure Mode and Effect Analysis, Fault Tree Analysis, Stress Analysis, etc.)
24. **Hazard Identification:** formal activities to analyze potential consequences of hazards during operations related to provisions of service
25. **Hazardous Condition:** An immediate condition that could cause an accident involving personal injuries or death
26. **Incident:** An unforeseen event or occurrence that does not necessarily result in death, injury, contact, or property damage. As defined by the FTA, and Incident is:
  - A personal injury that is not a serious injury;
  - One or more injuries requiring medical transport; or
  - Damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency
27. **Individual:** Any person at the property of a transportation system
28. **Injury:** Any physical damage or harm to persons because of an incident that requires immediate medical attention away from the scene
29. **Investigation:** The process of determining the causal and contributing factors of an accident, incident, or hazard, for preventing recurrence and mitigating risks
30. **Lagging Indicators:** provide evidence, through monitoring, that intended safety management outcomes have failed or have not been achieved. [SMS]
31. **Leading Indicators:** provide evidence, through monitoring, that key safety management actions are undertaken as planned. [SMS]
32. **Management of Change:** a process for identifying and assessing changes that may introduce new hazards or impact the transit agency's safety performance. If a transit agency determines a change may impact its safety performance, then the transit agency must evaluate the proposed change through its Safety Risk Management process. [SMS]
33. **National Public Transportation Safety Plan:** The plan to improve the safety of all public transportation systems that receives Federal Financial Assistance under 49 U.S.C. Chapter 53
34. **Near miss:** a safety event where conditions with potential to generate an accident, incident, or occurrence existed, but where an accident, incident, or occurrence did not occur because the conditions were contained by chance or by existing safety risk mitigations. [SMS]
35. **NTSB:** National Transportation Safety Board, an independent federal agency

36. **Occurrence:** An Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure and does not disrupt the operations of the transit agency
37. **Person:** A passenger, employee, contractor, pedestrian, trespasser, or any individual on the property of a public transportation system
38. **Performance criteria:** categories of measures indicating the level of safe performance within a Transit Agency. [673, SMS]
39. **Performance measure:** a parameter used to assess performance outcomes. [625]
40. **Performance target:** a specific level of performance for a given performance measure over a specified timeframe. [625, 673]
41. **PHA:** Preliminary Hazard Analysis.
42. **PPE:** Personal Protective Equipment
43. **Practical Drift:** the slow and inconspicuous, yet steady uncoupling between written procedures and actual practices during the provision of services [SMS]
44. **Program Standard:** is a written document developed and adopted by a State that describes the policies, objectives, responsibilities, and procedures used to provide safety and security oversight of a transit agency
45. **Public Transportation Agency Safety Plan (PTASP):** The comprehensive agency safety plan for a transit agency that is required by [49 U.S.C. 5329\(d\)](#) and based on a Safety Management System. Until one year after the effective date of FTA's PTASP Final Rule, a System Safety Program Plan (SSPP) developed pursuant to comply with [49 CFR part 659](#) will serve as the transit agency's safety plan.
46. **Public Transportation Safety Certification Training Program:** Either the certification training program for Federal and State employees, or other designated personnel, who conduct safety audits and examinations of public transportation systems, and employees of public transportation agencies directly responsible for safety oversight, established through interim provisions in accordance with [49 U.S.C. 5329\(c\)\(2\)](#), or the program authorized by [49 U.S.C. 5329\(c\)\(1\)](#)
47. **Risk:** The composite of predicted severity and likelihood of the potential effect of a hazard
48. **Risk mitigation:** A method or methods to eliminate or reduce the effects of hazards
49. **Sabotage:** The deliberate destruction of transit property or the slowing down of public transit operations by employees with the intention of damaging business or the economic condition of the transit agency
50. **Safety:** the state in which potential of harm to persons or property damage during operations related to provision of reduced to and maintained at acceptable level through continuous hazard identification and safety risk management activities
51. **Safety Certification:** The process used to verify the system meets criteria, codes, regulations, and contract requirements as they relate to safety, fire/life safety, and security
52. **Safety Performance:** an organization's safety effectiveness and efficiency, as defined by safety performance indicators and safety performance targets, measured against the organization's safety objectives. [SMS]
53. **Safety Performance Indicator:** a data-driven, quantifiable parameter used for monitoring and assessing safety performance. [SMS]
54. **Safety Performance Measurement:** the assessment of non-consequential safety-related events and activities that provide ongoing assurance that safety risk mitigations work as intended. [SMS]
55. **Safety Performance Monitoring:** the activities aimed at the quantification of an organization's safety effectiveness and efficiency during service delivery operations, through a combination of safety performance indicators and safety performance targets. [SMS]

**56. Safety Performance Monitoring and Measurement:** activities a transit agency must:

- 1) Monitor its system for compliance with, and sufficiency of, the agency's procedures for operations and maintenance;
- 2) Monitor its operations to identify hazards not identified through the Safety Risk Management process;
- 3) Monitor its operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended;
- 4) Investigate safety events to identify causal factors

**57. Safety Performance Target:** a specific level of performance for a given performance measure over a specified timeframe related to safety management activities. [SMS]

**58. Safety Reporting Program:** a process that allows employees to report safety conditions to senior management, protections for employees who report safety conditions to senior management, and a description of employee behaviors that may result in disciplinary action. [SMS]

**59. Safety Review:** a formal, comprehensive, on-site review by DOT or FTA of the transit agency's safety practices to determine whether the agency complies with the policies and procedures required under the Safety Plan.

**60. Safety risk management:** A process within a Transit Agency's Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risks

**61. Security and Emergency Preparedness Plan (SEPP):** is defined as a document developed and adopted by the transit agency describing the application of operating, technical, and management techniques and principles to the security aspects of the system throughout its life to reduce threats and vulnerabilities and describing the emergency preparedness policies and procedures for mobilizing the system and other public safety resources to assure rapid, controlled, and predictable responses to various types of transportation and community emergencies.

**62. Serious injury:** Any injury which:

- 1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received;
- 2) Results in a fracture of any bone (except simple fractures of fingers, toes, or nose);
- 3) Causes severe hemorrhages, nerve, muscle, or tendon damage;
- 4) Involves any internal organ; or
- 5) Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface

**63. SMS Executive:** A Safety Officer or an equivalent. [673]

**64. SSOC:** Safety & Security Operations Committee

**65. State:** A State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands

66. **State Safety Oversight Agency (SSO):** An agency established by a State that meets the requirements and performs the functions specified by [49 U.S.C. 5329\(e\)](#) and the regulations set forth in this part
67. **Subsystem:** An element of a system that may constitute a system
68. **System Safety Program Plan (SSPP):** It is a document developed and adopted by the transit agency, describing its safety policies, objectives, responsibilities, and procedures. Until one year after the effective date of FTA's PTASP Final Rule, an SSPP developed pursuant to comply with [49 CFR part 659](#) will serve as the rail transit agency's safety plan.
69. **System Security Plan (SSP):** A document developed and adopted by the transit agency describing its security policies, objectives, responsibilities, and procedures
70. **Vehicle:** Any rolling stock used on a public transportation system, including, but not limited to, passenger and maintenance vehicles

## 1.4 Objectives and Performance Targets

CCCTA / LAVTA has established Safety Objectives, performance targets, and performance measures in compliance with the National Public Transportation Safety Plan. These are delineated in Part III: Safety Assurance.

## 1.5 Scope

CCCTA / LAVTA has adopted the practices and methods of SMS as described in the National Transportation Safety Plan (NSP). The purpose of this Safety Plan is to systematically implement CCCTA / LAVTA System Safety Policy and introduce safety processes where they are necessary to achieve assurance. The Safety Plan is reviewed annually to ensure all systems, equipment, facilities, plans, procedures, manuals, and training programs are compliant with established safety requirements; and that the Safety Plan reflects current SMS configuration at the Transit Agency. Specifically, the Safety Plan:

- Establishes the safety program on a company-wide basis.
- Provides a framework for implementing CCCTA / LAVTA safety management system, policy, goals and objectives.
- Identifies the relationships and responsibilities of each CCCTA / LAVTA department relative to achieving safety goals and objectives.
- Identifies the relationships and responsibilities of CCCTA / LAVTA with municipal, parish, and state governing bodies and other organizations and agencies that impact transit system safety.
- Provides a mechanism whereby CCCTA / LAVTA can demonstrate its commitment to safety, foster a positive safety culture and meet safety performance goals.
- Provides requirements that, as appropriate, contractors and suppliers meet the CCCTA / LAVTAs' safety requirements prior to commencing work while on the premises.
- Satisfies federal, state, and local requirements.
- Ensures that the system meets or exceeds accepted industry safety standards.
- Facilitates FTA safety inspections, reporting, corrective actions and general and special directives and requirements.
- Implements NSP performance criteria, state of good repair, vehicle safety standards, meet training criteria and all other safety management requirements and goals.

## Chapter 2 - Safety Accountability and Responsibility

### 2.0 Safety and Security Operations Committee

The Safety Committee will be assigned to facilitate the incorporation of the System Safety Program into all aspects of transit operations and services. The General Manager acts as a resource for the operations, maintenance, and administrative staff, and is responsible for the administration of the System Safety Program, with assistance from management as required.

The General Manager has the authority and responsibility to:

- Perform accident/incident investigations
- Ensure all major accidents/incidents, hazards, and internal safety issues are reviewed and resolved
- Ensure internal safety reviews and inspections are conducted
- Report unacceptable hazardous conditions to the CCCTA / LAVTA executive management as soon as possible
- Work with operations and maintenance staff daily to ensure all System Safety Program requirements are implemented and Program goals and objectives are achieved
- Develop Corrective Action Plans (CAP) that result from accident/incident investigations, hazard analyses, and safety reviews and audits, as well as tracking corrective actions through completion to ensure all identified deficiencies are adequately eliminated or mitigated
- Ensure the Regional VP and Regional Safety Director are immediately notified of hazards of imminent danger or as other problems are identified or arise
- Ensure recommendations are followed upon and corrected
- Review findings and comprehensive reports with recommendations, findings, and actions that cannot be resolved by staff. Develop action plans and monitor the implementation of any corrective action plan pursuant to any reports and recommendations
- Review, approve, or recommend changes to the reports and corrective action plans, submitted to the Safety Committee for safety hazards, and threat and vulnerabilities audit findings and corrective actions, prior to submittal of the final reports to the responsible parties for implementation
- Review, approve, or recommend changes to corrective action plans developed in response to recommendations of the DOT
- Review, approve, or recommend changes to the annual reports of the internal safety review process required for submission to the DOT
- Review, approve, or recommend changes to transit safety rules and procedures established to implement the requirements and programs defined in the ASP

### 2.1 Contractors

Contractors are responsible for executing certain requirements outlined in the Agency Safety Plan. This responsibility includes determining and implementing countermeasures required to neutralize safety hazards and problems. The contractor is accountable and responsible for the safety performance of all personnel and equipment and for administering activities along the physical system and for reporting all accidents and incidents. All contractor employees are responsible for performing their work safely and in accordance with requirements for the

protection of themselves, co-workers, customers, and the public, considering the proper use of facilities and equipment.

The following are the management positions

- **General Manager**
- **Manager of Operations**
- **Safety Manager**
- **Maintenance Manager**

## 2.2 General Manager

The General Manager acts as the **direct point of contact** for the day-to-day management of the transit system. The position directs and manages all staff and contractors to ensure compliance with established bus system policies, directives, regulations and ordinances (city, state, and federal) and both the Standard Operating Procedures (SOP) and Standard Maintenance Procedures (SMP) in all phases of operation and maintenance, as well as the direct supervision of all operational, safety and maintenance staff to provide a safe, dependable, timely, and fixed transit service.

Among the assigned duties are:

- Direct and coordinate all operational personnel by establishing and monitoring program and project objectives. The Systems Operations General Manager will supervise the development and implementation of the processes and procedures, reviewing performance, completing required status changes and timekeeping documents, implementing and monitoring training. This position will oversee the safety programs, manage budgets, compiling and reporting data, supervising the hiring process, developing goals and objectives, and implementing team-building processes.
- Maintain reliable and high-quality bus service by ensuring the scheduling of personnel, facilities, and training; monitoring of ridership trends, analyzing data, verifying compliance with all regulations, and following manufacturers' instructions. Verify the correct implementation of the processes for operations, evaluating staff performance, recommending, and completing service upgrades and modifications; monitoring workflow, monitoring expenditures, coordinating operational requirements with the maintenance staff, reporting equipment failures, establishing and monitoring service standards, and developing short- and long-range plans.
- Complete administrative-related tasks by reviewing and analyzing data and statistics, coordinating and managing the budget process, addressing, and resolving labor relations issues; monitoring training and safety, developing and presenting information, writing papers, memos, and other correspondence, as well as investigating accidents and promoting safety in general.
- Administer contractual agreements with contractors and their personnel as assigned to the bus project, including supervisory, operations, and maintenance personnel. Oversee day-to-day issues, working with the contractor's manager, including safety, service quality, training, development, scheduling, discipline, and similar functions. Literally, to provide the highest level of customer service possible.
- Develop, refine, and ensure implementation of the operations and maintenance plan, and related standards and documents, such as rules and procedures. This position oversees job and position expectations for supervisory, operations, and maintenance personnel. Coordinate and oversee data and reports regarding operations and maintenance,

including key performance indicators, accident/incident reports, personnel measurements, and statistics related to any contractor's contract compliance.

- The position is responsible for identifying solutions for deviations from the Service Plan and related agreements, within the parameters of the Inter-Governmental Agreement.
- Take every reasonable precaution given the circumstances to ensure the protection of employees, patrons, and members of the public. Identify and inform employees of hazards in the workplace. Determine safe work methods and ensure employees are notified of new and modified methods. Ensure employees are trained on safety policies and procedures. Ensure employees to follow procedures. Respond to employee health and safety concerns in a timely manner.

## 2.3 Maintenance Manager

Under the supervision of the General Manager, the Maintenance Manager oversees:

- The maintenance and repair of equipment and facilities;
- Coordination of duties for all transit maintenance personnel and contractors as required for the safe and efficient operation of the fleet.
- Management of warranties and vendor interaction in support of all bus and facility-related equipment;
- Inspection of buildings and surrounding areas and recommended modifications or repairs;
- Planning and implementation of preventive maintenance (PM) programs for all bus equipment;
- Inspection of work in progress and recommendations regarding adjustments of personnel assigned to work, ensuring timely completion of work orders;
- Allocation of personnel, materials, and other resources to balance workflow and ensure availability of equipment;
- Servicing and daily cleaning activities of all bus equipment;
- Development and implementation of processes and procedures within the bus maintenance division to ensure the safe and efficient operation of all transit, maintenance support equipment, and bus facility equipment;
- Implementation of transit system maintenance and management programs, industrial hazard identification, accident, and security incident notification, internal maintenance, and safety audits, emergency preparedness, and response;
- Training sessions with maintenance and equipment support personnel on a regular basis;
- Regulatory compliance and implementation of training materials in coordination with Safety personnel;
- Completion of all maintenance tasks, monitoring of vehicle performance trends, analysis of data, ensuring compliance with all regulations and establishment of Original Equipment Manufacturer processes;
- Development and execution of comprehensive plans to consistently improve safety performance across all areas.
- Safe work methods and communications with personnel to ensure they are notified about new and modified maintenance methods consistent with procedures and policies;
- Ensure personnel are trained, and that safety policies and procedures are continuously reviewed;
- Supervision of assigned staff;
- Scheduling, assigning, instruction, guidance, and follow-up on work;



- Appraisal of employee performance;
- Training and development;
- Personnel rules and regulations and work behavior standards are enforced in an impartial manner
- Interview applicants, hiring, discipline, merit pay, and/or other employee status changes, while counseling, motivating, and maintaining harmony in the workforce.

## 2.4 Operations Manager

Under the supervision of the General Manager he/she is responsible for the following responsibilities:

- Assist in planning, organizing, coordinating, and directing transit on fixed route and/or demand response operations through subordinate supervisors, ensuring timely, efficient, and safe customer service.
- Provide guidance and direction to subordinate supervisors in route and shift coverage to ensure timeliness of service, customer satisfaction, and compliance with safety requirements set forth by Federal Transit Administration (FTA) regulations and motor carrier requirements.
- Monitor daily operations, meet with route supervisors on service-related issues, such as road closures or special assignments; maintain and analyze complaint files for service improvement.
- Issue written and/or oral instructions to transit supervisors and dispatchers.
- Monitor overtime and other operating expenses.
- Oversee and monitor fixed route and demand response to ensure enough staffing to facilitate orderly movement of passengers.
- Investigate and respond to complaints from public officials, other departments, and/or the public.
- Provide accurate information to inquiries and respond to complaints, including complaints from individuals who may be irate.
- Ensure accidents / complaints are properly investigated.
- Interact with other departments, supervisors, co-workers, and the public.
- Assign, schedule, and monitor work.
- Appraise employee performance and review subordinates' appraisals.
- Provide for training and development.
- Counsel, motivate, and maintain supervisor-subordinate harmony.
- Identify and resolve staff differences, conflicts, and deficiencies.
- Investigate grievances, take statements, and make recommendations.
- Interview applicants.
- Recommend hiring, discipline, termination, merit pay or other employee status changes.
- Enforce personnel rules and regulations; work behavior standards firmly and impartially.
- Monitor and ensure equitable distribution of overtime.
- Promote the observation of safe work practices.
- Monitor sick leave abuse and oversee vacation sign-up.
- Ensure all accidents or emergencies are properly investigated

## 2.5 Safety Manager

CCCTA / LAVTAs' safety compliance falls under the responsibility of the Safety Manager. Under the supervision of the General Manager, the Safety Manager verifies and assesses the daily operations of CCCTA / LAVTA. The Safety Manager has the authority to stop any work or operation if it represents an imminent hazard.

The Safety Manager has among their duties, the following:

- Assists in accident investigation;
- Performs investigation of security breaches;
- Conducts unannounced, random inspections;
- Performs annual safety audits;
- Manages hazard analysis;
- Provides safety & security training;
- Conducts threat and vulnerability assessments; and
- Answers as responsible party for all System Safety regulatory reporting requirements.

The Safety Manager's responsibilities in the day-to-day activities may include, but are not limited to:

- Directing/overseeing the overall safety operations of jobsites and on-board systems including reporting and conducting safety meetings;
- Directing/overseeing the development and implementation of training programs (operator, safety policy courses, passenger/assistance service sensitivity classes, etc.);
- Directing/overseeing the security program for all facilities (including on-road), remote surveillance, and on-board camera systems;
- Training of staff;
- Developing and monitoring contents of classroom training to ensure compliance;
- Investigating incidents, accidents, hazardous conditions, and work-related injuries, including accident reports, accident files, accident register, and follow up with the claims' office and adjusters as necessary;
- Planning, scheduling, and conducting monthly safety meetings based on safety and security training goals and objectives;
- Setting up regular accident review committees to determine preventability of accidents;
- Addressing employees' safety complaints;
- Developing and maintaining the Operational Hazard Analysis Log;
- Assists the Chief Safety Officer with the Corrective Action Plans (CAPs) implementation and follow-up.
- Maintain the OSHA 300 Log

## Chapter 3 - Emergency Management & Public Safety Liaison (EMPSL)

### 3.0 Emergency Management

Beginning in pre-revenue operations period and continuing into revenue service, this position is responsible for coordinating emergency response planning and drills among various law enforcement and other first responder groups. These include, but are not limited to, the US Department of Homeland Security, police and fire departments, private security organizations, emergency medical units, public health resources, and other police units including state, city, and contracted security. The EMPSL serves as the liaison to the local Emergency Operations Center (EOC) whenever it is activated due to an incident involving or affecting service or property.

### 3.1 Integration with Public Safety & Emergency Management

As required by *CCCTA / LAVTA*, the Manager of Safety or designee, will coordinate, conduct, and/or participate in safety / security related drills and exercises with Homeland Security, and other agencies, such as local Fire and Police. The purpose of participation is to ensure all potential emergency responders are familiar with equipment and property. Participation may include hands-on training, demonstrations, video demonstrations, handouts, or any other media. Minimally, emergency responder training will include basics of vehicle and system operation, familiarization with operations and routing, and emergency entry methods into vehicles.

The contractor will implement new findings from emergency drills and exercises and ensure appropriate and timely employee training occurs, as necessary. Furthermore, to ensure personnel are trained to perform satisfactorily during emergency conditions, annual recertification will incorporate discussion and refresher training regarding procedures, practices, actions, and responsibilities during emergency situations. After action reports are developed following emergency drills and exercises, those reports will be documented and maintained

Training for employees and local public safety organizations, along with more extensive discussion is contained in the SSEPP.

### 3.2 Documentation & Record Keeping

All safety activities are formally documented. The type of document used will vary depending on the type of activity. The following is a list of activities and the type of document used for documentation.

Activity	Type of Document
Inspections	Checklist Photos Evidence that finding have been corrected
Audits	Notification letters Auditing Checklist Auditing report with supportive documentation Corrective Actions generated by the audit
Safety Meetings	Agendas Attendant Sheet
Training	Agenda Attendant sheet Training material

For record keeping, CCCTA / LAVTA uses a combination of paper and digital files are kept in the Safety Manager's office, as the current recordkeeping storage service. All official documentation generated on the project must be saved on the cloud for record keeping. Documents kept on the drive include, but are not limited to, letters to DOT, audit reports, Corrective Action Plans, and Hazard Log(s).

Maintenance work orders, pre-trip inspections, etc. generated in hard copy will be kept on record by the department manager. Those documents must be kept in an organized form, in a location that prevents deterioration and keeps them secure.

Official documents must be kept for a period of no less than 3 calendar years. The process for destroying official documentation will follow AGENCY guidelines.

# Part II - Hazard Management Process

## Chapter 4 – Safety Risk Management

### 4.0 Safety Risk Management

The objective is to identify hazardous conditions and/or behaviors, document them, develop and apply mitigation strategies, and assess if they can be eliminated or minimized to an acceptable risk status.

CCCTA / LAVTA defines a hazard as any real or potential condition/behaviors that can cause injury, illness, or death; damage or loss of the facilities, equipment, rolling stock, or infrastructure of a transit system; or damage to the environment. The Safety Manager is directly responsible for the implementation and ongoing management of the Hazard Management process. This includes:

- Developing, updating, and auditing the program;
- Training all designated transit employees and contractors on the hazard management process; and
- Documenting and tracking all identified hazards up to resolution.

The hazard resolution process is from 'cradle to grave' and can be applied throughout the 5 phases of the system life cycle, which are:

1. Planning
2. Design
3. Construction
4. Operations
5. Decommissioning

Hazard analysis attempts to determine the set of primary events in the hazard generation process. Upon identification of these events, CCCTA / LAVTA will undertake measures to mitigate, control, or eliminate the generation of hazards in ways that can reduce their risk to an acceptable level. Hazard resolution is the corrective action taken in response to the hazard identification and assessment process, but time and resource restrictions may determine the level of resolution that can be accomplished.

The following are actions addressed in hazard resolution:

- Eliminate the hazard, if possible
- Implement training, procedural strategies, or technology approaches, as appropriate, to reduce the hazard
- Provide training to educate the workforce on possible hazards
- If hazard cannot be eliminated, reduce exposure to the hazard identified.

Monitor the Hazard Mitigation to determine if the risk has been managed to an acceptable level, to ensure it does not re-occur. Refer to SOP titled "*Hazard Management Plan*" for details.

## 4.1 Safety Hazard Identification

Hazard identification encompasses a set of methodologies that first searches throughout the system for anything with the potential to do harm. Identification of hazards is the responsibility of all divisions and is the key to system safety. Identified hazards are analyzed for severity, occurrence frequency, and cost feasibility of remedial action required to eliminate or reduce the hazard to the lowest practical level. The Safety Manager shall review all hazards identified. Hazards can be identified in several ways such as:

- Design Review
- Daily walk-throughs
- Monthly facility self-inspections
- On board in cab cameras (e.g.: Event Vehicle Recorders)
- Accidents, Incidents, and System Reliability, and Failure Reports
- Ride Checks and Proficiency Checks
- System Inspections, Audits, and Regulatory Inspections
- Customer, Contractor, and Employee Complaints
- Safety Committee
- Transit Industry Experience
- Employee Safety Reporting

CCCTA / LAVTA will use a hazard identification and analysis process before purchasing and accepting new equipment and/or modifications of existing facilities, systems or rolling stock, and infrastructure elements.

### 4.1.1 Hazard Analysis Methods

Analysis of a hazard is based on both the probability of occurrence and the severity of an event. Hazards with greatest potential to cause serious injury will take highest priority for immediate resolution. Hazard analysis also attempts to reduce the severity of events by introducing protective devices and equipment, procedures and/or forms, or system modifications that reduce the amount of human and property damage resulting from an accident.

While identifying every hazard is virtually impossible, there are two methods for orderly identification of hazards: inductive and deductive analysis.

- **The inductive hazard** identification process consists of an analysis of system components to identify their respective failure modes and the effects they may have on the total system. This process assumes the failure of single elements or events and, through analysis, determines the potential consequential effects on the system or subsystem.
- **The deductive hazard** identification process involves defining an undesired effect (e.g. collision, fire) and then deducing the possible conditions or system component faults (or combinations of them) necessary to cause the undesired effect.

The Safety Manager will continually evaluate the project using the methods described above to identify new hazards. This will be documented as described in this document.

For existing infrastructure elements, vehicles, procedures/processes management should consider using audits – either ad hoc or structured - based on identified safety issues to identify existing hazards and hazard potentials.

In addition, the Safety Manager utilizes a variety of software and technologies (e.g.: Incident database, data visualization software, EVRs) to assist in his/her analysis efforts.

## 4.2 Safety Hazard Assessment

Hazard Risk Assessment is a quantitative calculation based on largely subjective judgments used to determine the risk associated with each hazard and thus the urgency for implementing corrective measures to eliminate or reduce risks to a level of acceptability. Risk Assessment is comprised of evaluating hazard severity (categorizing the hazard) and evaluating hazard probability. The factors considered in this analysis include system safety, schedule, and the impact on the public’s perception of safety on the system in the community where the system operates.

### 4.2.1 Hazard Severity

Hazard severity is a subjective determination. As data is accumulated over time, an objective determination applicable specifically to AGENCY can be derived. The determination reflects a credible mishap that could be anticipated to result from human error, procedural deficiencies, design inadequacies, component failure, or malfunction. Hazard Severity is based on the U.S. Department of Defense Military Standard for Systems Engineering (MIL-STD-882-E) as follows:

**Table 1: Definition of Severity**

SEVERITY CATEGORIES		
Description	Severity Category	Criteria
<b>Catastrophic</b>	<b>1</b>	Could result in one or more of the following: Death, permanent total disability, irreversible significant environmental impact, or monetary loss equal to or exceeding \$10M.
<b>Critical</b>	<b>2</b>	Could result in one or more of the following: Permanent or partial disability, injuries, or occupational illness that may result in hospitalization of at least three personnel, reversible significant environmental impact, or monetary loss equal to or exceeding \$1M but less than \$10M.
<b>Marginal</b>	<b>3</b>	Could result in one or more of the following: Injury or occupational illness resulting in one or more lost workday(s), reversible moderate environmental impact, or monetary loss equal to or exceeding \$100K but less than \$1M.
<b>Negligible</b>	<b>4</b>	Could result in one or more of the following: Injury or occupational illness not resulting in a lost workday, minimal environmental impact, or monetary loss less than \$100K.

The categorization of hazards is consistent with risk-based criteria for severity; it reflects the principle not all hazards pose an equal amount of risk to personal or system safety. During the performance of hazard analyses, CCCTA / LAVTA will identify any Category 1 Catastrophic and Category 2 Critical hazards. These hazards will be addressed immediately. These issues will be monitored using the Hazard and CAP logs.

#### 4.2.2 Hazard Probability

The probability of an event or hazard occurring may be defined as a ratio of the number of times a specific event occurs to the total number of trials in which this event may occur during the planned life expectancy of a system. Generally, hazard probability is described qualitatively in potential occurrences per units of time, miles, trips/runs or passengers carried. Table 2 identifies the probability thresholds used by the CCCTA / LAVTA for hazard assessment. A hazard probability may be derived from the analysis of transit system operating experience, evaluation of safety data or from historical safety data from other passenger bus systems and/or demand response.

**Table 2: Definition of Exposure**

<b>PROBABILITY LEVELS</b>			
<b>Description</b>	<b>Level</b>	<b>Specific Individual Item</b>	<b>Fleet or Inventory</b>
<b>Frequent</b>	<b>A</b>	Likely to occur often in the life of an item	Continuously experienced
<b>Probable</b>	<b>B</b>	Will occur several times in the life of an item	Will occur frequently
<b>Occasional</b>	<b>C</b>	Likely to occur sometime in the life of an item	Will occur several times
<b>Remote</b>	<b>D</b>	Unlikely, but possible to occur in the life of an item	Unlikely, but can
<b>Improbable</b>	<b>E</b>	So unlikely, it can be assumed occurrence may not be experienced in the life of an item	Unlikely to occur, but possible
<b>Eliminated</b>	<b>F</b>	Incapable of occurrence. This level is used when potential hazards are identified and later eliminated	Incapable of occurrence. This level is used when potential hazards are identified and later



**Table 3: Risk Assessment Value**

<b>RISK ASSESSMENT MATRIX</b>				
<b>SEVERITY PROBABILITY</b>	<b>Catastrophic (1)</b>	<b>Critical (2)</b>	<b>Marginal (3)</b>	<b>Negligible (4)</b>
<b>Frequent (A)</b>	<b>High</b>	<b>High</b>	<b>Serious</b>	<b>Medium</b>
<b>Probable (B)</b>	<b>High</b>	<b>High</b>	<b>Serious</b>	<b>Medium</b>
<b>Occasional (C)</b>	<b>High</b>	<b>Serious</b>	<b>Medium</b>	<b>Low</b>
<b>Remote (D)</b>	<b>Serious</b>	<b>Medium</b>	<b>Medium</b>	<b>Low</b>
<b>Improbable (E)</b>	<b>Medium</b>	<b>Medium</b>	<b>Medium</b>	<b>Low</b>
<b>Eliminated (D)</b>	<b>Eliminated</b>			

### 4.3 Safety/Risk Hazard Mitigation

Resolution of hazards utilizes the results of the Risk Assessment Process. The objectives of the hazard resolution process are to:

1. Identify areas where hazard resolution requires a change in the system design, installation of safety devices, or development of special procedures;
2. Verify hazards involving interfaces between two or more systems have been resolved; and
3. Verify the resolution of a hazard in one system does not create a new hazard in another system.

The following methodology to ensure system safety and security objectives to eliminate or control hazards. These controls are implemented throughout design, construction, procurement, and operations:

1. Design out hazards or design to minimize hazard severity to the extent permitted by cost and practicality. Identified hazards are eliminated or controlled by the design of equipment, systems, and facilities.
2. Develop mitigating provisions for hazards that cannot reasonably be eliminated or controlled through design which are controlled to an acceptable level using fixed, automatic, or other protective safety design features or devices. Provisions are made

for periodic performance of functional checks of safety devices and employee training to meet system safety objectives.

3. When design, training, and safety devices cannot reasonably nor effectively eliminate or control an identified hazard, safety warning devices are used (to the extent practicable) to alert persons of the hazard.
4. Where it is impossible to reasonably eliminate or adequately control a hazard through design or the use of safety and warning devices, procedures and training are used to control the hazard. Cautionary notations are standardized for use by all persons involved and safety-critical issues will require certification of authorized personnel.

The Initial Risk Index defines the magnitude of any specific hazard item without implementation of design, construction, procurement, or operational measures to control or mitigate the risk.

The Safety Manager will identify sets of proposed mitigation actions to eliminate or control each identified risk and evaluate the Residual Risk Index, based on those mitigating actions, to assess the potential effectiveness, and inform the GM of the determination of whether the hazard is adequately controlled or mitigated.

# Part III - Safety Assurance

## Chapter 5 - Safety Assurance

### 5.1 Performance Monitoring and Measurement

#### 5.1.1 Accident Investigation

All employees and contractors are expected to comply with *CCCTA / LAVTAs'* accident and incident reporting procedures and use the forms prescribed. Roles, responsibilities, and accident reporting thresholds are outlined in the procedure, including accident notification, reporting, and investigation throughout the organization. The level of investigation required is dependent on the seriousness of the event.

Each accident/incident is investigated as specified in the *CCCTA / LAVTA* Accident Investigation Plan (AIP). The AIP complies with 49 CFR Part 672 and 673, State Safety Oversight Rule for bus incidents/accidents.

##### 5.1.1.1 Accident / Incident Investigation and Reporting Criteria

*CCCTA / LAVTA* must make reports available to DOT and the MPO regarding accidents/incidents. The Safety Manager conducts internal accident investigations on its behalf, unless otherwise notified.

All investigations conducted by *CCCTA / LAVTA* will follow the Accident Investigation Plan.

DOT/MPO may participate in the investigation process when it is conducting the investigation on DOT's behalf. If DOT elects to address an investigation of accidents or incidents, *CCCTA / LAVTA* may also conduct an independent investigation.

##### 5.1.1.2 Internal Notification of Accidents/Incidents and Unacceptable Hazards

In the instance where an accident or incident occurs, the Supervisor or frontline employee will notify the established contact personnel included in the Emergency Notification list that an accident/incident has occurred. The Supervisor will provide the time of the occurrence, the location, and any other important details. The Emergency Notification Group includes the notification to the established appointed contacts at the location.

##### 5.1.1.3 Notification of Accidents and Incidents to External Agencies

Recordable accidents tracked by *CCCTA / LAVTA* and made available to DOT, MPO and FTA

1. Fatality (occurring at the scene or within 30 days following the accident):
2. One or more persons requiring immediate medical treatment away from the scene of the accident
3. One or more vehicles incurring disabling damage and needing to be towed from the scene of the accident as result of the accident.

Job related employee fatalities shall be reported to OSHA within 8 hours of occurrence. In-patient hospitalization, amputation, or eye loss shall be reported within 24 hours.

Pursuant to the NTD Safety and Security Reporting Manual, **substantial damage** is defined as damage to any involved vehicles, facilities, equipment, rolling stock, or infrastructure that:

1. Disrupts the operations of the transit agency
2. Adversely affects the structural strength, performance, or operating characteristics of the vehicle, facility, equipment, rolling stock, or infrastructure, requires towing, rescue, on-site maintenance, or immediate removal prior to safe operation.

Substantial damage excludes damage limited to:

1. Cracked windows;
2. Dents, bends, or small puncture holes in the body

#### 5.1.1.4 Accident/Incident Reporting and Documentation

Each bus investigation conducted on behalf of DOT must be documented in a final report that includes a description of investigation activities, findings, identified causal factors, and a corrective action plan, if applicable. All accident reports must follow the requirements established in the Accident Investigation Plan. At its discretion, and as specified in its accident investigation plan, *CCCTA / LAVTA* may separate its investigation report into two parts:

1. Description of investigation activities, investigation findings, and determination of the most probable cause and additional contributing causes; and
2. Recommendations to prevent recurrence, including a corrective action plan which implements the recommendations.

*CCCTA / LAVTA* prepares written accident and unacceptable hazardous condition reports on standard forms. Such written reports are maintained. Reports contain the most probable cause, other contributing causes, corrective action plans, and a schedule for implementing corrective actions.

The status investigation reports at a minimum shall include:

1. Minutes of any meeting held by a local safety ad hoc reportable event investigation committee or contractor;
2. Disclosure of any immediate corrective actions of planned or completed principal issues or items currently being evaluated; and
3. Overall progress and status of the investigation.

Written reports are filed for all occurrences that fall into the category of an accident, incident, or injury. The Safety Manager files a monthly statement of all accidents, incidents, unacceptable hazardous conditions, and tracks open corrective action items through completion.

In addition, *CCCTA / LAVTA* maintains a file of the annual safety performance report in a format available for review by DOT at any time during an investigation. The report shall be prepared and a full briefing on the known circumstances of the event, status of *CCCTA / LAVTAs'* investigation and investigation activities.

Reports and records of accident investigations submitted to DOT by *CCCTA / LAVTA* as well as related reports and records produced by both DOT and *CCCTA / LAVTA* will be treated as

confidential information, and will not be released without concurrence by both DOT and CCCTA /LAVTA

### 5.1.2 Safety Data Acquisition

CCCTA /LAVTA has the responsibility to monitor the safety performance of operations. The Safety Manager is responsible for compiling and analyzing all safety data to determine if safety performance meets established safety goals. This data includes injuries to passengers, contractor personnel, public; potentially hazardous equipment failures; unacceptable hazardous conditions, and rules as well as procedure violations. A closed-loop reporting system for identifying and monitoring safety-related items has been established. To close out each incident, safety verification activities and results are reviewed and audited by the General Manager and reviewed by the Safety Manager. The Safety Manager is responsible for providing safety data to the General Manager for review. The Safety Manager monitors Safety Key Performance Indicators utilizing several tools and provides monthly progress updates to the GM.

Tracking of hazard related- data is used to identify trends. These trends are further analyzed and/or investigated to determine causal factors. Tools available to the Safety Manager include Risk-Based Analysis, Monthly Performance reviews, EVR data, and data analysis and trends.

The Safety Manager is responsible for information regarding accidents, incidents, hazardous conditions, and operations which are obtained from different reporting mechanisms. These include but are not limited to: Accident/Injury Reports and Investigations, Incident Reports, Daily Operations Summaries, Operator, and Supervisor Reports; Employee/Occupational Injury reports, mining of maintenance data, analysis of vehicle records, and procurement contracts.

### 5.1.3 Internal Audits

The purpose of internal system safety audits is to perform an official evaluation of accomplishments, problems, and trends related to safety and to evaluate the effectiveness of the implementation of the Agency Safety Plan. The Safety Manager is responsible for the direction of the safety reviews and audits of its contractors to determine performance related to the Safety goals and objectives.

Organizational functions subject to the safety audit process include:

- Facility inspections
- Maintenance audits/inspections
- Review of rules, standard operating procedures, special bulletins, and orders
- Review of training/re-certification programs
- Emergency response planning, coordination, training
- Configuration Management
- Systems modifications (review and approval)
- Safety data analysis
- Employee safety programs
- Hazardous materials program
- Interdepartmental safety goals and objectives
- Occupational safety and health programs
- Contractor safety
- Procurement and specification engineering
- Drug and Alcohol Testing Program

- Any aspect or responsibility as outlined in this document

CCCTA / LAVTA and contractors are subject to safety audits. The critical nature of certain operations requires rigorous development of reviews and audits. These include training, maintenance, and operations activities. Both periodic and no-notice inspections are undertaken to address all aspects of the activity including documentation, practices, and compliance with the Agency Safety Plan and other requirements. The Safety Manager reviews training, practices, and procedures to correct deficiencies identified during the performance of audits or other safety activities, including inspections and emergency drills.

#### 5.1.3.1 Safety Audit Process

The Safety Manager is responsible for the management of the Internal Safety Audit Program. All CCCTA / LAVTA employees and contractors are required to cooperate fully with Safety and Security personnel. Executive and senior managers ensure their areas participate fully in the safety audit process.

#### 5.1.3.2 Integrity of the Process

To maintain the integrity of the review process, an external audit team is used to conduct safety audits. The Safety Manager does not perform audits/reviews of those functions and elements for which it is directly responsible to implement. No team member shall audit a function or activity for which they are responsible.

#### 5.1.3.3 Auditing Cycle

The Internal Safety Audit Process is intended to be an ongoing, continuous safety review process.

Over a three-year period, all elements of the ASP must be audited at least once. The Internal Safety Audit Process is intended to be an ongoing, continuous safety review process. It is intended that at least 2 components of the ASP will be audited per year. The schedule is revised as necessary to accommodate schedules for auditors and the audited divisions.

The Audit Schedule presented in this section is as follows:

- Year 1
  1. Full SSPP (expected to be the last SSPP Audit)
- Year 2
  1. Safety Promotion:
    - a. Training Program
    - b. Safety Communication
  2. General Requirements
  3. Safety Policy
    - a. Safety Management Policy
    - b. Employee Safety Reporting
    - c. Key Management & Responsibilities

•• Year 3

1. Risk Management

- a. Risk Management
- b. Safety Hazard Identification Safety Risk Assessment
- c. Safety Mitigation
- d. Safety Assurance:
- e. Performance Monitoring and Measurement
- f. Management of Change
- g. Continuous Improvement

An annual audit schedule must be developed, reviewed, maintained and updated to ensure all elements are reviewed during the three (3) year audit cycle.

The Safety Manager notifies the division/organization a minimum of 30 days in advance of a scheduled safety audit.

5.1.3.4 Checklists and Performance of Safety Audits

The checklists include the elements on which the department will be audited. Checklists are prepared during the review of the Agency Safety Plan section, documents referenced in the Agency Safety Plan section, previous audits, and corrective actions.

Pre-audit and post-audit conferences are held by the audit team with the entity being audited. The safety audits are comprised of record reviews, interviews, field observations, and inspections and measurements to verify the accuracy of documentation and spot inspections of facilities and equipment to verify compliance with the Agency Safety Plan, procedures, codes, and regulations.

5.1.4 Rule Compliance

All *CCCTA / LAVTA* employees and its contractors are responsible for the prevention of accidents, identification of hazards, and resolution of such hazards. Reports of all accidents, incidents, occurrences, deficiencies, near misses and defects will be maintained by the Manager of the appropriate department.

*CCCTA / LAVTA* is assigned the responsibility for the safe operation of vehicles. Responsibilities include:

- Preparation and implementation of safe operating policies, plans, rules and procedures.
- Development of safety policies, plans, rules, and procedures for safe operation and maintenance.
- Personnel are annually re-trained in the proper performance of all applicable safety-related rules and procedures that cover their specific job function.
- Ensure the number of hours worked during a seven-day period does not exceed DOT limits;
- Ensure the number of consecutive days worked does not exceed DOT limits;

- Employees are provided copies of safety and emergency rules, procedures, and policies that affect them;
- Monitoring adherence to safety-related operating and maintenance policies, plans, rules and procedures through periodic in-service evaluations using the “Observation Report Form” by CCCTA / LAVTA Supervisors or a Manager. All deficiencies are reported, in written form, for review, re-instruction, or re-training. Supervisor Driver Evaluations, and rule conformance frequency shall follow the requirements outlined in Employee Qualifications & Rule Book;
- When necessary, performance coaching or re-instruction training for Supervisors is performed by CCCTA / LAVTA. Supervisors are expected to comply with all rules and enforcement thereof, as they apply to the management of bus service and the management of personnel. Additionally, Supervisor skills are assessed annually from participation in the driver Recertification Program;
- Personnel, whose safety record requires follow-up, additional training or discipline, including discharge, are identified through maintenance of records
- CCCTA / LAVTA will be required to develop a preventive maintenance schedule, for each system hardware element, which is designed to maintain system safety. Reported deficiencies and defects in equipment and facilities are corrected and monitored to assure satisfactory resolution. Only equipment known to be free of safety-related defects are placed into service.

### 5.1.5 Inspections

CCCTA / LAVTA must be effective to ensure all systems, equipment and facilities operate as required, or in the event of failure or degradation of functionality, operational safety is not compromised. This aspect of maintenance directly pertains to the safety of transit customers, emergency response agencies, the public, employees and subcontractors of transit.

#### 5.1.5.1 Safety Inspections

Safety inspections will be conducted by the Safety Manager and/or the department heads. The inspections will be unannounced and documented with checklists and photos. Safety inspections perform by the contractor will be done in accordance to their company guidelines and procedures.

#### 5.1.5.2 Facilities Inspections

All operating, and maintenance facilities will undergo a complete inspection by the Contractor at least once a year to ensure the safety and health of employees. Individual maintenance shops within the maintenance facilities are inspected monthly. Inspection reports are issued which list the hazards and the safety and health problems found during the inspection. Hazards identified during the inspection process are subject to the hazard management process. Follow-up inspections and reports are completed within 30 days. If the findings of the inspection can't be resolve within 24 hours, a work order will be opened and tracked until the finding is resolved.

#### 5.1.5.3 Equipment Inspections

Inspections of facility equipment are made in accordance with appropriate maintenance manuals and procedures. The Maintenance Manager will ensure equipment and facilities are maintained at an optimum level of safety. Hazards identified during inspections are entered the Hazard Tracking Log as appropriate and tracked until closure is achieved.



#### 5.1.5.4 Vehicles

All vehicles are maintained at a minimum in accordance with manufacturer recommendations. Most of the maintenance is time driven based maintenance. Maintenance is tracked and coordinated through time schedules, which are maintained by the contractor. All records are currently maintained in a manual database under completed maintenance for each vehicle. All hard copies are kept and in independent books for each vehicle for 1 year. All work completed for each vehicle is tracked through assigned repair order numbers for all repairs, or, designated maintenance inspection intervals. CCCTA / LAVTA is responsible for document control.

Maintenance schedules will follow a progressive preventative maintenance cycle starting with the lowest mileage (routine inspection) through mid-level and major inspections. All vehicle inspections cover the equipment progressing at higher levels of detail for each inspection. Once the highest level of inspection is reached, the cycle starts again. In conjunction with the inspection cycle, mid-level and major overhauls are scheduled. These are time-based overhauls and rebuilds of major equipment per the manufacturer requirements.

The maintenance criteria described above is strictly followed. If a bus is at the mileage or time requirement and the scheduled maintenance is not complete, the bus must be removed from service until the required maintenance is complete. No vehicles can carry passengers in service with any DOT Out OF Service violations/criteria.

#### 5.1.5.5 Resolution of Review/ Inspection Findings

Each facility inspection report is sent to create the appropriate work orders, if applicable It identifies specific areas and targets specific recommendations for corrective action. Unacceptable hazards identified are reported to the Safety Manager.

Work Orders are generated for defects identified during Fleet Maintenance, Facilities Management and Systems Maintenance inspections.

#### 5.1.6 Hazardous Material & Local, State & Federal Regulations

The Occupational Safety and Health program is directed towards achieving a safe working environment for employees and minimizing the likelihood of accidents. The program emphasizes the recognition, evaluation, and control of hazards arising in and from the occupational environment.

##### 5.1.6.1 Facilities Inspections

CCCTA / LAVTA operating, and maintenance facilities undergo a complete inspection by the contractor at least once a month to ensure the safety and health of employees. Individual maintenance shops within the maintenance facilities are inspected monthly. Inspection reports are issued which list the hazards and the safety and health problems found during the inspection. Follow-up inspections and reports are completed within 30 days.

##### 5.1.6.2 Hazardous Materials Control

CCCTA / LAVTA is fully aware of the importance of employee chemical safety programs and the duty to comply with legally mandated hazardous materials rules and regulations.

CCCTA / LAVTAs' Hazard Communication Programs complies with Title 29 Code of Federal Regulations Part 1910.1200, Hazard Communication Program. The Hazard Communication

Program covers the procurement, receipt, storage, and disposal of hazardous materials. It also documents the maintenance of Safety Data Sheet (SDS) binders and employee training.

Hazardous waste/chemical safety inspections are included in the responsibilities for safety inspections. When necessary, consultants may be hired for special projects such as indoor air quality, chemical vapor and particulate sampling.

The Safety Manager reserves the right to reject a product if it is deemed either too hazardous for employee use or is unable to provide adequate safeguards or protection.

The SDS review/request procedure, which requires SDS review and approval by the Safety Manager or designee is included in the Hazard Communication Program. These programs are the responsibility of the affected division and the Safety Manager. Program effectiveness is reviewed via the Internal Safety Audit Process. Safety Data Sheets (SDS) for all hazardous materials considered for purchase and use are reviewed by the contractor for approval. The user furnishes the manufacturer's SDS for hazardous products and information on the planned use and application methods. Follow-up is conducted on the field use of approved products to ensure safe/proper handling methods are utilized. The Maintenance Manager is responsible for keeping current files of all SDS.

#### 5.1.6.3 Personal Protective Equipment

All personal protective equipment used by *CCCTA / LAVTA* personnel is reviewed and approved by the Safety Manager in accordance with respiratory, hearing conservation, electrical gloves and other applicable safety standards.

#### 5.1.6.4 Safety/Industrial Hygiene Training and Education

*CCCTA / LAVTA* provides training to employees in basic, safe work practices and hazard identification. Employees exposed to chemicals and/or potentially overexposed to physical agents receive training in industrial hygiene principles, use and care of personal protective equipment and hazards and safe handling methods of chemicals.

#### 5.1.7 Drug & Alcohol Program

*CCCTA / LAVTA* is certified as a drug-free workplace and complies with all provisions of the U.S. Department of Transportation, Federal Transit Administration, 49 CFR Part 655, Prevention of Alcohol Misuse in Transit Operations and 49 CFR Part 40 Procedures for Transportation Workplace Drug and Alcohol Testing Programs.

Covered employees receive a minimum of 60 minutes of training on the effects and consequences of prohibited drug use and additional training on the effects of alcohol on personal health, safety, the work environment, and on the signs and symptoms that may indicate prohibited drug use. Supervisors will, in addition to the covered employee training, receive an additional 60 minutes of training on the physical, behavioral, speech and performance indicators of probable drug use.

*CCCTA / LAVTA* is responsible for administering the Drug and Alcohol-Free Workplace regulations. *CCCTA / LAVTA* managers are responsible for administering the Substance Abuse Policy.

Drug and alcohol testing are required under the following circumstances:

- Drug testing shall comply with DOT regulations and test for the following substances:
  - Marijuana
  - Cocaine
  - Phencyclidine (PCP)
  - Amphetamines (e.g. racemic amphetamine, dextroamphetamine, and methamphetamine)
  - Opioids (e.g. heroin, morphine, codeine)
- Pre-Employment, including placement of an existing employee in a safety sensitive position (drug test only)
- Reasonable suspicion that an employee has used a prohibited drug or misused alcohol
- Post-accident following certain types of accidents
- Random testing for safety sensitive personnel
- Return to duty following completion of drug/alcohol rehabilitation program
- Follow-up testing for employees who have sought and completed a treatment program. Under the FTA drug testing regulations for employees in safety sensitive positions, laboratory tests on urine specimens are conducted for five types of drugs or their metabolites.

### 5.1.8 Employee Safety Reporting

Safety reporting is an essential part of SMS. *CCCTA / LAVTA* management must foster an atmosphere of trust that encourages and rewards employees for providing safety-essential information, even if it is self-incriminating, without fear of reprisal. An effective SMS empowers employees with the confidence to raise concerns that may lead to serious safety/quality error and assures them someone will listen to them and investigate their issues or concerns in a professional manner — all without fear they will face unduly harsh penalties for admitting to genuine mistakes.

A robust employee safety reporting system will provide:

- Unique – Information you can't get any other way
- Authentic – Individuals who know best are directly providing the information
- Timely – Direct reporting overcomes time lag of mandatory reporting processes
- Diverse – Information from different individuals with different experiences and perspectives
- Comprehensive – Multiple reports over time reveal patterns, trends, and the scope of an issue

*Foothill Transit-Arcadia* will implement an Employee Self Reporting program that will:

- Incentives employees to report any safety related situation
- Emphasize benefits for safety, not safety record
- Establishes clear guidelines for unacceptable behavior
- Balance learning and accountability
- Establishes several methods for employees to report safety issues.

As we know self-reporting is not a get out of jail free card. It is a process that if what happened was a real mistake, the focus will be on re-education and not on the punitive action.

The following table presents a guideline in cases of safety events:

Human Error	At-Risk Behavior	Reckless Behavior
An inadvertent action – slip, lapse, mistake	A choice – risk not recognized or believed justified	Conscious disregard of unreasonable risk
Manage through: <ul style="list-style-type: none"> <li>&gt; Processes &amp; procedures</li> <li>&gt; Checklists</li> <li>&gt; Training</li> <li>&gt; Design</li> </ul>	Manage through: <ul style="list-style-type: none"> <li>&gt; Increase situational awareness</li> <li>&gt; Remove incentives for at-risk behavior</li> <li>&gt; Create incentives for safe behavior</li> </ul>	Manage through: <ul style="list-style-type: none"> <li>&gt; Remedial action</li> <li>&gt; Punitive action</li> </ul>

What is important to emphasize is any cultural change in the organization will take time to be fully implemented and see the results of these changes.

## 5.2 Management of Change

Configuration Management requirements will be included in all contracts to ensure changes to the design of equipment and facilities, after design reviews, are adequately documented and approved. The configuration management process uses baseline management to ensure the technical baseline is defined and controlled throughout the maintenance and operation phase, and the end products satisfy the technical and operational requirements derived from the system needs.

Selected documentation, such as as-built drawings, manuals, procedures, and other documents, are formally designated and approved as part of the technical baseline and are under CCCTA / LAVTA for future capital projects, all documents related to the segment/phase that are under the control of a contractor will be turned over for control and maintenance following completion of said phase.

For future capital or Maintenance improvement projects, the designated contractor shall be responsible for quality control testing and inspections if required in accordance with an approved Quality Control Plan.

Additions or modifications to Bus Operations Standard Operating Procedures (SOP), and to the existing configuration of presently operating system fixed facilities, rolling stock, and equipment directly related to operation of rolling stock, are approved by the Regional Vice President of Operations. These reviews are established to ensure system and operational changes are approved prior to implementation, and drawings, manuals, and other related documents, including training programs, are updated to reflect these changes, which are also reflected in the Maintenance Management Plan.

Upon the approval of any system or operations change CCCTA / LAVTA will create a Special Instruction or create and/or revise current Standard Operating Procedure to advise affected employees. Supervisors will distribute, individually to each employee, the new control document,

ensuring each employee understands the operational change as it applies to their job. Each employee is required to sign for their copy and place the updated material into their SOP book.

### 5.3 Continuous Improvement

Continuous improvement is measured through monitoring safety performance indicators. Progress is related to the maturity and effectiveness of the SMS. Safety assurance processes support improvements to the SMS through continual verification and follow-up actions.

These objectives are achieved through the application of internal evaluations and independent audits of the SMS. Compliance of this requirement is indicated when:

- The Safety Committee has the necessary authority to make decisions related to the improvement and effectiveness of the SMS; or
- The SMS is periodically reviewed for improvements in safety performance.

This element is satisfied when the organization routinely monitors the SMS performance to identify potential areas of improvement and the outcomes of this process lead to improvements to the safety management system.

#### Best Practices

- There is evidence of lessons learned being incorporated into the policy and procedures;
- The organization benchmarks its SMS against other organizations and is an active promoter of SMS within the transportation industry;
- Best practice is sought and embraced;
- Surveys and assessments of organizational culture are carried out regularly and acted upon;
- For safety related services the organization requires contracted organizations not required by regulations to have an SMS; and
- Contractors can participate and share information in the SMS

#### 5.3.1 Agency Safety Plan Annual Review Process

CCCTA / LAVTA shall be the authority for the development, implementation, and management of the ASP. It also has the primary responsibility of implementing the ASP with oversight and review by the General Manager. Annual review of the ASP is mandatory and *Foothill Transit-Arcadia* specific responsibilities within the ASP framework include, but are not limited to:

- a. By September of each year notify the Safety Manager of any recommended changes to the ASP for review and approval by the General Manager
- b. Revisiting the ASP annually to reflect changes in organizational structure and new systems that require significant changes in operation
- c. Review progress on goals and objectives
- d. Refine and improve on the current goals and objectives of the SMS program
- e. Identify new tasks or objectives to respond to system growth or any new regulations that effect safety and security
- f. Identify any additional or emerging safety or fire/life safety-related tasks and responsibilities.

On-going review and revision of the ASP ensures the document remains currently

# Part IV - Safety Promotion

## Chapter 6 – Safety Promotion

### 6.1 - Competency & Training Program

#### 6.1.1 Overview

Safety training is conducted on facilities, equipment, and vehicles. Operating rules and standard operating procedures (SOPs) will be prepared by CCCTA / LAVTA and provided to all personnel. The Safety Manager oversees the formulation of training programs and records. The General Manager and Manager of Operations maintain SOPs and Rules and maintains all records, which are kept at the facility.

CCCTA / LAVTA periodically completes reviews and oversight activities associated with the training program. Activities or functions judged to be safety-critical may require special training and/or certification. This ongoing training is included in regular safety meetings and all documentation is also kept at the facility.

Refresher training is accomplished at least annually for operations and maintenance employees and when situations related to employee performance warrant it. Emergency responders are also trained during the pre-revenue period and during drills that occur at least annually. These are also documented, and records retained at the facility.

#### 6.1.2 Employee Safety

##### 6.1.2.1 Operations Personnel Training

All bus operators will be required to successfully have completed the *Foothill Transit-Arcadia* bus operation training program (Operator Development Program). This course covers Standard Operating Procedures and Operator Rules that govern the operation. New Operators are also provided Behind The Wheel training by a certified Instructor.

New Bus Operators are also evaluated by established Operators and Supervisors using an Observation Report Form. New Operators must meet all criteria satisfactorily or they receive additional training. The Safety Manager, on a separate occasion prior to certification, will determine whether each Operator demonstrates safe control of the revenue vehicle or needs additional training. Each Operator is certified with both written and practical testing to validate operational readiness.

Annually, each operator is given a refresher course on the rules and procedures and will recertify with written and practical testing. The re-certification may consist of one or more of the following: a quiz, a checklist, a test, and a demonstration of troubleshooting techniques. Any person who fails the annual examination is given special retraining.

Updated training materials will be developed under coordination by the Manager of Operations / Safety personnel and Supervisors prior to the opening of any new bus extension or major

modification to the existing routes or introduction of new vehicles. Operations personnel will be certified by either written or practical testing.

CCCTA / LAVTA operators are subject to periodic in-service evaluation or Operators by Route Supervisors who monitor their compliance to rules and procedures outlined in the Rule Book and SOPs. Route Supervisors shall complete a Driver Evaluation Form after completion of the in-service evaluation and will review the information in the report with the Operator. Positive reinforcement is given as warranted. Operators observed violating rules or procedures may be subject to progressive discipline.

CCCTA / LAVTA will maintain a Rule Violation Log that chronicles violations each month and administers all disciplinary actions, retraining, re-instructions, and determines the consequence of any rule violations.

Supervisors are provided training periodically and also receive Operational Safety Leadership courses on-line through a *Foothill Transit-Arcadia* E-Learning portal.

#### 6.1.2.2 Maintenance Personnel Training

Maintenance requirements, methods, and procedures for the facility equipment and systems will be described in manuals, handbooks, and other documentation developed for the training and certification of maintenance personnel. Use of personal protective equipment, emergency equipment, and safety instructions are included within the training program.

Maintenance personnel are required to operate buses, heavy equipment, or other specialized vehicles/equipment/apparatus and will be certified by both written and practical testing to document the employee's knowledge of safety and operating procedures and skill in the proper and safe operation and procedures. Annually, each employee will re-certify in the proper and safe use of the equipment/vehicles with written and practical testing. Any person who fails the annual examination will be given special retraining.

#### 6.1.2.3 Safety Training

Safety information on approved methods and procedures are used in manuals, handbooks, and other documentation developed for the training and certification of operators and maintenance personnel. Identification of protective devices and emergency equipment are included in the training documentation and instruction. In addition, safety posters and notices are used, as appropriate, to enhance awareness during all phases of system operations. Proficiency demonstrations and certifications are required of all operators and maintenance personnel. Safety concerns are incorporated in briefings given to personnel prior to their working with hardware or facilities. The Safety Manager will make reviews of the safety training program every six months to ensure training materials and programs remain consistent with employee needs.

#### 6.1.2.4 Emergency Response Personnel Training

Training to familiarize fire, police, and emergency service personnel with facility requirements is coordinated through and conducted by CCCTA / LAVTA. Emergency preparedness and response drills are developed by CCCTA / LAVTA. Training classes, drills, and after-action reviews are then conducted with emergency service personnel and *Foothill Transit-Arcadia* personnel to:

- Ensure the adequacy of emergency plans and procedures
- Ensure readiness of the CCCTA / LAVTA personnel to perform under emergency conditions
- Ensure effective coordination between the CCCTA / LAVTA and emergency response personnel and outside agencies.

#### 6.1.3 Contractor Safety

Contractors, not part of operations activities associated with the facility must seek approval, in writing, from CCCTA / LAVTA to perform work on property and infrastructure. CCCTA / LAVTA must ensure the requesting party abides by CCCTA / LAVTA safety requirements. Requirements include but are not limited to: reflective safety vests, safety signaling to operators, and an understanding of all unsafe conditions. CCCTA / LAVTA may require contractors to attend safety classes prior to approval and issuance of an Access Permit; this requirement depends on the work request. CCCTA / LAVTA will determine which contractors shall attend such classes and receive certification prior to the approval and issuance of an Access Permit when necessary.

#### 6.1.4 Record Keeping

Personnel records of all training activity by employees are maintained by CCCTA / LAVTA.

#### 6.1.5 Compliance with Training Requirements

The internal audit process includes the means of determining that all necessary training is conducted and documented including the proper qualification of operating and maintenance personnel. Training materials, testing, and grading processes are reviewed and evaluated for completeness and accuracy.

The audit process is guided by the following criteria related to training compliance:

- Identify training requirements for all personnel related to safety. This encompasses initial and refresher training of procedures, equipment uses, and manufacturers' training. Also reviewed is retraining requirements identified due to accident or incident investigations.
- Review all training programs identified for safety adequacy.
- Assess the effectiveness of the training programs and on-the-job experience by the conducting emergency scenarios, drills, audits, and evaluations. These job evaluations are based on job performance, statistical trends, and public feedback.
- Review employee performance, including employee records and conduct in-person interviews to confirm technical knowledge and issues.
- Evaluate training provided to operations personnel and emergency response personnel when substantive operational changes are made, or with the introduction of new equipment, facilities, or specialty vehicles



## 6.2 Safety Communication

CCCTA / LAVTA has a robust Safety Communications program consisting of:

- Monthly Safety Meetings Initiative
- Topic-specific videos, posters, bulletins addressing risk-prioritized defensive driving and injury prevention topics
- Safety Campaigns
- Local management communications
- Intranet Communications
- Safety Posters and Bulletins

## Appendix V

1. Total number of Fatalities: \_\_\_\_\_
2. Total number of Fatalities per vehicle revenue mile, by mode: \_\_\_\_\_
3. Total number of reportable injuries: \_\_\_\_\_
4. Total number of reportable injuries per vehicle revenue miles, by mode: \_\_\_\_\_
5. Total number of reportable events: \_\_\_\_\_
6. Total number of reportable events per vehicle revenue mile, by mode: \_\_\_\_\_
7. Mean Distance between Failures (breakdowns): \_\_\_\_\_

### Reportable injury

An injury resulting from a Reportable Event, which requires immediate off-site medical attention.

### Reportable Event

A safety or security event occurring on transit right-of-way or infrastructure, at a transit revenue facility, at a transit maintenance facility or rail yard, during a transit related maintenance activity or involving a transit revenue vehicle that results in one or more of the following conditions:

#### Non-Rail Modes:

- A fatality confirmed within 30 days of the event
- An injury requiring immediate medical attention away from the scene for one or more person
- Property damage equal to or exceeding \$25,000
- Collisions involving transit revenue vehicles that require towing away from the scene for a transit roadway vehicle or other non-transit roadway vehicle
- An evacuation for life safety reasons

HAZARD PROBABILITY TABLE

Probability Level	Description
A – Frequent	Likely to occur frequently. Continually experienced in the fleet/inventory.
B – Probable	Likely to occur several times in life of an item. Likely to occur frequently in the fleet/inventory.
C – Occasional	Likely to occur sometime in life of an item. Likely to occur several times in the fleet/inventory.
D – Remote	Unlikely, but possible to occur in the life of an item. Reasonably expected in the fleet/inventory.
E – Improbable	So unlikely, occurrence is not expected. Unlikely to occur, but possible in the fleet/inventory.

RISK ASSESSMENT FREQUENCY/SEVERITY MATRIX

Frequency	Severity			
	1 Catastrophic	2 Critical	3 Marginal	4 Negligible
A – Frequent	1/A	2/A	3/A	4/A
B – Probable	1/B	2/B	3/B	4/B
C – Occasional	1/C	2/C	3/C	4/C
D – Remote	1/D	2/D	3/D	4/D
E – Improbable	1/E	2/E	3/E	4/E

HAZARD RESOLUTION TABLE

Severity / Frequency	Resolution
1/A   1/B   1/C   2/A   2/B   3/A	Unacceptable—correction required.
1/D   2/C   2/D   3/B   3/C	Unacceptable—correction may be required after review by CEO.
1/E   2/E   3/D   3/E   4/A   4/B	Acceptable—with review by CEO.
4/C   4/D   4/E	Acceptable—without review.

## SAFETY EVENT INVESTIGATION/REPORTING PROCEDURES MANUAL

Revised November 1, 2020

This SOP establishes procedures for the investigation and documentation of all safety event involving LAVTA services. This document complies with the requirements of Title 49, Code of Federal Regulations Section 673 and National Transit Database reporting criteria, which require Safety to investigate bus safety-events including collisions, fires, evacuations, and other safety occurrences otherwise not classified.

### RESPONSIBILITY

These procedures apply to employees (including contracted) that are involved in the investigation of safety events, including but not limited to the Chief Safety Officer and SMS administrators (such as System Safety Manager). For the purpose of this manual, the principal incident investigators will be referred to as Transportation Safety Specialists (TSS).

### DEFINITIONS

**Reportable Safety-event:** Any collision, derailment, or explosion involving a LAVTA bus or any other loss-causing event that results in a fatality or injury to a passenger or employee, or the emergency evacuation of persons (Ref. NTSB 49CFR540, modified)

**Safety-Event Classification:** The type of safety event is identified as the first reportable event in sequence.

**Classification protocol:** If a bus collides with another vehicle and then catches on fire, for example, the safety-event is classified as a collision. On the other hand, if a bus catches on fire then collides with another object, the safety-event is classified as a fire. In other words, the safety event will be classified according to the first event that occurred.

**First Knowledge:** An official notification from the employee, police, paramedics, hospital, or employee's family of the seriousness of an injury.

**Fatality:** Anyone involved in a safety event, as defined by this SOP, who dies within 30 days of incident-related injuries shall be considered a "fatality." If an incident is evaluated to be suicide/attempted suicide, the TSS shall note that on the final report. Any such classification of fatality as suicide/attempted suicide will be made in conjunction with the Medical Examiner and Police Department (Police Department - only classify homicide).

**Collision:** A safety event involving undesired/unplanned contact between an LAVTA vehicle and another vehicle, person, object, or animal.

**High-Visibility Safety Event:** A safety event, regardless of type and/or severity that generates widespread publicity and may warrant a formal investigation.

**Injury Safety Event (not serious):** A safety event that causes any person involved in the safety event to require either medical treatment at the scene of the accident or to be transported to a medical facility for treatment.

**Injury Safety Event (serious):** All safety-events in which (1) a pedestrian, customer on the LAVTA vehicle, or occupant(s) of another vehicle sustains serious or potentially life-threatening injuries, as determined by on-site Emergency Medical Services (EMS) personnel, and (2) is subsequently transported and admitted to a medical

facility.

**Intersection:** A place where two roads or highways meet. The space which is bounded by the far limit lines of each road.

**NTD** – National Transit Database.

**NTD Reportable Accident:** A safety event which meets the reporting requirements of the National Transit Database Reporting Manual

## **PROCEDURES**

### **NOTIFICATION OF SYSTEM SAFETY**

Whenever there is a safety event involving a LAVTA motor coach, Operators and other employees shall immediately notify dispatch and Operations Management. If a TSS is unavailable, dispatch shall attempt to contact the System Safety Manager and then the Chief Safety Officer.

The TSS or System Safety Manager shall assume responsibility for the investigation.

## **INVESTIGATION PROCESS**

### **REQUIRED REPORTING TO THE SCENE**

The TSS shall report mandatorily to any major safety event such as:

1. Fatality;
2. Person under a bus;
3. Multiple serious injuries involving transport to the hospital;
4. Catastrophic damage to a LAVTA vehicle;
5. Collision involving multiple non-LAVTA vehicles and major damage or injuries.

### **DOES NOT REQUIRE REPORTING TO THE SCENE**

The TSS may elect not to report to a safety event, which may be NTD reportable but do not involve any of the criteria necessary for reporting to the scene. Clearing of a scene depends on the type and seriousness of the Safety Event. For example:

6. If fatality, the Medical Examiner will clear the scene
7. If a serious injury or crime, law enforcement having jurisdiction, usually local PD, will clear the scene.
8. If a fire on the surface right-of-way or subway station, local FD will clear the scene.
9. If minor Safety Event, such as a non-injury hit-and-run collision with no police response, the Road Supervisor may clear the scene

From time to time, for minor bus Safety Events, the Road Supervisor should be able to clear the scene before the arrival of Safety personnel provided that he or she takes photographs and marks the vehicle locations with chalk or crayon allowing Safety personnel to complete their required investigation at a later time.

### **WHEN REPORTING TO THE SCENE**

When reporting to a major, high-visible accident scene, the TSS should collect the following information:

- a. Names, addresses, and phone numbers of witnesses;
- b. The number of injuries including fatalities (Injuries are defined as those requiring immediate transport to a medical facility.);
- c. Names, age, sex, addresses, and phone numbers, if possible, of injured parties, including fatalities;
- d. Driver's license and insurance information from drivers of other involved vehicles;
- e. License plate numbers from other involved vehicles and their description;
- f. Names and agencies of emergency personnel on scene;
- g. Witness statements;
- h. Statement of operator(s), if possible;
- i. If the operator is available for interview, ask questions about the operator's level of fatigue, sleeping patterns, use of prescription and nonprescription medication, and use of alcohol;
- j. Photograph the safety event scene and involved vehicles, in accordance with the attached checklist (See Appendix, B);
- k. Develop a safety-event scene sketch, which identifies by measurement the location of important items, including but not limited to vehicles, road marks, rail marks, debris, and victims;
- l. Contact Ops to request on-board video surveillance retrieval;
- m. Verify that video surveillance retrieval has occurred;
- n. Arrange for appropriate storage of any evidence obtained at the scene;
- o. Notify Bus Vehicle Maintenance to secure the vehicle pending inspection by police and System Safety personnel.

#### **OFF-SCENE INVESTIGATION**

When collecting information off scene and throughout the investigation, the TSS shall collect and review the following:

- Obtain copies of Police Department, Fire Department, and/or Medical Examiner report(s);
- Obtain copies of Operator and Inspector's accident reports;
- Obtain Vehicle Condition Reports from Vehicle;
- Obtain Vehicle Repair Estimates;
- Determine if FTA post-accident substance testing was completed;
- During the post-safety event interview, enquire about the Operator's use of drugs, including illegal, prescription, over the counter, and/or alcohol;
- Based upon the operator's responses to interview questions and his/her appearance, determine whether the operator may have been impaired by fatigue, illness, medication, or alcohol;
- Obtain information on condition of injured person(s), if possible;
- Review of applicable rules, procedures, and training material to determine if the Operator's performance was within established rules and practices;
- Review field sketches, diagrams, and safety-event scene photos, with specific attention to road marks, skids, marks on rails, evidence of derailment location, evidence of emergency brake application;
- Check track gauge in case of derailment;
- Consult with other TSS's and the System Safety Manager concerning skid-speed analysis for rubber-tire vehicles;
- Consult with Fleet Engineering concerning emergency-brake application and stopping distances;
- Obtain reports of brake-efficiency testing from Bus Maintenance;
- Using safety database software, review accidents previously occurring at the same location and determine what corrective actions LAVTA may have implemented.
- Determine the most probable and contributory causes, including, but not limited to, fatigue, work schedule, hours of service, drug/alcohol use, mechanical failure, rule or regulatory violation, and procedural

violation

### **MAJOR REPORT CONTENTS**

System Safety Manager shall develop a comprehensive report for the Chief Safety Officer and Accountable Executive:

- Transit Safe (or Intalex and NTD Report Numbers on the cover sheet
- Description of the Incident;
- Safety event Scene Sketch;
- Safety event Scene Photographs and Vehicle Photographs;
- Number and severity of injuries/fatalities;
- Estimates of Property Damage;
- Relevant Investigation Steps taken by System Safety;
- Results and Findings of System Safety's Investigation;
- Identification of Most Probable Cause;
- Identification of Contributory Causes;
- Recommendations, if any, to prevent re-occurrence;
- Statement of Confidentiality and Attorney-Client Privilege.

### **DRAFT REPORTS**

Within thirty (30) calendar days, the investigating TSS will forward a draft of the final report along with the complete hard-copy file to the System Safety Manager. The System Safety Manager will review and make any appropriate changes, within five calendar days, and return the draft, with comments, to the TSS for revision. As soon as the revisions are made, the TSS will submit the revised report to the System Safety Manager. Once the System Safety Manager is satisfied with the report, he/she will submit it to the Chief Safety Officer, who will, in turn, submit the report to the Accountable Executive.

### **NATIONAL TRANSIT DATABASE**

As soon as possible and no later than 30 days after a reportable safety event, the System Safety Manager or designee will make an entry into NTD for a safety event meeting the NTD reporting criteria (NTD Safety & Security Reporting Manual). The System Safety Manager or designee will save a PDF copy of the NTD S&S 40 report and provide that PDF to the TSS for safety event investigation file. The TSS will include the NTD report in the investigation file and the NTD number on the title of the major minor-event report.

### **APPENDICES & REFERENCES**

Title 49 CFR 673 (PTASP and SMS)

NTD Safety and Security Reporting Manual

**Employee Handbook**  
**Livermore Amador Valley Transit Authority**

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**Revised 01/06/2020**



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## **Required Policies**

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## Introductory Statement

Welcome! As an employee of Livermore Amador Valley Transit Authority (the Authority), you are an important member of a team effort. We hope that you will find your position with the Authority rewarding, challenging, and productive.

Because our success depends upon the dedication of our employees, we look to you and the other employees to contribute to the success of the Authority.

This employee handbook is intended to explain the terms and conditions of employment of all full- and part-time employees and supervisors. Written employment contracts between Livermore Amador Valley Transit Authority and some individuals may supersede some of the provisions of this handbook.

This handbook summarizes the policies and practices in effect at the time of publication. This handbook supersedes all previously issued handbooks and any policy or benefit statements or memoranda that are inconsistent with the policies described here. Any conflict between this Handbook and Board adopted Policies will be governed by Board adopted policies. Your supervisor or manager will be happy to answer any questions you may have or you may contact the Director of Finance, who is responsible for Human Resources/Personnel functions for the Authority.

## Equal Employment Opportunity

Livermore Amador Valley Transit Authority is an equal opportunity employer and makes employment decisions on the basis of merit. We want to have the best available persons in every job. Authority policy prohibits unlawful discrimination based on race, color, creed, sex (including pregnancy, childbirth, breastfeeding, and related medical conditions), sex stereotyping, gender, religion (including religious dress and grooming practices), marital status, registered domestic partner status, age, national origin or ancestry (including language use restrictions and possession of a driver's license issued to persons unable to prove their presence in the United States is authorized under federal law [Vehicle Code section 12801.9]), physical or mental disability, medical condition including genetic characteristics, sexual orientation, gender identity (including transgender identity and transitioning), gender expression, family care or medical leave status, military or veteran status, marital status, domestic partner status, or any other consideration made unlawful by federal, state, or local laws. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. All such discrimination is **unlawful**.

The Authority is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to **all** persons involved in Authority operations and prohibits unlawful discrimination by any employee of the Authority, including supervisors and coworkers.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the Authority will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact the Director of Finance and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. The Authority then will conduct an interactive process to identify the barriers that interfere with the equal opportunity of the applicant or employee to perform his or her job. The Authority will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, the Authority will make the accommodation.

If you believe you have been subjected to any form of unlawful discrimination, submit a complaint to your supervisor or the Director of Finance. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. If you need assistance with your complaint, or if you prefer to make a complaint in person, contact the Director of Finance. The Authority will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation.

If the Authority determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action also will be taken to deter any future discrimination. The Authority will not retaliate against you for filing a complaint and will not knowingly permit retaliation by management employees or your coworkers.

## **Right to Revise**

This employee handbook contains the employment policies and practices of Livermore Amador Valley Transit Authority in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements or memoranda are superseded.

Livermore Amador Valley Transit Authority reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this handbook or in any other document. However, any such changes must be in writing and must be signed by the Executive Director of Livermore Amador Valley Transit Authority.

Any written changes to this handbook will be distributed to all employees so that employees will be aware of the new policies or procedures. No oral statements or representations can in any way alter the provisions of this handbook.

This handbook represents the Board adopted policies and LAVTA's best practices and may be revised from time to time.

## **Harassment, Discrimination, and Retaliation Policy & Complaint Procedure (adopted by BOD 04/06/09)**

### **I. PURPOSE OF POLICY**

This policy establishes a strong commitment by the Livermore Amador Valley Transit Authority (hereinafter referred to as “LAVTA”) to:

- (i) Prohibit harassment in employment;
- (ii) Inform all employees, officers and officials of LAVTA that harassment is illegal;
- (iii) Ensure that unprofessional behavior that creates a hostile work environment will not be tolerated;
- (iv) Set forth a procedure for investigating and resolving internal complaints of harassment.

### **II. POLICY**

It is LAVTA’s policy to provide a workplace free of unlawful and improper harassment, discrimination, and retaliation. LAVTA’s policy prohibiting harassment applies to all persons involved in the operation of LAVTA. LAVTA prohibits harassment, disrespectful or unprofessional conduct by any employee of LAVTA, including supervisors, managers and co-workers. LAVTA’s anti-harassment policy also applies to vendors, customers, independent contractors, unpaid interns, volunteers, persons providing services pursuant to a contract and other persons with whom you come into contact while working. Harassment or discrimination on the basis of race, religious creed (including religious dress and grooming practices), color, national origin (including language use restrictions and possession of a driver’s license issued to persons unable to prove their presence in the United States is authorized under federal law [Vehicle Code section 12801.9]), ancestry, physical or mental disability, medical condition, genetic information/characteristics, marital status, sex (including pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity/gender expression/transgender (including whether or not you are transitioning or have transitioned), sexual orientation, age, military or veteran status, or any other basis protected by federal, state, or local law will not be tolerated.

### **III. DISCIPLINARY ACTION**

- (i) Appropriate disciplinary action up to and including termination, will be instituted for violation of this policy;
- (ii) Any retaliation against a person for filing a harassment charge or making a harassment complaint will be cause for appropriate disciplinary action, up to and including termination.

### **IV. DEFINITION OF “HARASSMENT”**

A. “Harassment” includes, but is not limited to:

- (1) Verbal Harassment: For example, epithets, derogatory jokes or comments, or slurs or unwanted sexual advances, invitations, comments, posts or messages on the basis of any status protected by law. This shall include inappropriate sex oriented comments and stories, or appearance, including dress or physical features, or race oriented stories.
- (2) Physical Harassment: For example, assault, unwanted touching, intentionally impeding or blocking normal movement, or any physical interference with normal work or movement because of sex, race or any other protected basis.. This could include conduct in the form of pinching, grabbing, patting, propositioning, leering or making explicit or implied job threats or promises in return for submission to physical acts.
- (3) Visual Forms of Harassment: For example, derogatory and/or sexually-oriented posters, photography, notices, bulletins, cartoons, or drawings on the basis of any status protected by law.
- (4) Sexual Favors: Threats and demands to submit to sexual requests or sexual advances as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors

Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts toward an employee because of his/her gender can amount to sexual harassment, regardless of whether the treatment is motivated by sexual desire.

Prohibited harassment is not just sexual harassment but harassment based on any protected category.

V. RESPONSIBILITIES

Each employee is responsible to ensure that his/her conduct or actions do not violate the law or this policy, and that he/she does not actively or passively condone any form of harassment.

Supervisors must refer all complaints involving harassment, discrimination, retaliation or other prohibited conduct to LAVTA’s **Executive Director** so LAVTA can try to resolve the complaint.

VI. COMPLAINT PROCESS

A. Filing of Complaint

An employee or job applicant who believes he or she has been harassed,

discriminated, or retaliated against shall make a complaint to his or her supervisor or LAVTA's Executive Director or designee. If an employee believes he or she is being harassed by the Executive Director, he or she may make his or her complaint to the Director of Finance. If an employee believes he or she is being harassed by a Boardmember, he or she may make his or her complaint to the Chair of the Board. If an employee believes he or she is being harassed by the Chair of the Board, he or she may make his or her complaint to the Vice-Chair of the Board.

**B. Investigation of Complaint**

1. When LAVTA receives allegations of misconduct, it will immediately undertake a fair, timely, thorough and objective investigation of the allegations in accordance with all legal requirements. LAVTA will reach reasonable conclusions based on the evidence collected.

Complaints will be:

- Responded to in a timely manner
- Kept confidential to the extent possible
- Investigated impartially by qualified personnel in a timely manner
- Documented and tracked for reasonable progress
- Given appropriate options for remedial action and resolution
- Closed in a timely manner

(i)

2. Upon receipt of the complaint, the Executive Director or designee, or Director of Finance, or Chair of the Board, or Vice Chair of the Board shall carry out a confidential investigation of the complaint. The investigation may include interviews with:
  - a. The complainant;
  - b. The accused harasser;
  - c. Any other persons the investigator has reason to believe have relevant knowledge concerning the complaint.
3. Review factual information gathered during the investigation to determine whether the alleged conduct constitutes harassment; giving consideration to all factual information, the totality of the circumstances, including the nature of verbal, physical, visual or sexual conduct and the context in which the alleged incident occurred.
4. Report the results of the investigation and the determination as to whether harassment occurred to appropriate persons including the complainant, and to the Department Director.
5. If harassment occurred, appropriate and effective corrective and remedial action will be taken in accordance with the circumstances involved. LAVTA also will take appropriate action to deter future misconduct. The action will be commensurate with the severity of the offense. If the harasser is the Executive Director or Legal Counsel,



take a recommendation to the LAVTA Board of Directors for prompt and effective remedial action. If the harasser is a member of the Board, the Board will take prompt and effective remedial action.

6. Any employee determined by LAVTA to be responsible for harassment, discrimination, retaliation or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including termination. Employees should also know that if they engage in unlawful harassment, they can be held personally liable for the misconduct.
7. Take reasonable steps to protect the victim and other potential victims from further harassment.
8. Take reasonable steps to protect the victim from any retaliation as a result of filing of the complaint.
9. Employees also should be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment, discrimination and retaliation in employment. If an employee thinks he or she may have been harassed or discriminated against or that he or she has been retaliated against for resisting, complaining or participating in an investigation, the employee may file a complaint with the appropriate agency. The nearest office can be found by visiting the agency websites at [www.dfeh.ca.gov](http://www.dfeh.ca.gov) and [www.eeoc.gov](http://www.eeoc.gov).

#### VII. CONFIDENTIALITY

LAVTA will maintain confidentiality to the extent possible. However, LAVTA cannot promise complete confidentiality. LAVTA's duty to investigate and take corrective action may require the disclosure of information to individuals with a need to know. Every effort will be made to protect the privacy of the parties involved in the complaint. None of the documents and files pertaining to the complaint will be made available to the general public.

#### VIII. DISSEMINATION OF POLICY

All employees, officers and officials should be given copies of this policy, and this policy shall be posted in appropriate places.

# Hiring

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## **New Hires**

The first six months of continuous employment at Livermore Amador Valley Transit Authority is considered an introductory period. During this time you will learn your responsibilities, get acquainted with fellow employees, and determine whether or not you are happy with your job. Your supervisor will closely monitor your performance.

Upon completion of the introductory period, Livermore Amador Valley Transit Authority will review your performance. If the Authority finds your performance satisfactory and decides to continue your employment, it will advise you of any improvements expected from you. At that time, you may express suggestions to improve the Authority's efficiency and operations.

## **Regular Employees**

Regular employees are those who are hired to work on a regular schedule. Regular employees may be classified as full-time or part-time.

## **Full-Time Employees**

Full-time employees are those who are scheduled for and do work 40 hours per week (2080 hours per year). Full-time employees are eligible for most employee benefits described in this handbook effective on the date of hire or the first of the month following hire date.

## **Part-Time Employees**

Part-time employees are those who are scheduled for and do work fewer than 40 hours per week, but not fewer than 20 hours (1040 hours per year). Part-time employees are eligible for the Authority benefits as defined in the LAVTA Personnel Policy.

## **Temporary Employees**

Temporary employees are those employed for short-term assignments. Short-term assignments generally are periods of three months or fewer; however, such assignments may be extended. Temporary employees are not eligible for employee benefits except those mandated by applicable law.

## **Job Duties**

During the introductory period, your supervisor will explain your job responsibilities and the performance standards expected of you. Be aware that your job responsibilities may change at any time during your employment. From time to time, you may be asked to work on special projects, or to assist with other work necessary or important to the operation of your department or Livermore Amador Valley Transit Authority. Your cooperation and assistance in performing such additional work is expected.

Livermore Amador Valley Transit Authority reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities.

## **Leaves of Absence**

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## **Paid Time Off (PTO)**

All regular full time and part time employees are entitled to paid time off based upon their years of active service. Active service commences with an employee's first day of work and continues thereafter unless broken by an absence without pay, a leave of absence, or termination of employment. Temporary employees do not accrue paid time off.

Employees may carry over accrued PTO from one year to the next. Paid time off can accrue to a maximum of 346 hours. Once this cap is reached, all accrual of additional PTO shall cease until the balance falls below the maximum accrual limit. PTO accrual will recommence after the employee has used his or her PTO and the accrued PTO hours have dropped below the maximum balance.

Employees become eligible to take paid time off any time after the employee's first day of employment, as work schedules permit and subject to supervisory approval.

Employees may use accrued paid time off for any reason, including paid vacation leave, paid sick leave, medical and dental appointments, or any other type of paid time off. Employees will need to schedule time off with their supervisors.

On termination of employment, employees are paid all accrued but unused vacation through their last day worked at their base rate of pay at the time of termination.

Employees on unpaid leave do not accrue paid time off.

Paid time off will be accrued on the following basis for full-time employees:

Length of Service	PTO Accrued Each Pay Period
Beginning with the first day of service through the fifth year anniversary (without a break in service)	6.77 Hours
Following the fifth year	8.31Hours

Part-time employees accrue PTO on a pro-rata basis.

An employee may not use paid time off before its accrual. Employees will not be paid for any time in excess of accrued paid time off.

### **Required Use of PTO before Unpaid Leave**

You are required to take accrued and unused Paid Time Off (PTO) before taking unpaid leave or having unpaid absences. Family and Medical Leave (under both state and federal law) is included in this requirement as permitted by law, unless the absence is pregnancy-related.

Employees who are absent because of their own disability may be eligible for State Disability Insurance (SDI) benefits. SDI payments do not begin until after you have been absent from work for 7 calendar days. If you have accrued PTO, PTO will be used for the first 7 days before SDI payments begin.

SDI benefits do not replace all of your usual wages. Your SDI benefits will be supplemented with any accrued and unused PTO.

If you are absent for a reason that qualifies you for Paid Family Leave (PFL) payments, you are required to first use any accrued and unused PTO, up to a maximum of two weeks in a 12-month period.

PFL benefits do not replace all of your usual wages. Your PFL benefits will be supplemented with any accrued and unused PTO.

## **Paid Sick Leave (Temporary Employees Only)**

Temporary employees qualify to accrue paid sick leave upon the start of the temporary employee's employment. Temporary employees may take paid sick leave accrued under this policy if they have worked for the Livermore Amador Valley Transit Authority for at least 90 days.

Temporary employees accrue one hour of paid sick leave for every 30 hours of work performed. Employees may not accrue more than 48 hours or six regularly-scheduled workdays of paid sick leave, whichever is greater, at any given time. Employees who reach the applicable cap will cease to accrue further paid sick leave hours until paid sick leave is used, at which point the employee will continue to accrue additional paid sick leave up to the cap. Paid sick leave not used in a year otherwise carries over from year to year.

Temporary employees may take the greater of 24 hours or three regularly-scheduled workdays' worth of paid sick leave per year for any qualifying reason. Employees using paid sick leave must do so in minimum increments of two hours.

Paid sick leave may be used for the diagnosis, care (including preventative care), or treatment of an existing health condition of a temporary employee and certain family members of the employee. Employees who are the victim of domestic violence, sexual assault, or stalking also may use paid sick leave for treatment, assistance, and other purposes authorized by law.

If the need for sick leave is foreseeable, the employee must provide reasonable advance notice. If the leave is not foreseeable, the employee must provide notice of the leave as soon as practicable.

Accrued unused paid sick leave is not paid out upon termination. However, temporary employees separating from employment who are rehired within one year from the date of separation will have their previously accrued and unused paid sick days reinstated.

## **Personal Leave**

A personal leave of absence without pay may be granted at the discretion of Livermore Amador Valley Transit Authority in accordance with the LAVTA HR Policy. Requests for personal leave should be limited to unusual circumstances requiring an absence of longer than two weeks. Approved personal absences of shorter duration are not normally treated as leaves, but rather as excused absences without pay.

## **Temporary Disability Leave**

A medical leave of absence may be granted as an accommodation for non-work-related temporary medical disabilities with a doctor's written certificate of disability under the ADA or FEHA. Any disability leave will run concurrently with any medical leave to which the employee is entitled.

Employees should request any leave in writing as far in advance as possible. If you are granted a medical leave, Livermore Amador Valley Transit Authority will pay you PTO pay for the period of time equivalent to your accumulated PTO pay earned.

A medical leave begins on the first day your doctor certifies that you are unable to work, and the duration shall be consistent with applicable law, but in no event shall the leave extend past the date on which you become capable of performing the essential functions of your position, with or without accommodation. Your doctor must certify that you are able to return to work. Your supervisor will supply you with a form for your doctor to complete, showing the date you were disabled and the estimated date you will be able to return to work. An employee returning from a medical disability leave must present a doctor's certificate declaring fitness to return to work.

If returning from a non-work-related medical leave, you will be offered the same position you held at the time your leave began, if available. If your former position is not available, a comparable position will be offered. If neither the same nor a comparable position is available, your return to work will depend on job openings existing at the time of your scheduled return.

California workers' compensation laws govern work-related injuries and illnesses. California pregnancy disability laws govern leaves taken because of pregnancy, childbirth, and related medical conditions.

## **Pregnancy Disability Leave**

An employee who is disabled by pregnancy, childbirth, or related conditions may take a pregnancy disability leave for the period of the actual disability of up to four months. An employee also is entitled to a reasonable accommodation for pregnancy, childbirth, or related



medical conditions if she so requests and provides LATVA with medical certification from her health care provider. Pregnancy disability leave may be taken intermittently, or on a reduced-hours schedule, as medically necessary. Pregnancy, childbirth, or related medical conditions will be treated like any other disability, and an employee on leave will be eligible for temporary disability benefits in the same amount and degree as any other employee on leave.

Any female employee planning to take pregnancy disability leave should advise her supervisor as early as possible. The individual should make an appointment with the Director of Finance to discuss the following conditions:

- Employees who need to take pregnancy disability must notify LAVTA of their request for leave as soon as they are aware of the need for leave. If the need for a pregnancy disability leave or transfer is foreseeable, employees must provide notification at least 30 days before the pregnancy disability leave or transfer is to begin. Employees must consult with the personnel manager regarding the scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the Authority. Any such scheduling is subject to the approval of the employee's health care provider;
- If 30 days' advance notice is not possible, notice must be given as soon as practical;
- Requests for temporary transfers to a less strenuous or hazardous position or to less hazardous or strenuous job duties will be reasonably accommodated if the employee so requests, the transfer request is supported by proper medical certification, and the transfer can be reasonably accommodated;
- Pregnancy leave usually begins when ordered by the employee's physician. The employee must provide Livermore Amador Valley Transit Authority with a certification from a health care provider. The certification indicating disability should contain:
  - The date on which the employee became disabled due to pregnancy;
  - The probable duration of the period or periods of disability; and
  - A statement that, due to the disability, the employee is unable to perform one or more of the essential functions of her position without undue risk to herself, the successful completion of her pregnancy, or to other persons.
- Leave returns will be allowed only when the employee's physician sends a release;
- An employee may, at her option, substitute accrued PTO (if otherwise eligible to take the time) during a pregnancy disability leave; and
- Duration of the leave will be determined by the advice of the employee's physician, but employees disabled by pregnancy may take up to four months. Part-time employees are entitled to leave on a pro rata basis. The four months of leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness and for prenatal care. Pregnant women may be entitled to additional leave beyond four (4) months to accommodate a pregnancy-related disability if reasonable under the circumstances and not an undue hardship.
- Employees on pregnancy disability leave will be allowed to continue to participate in group health insurance coverage for up to a maximum of four months of disability leave (if such insurance was provided before the leave was taken) at the level and

under the conditions that coverage would have been provided if the employee had continued in employment continuously for the duration of the leave.

Leave does not need to be taken in one continuous period of time and may be taken intermittently, as needed. Leave may be taken in increments of one (1) hour.

Under most circumstances, upon submission of a medical certification that an employee is able to return to work from a pregnancy disability leave, an employee will be reinstated to her same position held at the time the leave began or to an equivalent position, if available. An employee returning from a pregnancy disability leave has no greater right to reinstatement than if the employee had been continuously employed.

## Family Medical Leave

### a. Leave Policy

Under the federal Family and Medical Leave Act ("FMLA") and the California Family Rights Act ("CFRA"), employees may take time off as provided in this policy, so long as (1) the employee has worked for the Authority for at least 12 months, and for at least 1,250 hours in the last 12 months.

### b. Reasons for Leave

Eligible employees may take up to 12 weeks of unpaid Family and Medical Leave within any rolling 12-month period (measured backward from the date of the commencement of any Family and Medical Leave) and be restored to the same or a comparable position upon the employee's return from leave for any of the following reasons:

- (1) the birth of a child and to bond with or to care for such child;
- (2) the placement of a child with the employee for adoption or foster care and to bond with or to care for the newly-placed child;
- (3) to care for a spouse, domestic partner, child, or parent ("covered relation") with a serious health condition;
- (4) the employee's own serious health condition that renders him/her unable to perform an essential function of his/her position;
- (5) "qualifying exigency leave," where the employee's spouse, child, or parent is on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation, and leave is needed for certain qualifying exigencies, such as attending certain military events, addressing certain legal or financial arrangements, arranging for alternative childcare, attending post-deployment reintegration briefings or attending certain counseling sessions (qualifying exigency leave is not covered under the CFRA).

In addition, an eligible employee who is the spouse, parent, child, or next of kin of a covered servicemember may take up to 26 weeks of unpaid, job-protected FMLA

leave during a single 12-month period to care for a covered servicemember. A covered servicemember is a current member of the Armed Forces, including the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in an outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties. This leave is called “military caregiver leave” and is not covered under the CFRA.

Military caregiver leave is a one-time benefit allowing 26 weeks of leave during a single 12-month period (although an employee may be entitled to more than one period of military caregiver leave if the leave is to care for a different covered servicemember or to care for the same servicemember with a subsequent serious injury or illness, except that no more than 26 workweeks of leave may be taken within any single 12-month period). The Authority will begin counting the 12-month period on the first day of leave taken to care for the injured or ill servicemember. During the 12-month period when military caregiver leave is used, an employee is limited to a combined total of 26 weeks of FMLA leave for any reason. If both spouses work for the Authority and are both eligible for FMLA leave, they are limited to a combined total of 26 workweeks of FMLA leave during a single 12-month period for military caregiver leave or a combination of qualifying exigency leave and military caregiver leave.

c. Time Off from Work Due to Employee’s Disability Due to Pregnancy/  
Childbirth/Adoption

Time off from work because of disability due to pregnancy, childbirth, or adoption is counted as time used for FMLA leave, but is not counted as time used for CFRA leave. Pregnant employees may have the right to take up to four (4) months of Pregnancy Disability Leave (PDL) in addition to CFRA leave. Pregnant employees may be entitled to additional leave beyond four (4) months to accommodate a pregnancy-related disability if reasonable under the circumstances and not an undue hardship. Pregnant employees should consult with Human Resources regarding their individual situation. See policy on Pregnancy Disability Leave, above.

d. Notice of Leave

If the need for Family and Medical Leave is foreseeable, employee must give the Authority at least 30 days prior notice of the need for leave, preferably in writing. If this is not possible, employee must at least give notice as soon as practicable (generally within one (1) to two (2) business days of learning of the need for leave), and employee must comply with the Authority’s usual and customary notice and procedural requirements for requesting leave absent unusual circumstances. Failure to provide such notice may be grounds for delay of leave. Additionally, if the employee is planning a medical treatment, the employee must consult with the Authority first regarding the dates of such treatment. For foreseeable leave due to a qualifying exigency, notice must be provided as soon as practicable. Where the need for leave is not foreseeable, employee should notify the Authority as soon as possible and practical.

The employee’s notice must include sufficient information for the Authority to

determine if the leave qualifies for FMLA/CFRA protection and for the Authority to determine the expected timing and duration of the leave.

e. Certification of a Serious Health Condition

If the employee is requesting leave because of the employee's own or a covered relation's serious health condition, employee must provide appropriate medical certification from the relevant health care provider within 15 calendar days after employee requests leave, if practicable. If employee provides at least 30 days notice the medical certification should be provided before leave begins. Failure to provide requested medical certification in a timely manner may be grounds for delay of leave. The certification must include the name, address, phone and fax numbers of the health care provider and the type of medical practice, the approximate date on which the serious health condition began and its probable duration, a statement documenting the need for leave, and confirmation that, if the employee is the patient, employee is unable to perform one or more of the essential functions of the employee's job due to the serious health condition or, if a family member is the patient, confirmation that the family member is in need of care.

The Authority, at its expense, may require an examination by a second health care provider designated by the Authority, if it reasonably doubts the medical certification initially provided by the employee for the employee's own serious health condition. If the second health care provider's opinion conflicts with the original medical certification, the Authority, at its expense, may retain a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion.

The Authority may require subsequent medical recertification at the expiration of the employee's previous certification. Failure to provide requested recertification within 15 days, if such is practicable, may result in delay of further leave until it is provided.

f. Certification for a Qualifying Exigency

If the employee is requesting qualifying exigency leave, employee must provide appropriate certification within 15 calendar days after employee requests leave, if practicable. Failure to provide requested certification in a timely manner may be grounds for delay of leave. Employee must provide a copy of the military member's active duty orders or other documentation issued by the military that indicates that the military member is on active duty or call to active duty status in support of a contingency operation, and the dates of the member's active duty service.

Employee must also provide a signed statement of the facts regarding the qualifying exigency for which FMLA is requested, and provide the approximate date on which the qualifying exigency began or will begin, the beginning and end dates for the absence that is a single continuous period of leave (or, for intermittent or reduced schedule basis leave, an estimate of the frequency and duration of the qualifying exigency), and if the qualifying exigency involves meeting with a third party, provide appropriate contact information for any third party with whom you are meeting and a brief description of the purpose of the meeting.

g. Certification for Military Caregiver Leave

If employee is requesting leave to care for a covered service member with a serious injury or illness, employee must provide medical certification that the serious injury or illness was incurred in the line of duty on active duty in the Armed Forces.

h. Reporting While on Leave

If employee takes leave because of the employee's own serious health condition or to care for a covered family relation, employee must contact the Authority as directed regarding the status of the condition and the employee's intention to return to work. In addition, employee must give notice as soon as practicable (within two (2) business days if feasible) if the dates of leave change, are extended, or initially were unknown.

i. Leave is Unpaid

Family and Medical Leave is unpaid leave, although employee may be eligible for short-term or disability payments, paid family leave and/or workers' compensation benefits under those insurance plans. Employee may elect to substitute any accrued paid time off (e.g., PTO, administrative, etc.) for unpaid Family and Medical Leave. The use of paid leave is subject to the terms of the Authority's usual policies, procedures and restrictions applicable to that type of paid leave.

j. Medical and Other Benefits

For the first 12 weeks of an approved Family and Medical Leave, the Authority will maintain the employee's health benefits as if the employee continues to be actively employed. If paid leave is substituted for unpaid Family and Medical Leave, the Authority will deduct the employee's portion of the health plan premium as a regular payroll deduction. If the employee's leave is unpaid, employee must pay the employee's portion of the premium as directed by the Authority. Employee's health care coverage will cease if the employee's premium payment is more than 30 days late. If employee's payment is more than 30 days late, the Authority will send the employee a letter to this effect. If the Authority does not receive the Authority's co-payment within 15 days of that letter, the employee's coverage may cease. If employee elects not to return to work for at least 30 calendar days at the end of the leave period, the employee may be required to reimburse the Authority for the cost of the health benefit premiums paid by the Authority for maintaining coverage during the employee's unpaid leave.

*During the unpaid portion of a family medical leave, PTO accrual will cease.*

a. Intermittent and Reduced Schedule Leave

Leave because of a serious health condition, including pregnancy-related disabilities, or military caregiver leave, may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced-leave schedule (reducing the usual number of hours you work per workweek) if medically necessary. Qualifying exigency

leave may also be taken intermittently or on a reduced-leave schedule. Any leave taken for birth or placement of a child must be taken in blocks of at least two weeks (but employee is allowed two exceptions), and must be taken within one year of the birth or placement of the child with the employee.

If leave is unpaid, the Authority will reduce the employee's salary based on the amount of time actually worked. In addition, while the employee is on an intermittent or reduced leave schedule, the Authority may temporarily transfer the employee to an available alternative position that better accommodates employee's recurring leave and has equivalent pay and benefits.

b. Returning from Leave

If employee takes leave because of the employee's own serious health condition, (except if the employee is taking intermittent leave) employee is required to provide medical certification from employee's health care provider that states that employee is able to resume work and that addresses the employee's ability to perform the essential functions of the employee's job. Employees failing to provide the return-to-work medical certification form will not be permitted to resume work until it is provided.

Under most circumstances, an employee who returns from a Family and Medical Leave will be reinstated to his or her original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if she or he had been continuously employed rather than on leave. In addition, employees who do not return to work are not entitled to an accrual of seniority or employment benefits that may have occurred during a leave period.

c. Employer Requirements

The Authority must inform employees requesting leave whether they are eligible for Family and Medical leave. If they are, the notice must outline any additional information that is required and outline the employees' rights and responsibilities. If they are not eligible, the notice must give a reason for the ineligibility. It is unlawful for any employer to interfere with, restrain, or deny the existence of any right provided under the FMLA/CFRA, to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA/CFRA or for involvement in any proceeding under or relating to the FMLA/CFRA. Employees may file a complaint with the U.S. Department of Labor or the California Department of Fair Employment and Housing, or employees may bring a private lawsuit to enforce the FMLA and the CFRA.

## Jury Duty

Leave of absence with pay shall be granted to an employee who is called or required to serve as a juror. The employee must return to work on any day that they are excused from service. The employee shall be paid the difference between his/her full salary and any payment received for such duty, except travel pay.

## **Witnesses**

Leave of absence with pay shall be granted to an employee while going to and from court and answering a subpoena as a witness. The employee shall be paid the difference between his/her full salary and any payment received for such duty except travel pay.

## **Military Leave**

Military leave shall be granted in accordance with provisions of law. Employees entitled to military leave shall give the Executive Director an opportunity, within the limits of military regulations, to determine when such leave shall be taken.

## **Funeral Leave**

When an employee participates in a funeral ceremony he/she may use Paid Time Off (PTO) to perform such duty. Time not worked because of such absence shall not affect general leave accrued.

## **Management Administrative Leave**

*Administrative Leave* - In recognition that management employees in positions classified as exempt are required to work hours beyond their regular hours of work to fulfill their management responsibilities, each exempt management employee shall be credited with seven (7) days of administrative leave per year.

The seven (7) days of administrative leave will be credited to each exempt management employee during the first pay period in July of each succeeding year.

All managers with unused administrative leave as of June 30 will be paid for said leave in the final pay period of the fiscal year.

Exempt management employees hired during the year preceding July 1 shall receive a prorated administrative leave. Management employees leaving LAVTA prior to June 30 and who have unused Administrative Leave, will be credited on a prorated basis from July 1 to the termination date. If employee has used more than the prorated share, the final paycheck will be adjusted.

Exempt management employees are limited to the Executive Director and all employees in the Director Classification band.

## **Benefits**

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## External Employee Education

Some employees may need to attend training programs, seminars, conferences, lectures, meetings, or other outside activities for the benefit of Livermore Amador Valley Transit Authority or the individual employees. Attendance at such activities, whether required by the Authority or requested by individual employees, requires the written approval of the Executive Director or designee. To obtain approval, any employee wishing to attend an activity must submit a written request to their supervisor detailing all relevant information, including date, hours, location, cost, expenses, and the nature, purpose, and justification for attendance. Attendance at any such event is subject to the following policies on reimbursement and compensation.

For attendance at events required or authorized by the Authority, customary and reasonable expenses will be reimbursed based on the Authority's Reimbursement Policy. Acceptable expenses generally include registration fees, materials, meals, transportation, and parking. Reimbursement policies regarding these expenses should be discussed with your supervisor in advance.

Employee attendance at authorized outside activities will be considered hours worked for non-exempt employees and will be compensated in accordance with normal payroll practices.

This policy does not apply to an employee's voluntary attendance, outside of normal working hours, at formal or informal educational sessions, even if such sessions generally may lead to improved job performance. While the Authority generally encourages all employees to improve their knowledge, job skills, and promotional qualifications, such activities do not qualify for reimbursement or compensation under this policy unless prior written approval is obtained as described previously.

## Holidays

During each calendar year, Livermore Amador Valley Transit Authority observes the following paid holidays:

- January 1 (New Year's Day)
- Martin Luther King Jr.'s Birthday
- Presidents' Day
- Memorial Day
- July 4th (Independence Day)
- Labor Day
- Veterans' Day
- Thanksgiving Day

- Day After Thanksgiving
- Christmas Eve
- Christmas Day
- New Years Eve

When a holiday falls on a Saturday or Sunday, it is usually observed on the preceding Friday or the following Monday. However, Livermore Amador Valley Transit Authority may grant another day off in lieu of closing. Holiday observance will be announced in advance.

Each non-exempt employee's eligibility for holiday pay begins on date of hire. To be eligible for holiday pay, you must be regularly scheduled to work on the day on which the holiday is observed and must work your regularly scheduled working days immediately preceding and immediately following the holiday, unless an absence on either day is approved in advance by your supervisor. If you are required to work on a paid scheduled holiday you will receive straight time pay for the holiday hours in addition to the hours worked.

## **Insurance Benefits**

### **Medical, Dental and Vision Insurance**

Livermore Amador Valley Transit Authority provides a comprehensive medical, dental and vision insurance plan for eligible employees and their dependents. Regular full-time and part-time employees are eligible for medical insurance the first day of the month after date of hire. If an employee is hired on the first of the month, medical insurance is effective on date of hire. In the event of an increase in insurance premium rates, all employees may be required to contribute to the cost of increased premiums to retain coverage. Details about medical, dental and vision insurance coverage are available in separate publications available from the Finance Department. Payment for medical insurance is in accordance with the Authority's Personnel Policy.

### **Disability Insurance**

Each employee contributes through payroll tax to California's state disability insurance programs. Disability insurance is mandated by the California Unemployment Insurance Code and administered by the Employment Development Department. Disability insurance is payable when you cannot work because of illness or injury not caused by employment at the Authority. An additional tax funds the state's Paid Family Leave program, and provides partial wage replacement for absences related to care of a family member, or bonding with a new child. Specific rules and regulations governing disability are available from the personnel manager.

### **Unemployment Compensation**

Livermore Amador Valley Transit Authority contributes thousands of dollars each year to the

California Unemployment Insurance Fund on behalf of its employees.

## **Workers' Compensation**

Livermore Amador Valley Transit Authority, in accordance with state law, provides insurance coverage for employees in case of work-related injury. The workers' compensation benefits provided to injured employees may include:

- Medical care;
- Cash benefits, tax free, to replace lost wages; and
- Assistance to help qualified injured employees return to suitable employment.

To ensure that you receive any workers' compensation benefits to which you may be entitled, you will need to:

- Immediately report any work-related injury to your supervisor;
- Seek medical treatment and follow-up care if required;
- Complete a written *Employee's Claim for Workers Compensation Benefits* (DWC Form 1) and return it to the Director of Finance; and
- Provide the Authority with a certification from your health care provider regarding the need for workers' compensation disability leave, as well as your eventual ability to return to work from the leave.

Upon submission of a medical certification that an employee is able to return to work after a workers' compensation leave, the employee under most circumstances will be reinstated to his or her same position held at the time the leave began, or to an equivalent position, if available. An employee returning from a workers' compensation leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if the employee on workers' compensation leave would have been laid off had he or she not gone on leave, or if the employee's position has been eliminated or filled in order to avoid undermining the Authority's ability to operate safely and efficiently during the leave, and no equivalent or comparable positions are available, then the employee would not be entitled to reinstatement.

An employee's return depends on his or her qualifications for any existing openings. If, after returning from a workers' compensation disability leave, an employee is unable to perform the essential functions of his or her job because of a physical or mental disability, the Authority's obligations to the employee may include reasonable accommodation, as governed by the Americans with Disabilities Act.

## **Workers' Compensation and FMLA/CFRA**

Employees who are ill or injured as a result of a work-related incident, and who are eligible for family and medical leave under state and federal law (Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA)), will be placed on FMLA/CFRA during the time they are disabled and not released to return to work. The leave under these laws runs

concurrently, and eligible employees will be on FMLA/CFRA for a maximum of 12 weeks in a 12-month period.

## **Retirement Plan**

Livermore Amador Valley Transit Authority provides a comprehensive retirement plan under the California Public Employees Retirement System (CalPERS) plan for eligible employees in order to assist in planning for their retirement. For information regarding eligibility, contributions, benefits, and tax status, contact the Director of Finance. All eligible participants will receive an orientation to the CalPERS website which contains comprehensive data regarding the benefits available.

An optional 457 plan is also available for regular employees. The CalPERS Supplemental Income 457 Plan is an optional benefit in which employees may elect to participate. It is a voluntary savings program that allows you to defer any amount, up to the annual established limit, from your paycheck before you pay taxes on it. Please see the Director of Finance for details regarding the benefits of this plan.

## **Social Security**

Social Security can be an important part of an employee's retirement benefit. Livermore Amador Valley Transit Authority pays a matching contribution to each employee's Social Security taxes for temporary employees or employees not eligible for CalPERS. Regular Authority employees eligible for the CalPERS plan should be aware that the earnings from this job are not covered under Social Security. Upon entry on duty, CalPERS covered employees will be provided with a Form SSA-1945 Statement Concerning Your Employment in a Job Not Covered by Social Security.

# Management

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## **Employee Property**

An employee's personal property, including but not limited to packages, purses, and backpacks, may be inspected upon reasonable suspicion of unauthorized possession of Livermore Amador Valley Transit Authority property.

## **Employment of Relatives**

### **General**

Relatives of employees may be eligible for employment with Livermore Amador Valley Transit Authority only if individuals involved do not work in a direct supervisory relationship, or in job positions in which a conflict of interest could arise. The Authority defines "relatives" as spouses, registered domestic partners, children, siblings, parents, in-laws, and step-relatives. Present employees who marry or become registered domestic partners will be permitted to continue working in the job position held only if they do not work in a direct supervisory relationship with one another or in job positions involving conflict of interest.

## **Names and Addresses**

Livermore Amador Valley Transit Authority is required by law to keep current all employees' names and addresses. Employees are responsible for notifying the Authority in the event of a name or address change.

## **Open-Door Policy**

Suggestions for improving Livermore Amador Valley Transit Authority are always welcome. At some time, you may have a complaint, suggestion, or question about your job, your working conditions, or the treatment you are receiving. Your good-faith complaints, questions, and suggestions also are of concern to the Authority.

The Open-Door Policy, which we believe is important for both you and the Authority, cannot guarantee that every problem will be resolved to your satisfaction. However, Livermore Amador Valley Transit Authority values your observations and you should feel free to raise issues of concern, in good faith, without the fear of retaliation.

## **Performance Evaluations**

Each employee will receive periodic performance reviews conducted by his or her supervisor. Your first performance evaluation will take place within the first six months upon completion of your introductory period. Subsequent performance evaluations will be conducted annually in June when merit increases are considered. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, or recurring performance problems.

Your performance evaluations may review factors such as your ability to meet scope, schedule and budget and the quality and quantity of the projects, assignments and work you perform, your knowledge of the job, your initiative, your work attitude, and your attitude toward others. The performance evaluations are intended to make you aware of your progress, areas for improvement, and objectives or goals for future work performance. Favorable performance evaluations do not guarantee increases in salary or promotions. Salary increases and promotions are solely within the discretion of Livermore Amador Valley Transit Authority and depend upon many factors in addition to performance. After the review, you will be required to sign the evaluation report simply to acknowledge that it has been presented to you, that you have discussed it with your supervisor, and that you are aware of its contents. Your signature does not indicate concurrence and you can add comments or documentation to the evaluation.

## **Personnel Records**

You have a right to inspect certain documents in your personnel file, as provided by law, in the presence of an Authority representative at a mutually convenient time. No copies of documents in your file may be made, with the exception of documents that you have previously signed. You may add your comments to any disputed item in the file.

Livermore Amador Valley Transit Authority will restrict disclosure of your personnel file to authorized individuals within the Authority. Any request for information contained in personnel files must be directed to the Director of Finance. Only the Director of Finance is authorized to release information about current or former employees. Disclosure of personnel information to outside sources will be limited. However, Livermore Amador Valley Transit Authority will cooperate with requests from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

## **Telecommuting**

Telecommuting provides employees with an opportunity to work from an alternative work environment instead of in the primary location of the Authority. Livermore Amador Valley

Transit Authority retains the right in its sole discretion to designate positions that are appropriate for telecommuting and approve employees for telecommuting. Telecommuting must be pre-approved by an employee's supervisor. Telecommuting does not change the conditions of employment or required compliance with all Authority policies and procedures. The Authority reserves the right to change or terminate this policy at any time, without cause or advance notice. Telecommuting is a privilege and may not be appropriate for all employees. If an employee wishes to request the ability to Telecommute, s/he should contact his or her supervisor.

### **Telecommuting Safety**

The Telecommuter is solely responsible for ensuring the safety of his or her alternative work environment. However, because the Authority is legally obligated to provide its employees with a workplace that is free from hazards that might cause serious harm or injury,

The Telecommuter shall be liable for any injuries that occur to third parties at or around the Telecommuter's alternative work environment.

### **Telecommuting Plan**

All Telecommuters will be required to have an agreement in place with their supervisor that outlines the days and work hours (as applicable) of the Telecommuter; equipment the Telecommuter will need; how the Telecommuter will communicate with the Authority; use of support or administrative staff; and other appropriate information.

### **Hours of Work**

Unless otherwise agreed, hours and days of work will not change. Employees agree to apply themselves during work hours. Telecommuting is not intended as a substitute for child care or care for another adult. If a child or adult needs care during work time, another responsible individual is expected to be present.

### **Attendance at Meetings**

Telecommuters are expected to attend all required meetings.

### **Costs Associated with Telecommuting**

The Authority shall not incur additional costs due to Telecommuting. The agreement with your supervisor will specify any costs the Authority will cover. All other expenses are the responsibility of the Telecommuter.



## Use of Electronic Media

Livermore Amador Valley Transit Authority uses various forms of electronic communication including, but not limited to computers, e-mail, telephones, internet, cell phones, PDAs, etc. All electronic communications, including all software, databases, hardware, and digital files, remain the sole property of Livermore Amador Valley Transit Authority and are to be used for Authority business and only for occasional, incidental or rare personal use.

Electronic communication and media may not be used in any manner that would be discriminatory, harassing, or obscene, or for any other purpose that is illegal, against Authority policy, or not in the best interest of the Authority.

Employees who misuse electronic communications and engage in defamation, copyright or trademark infringement, misappropriation of trade secrets, discrimination, harassment, or related actions will be subject to discipline and/or immediate termination.

Employees may not install personal, pirated or unlicensed software on Authority computer systems; or any software not supported by the Authority's IT Analyst.

All electronic information created by any employee using any means of electronic communication is the property of Livermore Amador Valley Transit Authority and remains the property of Livermore Amador Valley Transit Authority. Personal passwords may be used for purposes of security, but the use of a personal password does not affect the Authority's ownership of the electronic information.

Livermore Amador Valley Transit Authority will override all personal passwords if necessary for any reason.

Livermore Amador Valley Transit Authority reserves the right to access and review electronic files, messages, mail, and other digital archives, and to monitor the use of electronic communications as necessary to ensure that no misuse or violation of Authority policy or any law occurs. Employees should understand that they have no right of privacy with respect to any messages or information created, collected, or maintained on the Authority's electronic communications, including personal information or messages.

Employees are not permitted to access the electronic communications of other employees or third parties unless directed to do so by Authority management.

No employee may install or use anonymous e-mail transmission programs or encryption of e-mail communications, except as specifically authorized by the Authority's IT Analyst.

Employees who use devices on which information may be received and/or stored, including but not limited to cell phones, cordless phones, portable computers, fax machines, and voice mail communications are required to use these methods in strict compliance with the trade secrets and confidential communication policy established by the Authority. These communications tools should not be used for communicating confidential or sensitive information or any trade secrets.

Access to the Internet, websites, and other types of Authority-paid computer access are to be used for Authority-related business. Any information about Livermore Amador Valley Transit Authority, its products or services, or other types of information that will appear in the electronic media about the Authority must be approved by the Director of Planning and Communications before the information is placed on an electronic information resource that is accessible to others.

Questions about access to electronic communications or issues relating to security should be addressed to the Authority's IT Analyst.

## **Authority Property**

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## Bulletin Boards

Livermore Amador Valley Transit Authority maintains bulletin boards located the Administrative Office Break Room and at the Transit Center.

Bulletin boards are used to provide information to employees concerning official Authority business and legal notices. There will also be one bulletin board (or portion thereof) provided for informal staff use.

Employees may not post items on Authority bulletin boards unless the following conditions are met:

- Postings may be made by Authority employees only;
- Posted items will be dated and will be removed after expiration or within three months, whichever is later.

## Cell Phone Usage

If an employee needs to make or receive a business phone call while driving, the employee should make sure the vehicle is stopped and that he or she is parked in a proper parking area for the call.

Employees who use hands-free telephones must keep business conversations brief while driving, and must stop the vehicle and park in a proper parking area if the conversation becomes involved, traffic is heavy, or road conditions are poor.

Writing, sending, or reading text-based communication – including text messaging, instant messaging, and e-mail – on a wireless device or cell phone while driving is also prohibited under this policy. Violating this policy is a violation of law beginning January 1, 2009.

Authority provided cellular telephones are for business purposes. They are not to be use for non-work related communications except when circumstances arise as described below.

Employees whose work necessitates a cell phone plan purchased by the Authority should restrict use to business. If an Authority provided cell phone is used for any personal use, the employee will be required on a monthly basis to review the detailed usage reports for phones and identify personal use (including calls and text messages) and to reimburse the Authority for a percentage of the monthly service charges plus any additional charges for minutes or message usage. If LAVTA requires you to travel on business, you are allowed one personal call per day.

Employees in possession of Authority cellular phones are required to take appropriate precautions to prevent theft and vandalism of all Authority equipment. Willful damage to Authority property is subject to replacement of the property at the employee's expense.

## **PERSONAL CELL PHONE USE:**

Employees should obtain written departmental approval prior to using personal cellular phones for business purposes. Personal cell phone use for business should be limited to necessary and immediate business needs. It is the responsibility of the employee's department head to monitor cell phone use and approve the expense report for reimbursement. If the employee seeks reimbursement, Department Heads have the right to review, question, and limit reimbursement requests of employee's cell phone bills.

## **Employer Property**

Desks, computers, vehicles, and other Authority-owned items are Livermore Amador Valley Transit Authority property and must be maintained according to Authority rules and regulations. They must be kept clean and are to be used only for work-related purposes. Livermore Amador Valley Transit Authority reserves the right to inspect all Authority property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence.

Authority voice mail and/or electronic mail (e-mail) are to be used for business purposes. Livermore Amador Valley Transit Authority reserves the right to monitor voice mail messages and e-mail messages to ensure compliance with this rule, without notice to the employee and at any time, not necessarily in the employee's presence.

Livermore Amador Valley Transit Authority may periodically need to assign and/or change "passwords" and personal codes for computer, e-mail, voicemail, etc. These communication technologies and related storage media and databases are to be used for Authority business and they remain the property of Livermore Amador Valley Transit Authority. Livermore Amador Valley Transit Authority reserves the right to keep a record of all passwords and codes used and/or may be able to override any such password system.

Prior authorization must be obtained before any Authority property may be removed from the premises.

For security reasons, employees should not leave personal belongings of value in the workplace. Suspicious personal items are subject to inspection and search, with or without notice, with or without the employee's prior consent.

Terminated employees should remove any personal items at the time they leave Livermore Amador Valley Transit Authority. Personal items left in the workplace are subject to disposal if not claimed at the time of an employee's termination.

## **Guests and Visitors**

Visits from friends and family are to be kept to a minimum, in order to preserve an appropriate

work environment. It is extremely important that the impression left with Livermore Amador Valley Transit Authority visitors is that of a professional organization with the highest standards of conduct.

Emergencies in which children must be in the office for an extended length of time are to be kept to an absolute minimum – the Authority may not be used as a substitute for regular child care of employees' children. On those occasions when children are present, they should not be allowed to disrupt others in the office.

A child on the premises is the employee's responsibility and must be under employee's direct supervision at all times. If an employee's child is ill and on premises, the employee must present a doctor's note to their immediate supervisor indicating the child is not contagious. Only service animals will be allowed at work.

The Authority reserves its right in its sole discretion to deny such a request to have guests and visitors for reasons including, but not limited to, the requested guest or visitor has been disruptive in the past, there is a special event scheduled on the date(s) requested, or the work environment is not appropriate for the visitor or guest due to safety or other reasons.

## **Housekeeping**

All employees are expected to keep their work areas clean and organized. People using common areas such as lunch rooms, locker rooms, and restrooms are expected to keep them sanitary. Please clean up after meals and dispose of trash properly.

## **Off-Duty Use of Facilities**

Employees are prohibited from remaining on Livermore Amador Valley Transit Authority premises or making use of Authority facilities while not on duty.

## **Parking**

Employees may park their vehicles in designated areas, if space permits. If space is unavailable, employees must park in permissible public areas in the vicinity of Livermore Amador Valley Transit Authority property. Employees may not use parking areas specifically designated for visitors or Authority vehicles. Livermore Amador Valley Transit Authority is not responsible for any loss or damage to employee vehicles or contents while parked on Authority property.

## **Surveillance Monitoring**

Parking areas may be monitored with video or other surveillance for purposes of protecting Authority property only. This surveillance system is in no way intended to provide employees with personal security.

## **Smoking**

Smoking is not allowed in any enclosed area of the facility. Smoking is not permitted within 20 feet of any entryway.

# Employee Conduct

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## **Business Conduct and Ethics**

No employee may accept a substantial gift, meal, or gratuity from any customer, vendor, supplier, or other person doing business with Livermore Amador Valley Transit Authority because doing so may give the appearance of influencing business decisions, transactions or service. Non-substantial gifts (such as branded pens, etc.) may be accepted. If LAVTA is in a procurement process, no gift of any kind may be accepted from a potential vendor. A LAVTA employee who is designated in the Authority's conflict of interest code must report any gifts over \$50 (cumulative over the calendar year) from any single source, and may not accept gifts from any single source totaling more than \$420 in a calendar year if you are required to report receiving income or gifts from that source on your statement of economic interests. All other employees may not accept any gifts over \$50 cumulative over the calendar year from any single source.

## **Conducting Personal Business**

Employees are to conduct only Livermore Amador Valley Transit Authority business while at work. Employees may not conduct personal business or business for another employer during their scheduled working hours.

## **Confidentiality**

**Each employee is responsible for safeguarding the confidential information obtained during employment.**

In the course of your work, you may have access to confidential information regarding Livermore Amador Valley Transit Authority, its suppliers, its customers, or perhaps even fellow employees. Confidential information means all information, not generally known, belonging to, or otherwise relating to the business of the Authority or its clients, customers, vendors, affiliates or partners, regardless of the media or manner in which it is stored or conveyed, that the Authority has taken reasonable steps to protect from unauthorized use or disclosure. Confidential information includes but is not limited to trade secrets as well as other knowledge, information, and know-how; non-public intellectual property rights, including business plans and strategies; formulae; processes; designs; drawings; discoveries; improvements; ideas; conceptions; test data; compilations of data; and developments, whether or not patentable and whether or not copyrightable. You have a responsibility to prevent revealing or divulging any such information unless it is necessary for you to do so in the performance of your duties. Access to confidential information should be on a "need-to-know" basis and must be authorized by your supervisor. Any breach of this policy will not be tolerated and legal action may be taken by the Authority.

Nothing in this policy is intended to limit employees' right to discuss wages, terms or

conditions of employment with co-workers or with people outside of the organization.

## **Conflicts of Interest**

All employees must avoid situations involving actual, potential or perceived conflict of interest. Personal or romantic involvement with a competitor, supplier, or subordinate employee of Livermore Amador Valley Transit Authority, which impairs an employee's ability to exercise good judgment on behalf of the Authority, creates an actual, potential, or perceived conflict of interest. Supervisor-subordinate romantic or personal relationships also can lead to supervisory problems, possible claims of sexual harassment, and morale problems.

### **Notice**

An employee involved in any of the types of relationships or situations described in this policy should immediately and fully disclose the relevant circumstances to his or her immediate supervisor, for a determination about whether a potential or actual conflict exists. If an actual or potential conflict is determined, Livermore Amador Valley Transit Authority may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action.

## **Customer Relations**

Employees are expected to be polite, courteous, prompt, and attentive to every customer. When an employee encounters an uncomfortable situation that he or she does not feel capable of handling, a supervisor should be called immediately.

Ours is a service business and all of us must remember that the customer always comes first. Our customers ultimately pay all of our wages. Remember, while the customer is not always right, the customer is never wrong.

Customers are to be treated courteously and given proper attention at all times. Never regard a customer's question or concern as an interruption or an annoyance. You must respond to inquiries from customers, whether in person or by telephone, promptly and professionally.

Never place a telephone caller on hold for an extended period. Direct incoming calls to the appropriate person and make sure the call is received.

Through your conduct, show your desire to assist the customer in obtaining the help he or she needs. If you are unable to help a customer, find someone who can.

All correspondence and documents, whether to customers or others, must be neatly prepared and error-free. Attention to accuracy and detail in all paperwork demonstrates your commitment to those with whom we do business.

Never argue with a customer. If a problem develops or if a customer remains dissatisfied, ask your supervisor or the Executive Director to intervene.

## **Dress Code and Other Personal Standards**

Because each employee is a representative of the Authority in the eyes of the public, each employee must report to work properly groomed and wearing appropriate attire. Employees are expected every day to dress in the proper attire of business wear or business casual. On days when Board or Committee meetings are taking place, or where staff is meeting with VIP's, staff should be in business wear, not business casual.

Acceptable attire excludes ripped/torn clothing, T-shirts, tennis shoes, shorts, tank or halter tops, flip flops, and revealing attire. Employees who report to work inappropriately dressed may be asked to clock out and return in acceptable attire.

## **Drug and Alcohol Abuse**

Livermore Amador Valley Transit Authority is concerned about the use of alcohol, illegal drugs, or controlled substances without a prescription as it affects the workplace. Use of these substances, whether on or off the job can detract from an employee's work performance, efficiency, safety, and health, and therefore seriously impair the employee's value to the Authority. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the Authority to the risks of property loss or damage, or injury to other persons.

Furthermore, the use of prescription drugs and/or over-the-counter drugs also may affect an employee's job performance and may seriously impair the employee's value to the Authority.

The following rules and standards of conduct apply to all employees either on Authority property or during the workday (including meals and rest periods). Behavior that violates Authority policy includes:

- Possession or use of an illegal drug or controlled substance without a prescription, or being under the influence of an illegal drug or controlled substance without a prescription while on the job;
- Driving a Authority vehicle while under the influence of alcohol; and
- Distribution, sale, or purchase of an illegal or controlled substance while on the job.

Violation of these rules and standards of conduct will not be tolerated. Livermore Amador Valley Transit Authority also may bring the matter to the attention of appropriate law enforcement authorities.

In order to enforce this policy, Livermore Amador Valley Transit Authority reserves the right to conduct searches of Authority property or employees and/or their personal property, and to implement other measures necessary to deter and detect abuse of this policy.

Any employee who is using prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or affect the safety or well-being of others, must notify a supervisor of such use immediately before starting or resuming work. Employees are not required to tell their supervisors what drug they are using; they simply must inform their supervisors that they are using a prescription or over-the-counter drug covered by this policy.

Livermore Amador Valley Transit Authority will encourage and reasonably accommodate employees with alcohol or drug dependencies to seek treatment and/or rehabilitation. Employees desiring such assistance should request a treatment or rehabilitation leave. The Authority is not obligated, however, to continue to employ any person whose performance of essential job duties is impaired because of drug or alcohol use, nor is the Authority obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person's job performance remains impaired as a result of dependency. Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation, but fail to successfully overcome their dependency or problem, will not automatically be given a second opportunity to seek treatment and/or rehabilitation. This policy on treatment and rehabilitation is not intended to affect the Authority's treatment of employees who violate the regulations described previously. Rather, rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency.

Please refer to the adopted Authority Drug and Alcohol Policy for additional details.

## **News Media Contacts**

Employees may be approached for interviews or comments by the news media. Only contact people designated by the Executive Director may comment to news reporters on behalf of Livermore Amador Valley Transit Authority regarding Livermore Amador Valley Transit Authority policy or events relevant to Livermore Amador Valley Transit Authority. The Director of Planning and Communication must be notified of any interviews or comments made.

## **Off-Duty Conduct**

While Livermore Amador Valley Transit Authority does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the Authority's legitimate business interests. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect the Authority's or their own integrity, reputation or credibility. Illegal or immoral off-duty conduct by an employee that adversely affects the Authority's legitimate business interests or the employee's ability to perform his or her job will not be tolerated.

While employed by Livermore Amador Valley Transit Authority, employees are expected to devote their energies to their jobs with the Authority. The following types of employment elsewhere are strictly prohibited:

- Additional employment that conflicts with an employee's work schedule, duties, and responsibilities at the Authority;
- Additional employment that creates a conflict of interest or is incompatible with the employee's position with the Authority;
- Additional employment that impairs or has a detrimental effect on the employee's work performance with the Authority;
- Additional employment that requires the employee to conduct work or related activities on Authority property during the employer's working hours or using Authority facilities and/or equipment; and
- Additional employment that directly or indirectly competes with the business or the interests of the Authority.

Employees who wish to engage in additional employment that may create a real or apparent conflict of interest must submit a written request to Livermore Amador Valley Transit Authority explaining the details of the additional employment. If the additional employment is authorized, Livermore Amador Valley Transit Authority assumes no responsibility for it. Livermore Amador Valley Transit Authority shall not provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of additional employment. Authorization to engage in additional employment can be revoked at any time.

## **Prohibited Conduct**

The following conduct is prohibited and will not be tolerated by Livermore Amador Valley Transit Authority. This list of prohibited conduct is illustrative only; other types of conduct that threaten security, personal safety, employee welfare and Authority operations also may be prohibited.

- Falsifying employment records, employment information, or other Authority records;
- Recording the work time of another employee or allowing any other employee to record your work time, or falsifying any time sheet, either your own or another employee's;
- Theft and deliberate or careless damage or destruction of any Authority property, or the property of any employee or customer;
- Removing or borrowing Authority property without prior authorization;
- Unauthorized use of Authority equipment, time, materials, or facilities;
- Carrying firearms or any other dangerous weapons on Authority premises at any time;
- Engaging in criminal conduct during working time;
- Insubordination, including but not limited to failure or refusal to obey the lawful orders or instructions of a supervisor or member of management;
- Using abusive language toward a customer or client;

- Failing to notify a supervisor as soon as practicable when unable to report to work;
- Unreported absence of three consecutive scheduled workdays;
- Failing to obtain permission to leave work for any reason during normal working hours;
- Failing to observe working schedules, including rest and lunch periods;
- Failing to provide a physician's certificate when requested or required to do so;
- Sleeping or malingering on the job;
- Working overtime without authorization or refusing to work assigned overtime;
- Wearing disturbing, unprofessional or inappropriate styles of dress or hair while working;
- Violating any safety, health, security or Authority policy, rule, or procedure;
- Committing a fraudulent act or a breach of trust under any circumstances; and
- Committing or involvement in any act of unlawful harassment or discrimination of another individual.

## **Punctuality and Attendance**

As an employee of Livermore Amador Valley Transit Authority, you are expected to be punctual and regular in attendance. Any tardiness or absence causes problems for your fellow employees and your supervisor. When you are absent or late, your assigned work must be performed by others.

Employees are expected to report to work as scheduled, on time, and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for meal periods, rest periods, or when required to leave on authorized Authority business. Late arrival, early departure, or other unanticipated and unapproved absences from scheduled hours are disruptive and must be avoided.

If you are unable to report for work on any particular day, you must under all but the most extenuating circumstances call your supervisor as soon as practicable, generally at least one hour before the time you are scheduled to begin working for that day. If you call less than one hour before your scheduled time to begin work and do not arrive in time for your assigned shift, you will be considered tardy for that day. In all cases of absence or tardiness, employees must provide their supervisor with an honest reason or explanation. Employees also must inform their supervisor of the expected duration of any absence. Excessive absenteeism or tardiness, whether excused or not, will not be tolerated.

If you fail to report for work without any notification to your supervisor and your absence continues for a period of three days Livermore Amador Valley Transit Authority will consider that you have voluntarily abandoned or quit your employment.

# Wages

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## **Advances**

Livermore Amador Valley Transit Authority does not permit advances against paychecks or against unaccrued Paid Time Off (PTO).

## **Deductions for Exempt Employees**

Employees paid on a “salary basis” regularly receive a predetermined amount of compensation each pay period. Subject to the exceptions listed below, exempt employees will receive full salary for any workweek in which they perform any work, regardless of the number of days or hours worked. Exempt employees may not be paid for any workweek in which they perform no work, subject to Livermore Amador Valley Transit Authority benefits programs and policies.

No deductions from salary may be made for time when work is not available, provided the exempt employee is ready, willing, and able to work. Deductions from pay are permissible when an exempt employee:

- Is absent from work for one or more full days for personal reasons other than sickness or disability;
- Is absent for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for salary lost due to illness; or
- Works less than a full week during the initial or final week of employment.

It is Authority policy to comply with these salary basis requirements. Therefore, Livermore Amador Valley Transit Authority prohibits all Authority managers from making any improper deductions from the salaries of exempt employees. The Authority wants employees to be aware of this policy and know that the Authority does not allow deductions that violate federal or state law.

If you believe that an improper deduction from your salary has been made, you should immediately report this information to your direct supervisor, or to the payroll department.

Reports of improper deductions will be investigated promptly. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

## **Reimbursement of Expenses**

Livermore Amador Valley Transit Authority reimburses employees for business expenses in



accordance with the Authority's Expense Reimbursement Policy. Employees who have incurred business expenses must submit required receipts and the Expense Claim Form to the Finance Department within 60 days of the date the expenses were incurred. If you have any questions about the Authority's expense reimbursement policy, contact the Director of Finance.

Personal and/or vacation travel may be combined with business travel provided there is no additional cost to Livermore Amador Valley Transit Authority, and it meets with the approval of the Executive Director. Livermore Amador Valley Transit Authority credit cards are not to be used for personal expenses.

## **Makeup Time**

Livermore Amador Valley Transit Authority allows the use of makeup time when non-exempt employees need time off to tend to personal obligations. Makeup time worked will not be paid at an overtime rate unless the employee works more than 11 hours in a workday or more than 40 hours in the workweek.

Employees may take time off and then make up the time later in the same workweek, or may work extra hours earlier in the same workweek to make up for time that will be taken off later in the workweek.

Makeup time requests must be signed and written and approved by your supervisor. Requests will be considered for approval based on the legitimate business needs of the Authority at the time the request is made.

All makeup time must be worked in the same workweek as the time taken off. The Authority's seven-day workweek is Saturday through Friday. Employees may not work more than 11 hours in a day or 40 hours in a workweek as a result of making up time that was or would be lost due to a personal obligation.

If you take time off and are unable to work the scheduled makeup time for any reason, the hours missed will be taken as PTO. During a pay period, if you work makeup time in advance of time you plan to take off, you must take that time off, even if you no longer need the time off for any reason.

An employee's use of makeup time is completely voluntary. Livermore Amador Valley Transit Authority does not encourage, discourage, or solicit the use of makeup time.

## **Overtime for Non-Exempt Employees**

Employees may be required to work overtime as necessary. Only actual hours worked in a given workday or workweek can apply in calculating overtime. Livermore Amador Valley Transit Authority will attempt to distribute overtime evenly and accommodate individual

schedules. All overtime work must be previously authorized by a supervisor. Livermore Amador Valley Transit Authority provides compensation for all overtime hours worked by non-exempt employees in accordance with federal law as follows:

- All hours physically worked in excess of 40 hours in one workweek will be treated as overtime. A workday begins at 12:01 a.m. and ends at midnight 24 hours later. Workweeks begin each Saturday at 12:01 a.m;
- Compensation for hours in excess of 40 for the workweek shall be paid at a rate one and one-half times the employee's regular rate of pay;
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- Exempt employees may have to work hours beyond their normal schedules as work demands require. No overtime compensation will be paid to exempt employees.

## **Pay for Mandatory Meetings/Training**

Livermore Amador Valley Transit Authority will pay non-exempt employees for their attendance at meetings, lectures, and training programs under the following conditions:

- Attendance is mandatory;
- The meeting, course, or lecture is directly related to the employee's job; and
- The employee who is required to attend such meetings, lectures, or training programs will be notified of the necessity for such attendance by his or her supervisor.

## **Payment of Wages**

### **Biweekly Payments**

All employees of Livermore Amador Valley Transit Authority are paid every other Friday for work performed during the previous two-week pay period. If a regular payday falls on a holiday, employees will be paid on the last day worked before the holiday. Paychecks are normally available by 5:00 p.m. every other Friday at the Administration Offices located at 1362 Rutan Court, Suite 100, Livermore, CA. If you observe an error on your check, please report it immediately to your supervisor.

### **Automatic Deposit**

Livermore Amador Valley Transit Authority offers automatic payroll deposit for employees. You may begin and stop automatic payroll deposit at any time. To begin automatic payroll deposit, you must complete a form (available from the payroll department) and return it to payroll at least 10 days before the pay period for which you would like the service to begin. You should carefully monitor your payroll deposit statements for the first two pay periods after the service begins.

To stop automatic payroll deposit, complete the form available from the payroll department and return it to payroll at least 10 days before the pay period for which you would like the service to end. You will receive a regular payroll check on the first pay period after the receipt of the form, provided it is received no later than 10 days before the end of the pay period.

## **Timekeeping Requirements**

All non-exempt employees, with the exception of Interns and Customer Service Representatives, are required to use time sheets to record time worked for payroll purposes. Employees must record their own time at the start and at the end of each work period, including before and after the lunch break. Employees also must check out at the front desk whenever they leave the building. Any errors on your timesheet should be reported immediately to your supervisor. Time sheets must be signed by employee and supervisor and submitted to payroll by 5:00 p.m. on the Friday that marks the end of the pay period.

Interns and Customer Service Representatives are required to use a computer desk top time clock to record time worked for payroll purposes. Time sheets are printed and distributed on the Monday following the end of the pay period and must be signed by employee and supervisor and submitted to payroll with 24 hours.

## **Work Schedules**

Livermore Amador Valley Transit Authority Administrative Offices are normally open for business between the hours of 8:30 a.m. and 5:00 p.m. Monday through Friday. Your supervisor will assign your individual work schedule. All employees are expected to be at their desks or workstations at the start of their scheduled shifts, ready to work.

The Authority also operates a Transit Center in Livermore, which provides customer service for passengers and the Community. The Transit Center is normally open for business between the hours of 5:00 a.m. and 7:00 p.m. Monday through Friday. Customer Service Representatives are assigned work schedules and exchanging work schedules with other employees is discouraged. However, if you need to exchange schedules, notify your supervisor, who may authorize an exchange if possible. Work schedule exchanges will not be approved for the mere convenience of an employee or if the exchange interferes with normal operations or results in excessive overtime.

The workweek begins at 12:01 a.m. Saturday and ends at midnight on the following Friday.

## **Safety and Health**

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## **Employees Who Are Requested to Drive**

Employees who are required to drive an Authority vehicle or their own vehicles on Authority business will be required to show proof of current valid driving licenses and current effective insurance coverage before the first day of employment.

Livermore Amador Valley Transit Authority participates in a system that regularly checks state Department of Motor Vehicles (DMV) records of all employees who drive as part of their job.

Livermore Amador Valley Transit Authority retains the right to transfer to an alternative position, suspend, or terminate an employee whose license is revoked, or who fails to maintain personal automobile insurance coverage or who is uninsurable under the Authority's policy.

Employees who drive their own vehicles on Authority business will be reimbursed per mile at the current rate established by the Internal Revenue Service.

## **Ergonomics**

Livermore Amador Valley Transit Authority is subject to Cal/OSHA ergonomics standards for minimizing workplace repetitive motion injuries. The Authority will make necessary adjustments to reduce exposure to ergonomic hazards through modifications to equipment and processes and employee training. The Authority encourages safe and proper work procedures and requires all employees to follow safety instructions and guidelines.

Livermore Amador Valley Transit Authority believes that reduction of ergonomic risk is instrumental in maintaining an environment of personal safety and well-being, and is essential to our business. We intend to provide appropriate resources to create a risk-free environment.

If you have any questions about ergonomics, please contact the Director of Finance.

## **Health and Safety**

All employees are responsible for their own safety, as well as that of others in the workplace. To help us maintain a safe workplace, everyone must be safety-conscious at all times. Report all work-related injuries or illnesses immediately to your supervisor or to the human resources department. In compliance with California law, and to promote the concept of a safe workplace, Livermore Amador Valley Transit Authority maintains an Injury and Illness Prevention Program. The Injury and Illness Prevention Program is available for review by employees and/or employee representatives in the office of the Director of Finance.

In compliance with Proposition 65, Livermore Amador Valley Transit Authority will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

## **Recreational Activities and Programs**

Livermore Amador Valley Transit Authority or its insurer will not be liable for payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties.

## **Security**

Livermore Amador Valley Transit Authority has developed guidelines to help maintain a secure workplace. Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Report any suspicious persons or activities to security personnel. Secure your desk or office at the end of the day. When called away from your work area for an extended length of time, do not leave valuable and/or personal articles in or around your workstation that may be accessible. The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. You should immediately notify your supervisor when unknown persons are acting in a suspicious manner in or around the facilities, or when keys, security passes, or identification badges are missing.

The Authority's workplace security program is described in detail in the Authority's System Safety Program Plan (SSPP).

## **Workplace Violence**

Livermore Amador Valley Transit Authority has adopted the following workplace violence policy to ensure a safe working environment for all employees.

The Authority has a zero tolerance for acts of violence and threats of violence. Without exception, acts and threats of violence are not permitted. All such acts and threats, even those made in apparent jest, will be taken seriously, and will lead to discipline up to and including termination.

Possession of non-work related weapons on Authority premises and at Authority-sponsored events shall constitute a threat of violence.

It is every employee's responsibility to assist in establishing and maintaining a violence-free work environment. Therefore, each employee is expected and encouraged to report any incident which may be threatening to you or your co-workers or any event which you

reasonably believe is threatening or violent. You may report an incident to any supervisor or manager.

A threat includes, but is not limited to, any indication of intent to harm a person or damage Authority property. Threats may be direct or indirect, and they may be communicated verbally or nonverbally.

The Authority's workplace violence program is described in detail in the Authority's Injury and Illness Prevention Program (IIPP).

## Allergies

### 1. Food Allergies.

A food allergy occurs when a person's immune system decides that a particular food is harmful. The person's immune system releases massive amounts of chemicals to protect the body. These chemicals trigger a cascade of allergic symptoms that can affect the respiratory system, gastrointestinal tract, skin, or cardiovascular system. Symptoms range from a tingling sensation in the mouth, swelling of the tongue and the throat, difficulty breathing, hives, vomiting, abdominal cramps, diarrhea, drop in blood pressure, to loss of consciousness and/or death. Symptoms typically appear within minutes after the person has eaten the food to which he or she is allergic, but may occur hours later.

Although a person can be allergic to any food, there are eight foods that account for 90% of all food allergy reactions. These are milk, eggs, peanuts, tree nuts, fish, shellfish, soy, and wheat. Currently, there are no medications that cure food allergies. **Strict avoidance of the allergy-causing food is the only way to avoid a reaction.**

#### A. Possible Accommodations

If a LAVTA employee suffers from such an allergy, he or she should **notify Human Resources immediately.** LAVTA will then implement accommodations to reduce the risk to the employee.

While implementing policies restricting certain foods is not fail-safe, it may help to reduce exposure. Accommodations *may* include:

- Posting signs at entrances to the building and in hallways, restrooms, waiting rooms and conference rooms. These signs will alert people that certain foods are restricted due to a severe food allergy.
- Sending memos to employees informing them that if a person has eaten the offending food, they must let others know so the proper precautions may be taken. Some allergic reactions have occurred when a person has contact with someone who has eaten an offending food.
- Sending occasional memos encouraging compliance with the policy.
- Enforcing the policy with consequences for violations.
- Allowing the employee to eat at his/her desk or in his/her office or allowing extra time during lunch so the employee may go home to eat.
- Permitting flexible scheduling so the employee with a food allergy may work when less people are present in the workplace to decrease possible exposure.

- Relocating the employee's workspace to reduce possibility of exposure to offending foods.
- Researching current airline policies regarding snacks served on the plane; some airlines do not serve peanut snacks.
- Allowing employees who travel for work to stay overnight in hotels with refrigerators in the rooms so they may bring their own food.
- Accommodating the need for recurrent medical intervention.
- Conduct a training session to educate employees on food allergies.
- Discuss the proper steps to take in an emergency situation, e.g., how to call 911.
- Discuss the signs and symptoms of an anaphylactic reaction, which may include a tingling sensation in the mouth, swelling of the tongue and the throat, difficulty breathing, hives, vomiting, abdominal cramps, diarrhea, dizziness, and loss of consciousness.
- Allow an employee to re-locate or re-schedule a meeting in a room that is inducing an allergy or sensitivity.
- Allow an employee the right to remove themselves from a harmful environment.
- Allow an employee to keep medication with him/her at all times.
- Note that an employee with a food allergy may wear a medical alert necklace or bracelet.

### **C. Procedure**

Once the appropriate accommodations have been identified, employees will be notified as needed through signs posted in building, promotional materials and training.

Visitors will be informed of this policy through signs, and it will be explained to them by their host.

**Employees who violate this policy may be subject to disciplinary action, up to and including termination.**

## **2. Scent-free Workplace Policy.**

### **A. Scented Products**

Due to the health concerns arising from exposure to scented products, LAVTA has instituted a this policy to provide a scent-free environment for all employees and visitors.

Scented products can adversely affecting a person's health, causing some or all of the following symptoms:

- headaches
- dizziness, lightheadedness
- nausea
- fatigue
- weakness
- insomnia
- malaise
- confusion
- loss of appetite
- depression
- anxiety
- numbness



- upper respiratory symptoms
- shortness of breath
- watering eyes and runny nose
- difficulty with concentration
- skin irritation

Allergic and asthmatic patients, as well as those with other conditions, report that certain odors, even in the smallest amounts, can trigger an attack. The severity of these symptoms can vary. Some people report mild irritation while others are incapacitated and/or must give up many 'normal' activities in order to avoid exposure (such as going to public places). In addition, people suffering from food allergies may have an allergic reaction to non-food items that contain natural or food-based ingredients.

**The use of scented products will not be allowed within the building at any time.** In addition, all materials used for cleaning will be scent-free.

### **What types of products contain scents?**

Scents are included in a very large range of products including:

- shampoo and conditioners
- hairsprays
- deodorants
- colognes and aftershaves
- fragrances and perfumes
- lotions and creams
- tissues and kleenex
- potpourri
- industrial and household chemicals
- soaps
- hand sanitizer
- cosmetics
- air fresheners and deodorizers
- oils
- candles
- diapers
- some types of garbage bags

It is important to remember some products which claim to be 'scent free' may have only masked the scent by use of an additional chemical.

**A list of locally available scent-free products is available from Human Resources.**

### **B. Natural Scents**

Even natural scents can cause severe allergic reactions in people with environmental sensitivities or food allergies. Accordingly, employees are not permitted to bring flowers or flowering plants to the workplace. If an employee is sent flowers or a flowering plants at the workplace by someone else, he or she is to store them outside of the building or dispose of them immediately.

### **C. Procedure**

Employees will be informed of this policy through signs posted in buildings, the policy manual, promotional materials and will receive orientation and training.

Visitors will be informed of this policy through signs and it will be explained to them by their host.

**Employees who violate this policy may be subject to disciplinary action, up to and including termination.**

# Termination

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## Employee References

**All requests for references must be directed to the Director of Finance. No other manager, supervisor, or employee is authorized to release references for current or former employees.**

By policy, Livermore Amador Valley Transit Authority discloses only the dates of employment and the title of the last position held of former employees. If you authorize the disclosure in writing, Livermore Amador Valley Transit Authority also will inform prospective employers of other information as specifically designated in the disclosure authorization.

## Reductions in Force

Under some circumstances, Livermore Amador Valley Transit Authority may need to restructure or reduce its workforce. If restructuring our operations or reducing the number of employees becomes necessary, the Authority will attempt to provide advance notice, if possible, to help prepare affected individuals. If possible, employees subject to layoff will be informed of the nature of the layoff and the foreseeable duration of the layoff, whether short-term or indefinite.

In determining which employees will be subject to layoff, Livermore Amador Valley Transit Authority will take into account, among other things, operation and requirements, the skill, productivity, ability, and past performance of those involved, and the employee's length of service.

## Voluntary Resignation

Voluntary resignation results when an employee voluntarily quits his or her employment at Livermore Amador Valley Transit Authority by submitting a written and signed resignation letter, or fails to report to work for three consecutively scheduled workdays without notice to, or approval by, his or her supervisor. All Authority-owned property, including vehicles, keys, uniforms, identification badges, and credit cards, must be returned immediately upon termination of employment.

## **APPENDIX A**

## **LAVTA Human Resources Policy (adopted by BOD 10/6/14)**

### 1. GENERAL PROVISIONS

#### 1.1 PURPOSE

The objective of these policies is to facilitate efficient service to the public and to provide a human resources management system within the Livermore Amador Valley Transit Authority (LAVTA) that deals with all employees in an equitable and uniform manner.

#### 1.2 SCOPE

In cases where these policies conflict with agreements duly agreed upon between any employee and the Authority, the provisions of the agreement shall govern. In all other cases, these rules shall apply.

### 2. POLICIES AND PROCEDURES

#### 2.1 APPLICATIONS FOR EMPLOYMENT

Application for employment shall be made in a manner prescribed by the Executive Director. Applications shall require information on specific job experience, education, and training, shall contain job-related information, and shall be signed and dated by the applicant.

2.1.1 No questions on any application or asked at an interview shall attempt to elicit information concerning race, age, color, creed, sex, sexual orientation, gender identity, genetic information, marital status, national origin, mental, physical or sensory disability, or religious affiliation for the purpose of discrimination.

2.1.2 All statements submitted on the application or attached resume may be subject to investigation and verification prior to appointment.

2.1.3 All job openings will be subject to a competitive process. The Executive Director or designee shall determine whether competition shall be limited to internal candidates or shall be opened to all qualified candidates. If competition includes outside candidates, the job opening will be advertised as appropriate to the position and in accordance with the LAVTA Human Resources Procedures Manual.

- 2.1.4 The Authority shall conform to all requirements under the Americans with Disability Act relating to application for employment and continued service with the Authority.

2.2 APPOINTMENT

- 2.2.1 All appointments to vacancies shall be made by the Executive Director or designee after considering the qualifications of the applicants.
- 2.2.2 Qualified Authority employees will be given due consideration for any available position upon application for the position.

2.3 ATTENDANCE

Employees shall be in attendance at their job in accordance with the rules regarding hours of work, holidays and leave of absence.

- 2.3.1 An employee shall not be absent from work for any reason other than those specified in this Human Resources Policy without making prior arrangements with the Executive Director or designee. Unless prior arrangements are made, an employee who, for any reason, fails to report to work, shall make a sincere effort to immediately notify the Executive Director or designee of the reason for being absent. If the absence continues beyond the first day, the employee shall notify the Executive Director or designee on a daily basis unless other arrangements have been made. *The Executive Director or designee may require a medical certificate from the employee's treating physician if the absence continues over three consecutive days.*
- 2.3.2 Any unauthorized absence of an employee may be cause for disciplinary action.

2.4 OVERTIME COMPENSATION

The payment of overtime compensation shall be in accordance with Federal Law. The Executive Director shall conduct a review of the responsibilities of each position and designate whether the position is exempt from overtime compensation provisions pursuant to the Code of Federal Regulations: Title 29: Part 541. Nonexempt employees who are required to work more than 40 hours in one week shall be entitled to overtime compensation for all hours so worked. Overtime is paid only for time worked, not time compensated. Therefore, overtime is not paid when time worked is less than 40 hours in the week but the employee receives PTO, holiday pay (as defined in paragraph 5.1.1), jury duty pay or similar pay for unworked hours and the paid time exceeds 40 hours. The overtime rate shall be computed at one and one-half times the employee's

regular rate of pay as calculated to the nearest one-tenth (1/10) of an hour. Employees shall be compensated for overtime worked by monetary payment, paid not later than the next payroll following the pay period in which the overtime was worked. All overtime shall be approved in writing by the Executive Director or designee.

## 2.5 HOURS OF WORK

The Administrative Office shall be open for the public between 8:30 a.m. and 5:00 p.m. each weekday, except on Authority holidays as per paragraph 5.1.1. The Transit Center shall be open for the public as determined by the Executive Director or designee in accordance with all agreements or other public considerations.

Employees will work per established full time (40 hours per week) or part-time schedule.

## 2.6 LAYOFF

The Executive Director may layoff employees for lack of work, budgetary restrictions, or due to other changes that take place. Layoffs will be made based on performance without regard for seniority. The employee will be given two (2) weeks notice, except in cases of emergency, before layoff takes place.

## 2.7 LEAVES OF ABSENCE

### 2.7.1 Personal Leaves:

2.7.2 The Executive Director or designee may grant a regular employee leave of absence without pay, not to exceed three (3) months, for personal leave.. No such leave shall be granted except in written form and upon written request of the employee setting forth the reason therefore. Upon expiration of a regularly approved leave of absence without pay, the employee shall be reinstated in the position held at the time leave was granted if such position is available; however, reinstatement is not guaranteed. Failure on the part of an employee on leave to report promptly at its expiration or within a reasonable time after notice to return to duty shall be cause for discipline. The Executive Director or designee may grant an employee in the introductory period,= leave of absence without pay for one (1) calendar week only.

### a. Medical and Other Benefits

During an approved personal leave of absence without pay per paragraph 2.7.2, employee must pay the employee's portion of the premium as directed by the Authority. Employee's health care coverage will cease if the employee's



premium payment is more than 30 days late. If employee's payment is more than 30 days late, the Authority will send the employee a letter to this effect. If the Authority does not receive the Authority's co-payment within 15 days of that letter, the employee's coverage may cease. If employee elects not to return to work for at least 30 calendar days at the end of the leave period, the employee may be required to reimburse the Authority for the cost of the health benefit premiums paid by the Authority for maintaining coverage during the employee's unpaid leave.

*During the unpaid leave, PTO accrual will cease.*

### **2.7.3**

#### **Temporary Disability Leaves:**

### **2.7.4**

a. An unpaid medical leave of absence may be granted for temporary medical disabilities with a doctor's written certificate of disability if a leave is necessary to reasonably accommodate a workplace injury or a qualified disability under the Americans With Disabilities Act or the Fair Employment and Housing Act. Temporary disability leave runs concurrently with Family Medical Leave.

b. The duration of a disability leave under this section shall be consistent with applicable law, but in no event shall the leave extend past the date on which an employee becomes capable of performing the essential functions of his or her position, with or without reasonable accommodation.

c. If the disability leave is needed due to a work-related injury, all matters relating to an employee's leave rights, including compensation, benefits, substitution of paid leave, notice and certification requirements, and reinstatement shall be governed by the state workers' compensation laws.

d. Requests for leave should be made as far in advance as possible. Employees are required to use any unused accrued sick leave and vacation. Employees may also be eligible for State Disability Insurance (SDI) benefits. Use of sick leave, vacation leave or State Disability Insurance benefits does not extend the time period of the leave of absence.

### **2.7.5**

#### **Family Medical Leave Act**

a. Leave Policy

Under the federal Family and Medical Leave Act (“FMLA”) and the California Family Rights Act (“CFRA”), employees may take time off as provided in this policy, so long as (1) the employee has worked for the Authority for at least 12 months, and for at least 1,250 hours in the last 12 months, (an employee returning from fulfilling his or her National Guard or Reserve military obligation will be credited with the hours of service that would have been performed but for the period of military service in determining the 1,250 hours of service).

b. Reasons for Leave

Eligible employees may take up to 12 weeks of unpaid Family and Medical Leave within any rolling 12-month period (measured backward from the date of the commencement of any Family and Medical Leave) and be restored to the same or a comparable position upon the employee’s return from leave for any of the following reasons:

- (1) the birth of a child and to bond with or to care for such child;
- (2) the placement of a child with the employee for adoption or foster care and to bond with or to care for the newly-placed child;
- (3) to care for a spouse, domestic partner, child, or parent (“covered relation”) with a serious health condition;
- (4) the employee’s own serious health condition that renders him/her unable to perform an essential function of his/her position;
- (5) “military exigency leave,” when there is a qualifying military exigency arising out of the fact that an employee’s spouse, domestic partner, child, or parent is on covered active duty (or has been notified of an impending call or order to covered active duty) in the National Guard, Reserves or regular Armed Forces. "Qualifying exigency" under the FMLA includes any activities listed in the applicable Department of Labor governing regulations. Qualifying exigencies include: (1) short-notice deployment; (2) military events and related activities; (3) childcare and school activities; (4) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post deployment activities; (8) parental leave; and (9) additional activities.

In addition, under the FMLA, “Military Caregiver Leave” may be requested to care for a spouse, domestic partner, son or daughter (of any age), parent, or next of kin who is a covered service member, and who has incurred a serious injury or illness in the line of duty while on active duty in the Armed Forces, including leave to care for covered veterans who are undergoing medical treatment, recuperation, or therapy for a serious injury or illness incurred or aggravated in the line of duty on active duty and that manifested before or after the veteran left active duty.

A “covered service member” under the FMLA Military Caregiver Leave is: a) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or b) a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. “Covered veteran” means an individual who was a member of the Armed Forces (including a member of the National Guard or Reserves), and was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

Provided all the conditions of this policy are met, an employee may take a maximum of 26 weeks of military caregiver leave in a single 12-month period, inclusive of the any leave the employee takes for family care, medical, or military exigency leave during that period. This 12-month period will be measured *forward* from the first day leave is taken, regardless of how the Company calculates the single 12-month period for other FMLA purposes.

Military Caregiver Leave may run concurrently with CFRA leave if the covered servicemember is a CFRA “covered relation” (i.e. your spouse, registered domestic partner, child (under age 18, unless incapable of self-care because of a mental or physical disability), or parent) and the covered servicemember suffers from a serious health condition under CFRA. If such conditions are not met, CFRA leave is not exhausted during military caregiver leave. In any event, CFRA leave lasts for a maximum of 12 weeks, and any military caregiver leave beyond that would be FMLA only.

Spouses who are both employed by the Company may take a maximum combined total of 26 weeks in the 12-month period for military caregiver leave and any other FMLA leave, including military exigency leave. However, no more than 12 weeks of this combined 26-week period may be taken for reasons other than to care for the service member.

c. Time Off from Work Due to Employee’s Disability Due to Pregnancy/  
Childbirth/Adoption

Time off from work because of disability due to pregnancy, childbirth, or adoption is counted as time used for FMLA leave, but is not counted as time used for CFRA leave. Pregnant employees may have the right to take up to four (4) months of Pregnancy Disability Leave (PDL) in addition to CFRA leave. Pregnant employees may be entitled to additional leave beyond four (4) months to accommodate a pregnancy-related disability if reasonable under the circumstances and not an undue hardship. Pregnant employees should consult with Human Resources regarding their individual situation.

d. Notice of Leave

If the need for Family and Medical Leave is foreseeable, employee must give the Authority at least 30 days prior notice of the need for leave, preferably in writing. If this is not possible, employee must at least give notice as soon as practicable (generally within one (1) to two (2) business days of learning of the need for leave), and employee must comply with the Authority's usual and customary notice and procedural requirements for requesting leave absent unusual circumstances. Failure to provide such notice may be grounds for delay of leave. Additionally, if the employee is planning a medical treatment, the employee must consult with the Authority first regarding the dates of such treatment. For foreseeable leave due to a qualifying exigency, notice must be provided as soon as practicable. Where the need for leave is not foreseeable, employee should notify the Authority as soon as possible and practical.

The employee's notice must include sufficient information for the Authority to determine if the leave qualifies for FMLA/CFRA protection and for the Authority to determine the expected timing and duration of the leave.

e. Certification of a Serious Health Condition

If the employee is requesting leave because of the employee's own or a covered relation's serious health condition, employee must provide appropriate medical certification from the relevant health care provider within 15 calendar days after employee requests leave, if practicable. If employee provides at least 30 days notice the medical certification should be provided before leave begins. Failure to provide requested medical certification in a timely manner may be grounds for delay of leave. The certification must include the name, address, phone and fax numbers of the health care provider and the type of medical practice, the approximate date on which the serious health condition began and its probable duration, a statement documenting the need for leave, and confirmation that, if the employee is the patient, employee is unable to perform one or more of the essential functions of the employee's job due to the serious health condition or, if a family member is the patient, confirmation that the family member is in need of care.

The Authority, at its expense, may require an examination by a second health care provider designated by the Authority, if it reasonably doubts the medical certification initially provided by the employee for the employee's own serious health condition. If the second health care provider's opinion conflicts with the original medical certification, the Authority, at its expense, may retain a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion.

The Authority may require subsequent medical recertification at the expiration of the employee's previous certification. Failure to provide requested recertification within 15 days, if such is practicable, may result in delay of

further leave until it is provided.

f. Certification for a Qualifying Exigency

If the employee is requesting military exigency leave, employee must provide appropriate certification within 15 calendar days after employee requests leave, if practicable. Failure to provide requested certification in a timely manner may be grounds for delay of leave. Employee must provide a copy of the military member's active duty orders or other documentation issued by the military that indicates that the military member is on active duty or call to active duty status in support of a contingency operation, and the dates of the member's active duty service.

Employee must also provide a signed statement of the facts regarding the qualifying exigency for which FMLA is requested, and provide the approximate date on which the qualifying exigency began or will begin, the beginning and end dates for the absence that is a single continuous period of leave (or, for intermittent or reduced schedule basis leave, an estimate of the frequency and duration of the qualifying exigency), and if the qualifying exigency involves meeting with a third party, provide appropriate contact information for any third party with whom you are meeting and a brief description of the purpose of the meeting.

g. Certification for Military Caregiver Leave

If employee is requesting leave to care for a covered service member with a serious injury or illness, employee must provide medical certification that the serious injury or illness was incurred in the line of duty on active duty in the Armed Forces.

h. Reporting While on Leave

If employee takes leave because of the employee's own serious health condition or to care for a covered family relation, employee must contact the Authority as directed regarding the status of the condition and the employee's intention to return to work. In addition, employee must give notice as soon as practicable (within two (2) business days if feasible) if the dates of leave change, are extended, or initially were unknown.

i. Leave is Unpaid

Family and Medical Leave is unpaid leave, although employee may be eligible for short-term or disability payments, paid family leave and/or workers' compensation benefits under those insurance plans. Employee may elect to substitute any accrued paid time off (e.g., PTO, administrative, etc.) for unpaid

Family and Medical Leave. The use of paid leave is subject to the terms of the Authority's usual policies, procedures and restrictions applicable to that type of paid leave.

j. Medical and Other Benefits

For the first 12 weeks of an approved Family and Medical Leave, the Authority will maintain the employee's health benefits as if the employee continues to be actively employed. If paid leave is substituted for unpaid Family and Medical Leave, the Authority will deduct the employee's portion of the health plan premium as a regular payroll deduction. If the employee's leave is unpaid, employee must pay the employee's portion of the premium as directed by the Authority. Employee's health care coverage will cease if the employee's premium payment is more than 30 days late. If employee's payment is more than 30 days late, the Authority will send the employee a letter to this effect. If the Authority does not receive the Authority's co-payment within 15 days of that letter, the employee's coverage may cease. If employee elects not to return to work for at least 30 calendar days at the end of the leave period, the employee may be required to reimburse the Authority for the cost of the health benefit premiums paid by the Authority for maintaining coverage during the employee's unpaid leave.

*During the unpaid portion of a family medical leave, PTO accrual will cease.*

k. Intermittent and Reduced Schedule Leave

Leave because of a serious health condition, including pregnancy-related disabilities, or military caregiver leave, may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced-leave schedule (reducing the usual number of hours you work per workweek) if medically necessary. Qualifying exigency leave may also be taken intermittently or on a reduced-leave schedule. Any leave taken for birth or placement of a child must be taken in blocks of at least two weeks (but employee is allowed two exceptions), and must be taken within one year of the birth or placement of the child with the employee.

If leave is unpaid, the Authority will reduce the employee's salary based on the amount of time actually worked. In addition, while the employee is on an intermittent or reduced leave schedule, the Authority may temporarily transfer the employee to an available alternative position that better accommodates employee's recurring leave and has equivalent pay and benefits.

l. Returning from Leave

If employee takes leave because of the employee's own serious health condition, (except if the employee is taking intermittent leave) employee is required to provide medical certification from employee's health care provider that states that employee is able to resume work and that addresses the employee's ability to perform the essential functions of the employee's job. Employees failing to provide the return-to-work medical certification form will not be permitted to resume work until it is provided.

Under most circumstances, an employee who returns from a Family and Medical Leave will be reinstated to his or her original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if she or he had been continuously employed rather than on leave. In addition, employees who do not return to work are not entitled to an accrual of seniority or employment benefits that may have occurred during a leave period.

m. Employer Requirements

The Authority must inform employees requesting leave whether they are eligible for Family and Medical leave. If they are, the notice must outline any additional information that is required and outline the employees' rights and responsibilities. If they are not eligible, the notice must give a reason for the ineligibility. It is unlawful for any employer to interfere with, restrain, or deny the existence of any right provided under the FMLA/CFRA, to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA/CFRA or for involvement in any proceeding under or relating to the FMLA/CFRA. Employees may file a complaint with the U.S. Department of Labor or the California Department of Fair Employment and Housing, or employees may bring a private lawsuit to enforce the FMLA and the CFRA.

- 2.7.6 Leave of absence with pay shall be granted to an employee who is called or required to serve as a juror. The employee must return to work on any day that they are excused from service. The employee shall be paid the difference between his/her full salary and any payment received for such duty, except travel pay.
- 2.7.7 Leave of absence with pay shall be granted to an employee while going to and from court and answering a subpoena as a witness. The employee shall be paid the difference between his/her full salary and any payment received for such duty except travel pay.
- 2.7.8 Military leave shall be granted in accordance with provisions of law. Employees entitled to military leave shall give the Executive Director

an opportunity, within the limits of military regulations, to determine when such leave shall be taken.

2.7.9 When an employee participates in a funeral ceremony he/she may use Paid Time Off (PTO) to perform such duty. Time not worked because of such absence shall not affect general leave accrued.

2.7.10 *Administrative Leave* - In recognition that management employees in positions classified as exempt are required to work hours beyond their regular hours of work to fulfill their management responsibilities, each exempt management employee shall be credited with seven (7) days of administrative leave per year.

The seven (7) days of administrative leave will be credited to each exempt management employee during the first pay period in July of each succeeding year.

All managers with unused administrative leave as of June 30 will be paid for said leave in the final pay period of the fiscal year.

Exempt management employees hired during the year preceding July 1 shall receive a prorated administrative leave. Management employees leaving LAVTA prior to June 30 and who have unused Administrative Leave, will be credited on a prorated basis from July 1 to the termination date. If employee has used more than the prorated share, the final paycheck will be adjusted.

Exempt management employees are limited to the Executive Director and all employees in the Director Classification band.

## 2.8 OUTSIDE EMPLOYMENT

2.9.1 Employees who plan to participate in any gainful occupation other than Authority service during off-duty time must have written permission to do so from the Executive Director or designee. The Authority retains the right to refuse permission to any employee for such outside employment whenever it appears to the Authority that such outside employment would interfere with the proper performance of the Authority's service for which the employee has been hired, or that such outside employment may place the employee in a position of conflict of interest, or would result in a poor public image for the Authority as determined by the Executive Director or designee.



- 2.9.2 In the event of illness or injury incurred in outside employment by members so employed or arising out of such employment, the Authority will in no way be responsible for compensation or any other benefits.
- 2.9.3 Use of Authority equipment is permitted only in the performance of Authority duties.
- 2.9.4 No employee shall solicit outside employment while on duty for the Authority, or use his/her Authority position as an aid for leverage to gain outside employment.

## 2.10 INTRODUCTORY PERIOD

Original appointment shall be subject to an introductory period of six (6) months actual service.

- 2.10.1 New employees will be provided with an orientation to the Authority and their positions. Every month during the introductory period, new employees will meet with their supervisor to discuss the employee's performance to date. At the time of the discussion serious performance deficiencies shall be documented in writing and an action plan agreed to.
- 2.10.2 Upon completion of the introductory period, the employee shall be given a written evaluation. If this evaluation shows that the employee has satisfactorily demonstrated the qualifications for the position, the employee shall gain regular status, and shall be informed in writing.
- 2.10.3 Employees not meeting performance requirements during the introductory period shall be notified of such action in writing by the Executive Director or designee at any time during the introductory period.
- 2.10.4 The introductory period may be extended once by the Executive Director for a period not to exceed ninety days, in order to further evaluate the performance of the employee.

## 2.11 TEMPORARY APPOINTMENTS

Appointments to Authority employment on other than an acting or regular basis shall be considered temporary. Such temporary appointments shall be allowed only as follows:

Temporary appointees shall serve at the discretion of the Executive Director or designee.

## 2.12 PROFESSIONAL DEVELOPMENT

2.12.1 Budgeted Authority funds may be used for attendance at professional development conferences, as approved by the Executive Director or designee.

2.12.2 Budgeted Authority funds may be used to meet the cost of registration and books for training requested by employee, provided that the program has been approved by the Executive Director or designee as being a benefit to the Authority. The Executive Director or designee, in considering a proposed training program, will require the employee to submit a Request for Authorization to Attend Training form and documentation which may as a minimum include:

- (1) An outline of program scope and purpose
- (2) An outline of specifics of the program to be undertaken
- (3) Proof of qualification for acceptance to the program
- (4) An outline of any leave from work required
- (5) A program expense budget
- (6) A demonstration that the Authority will accrue benefits from the training program equal to the Authority direct and indirect expense incurred; and
- (7) Any other information deemed to be necessary.

The Executive Director or designee shall make the final decision as to the approval of a requested training program based on the above-required prospectus.

2.12.3 Expenditure of Authority funds for academic courses shall be made after prior approval of the course by the Executive Director or designee. Employees shall furnish proof of a passing grade in the course to receive tuition reimbursement by the Authority. Degree programs are excluded from this policy.

Leave from work may be granted for attendance at these programs if:

- (1) This is the only time the training is available
- (2) It can be scheduled so as not to unduly jeopardize operations of the Authority.

3. GENERAL CONDUCT, DISCIPLINE, TERMINATION, AND APPEAL

3.1 CONDUCT

It shall be the responsibility of all employees to represent the Authority in a courteous, efficient, and helpful manner. The purpose of the Authority's disciplinary procedure is to advise the employee of less than satisfactory behavior or conduct, and to act as a corrective measure for improvement.

3.2 CAUSES FOR DISCIPLINARY ACTION

Employees may be subjected to disciplinary action. The following, among others, are causes which, if shown to the satisfaction of the Executive Director or designee to be related to work performance, are sufficient for disciplinary action:

- 3.2.1 Being under the influence of alcohol or illegal drugs during working hours. Bringing or consuming alcoholic beverages on LAVTA premises. Selling, using or possessing an illegal drug or controlled substance while on duty without a prescription. (See "LAVTA Substance and Alcohol Abuse Policy" for further restrictions.)
- 3.2.2 Failure to perform work as required.
- 3.2.3 Insubordination. Insubordination shall mean that the employee, having the ability to do a reasonable act, which he/she is directed to do by the Executive Director or designee, willfully fails or neglects to perform the directed act.
- 3.2.4 Breach of written disciplinary action.
- 3.2.5 Absence without leave or failure to report to work after a leave of absence has expired or after such leave of absence has been disapproved or revoked.
- 3.2.6 Being habitually absent or tardy for any reason.
- 3.2.7 Conviction of a criminal offense excluding certain infractions such as minor traffic violations.
- 3.2.8 Repeated garnishment of wages.
- 3.2.9 Using religious, political, or fraternal influence during working time.
- 3.2.10 Fraud in securing employment.

- 3.2.11 Disrespectful or discourteous conduct.
- 3.2.12 Misuse of Authority position, time, or property, including conducting personal business on Authority time and improper use of Authority equipment or credit card.
- 3.2.13 Unauthorized soliciting during work time.
- 3.2.14 Falsification of Authority records.
- 3.2.15 Theft, dishonesty, sexual harassment, discrimination or any other action which reduces the ability of the employee or the Authority to provide proper services.  
Failure to submit to a medical examination or failure to appear at the designated time and place for such examination.

### 3.3 TYPES OF DISCIPLINARY ACTIONS

In most cases, the Authority employs progressive steps in its disciplinary program. However, in all cases disciplinary measures shall be commensurate with the offense. Disciplinary measures may include verbal warnings, written warnings, suspensions, demotions, disciplinary probation, and terminations. Each disciplinary action, regardless of severity or position of employee, must be documented and state the grounds and reasons for the action.

#### **3.3.1 Verbal Warnings**

Verbal warnings are a discussion with the employee regarding infractions of Authority rules or policies, including the nature of the violation, the expected behavior, and the discipline that will result if the infraction is repeated.

#### **3.3.2 Written Warnings**

Written warnings are a formal notice to the employee of a violation of Authority rules or policies. The written warning should describe the violation, cite any previous verbal or written warnings, and describe the expected behavior and the discipline that will result if the infraction is repeated.

#### **3.3.3 Suspensions**

Suspensions are unpaid, involuntary absences from work. Suspensions of five (5) days or more must be approved by the Executive Director or his/her designee. Employees suspended from Authority service shall

forfeit all rights, privileges, and salary or other fringe benefits while on such suspension.

### **3.3.4 Demotions**

Demotions are a change from one position to another having lesser duties, responsibilities and salary. Demotions must be approved by the Executive Director or his/her designee.

### **3.3.5 Disciplinary Probations**

Employees may be placed into a probationary status because of unsatisfactory work performance and/or because of work rule violations. Employees have a specific timeframe within which to correct the problem behavior or performance. Immediate termination may occur during the disciplinary probation period if problems continue, new problems arise or if declines in performance occur.

### **3.3.6 Termination**

Termination is the involuntary separation of the employee for cause. Any termination must be approved by the Executive Director or his/her designee.

## **3.4 NOTICE OF DISCIPLINARY ACTION**

Any disciplinary action that may result in suspension of five (5) or more days, demotion, or termination must be set forth in writing and provided to the employee at least five (5) days before the proposed effective date. Notice of the proposed disciplinary action must include the following information:

- (i) A description of the proposed action, its effective date, and the rule or policy violated;
- (ii) A description of the acts or omissions forming the basis for the proposed action;
- (iii) A statement that a copy of any available materials upon which the action is based is attached to the notice.
- (iv) A statement that the employee has a right to respond orally, by requesting a conference with the supervisor imposing the discipline, or in writing prior to the effective date of the disciplinary action

## **3.5 GRIEVANCE PROCEDURE**

Authority employees, except employees in their probationary period, who have been demoted, suspended for five (5) or more days, or terminated are entitled to appeal the decision and receive a hearing from a neutral decision-maker.

- 3.5.1 A formal grievance shall be filed by the employee within five (5) working days of the effective date of any demotion, suspension for five (5) or more days, or termination. The formal grievance shall be filed with the Executive Director on a form prescribed by the Authority.
- 3.5.2 The Executive Director shall schedule a fair and impartial hearing within thirty (30) calendar days of the filing of the grievance. At the hearing, the employee may answer the charges against him or her, present any mitigating evidence, or otherwise respond to the disciplinary action. The Executive Director will issue his/her decision within ten (10) working days of the hearing. The Executive Director may overturn, affirm or modify the disciplinary action.
- 3.5.3 If the employee is not satisfied with the Executive Director's decision, he/she may appeal the decision within five days to the Board of Directors. The appeal must be filed within five (5) working days of the date of the Executive Director's decision. The appeal shall include a copy of the original grievance, the decision rendered by the Executive Director, and a statement of reasons for the appeal.
- 3.5.4 The Board shall employ a neutral third party to hear the appeal and to recommend action to the Board.
- 3.5.5 The Board may adopt, reject, or modify the recommendation of the Board-appointed neutral third party. The decision of the Board is the final action of the Authority and shall be final and binding on the parties.

## 3.6 RESIGNATION

An employee wishing to leave the service of the Authority in good standing will file with the Executive Director or his/her designee a written resignation stating the effective date and reason for leaving. The written resignation must be submitted at least two (2) weeks in advance for the employee to be considered to have resigned in good standing.

Upon the submittal of a written or verbal notice of resignation, the action of the employee may not be rescinded without the approval of the Executive Director. The decision of the Executive Director on the request of an employee to withdraw a notice of resignation shall be final.

Failure of an employee to resign in good standing or give notice of resignation

shall be entered in the employee's service record and may be cause for denying future employment with the Authority.

4. PERFORMANCE EVALUATIONS AND RATES OF PAY

- 4.1.1 Each regular employee shall receive an annual written performance evaluation during the month of June. As part of the performance evaluation, an overall rating of clearly outstanding, exceeds expectations, meets expectations, needs improvement, or unsatisfactory will be given.
- 4.1.2 Regular employees receiving "needs improvement" or "unsatisfactory" performance evaluations will be provided with a written action plan to improve performance and be scheduled for a follow up evaluation in six months.
- 4.1.3 New employees will be evaluated as described in paragraph 2.10.1 and 2.10.2.

4.2 RATES OF PAY

**4.2.1 Pay for Performance Compensation Plan** The following is a description of the basic tenets of the Authority's performance pay plan for its employees. This plan underscores the Authority's commitment to achieving results and providing the best service with the finest employees.

**Market Surveys** – As part of the annual budget approval process, salary ranges will be established in accordance with procedures in the Human Resources Manual, which includes adherence to the Executive Director Compensation Policy and an annual salary survey for all established positions within the Authority. The Survey will establish a market range and midpoint for positions within the Authority.

**Control Points** – For each classification band in the pay plan a "control point" is established. The control point is considered the midpoint of the salary range. The midpoint represents the value of each position within the internal organizational structure. The plan provides an opportunity for individuals to earn up to 15% above their control point for continued exceptional performance. Conversely, salaries of employees not meeting the Authority's performance standards may drop to 15% less than the control point.

**Performance Zones** – Each salary range shall be divided into four performance zones as follows:

**Zone One** (85% through 95% of control point): This portion of the

range is typically considered to be that into which a new employee is hired. However, where circumstances warrant, employees may be hired up to the control point.

**Zone Two** (96% through 104% of the control point): This is the portion of the salary range to which an employee may normally expect to progress. Most employees will achieve and maintain a salary within this portion of the range.

**Zone Three** (105% through 111% of the control point): Only those employees whose performance, over time, exceeds expectations will achieve and maintain a salary that falls within this portion of the range.

**Zone Four** (111% through 115% of the control point): Only those employees whose performance, over time, far exceeds expectations will achieve and maintain a salary that falls within this portion of the range

**Comp-Ratio** – As part of the administration of the pay plan, a comp-ratio shall be computed for each employee. The comp-ratio represents the relationship of each employee’s current salary to the control point of his/her salary range. The comp-ratio is calculated by dividing the employee’s current salary by the control point of his/her salary grade.

**Merit Salary Increase** – Merit salary increases may be considered on an annual basis and distributed by the Executive Director based upon the recommendation of the supervisor and the following general guidelines

- Increase amounts should differ significantly as performance levels increase.
- All other considerations being equal, employees in the lower performance zones of the salary range (below the control point) may receive larger percentage increases than those in higher performance zones (above the control point).
- No salary increase shall be awarded in instances where a performance rating is “Needs Improvement” or “Unsatisfactory.”

In the month of June each year, employees will be eligible for individual salary adjustments effective July 1. Said increases shall be made based solely upon performance and in accordance with the guidelines above. No salary increase shall be made unless a performance appraisal has been made of the employee.

**Performance Bonus** – The Executive Director may recognize an employee’s specific accomplishments by authorizing a performance bonus. In the case of employees who do not report directly to the Executive Director the supervisor may recommend to the Executive Director that a bonus be given. The



performance bonus may be authorized for significant project accomplishments or significant cost savings beyond the normal high expectations of the staff. All bonuses granted shall be in the form of a one-time payment. The total of all bonuses granted shall not exceed 2% of the annual gross payroll.

#### 4.2.2 Salary Bands

The positions, with the exception of Executive Director, shall all be properly classified with respect to Fair Labor Standards Act (FLSA), and all positions appropriately assigned to the following Salary Bands.

Band 1 – Hourly

Band 2 - Support

Band 3 - Professional

Band 4 – Senior Professional

Band 5 – Manager

Band 6 - Director

4.2.3 Employees shall be paid salaries on the Friday following the end of the bi-weekly pay period.

### 5. BENEFITS

#### 5.1 HOLIDAYS

5.1.1 Each full-time employee shall be entitled to the following paid holidays which are hereby declared to be official holidays of the Authority:

- |    |                             |                                   |
|----|-----------------------------|-----------------------------------|
| a) | New Year's Day              | January 1                         |
| b) | Martin Luther King, Jr. Day | 3 <sup>rd</sup> Mon. in January   |
| c) | Washington's Birthday       | 3 <sup>rd</sup> Mon. in February  |
| d) | Memorial Day                | Last Mon. in May                  |
| e) | Independence Day            | July 4                            |
| f) | Labor Day                   | 1 <sup>st</sup> Mon. in September |

- g) Veteran's Day November 11
- h) Thanksgiving Day 4<sup>th</sup> Thursday in Nov.
- i) Friday following Thanksgiving Day
- j) Christmas Eve December 24
- k) Christmas Day December 25
- l) New Year's Eve December 31

5.1.2 Any holiday falling on a Saturday shall be observed the preceding Friday. Holidays falling on a Sunday shall be observed the following Monday, unless that is already a designated holiday, in which case the holiday falling on a Sunday shall be observed on Friday.

## 5.2 PAID TIME OFF (PTO)

A plan for paid time off (PTO) shall be established for all employees regularly scheduled to work more than 1,040 hours on an annual basis, in lieu of traditional vacation leave, sick leave, bereavement leave, etc. PTO may be used for any leave purpose; however, its use shall be governed by the following sections.

Employees off work due to a disability, or on approved leave of absence as defined in Section 2.8, shall be required to use all PTO accrued prior to taking a leave of absence without pay. If an employee is eligible to receive disability benefits, PTO benefits will be coordinated with disability benefits to make up the difference between the disability benefit and the employee's monthly salary, until PTO benefits are exhausted.

5.2.1 There shall be two categories of PTO as outlined below:

- a) Scheduled PTO: Any PTO which can be reasonably forecast or anticipated, i.e. vacation, scheduled medical/dental appointments, extended weekends, personal leave, etc.
- b) Unscheduled PTO: Any leave that is genuinely of an unanticipated nature, i.e. sick leave, bereavement leave, etc.

5.2.2 Scheduled PTO requires the approval of the Executive Director or his/her designee prior to the absence. Scheduled leave exceeding three weeks requires the special approval of the Executive Director. The employee shall be given due regard in selecting a convenient time to take scheduled PTO, provided it is not in direct conflict with the best

interest of the Authority. A request for scheduled PTO should be submitted in accordance with established procedures. Every effort should be made to submit requests two weeks prior to the PTO.

The use of unscheduled PTO shall be reported on the employee's time card. Inappropriate or excessive use of unscheduled PTO may be grounds for disciplinary action.

5.2.3 "PTO Accrual": Depending on the status of the employee, the amount of PTO accrued shall be as follows:

- a) Full-Time Employees: Each full-time employee shall accrue PTO for each pay period of service, based on the years of service with the Authority. The accrual of PTO shall begin upon entry on duty at the Authority. The accrual shall be in accordance with the following schedule:

Length of Service	PTO Accrued Each Pay Period
Beginning with the first day of service through the fifth year anniversary (without a break in service)	6.77 Hours
Following the fifth year	8.31 Hours

- b) Employees scheduled to work 20-40 Hours Per Week: For employees scheduled to work between 20 and 40 hours per week, the pro-rata share to be accrued will be the percentage of a regular 40 hour work week which they are scheduled to work, multiplied by the PTO accrued per month, as shown in Subsection a. above.

5.2.4 No employee shall accrue more than 346 hours of PTO. When an employee's unused PTO balance reaches this limit, all accrual of additional PTO shall cease until the balance falls below the maximum accrual limit.

5.2.5 Any employee separating from the Authority service who has accrued PTO shall be entitled to termination pay in lieu of such PTO. When separation is caused by death, payment shall be made to the employee's spouse or estate or, in applicable cases, as provided by the Probate Code of the State. Termination pay will be paid at the employee's current hourly rate at the time of termination, for any unused PTO.

5.3 WORKERS' COMPENSATION

The employer shall observe the State law with regard to Workers' Compensation.

5.4 RETIREMENT PLAN

Effective January 1, 2013, LAVTA established two tiers of retirement plan benefits.

Tier 1 – Defined as members of the State of California Public Employees' Retirement System (PERS) or reciprocal system, on or before December 31, 2012. The employee shall be covered under the 2% at age 55 plan of the State of California Public Employee's Retirement System, including the third level of benefits under the 1959 Survivor Benefit and final year compensation. Employee shall pay the employee's PERS contribution as a before tax deduction.

Tier 2 – Defined as members of the State of California Public Employees' Retirement System (PERS) on or after January , 2013. The employee shall be covered under the 2% at age 62 PERS plan, including the third level of benefits under the 1959 Survivor Benefit, and three year final compensation. Employee shall pay 50% of the total normal cost rate or the current contribution rate of similarly situated employees, whichever is greater.

5.5 HEALTH, DENTAL AND VISION CARE INSURANCE

Full-time employees shall, at the option of the employer, be provided family medical, dental, and vision insurance as described herein. Annuitants shall be provided medical insurance as described herein:

- 5.5.1 Full-time employees and annuitants will be provided the option to select eligible plans administered under the California Public Employees' Retirement System, Public Employees' Medical and Hospital Care Act.
- 5.5.2 The Authority's contribution for each employee or annuitant shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefit plan up to a maximum of the full premium contribution for the highest premium HMO (PERSCare is not an HMO).
- 5.5.3 Employees and their eligible dependents shall be provided with a dental care plan. The Authority shall pay the premium for this dental care plan for both the employee and eligible dependents. The premium paid by

the Authority for regular part-time employees shall be prorated as defined in section 5.10 of this policy.

- 5.5.4 Employees and their eligible dependents shall be enrolled in a vision care plan. The premium for the vision care plan for both the employee and eligible dependents shall be paid by the Authority. The premium paid by the Authority for regular part-time employees shall be prorated.
- 5.5.5 It is the employee's responsibility to notify the Authority regarding any changes in dependent status.

## 5.6 DISABILITY INSURANCE

- 5.6.1 The Authority will contribute on behalf of each full-time employee the cost of premiums associated with the provision of long-term disability insurance with an elimination period of not more than sixty days. The insurance plan shall be selected and approved by the Board of Directors of the Authority. Specific benefits shall be defined in the plan documents.
- 5.6.2 Full time employees off work due to a disability will continue to receive health care benefits, as defined in Section 5.5, for up to six months following complete exhaustion of their leave accrual. At the end of six months employees on disability leave may continue coverage by paying the premium payments themselves through LAVTA.

## 5.7 LIFE ACCIDENTAL DEATH & DISMEMBERMENT

The Authority shall contribute an amount necessary to provide life insurance in an amount equal to one and one-half times the employee's current annual salary. This insurance shall include accidental death and dismemberment coverage.

## 5.8 TRANSIT PASS

In accordance with the LAVTA Employee Free Ride Policy, all employees and eligible family members/dependents, as defined in the Policy, are eligible to ride Wheels Fixed Route transit service at no cost. In addition, employees riding Dial-A-Ride Paratransit must be certified eligible for participation in the ADA paratransit program, in which case free rides on Dial-A-Ride will be available only for work related trips.

## 5.9 AUTOMOBILE ALLOWANCE

Employees who use their personal automobile for authorized office

business shall receive reimbursement at the applicable rate as established by the Internal Revenue Service. Alternatively, employees may use a LAVTA staff vehicle. When doing so, employees must comply with the requirements outlined in the Use of LAVTA Service Vehicle Policy.

5.10 PART-TIME EMPLOYEES

Employees employed on a regular schedule of more than 1,040 hours and less than 2,080 hours on an annual basis, shall receive prorated benefits as determined by the Executive Director.

## **Confirmation of Receipt**

---

## Confirmation of Receipt

I have received my copy of LAVTA's employee handbook. I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained in the handbook.

I understand that any and all policies or practices can be changed at any time by LAVTA. LAVTA reserves the right to change my hours, wages, and working conditions at any time. I understand and agree this employee handbook supersedes all prior agreements, understandings, and representations concerning my employment with LAVTA. I understand that any conflict between this Handbook and Board adopted Policies will be governed by Board adopted policies.

Employee's Signature \_\_\_\_\_

Date \_\_\_\_\_





# MV Transportation Employee Handbook

Issue Date  
January 1, 2018



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## WELCOME TO MV TRANSPORTATION

As you begin your employment with MV Transportation, we welcome you to our organization and invite you to read and become familiar with the contents of this handbook. We believe you will find it full of helpful and valuable information about our policies and procedures. This handbook is designed to guide and assist you in performing to the best of your abilities, as well as developing and realizing your potential as one of our valued employees.

For over four decades, MV Transportation has been a leading provider of reliable and safe transportation. With your help, we are looking forward to continuing growth and prosperity as we find new and better ways to serve our customers' needs.

Please read this handbook carefully and retain it for future use. Familiarize yourself with its contents as soon as possible because it should answer many of your initial and ongoing questions about your employment. This handbook has been developed by MV Transportation to promote understanding, cooperation, and good communication. You are responsible for being familiar with the information included in the handbook. If you have any questions about any of the information, please ask your supervisor or Human Resources for explanation or clarification.

THIS HANDBOOK GENERALLY DESCRIBES SOME OF MV TRANSPORTATION'S CURRENT POLICIES AND PROCEDURES. **THIS HANDBOOK DOES NOT CONSTITUTE A CONTRACT OF EMPLOYMENT.** NOTHING IN THIS HANDBOOK SHALL BE CONSTRUED TO CONSTITUTE A CONTRACT, AND THE COMPANY HAS THE RIGHT, AT ITS DISCRETION, TO MODIFY THIS HANDBOOK AT ANY TIME, UNLESS OTHERWISE PROVIDED UNDER THE TERMS OF AN APPLICABLE COLLECTIVE BARGAINING AGREEMENT, ARBITRATION AGREEMENT, OR OTHER VALID CONTRACT. THIS HANDBOOK SUPERSEDES AND REPLACES ALL PRIOR HANDBOOKS. HOWEVER, IF YOU ARE COVERED BY A COLLECTIVE BARGAINING AGREEMENT ("CBA"), TO THE EXTENT THERE ARE ANY DISCREPANCIES BETWEEN THIS HANDBOOK AND THE CBA, THE CBA WILL CONTROL.

Once again, we welcome you to our family and wish you success as we turn to face the numerous challenges, opportunities, and potential rewards ahead.



Kevin Jones  
Chief Executive Officer

## **Mission Statement and Values**

### ***Mission Statement***

We deliver innovative transportation solutions that provide freedom of movement, safety and a customer experience that is second to none.

### ***Our Values***

We are a people business and the word “RESPECT” best describes our commitment to service. To our passengers, YOU are the Company. As a MV employee, it is your responsibility to always protect our values. You have joined a very special Company that provides a very important service to our clients and customers. We stand for:

<b>R</b> espect	Let courtesy, warmth, empathy and kindness drive your behaviors
<b>E</b> thics	Simply put, do the right thing
<b>S</b> afety	Nothing is more important than safety
<b>P</b> rofitable Growth	Positive financial performance of our Company
<b>E</b> xcellence	Quality and integrity are our backbone
<b>C</b> elebration & Collaboration	It is all about teamwork and recognizing each other and our accomplishments
<b>T</b> alent & Innovation	We are the best at what we do and the service we provide

## **Purpose of Employee Handbook**

This employee handbook has been drafted as a guideline for our employees. It describes the Company’s general philosophy and some of its current policies and procedures, but it is not intended to be all-inclusive. Unless otherwise provided under the terms of an applicable Collective Bargaining Agreement, arbitration agreement, or other valid contract, the Company reserves the right to amend, withdraw, supplement, or modify any terms or conditions of employment, at any time and for any reason, without prior notice, whether stated in the handbook or established through employment practices or other employment policies, except for the Company policy regarding at-will employment which may only be modified as described below.

While the Company will generally follow the guidelines stated in this handbook, you should understand that it does not constitute a contract between you and the Company. The Company may deviate from these guidelines where federal, state

or local law has specific requirements which the Company must adhere to or follow. This Handbook contains some of the authorized employment policies of the Company and supersedes any other versions. Please see your manager for a copy of this policy which is also available on Portal or Sharepoint.

## **Nature of Our Business**

MV is a private contractor operating passenger transportation services for public and private agencies nationwide. We operate in a very competitive business environment; hence, we must operate safely, control our costs and provide outstanding customer and client service. We welcome your suggestions on how we can make improvements at our Company. Every MV employee plays a critical role in our success.

## **At-Will Employment**

MV is an at-will employer. That means that employment may be terminated at any time by either the employee or the Company, with or without notice, for any lawful reason. This also means your terms and conditions of employment, including but not limited to termination, demotion, promotion, transfer, compensation, benefits, duties, hours, and location of work may be changed with or without cause or notice at the Company's sole discretion. The at-will employment relationship cannot be changed, and no employee of the Company is employed for any specific time period, unless he or she has or is covered by a written agreement signed by the CEO, CHRO or if otherwise required by law. No person other than the CEO or CHRO is authorized to enter into any employment agreement for a specified term with any employee.

Some of our employees are covered by a collective bargaining agreement. If you are covered by a collective bargaining agreement, your employment relationship, including the terms and conditions of your employment, is governed by that Agreement.

## **Equal Employment Opportunity**

As a government contractor, MV's employment policy is to provide equal opportunity to all persons and to require affirmative action to ensure equality of opportunity in all aspects of employment. In furtherance of this policy, employment decisions shall be based on merit, qualifications, and competence. Except where required or permitted by law, employment practices shall not be influenced or affected by virtue of an applicant's or employee's race, color, creed, religion, sex, national origin, age, pregnancy, disability, veteran status, marital status, sexual orientation, gender identification, or any other characteristic protected by law. This policy statement governs all aspects of employment including but not limited to recruitment, selection, promotions, terminations, transfers, layoffs, compensation, training, benefits, and other terms and conditions of employment.



MV prohibits retaliation against applicants or employees who file discrimination charges with federal, state or local fair employment practice agencies, participate in investigations of such charges or an OFCCP proceeding, oppose unlawful employment practices, or assert any other rights protected by law.

MV's Equal Opportunity Policy is an essential part of the Company's overall commitment to attract, hire and develop a strong, talented and diverse work force.

### **Accommodations for Disabilities, Work Restrictions and Religion**

MV takes affirmative steps to employ and advance qualified individuals with disabilities at all levels of employment. MV Transportation will make a reasonable accommodation for the known physical or mental limitations of otherwise qualified individuals with a disability and/or who are otherwise physically restricted in the job duties they can perform, unless the accommodation would impose an undue hardship and/or a direct threat to the health and/or safety of the individual or others would result. Reasonable accommodation means any change or adjustment to a job or work environment that permits an otherwise qualified applicant or employee with a disability or work-related restrictions to participate in the job application process or to perform the essential functions of a job. Individuals seeking accommodations must make the request to their supervisor and to the Human Resources Department. Supervisors or managers who are notified of a request for accommodation must immediately forward the request to the Human Resources Department.

MV Transportation will also attempt to make reasonable accommodations for employee observance of sincerely held religious beliefs. All requests for a religious accommodation should also be directed to the supervisor and the Human Resources Department. Supervisors or managers who are notified of a request for an accommodation must forward all requests for a religious accommodation to the Human Resources Department.

Once a request for an accommodation is received, the request will be analyzed in order to aid in the determination of a reasonable accommodation. This interactive process may require additional documentation and/or communications with or between the employee, management, and/or the Human Resources Department, including obtaining more information regarding the requested accommodation and/or the reason for the accommodation and an assessment of any and all restrictions, in order to evaluate possible accommodations and the feasibility of proposed accommodations. All requests for accommodations will be considered and resolved on a case by case basis in accordance with applicable law.

## **Disabled, Recently Separated, Other Protected, & Armed Forces Service Medal Veterans**

MV's employment policy prohibits job discrimination and requires affirmative action to employ and advance disabled veterans, recently separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized) and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

## **Anti-Harassment/Anti-Discrimination Policy**

All Company employees have a right to work in an environment free from all forms of unlawful discrimination and harassment. Consistent with the Company's respect for the rights and dignity of each employee, discrimination and harassment based on race, color, creed, religion, sex, national origin, age, pregnancy, disability, veteran status, marital status, sexual orientation, gender identification, or any other characteristic protected by applicable law, will not be tolerated. This includes harassment and discrimination by any MV employee, or a contractor, agent or third parties with whom MV employees interact during the course of their employment. All employees should be aware of the following:

1. Sexual harassment is strictly prohibited. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (a) submission to such conduct is made as either an explicit or implicit term or condition of employment; (b) submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed employee; or (c) such conduct has the purpose or effect of interfering with an employee's work performance or creates an intimidating, hostile, or offensive work environment pursuant to applicable law. Sexual harassment can specifically include but is not limited to: unwelcome sexual flirtations, advances, or propositions; requests for sexual favors; verbal abuse of a sexual nature, obscene language, off-color jokes, verbal commentary about an individual's body, sexual innuendo, and gossip about sexual relations; the display of derogatory or sexually suggestive pictures, posters, cartoons, drawings, or objects, or suggestive notes or letters; visual conduct such as leering or making gestures; sexually suggestive comments about an individual's body or body parts, or sexual degrading words to describe an individual; unwelcome touching of a sexual nature such as patting, pinching or brushing against another's body; any other physical or verbal conduct of a sexual nature by supervisors, fellow coworkers, or others in the workplace; sending offensive e-mails to coworkers with sexually suggestive comments or sexually degrading words; and viewing inappropriate materials such as pornography in the workplace or during work hours.

2. Harassment on the basis of any protected characteristic is strictly prohibited. In general, statements or physical conduct relating to a person's race, color, creed, religion, sex, national origin, age, pregnancy, disability, veteran status, marital status, sexual orientation, gender identification, or any other status which is protected by applicable law constitutes harassment when it:
  - a. has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
  - b. has the purpose or effect of unreasonably interfering with an individual's work performance; or
  - c. otherwise adversely affects an individual's employment pursuant to applicable law.
3. Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.
4. All supervisors are responsible for assuring that no employee is unlawfully discriminated against or subjected to conduct that constitutes sexual or any other form of harassment.
5. An individual found to have engaged in inappropriate conduct, including discrimination, sexual harassment, or any other form of unlawful harassment, will be disciplined as appropriate, up to and including discharge.
6. Any employee who believes that he or she has been the subject of inappropriate conduct, including discrimination, sexual harassment, or any other form of harassment, or who has observed any such conduct should, and is strongly encouraged, to immediately bring the matter to the attention of any supervisor, any executive or any human resources employee. Alternatively, you may contact the Open Door Hotline, 877-687-2338.
7. Any complaint of harassment or discrimination should include details of the incident(s) or conduct, names of individuals involved, and the names of any witnesses. Supervisors and managers should immediately refer all harassment complaints to Human Resources.
8. If at any time an employee feels their report of discrimination and/or harassment is not being properly addressed, they are free, and strongly encouraged, to make an additional report to any of the individuals or the Open Door Hotline identified above.

9. A prompt and thorough investigation of the alleged discrimination and/or harassment will be conducted, and appropriate corrective and/or disciplinary action will be taken, if warranted. Complaints will be treated as confidential to the extent possible.
10. Refusal to cooperate in an investigation of harassment or discrimination or initiating a complaint in bad faith is also prohibited and may result in disciplinary action, including termination.
11. The Company will not in any way retaliate against an employee, applicant, or former employee who, in good faith, makes a complaint or report of discrimination or harassment, or participates in the investigation of such a complaint or report. Retaliation against any individual for reporting a claim of harassment or cooperating in the investigation of same will not be tolerated. Retaliation includes any adverse employment action because the employee complained about or resisted harassment, discrimination, or retaliation, or has cooperated in an investigation.
12. Any employee who believes that he or she has been retaliated against should immediately report it using the reporting procedure described above. Any report of retaliation by the one accused of discrimination or harassment, or by any other employee, including supervisors or managers, will also be promptly and thoroughly investigated in accordance with the procedures outlined above. If a complaint of retaliation is substantiated, appropriate corrective and/or disciplinary action will be taken.

**The contact information for the federal and state agencies that enforce the laws against unlawful discrimination and harassment in the states of California, Maine, Massachusetts, Rhode Island, and Vermont and for government contractors are listed in Appendix 1 to this Handbook. Please understand utilizing the Company's reporting procedures set forth above does not prevent you from filing a complaint with a federal or state agency.**

### **Immigration Law Compliance**

MV complies with the applicable immigration laws where it does business, including with the Immigration Reform and Control Act of 1986. MV is committed to employing only United States citizens and aliens who are authorized to work in the United States.

As a condition of employment, each new employee must properly complete, date, and sign the first section of the United States Citizenship and Immigration Services Form I-9. Newly rehired employees must also complete the form if they have not previously filed an I-9 with this organization, if their previous I-9 is more than three years old, or if their previous I-9 is no longer valid.

## **Open Door Policy**

As a MV employee, you've joined an organization that places high value on customer service. That same high value is placed on employees. You will find your supervisor values you as an employee and is there to help guide and assist you in performing your role.

We challenge ourselves to take the initiative and be part of the solution. Anytime you have a suggestion or idea to make things better or a concern or complaint about the way things are done, discuss it with your supervisor or any member of management. Your input is a valuable part of our success.

We are committed to addressing workplace concerns and issues important to you. If a situation arises with your job, another employee, or customer that makes you uncomfortable, MV asks that you immediately bring it to our attention. If, for any reason, you do not want to discuss the situation with your supervisor or if you feel issues remain unresolved, you can contact another member of management or you can call our Open Door Hotline at 877-687-2338 or email us at [employee.relations@mvtransit.com](mailto:employee.relations@mvtransit.com). You can also write to us at MV Transportation, 2711 N. Haskell Avenue, Ste 1500, LB-2, Dallas, TX 75204. Address your letter to the Chief Human Resources Officer.

You can be assured that such complaints will be investigated and that you will not be subject to any adverse action as a result of making a good faith complaint.

## **Introductory Period**

The first ninety (90) days of employment are an introductory period. The period is an essential part of the training and evaluation process and is used to ensure that each employee's performance meets the required standards. An introductory period may be extended at the discretion of the supervisor. However, because employment at MV Transportation is "at-will", both during and after the Introductory Period, the Company has no obligation to retain you either during or after you have completed your introductory period unless otherwise required by applicable bargaining agreement or by law.

## **Employment Categories**

### ***Full-time***

Full-time employees are those who are regularly scheduled to work at least 30 hours or more per week. Generally, regular, full-time employees may be eligible for some or all of the Company's benefit plans, subject to the terms, conditions, and limitations of each benefit plan/program. For purposes of determining benefits eligibility, the definition or standard for full-time may be different.

### ***Part-time***

Part-time employees are those who are regularly scheduled to work less than 30 hours per week. This generally includes casual, occasional and on-call drivers and other staff. While part-time employees receive all legally mandated benefits (such as workers' compensation and Social Security benefits), they are generally ineligible for many of the Company's other benefit plans/programs.

### ***Temporary***

Temporary employees are those who are hired as interim replacements, to temporarily supplement the work force or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not imply a change in employment status. Temporary employees retain such status unless and until notified of a change. The temporary employment relationship is an "at-will" relationship, regardless of whether an estimated duration of assignment exists. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security) they are generally ineligible for the Company's other benefit plans/programs.

### **Safety Sensitive Functions**

While all employees are responsible for strictly adhering to all rules and policies affecting the safety of the workplace, our customers and employees, the following functions are considered to be "safety sensitive":

- Operating a revenue service vehicle, including when not in revenue service;
- Operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver's License;
- Controlling dispatch or movement of a revenue service vehicle;
- Maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle or equipment used in revenue service

Thus, the following positions are "safety sensitive":

- Driver
- Mechanic and other maintenance personnel
- Reservationist (if performing safety sensitive functions)
- Dispatcher
- Road Supervisor
- Assistant, Maintenance, Operations, Safety or General Manager

## **Compensation and Payroll Practices**

### ***Wages and Benefits***

Each location of the Company has a wage and benefit structure, which is subject to change. A printed summary is posted at each location setting forth the current wage and benefit information for your location and will be made available to you upon request. If you are covered by a collective bargaining agreement, it will describe the wages and benefits for members of the bargaining unit. Contact your General Manager or the Human Resources Department if you have any specific questions about your wages or benefits.

### ***Payroll Status***

#### Hourly employees

A hourly employee (whether full or part time) is paid for actual hours worked and is entitled to overtime pay in accordance with applicable state and federal laws.

#### Salaried employees

Salaried employees are generally not eligible for overtime pay and receive a weekly salary, regardless of the amount of hours they work that is paid every pay period.

### ***Payroll Period & Pay Dates***

For payroll purposes, the workday is defined as 12:01 a.m. to midnight and the workweek is defined as 12:01 a.m. Saturday to midnight the following Friday. Any type of paid time off is not counted as time worked for computing overtime.

Generally, payday is every other Friday unless otherwise required by bargaining agreement or state law. The specific pay dates for each division or location are posted on the employee bulletin board at that division or location. If a payday falls on a holiday, you will receive your payment on the preceding Thursday or the last business day before the holiday. Each payment covers work performed during the 14-day period ending the Saturday before payday. Direct deposit is available to all employees.

### ***Time Recording***

If you are an hourly employee, you must record the time you start work, the times you leave for and return from meal breaks, and the time you leave at the end of your working day. All employees are required to record time-off.

Hourly employees must accurately record all time worked and should not work any time that is not authorized by their supervisors. Do not start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless you are directed to do so. If you have any questions about when or how many hours you are expected to work, contact your supervisor.

It is a violation of our policy for anyone to instruct or encourage another employee to work “off the clock,” to incorrectly report hours worked, or to alter another employee’s time records. If anyone directs or encourages you to work “off the clock,” incorrectly report your hours, or to alter another employee’s time records, you should report the incident immediately to your supervisor, any member of management, the Human Resources Department, or the Open Door Hotline at 877-687-2338.

When your employment begins, you will receive instructions on how to record your time. Your immediate supervisor or manager must authorize your time record.

### **Overtime**

**Hourly** employees will be paid overtime *pay (generally, time and one-half their regular rate of pay)* for all hours worked in excess of 40 **hours** in one workweek and as otherwise required by applicable state, federal, or local law (including without limitation daily overtime **and double time as** required by state or local law). **Hours for which you are paid pursuant to the Company’s PTO, Vacation, Holiday Pay, or other applicable policies will not be used for purposes of calculating overtime. The Company prohibits “comp time” as a replacement for overtime pay for hourly employees.** All overtime work must be authorized in advance. Although employees will be paid for all hours worked, including any overtime, working overtime without prior authorization may result in disciplinary action.

**Salaried** employees are expected to work as much of each workday as is necessary to complete their job responsibilities. No overtime is provided to **salaried** employees, **unless required by applicable law.**

### **Reporting Errors**

MV Transportation takes all reasonable steps to ensure that employees are properly classified, paid for all hours worked, receive the correct amount of pay in each pay check, and paid promptly. If a mistake does occur and is called to the Company's attention, corrections will be made promptly. The Company has an internal complaint procedure for any employee who believes they have not been properly compensated. Employees who believe they have been erroneously compensated must immediately notify the Payroll or the Human Resources Department or utilize any other reporting procedure set forth in this handbook. The Human Resources department will share the results of its investigation with the employee and immediately take any necessary corrective action. Employees are free to utilize this reporting procedure without fear of reprisal or retaliation. An employee who believes they have been retaliated against for reporting a compensation error should immediately report such a belief to the Human Resources department or the Open Door Hotline at 877-687-2338.



### ***Pay Adjustments***

Operators and other division-based hourly jobs typically are considered for pay adjustments tied to an anniversary date or other due date and are effective on the first day of the pay period following the anniversary date and/or due date.

### ***Operator Payroll Procedures***

MV has adopted procedures that govern compensation for operators including rate of pay, hours of work, training time, non-revenue and revenue work. Please refer to the policy posted at your division for additional information.

### ***Payroll Deductions***

The law requires that the Company make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. It is your responsibility to complete your W-4 form properly to ensure the proper amount of taxes are withheld.

The Company offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their pay to cover the costs of participation in these plans/programs, such as health insurance or 401(k). Payroll deductions may also occur in other circumstances, such as court ordered garnishments, pre-authorized deductions for uniforms or voluntary written authorization.

Salaried employees' pay will not be "docked," or subject to deductions, in violation of salary pay rules issued by the United States Department of Labor and state government, as applicable; however, the Company may make deductions from employees' salaries in a way that is permitted under federal and state wage and hour rules. Employees will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined by law.

If concerns about any salary pay deductions arise, employees should discuss and resolve them with their supervisor or the Payroll Department or utilize any other reporting procedure set forth in this handbook.

### ***Compensation for Meetings/Training/Drug Testing***

Hourly employees will be paid their regular hourly rate for meetings, training and/or drug testing during regular work hours and a training rate for attendance occurring outside regular work hours. If an employee's job classification does not have a specified training rate, the training rate is the applicable minimum wage.

### ***Travel Time***

Unless applicable law provides otherwise, hourly employees are paid their regular hourly rate for travel that occurs during their regular work hours. For travel outside regular work hours, travel time is paid at the applicable minimum wage. The Company will follow all applicable state or federal laws in determining whether travel time is treated as hours worked.

### ***Length of Service***

An employee's start date, the date on which an employee began to receive wages, is considered their "date of hire". MV will bridge an employee's length of service if they voluntarily resigned, were in good standing when they resigned and return to the Company within 90 days of their resignation date.

### ***What to Do If You Have Questions about Compensation and Payroll Practices***

If you have any questions, concerns, comments, or complaints related to your compensation or the Company's payroll practices, please direct those comments to your supervisor, any executive, the Payroll department, or the Human Resources department. You may also contact the Open Door Hotline at 877-687-2338.

### **Hours of Work**

#### ***Work Schedules***

Work schedules for employees vary throughout the Company. Supervisors will advise employees of their individual work schedules. Staffing needs, operation demands, and client service requirements may require variations in the total hours that may be scheduled each day and week. The Company does not guarantee hours of work or schedules.

#### ***Rest and Meal Periods***

The Company complies with federal and state legal requirements concerning meal and rest periods, and you will be provided with meal and rest periods in accordance with applicable law. If you have any questions concerning the meal and rest break requirements for the location at which you work, please contact the Human Resources Department.

### **Attendance and Punctuality**

To maintain a productive work environment, the Company expects employees to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the Company. All MV employees are required to report to work on time every day they are scheduled to work.

### ***Salaried employees***

If an employee is unable to report to work or will be reporting after a scheduled starting time for any reason, absent extenuating circumstances, the employee should personally call their supervisor. If their supervisor is unavailable a member of management or the Human Resources Department should be contacted. Messages should not be left with other employees. Absent extenuating circumstances, you must call in on any day you are scheduled to work and will not report to work.

Excessive absenteeism or tardiness may result in disciplinary action up to and including termination of employment. Each situation of absenteeism or tardiness will be evaluated on a case-by-case basis. Even one unexcused absence or tardiness may be considered excessive, depending upon the circumstances. Absent extenuating circumstances, an employee who fails to personally call their supervisor for two or more days to report absence will be considered to have abandoned and voluntarily terminated their employment.

### ***Hourly Employees***

The following applies to all non-introductory period employees and is based on a rolling twelve (12) month time period:

The policies outlined in this section do not limit the employee's and the Company's right to end the employment relationship at any time, for any reason not prohibited by law, with or without cause, and with or without notice unless otherwise required by the applicable bargaining agreement.

### ***Excused Absence***

Excused absences are approved requests for family medical leave (FMLA), kin care (if required by state law), personal leave, jury and/or witness duty, military, bereavement, pre-arranged vacation days or any other leave protected by law. Attendance points are not issued for excused absences.

Pre-arranged vacation days will be excused if:

- 1** - A MV "Request for Time Off" form is completed and approved by the Operations Manager, General Manager or Regional Vice President.
- 2** - These steps are completed per the division's advance notice policy.

### ***Unexcused Absence***

Absenteeism is measured in points. Employees are required to call in for each day of work missed. All employees who will be absent or tardy are required to notify their supervisor or dispatch at least one (1) hour prior to the start of their shift. Notwithstanding the situations described below, if an absence occurs, or an employee fails to call within the appropriate time, because of a FMLA qualified serious medical condition, the employee's absence will not count as a point.

- An unexcused absence, where the employee calls in at least one (1) hour prior to the start of his/her shift, is counted as one (1) point.
- Unexcused absences up to three (3) consecutive days are counted as one (1) point, provided proper notice is given. After day three (3), each day of absence is counted as one (1) point unless the employee provides a doctor's note excusing the absence for up to a total of ten (10) days. After ten (10) days, each day absent will be counted as one (1) point. Absences exceeding ten (10) days may be considered for a leave of absence.
- Calling in less than one (1) hour in advance of your start time to report an absence or tardy is counted as one and one-half (1 ½) points.
- Failure to call more than one (1) hour after the start of a scheduled shift for a scheduled shift (No Call/No Show) is counted as four (4) points.
- A failure to complete the entire shift is counted as one (1) point.
- Missing a required meeting is counted as one (1) point.

### ***Tardiness***

- Arriving to work up to 15 minutes after your scheduled reporting time either for shift start or returning from rest or meal breaks is one-half (1/2) point.
- Reporting to work more than 15 minutes after a scheduled reporting time either for shift start or returning from rest or meal breaks will be counted as one (1) point.
- If an employee is tardy for their shift, the shift may be re-assigned and the employee sent home.

### ***Disciplinary Guidelines for Attendance***

All non-exempt employees will be issued an Employee Attendance Report documenting each occurrence.

Violations of more than one component of the attendance policy, will receive a single point assessment of the highest value.

Employees are allowed a maximum of seven (7) points within a rolling 12-month period before a written warning is issued. Points are removed from the employee's record 12 months after they are issued. If an employee reaches ten (10) points within a rolling 12-month period, he/she will be terminated.

### ***Clean Slate***

If an employee goes "point free" for a consecutive six (6) month period, his/her attendance record will be wiped clean and any prior points will not be considered as a basis for disciplinary action.

### ***Company Meeting Attendance***

We require that all employees attend Company operations meetings, which include the monthly safety meetings. Failure to attend a mandatory Company meeting will result in one attendance point.

### ***Attendance Policy for Non-Exempt Introductory Employees***

MV expects new employees to demonstrate excellent attendance during their introductory period. Introductory period employees are permitted no more than one (1) point using the guidelines set above.

### ***Attendance Policy for Exempt Employees***

Due to the nature of exempt or salaried work, exempt employees are not subject to the Attendance/Tardiness Policy. Exempt employees are expected to maintain good attendance and complete all work assignments and meet the requirements of the position.

### ***Job Abandonment***

Unless otherwise prohibited by applicable law, an employee who does not report for three consecutive days' scheduled shifts and does not contact the Company during this time period will be considered to have voluntarily resigned his or her position.

### ***Emergency Closings and Seasonal Work***

Emergency conditions, such as severe weather, fire, flood, or earthquake, can disrupt Company operations and interfere with work schedules, as well as endanger employees' well-being. These extreme circumstances may require the closing down of operations partially, or business altogether. Time off due to emergency closings is generally unpaid.

Due to seasonal or holiday fluctuations of business, it is sometimes necessary to reduce hours below the normal level of hours worked. When this is necessary, such reductions will be based on certain factors, including but not limited to agency and client schedules, as well as driver seniority. Drivers should expect such slowdowns to include, but not be limited to, summers and seasonal holidays such as Thanksgiving or Christmas.

## **Employee Benefits**

### ***Health, Dental and Vision Insurance***

Eligible, full-time employees are currently offered health, dental and vision insurance benefits as required by federal law and in accordance with the requirements of the plans. The details of those benefits, including eligibility requirements, are set forth in the plan documents themselves, and coverage and rates are subject to change periodically.

### ***401(k)***

Eligible, full-time employees may currently participate in the Company's 401(k) plan. The plan documents govern the terms of the plan. If you would like information concerning the Company's 401(k) plan, please contact the Human Resources Department.

### ***Paid Time Off***

Full-time employees are eligible to accrue Vacation or paid time off ("PTO"), subject to the applicable waiting period. Each location has its own accrual program for vacation or PTO. Please check with your manager or the division wage and benefit sheet for your vacation or PTO accrual rate and more specific information regarding the terms and conditions associated with the vacation or PTO program for your location. Vacation or PTO accrual is capped at 120 hours for hourly employees and 160 hours for salaried employees, unless otherwise regulated by state or other law. Unless prohibited by applicable law, vacation or PTO accrual will be suspended once the cap is reached, and accrual will begin again once vacation or PTO is used and the balance drops below the cap. Generally, employees should notify the division of the request to use vacation or PTO in accordance with the division's advance notice policy. In the absence of an advance notice policy, employees should provide as much notice as possible for planned absences and no less than one week's notice. In the event of unforeseeable circumstances, a shorter notice period may be acceptable. If a request for vacation or PTO is not approved and the employee is absent from work during that period, the employee is subject to discipline and may not be paid for that time off.

At the time of separation of employment, an employee will be paid all accrued and unused vacation or PTO, only if state or other applicable law requires that the Company pay the employee for accrued and unused vacation or PTO.

### ***Vacation Cash-Out Policy***

Drivers may cash out vacation pursuant to their division's cash out policy.

## ***Paid Holidays***

Full-time employees are eligible for paid holidays, subject to the applicable waiting period. The list of paid holidays and any applicable waiting period are posted at each facility. Holiday pay will only be paid to a non-exempt employee if the employee has worked his/her scheduled work day preceding the holiday and has worked his/her scheduled workday following the holiday.

If a paid holiday falls on an employee's day off or an employee is required to work on a holiday, the employee may receive an alternative day off or holiday pay, depending on the location's policy.

If a holiday falls during any unpaid time off (leave or vacation for example), the employee will not receive holiday pay.

## **Leave Policies**

The Company provides all leaves required by applicable federal, state, or other applicable law, including the following types of employee leaves listed below. Any unpaid leave of absence in excess of 30 days may impact vacation accrual, healthcare benefits and length of service for seniority or bidding purposes. Please see your manager for a copy of this policy which is also available on Portal or Sharepoint.

In addition to the leaves listed below, many states have created other protected leaves. Please see your state addendum for information regarding additional leaves available under state law.

All applicable leaves run concurrently. For example, if an employee takes time off for a serious health condition that resulted from a work-related injury, the workers' compensation leave, state and federal family medical leave, if applicable, begin on the first day of absence.

Additional leaves of absence, other than those identified below, may be requested and will be considered on a case-by-case basis.

To the extent that any provision of this Leave Policy conflicts with any federal, state, or local law, the Company will follow all applicable laws irrespective of this policy and employees will be granted leave in accordance with all applicable laws. Where greater benefits than those described herein are required under applicable law, employees will receive those benefits.

IF YOU BELIEVE THAT YOU REQUIRE A LEAVE OF ABSENCE, PLEASE SEE YOUR STATE ADDENDUM AND CONTACT THE HUMAN RESOURCES DEPARTMENT AS SOON AS POSSIBLE FOR SPECIFIC INFORMATION REGARDING THE LEAVE POLICIES WHERE YOU ARE LOCATED. IF YOU BELIEVE YOU HAVE BEEN UNLAWFULLY DENIED LEAVE THAT YOU ARE ENTITLED TO UNDER APPLICABLE LAW, YOU MUST CONTACT THE

HUMAN RESOURCES DEPARTMENT OR UTILIZE ANY REPORTING PROCEDURE SET FORTH IN THIS HANDBOOK.

### ***Workers' Compensation***

MV purchases Workers' Compensation Insurance for employees who incur a work-related injury or illness. Any illness or injury to an employee, regardless of severity, that occurs while on the job must be reported. Any employee who has suffered a work related injury or illness has the right to make a workers' compensation claim. The employee may then be sent to a Company approved medical facility for treatment or examination, which may determine whether follow-up care is necessary. While on Workers' Compensation leave or while on a Temporary Modified Work assignment, employees shall conform to all applicable rules, policies and procedures. Employees will not be discriminated or retaliated against for presenting a Workers' Compensation claim, hiring a lawyer to represent the employee in the claim, commencing a proceeding before a worker's compensation board or commission, or testifying in such a proceeding.

Employees are required to fully cooperate with MV and MV's Workers' Compensation adjuster/administrator in the management of their claim. Failure to attend scheduled medical appointments without a reasonable basis may result in employee being sent home without pay pending an updated work status.

All employees who are involved in a workplace accident or incident resulting in property damage or any person being required to obtain medical attention will be subject to a drug and alcohol test (if allowable by state or other applicable law) and may be placed on unpaid "safety leave" until the results of the test are known.

Temporary modified work may be offered to those employees who have sustained a compensable workers' compensation injury and who have been released by an authorized health care provider to return to work with medical and/or physical restrictions. Temporary modified work may be assigned for up to 26 weeks per claim.

The Company may establish the temporary modified work day and work week based on the restrictions set forth by the authorized health care provider. Temporary modified work days shall not exceed 8 hours per day or 40 hours per week to ensure temporary modified duty employees do not work overtime.

Prior to acceptance of temporary modified work, the employee shall be furnished a written temporary modified work offer indicating the temporary modified work duties. Employees accepting this work shall receive their normal regular hourly rate of pay for the temporary modified work they perform. Please see your manager for a copy of this policy which is also available on Portal or Sharepoint.



Prior to returning to full-duty work, employees may, depending on circumstances or the nature of the injury, be subject to a return-to-work medical examination by a Company-approved doctor.

### ***Reporting Employee Injuries or Illnesses***

Employees are required to immediately report, as soon as possible, unless in the circumstances it would not be reasonable to do so, all on-the-job injuries and illnesses to their General Manager, Safety Manager, Dispatcher or immediate supervisor. Failure to timely report any incident, regardless of whether or not it results in injury or property damage, may result in disciplinary action up to and including termination. Please see our Safety Policy for more information on Incidents and Incident Reporting.

### ***Family and Medical Leave***

Employees have rights to family and medical leave under the Federal Family and Medical Leave Act of 1993. The Company provides Family and Medical Leave in accordance with both federal and any state or other applicable law.

#### Eligibility for Family and Medical Leave.

Employees who have worked at the Company for at least 12 months, who have worked at least 1,250 hours during the previous 12 months, and who work at a location where at least 50 employees are employed by the Company within 75 miles are eligible for Family and Medical Leave. Where the Company has assumed an existing contract, the time an employee has worked for a previous contractor is considered in this calculation.

#### Types of Family and Medical Leave Available.

State and federal laws allow Family and Medical Leave for various reasons. Because an employee's rights and obligations may vary depending upon the reason of the Family and Medical Leave, it is important to identify the reason for the leave. Family and Medical Leave is available for the following reasons:

- The birth, adoption, or foster care of an employee's child within 12 months following the birth or placement of the child ("Bonding Leave").
- To care for an immediate family member (spouse, registered domestic partner, child or domestic partner's child, or parent with a serious health condition) ("Family Care Leave").
- An employee's inability to work because of a serious health condition ("Serious Health Condition Leave"), as defined by law.
- A "qualifying exigency," as defined under the FMLA, for military operations arising out of a spouse's, child's or parent's Armed Forces (including the National Guard and Reserves) active duty or call to active duty in support of a "contingency operation" declared by the U.S. Secretary of Defense, President, or Congress, as required by law. ("Military Exigency Leave").

- To care for a spouse, child, parent, or next of kin (nearest blood relative) who is (a) an Armed Forces member (including the National Guard and Reserves) undergoing medical treatment, recuperation, or therapy, is otherwise in an outpatient status, or is otherwise on the temporary disability retired list with a serious injury or illness incurred or aggravated in the line of duty while on active duty that may render the individual medically unfit to perform his or her military duties, or (b) a person who, during the five (5) years prior to the treatment necessitating the leave, served in the active military, Naval, or Air Service, and who was discharged or released therefrom under conditions other than dishonorable (a "veteran" as defined by the Department of Veteran Affairs) and who has a serious injury or illness incurred or aggravated in the line of duty while on active duty that manifested itself before or after the member became a veteran ("Service Member Family Leave".)

#### How and When to Request Leave.

If you need Family and Medical Leave, you must provide the Company notice of the need for leave. To request foreseeable leave (such as following the birth of a child or for planned surgery), you should fill out an Application for Leave of Absence form, which is available from Human Resources at least 30 days in advance and submit the form to your Division Manager. When the need for leave is not foreseeable, you must give notice as soon as possible and, if possible, the notice should be in writing. Any request for leave should provide the Company with enough information to determine whether the leave qualifies as Family and Medical Leave.

#### Medical Certification Requirement.

If your leave is due to a serious health condition, either your own or a family member's, you will be required to furnish Medical Certification from a health care provider. Medical Certification forms are available from Human Resources. Failure to provide the required certification may result in the delay, denial, or cancellation of leave. If the certification shows that your absence does not qualify under the FMLA, the FMLA designation will be revoked retroactive to the first day of your leave and you may be subject to MV's attendance policy. The Company may require recertification during your leave.

At the Company's expense, the Company may also require a second or third medical opinion regarding your own serious health condition. Employees are expected to cooperate with the Company in obtaining additional medical opinions that the Company may require.

When leave is for planned medical treatment, you must try to schedule treatment so as not to unduly disrupt the Company's operation. Please contact the Human Resources department prior to scheduling planned medical treatment.

For *Military Exigency Leave*, employees are required to provide: (a) as much advance notice as is reasonable and practicable under the circumstances; (b) a copy of the covered military member's active duty orders when the employee requests leave; and (c) a completed Certification of Qualifying Exigency form within 15 calendar days, unless unusual circumstances exist to justify providing the form at a later date. Certification forms are available from the Human Resources department.

Absent unusual circumstances, failure to comply with these notice and certification requirements may result in a delay or denial of the leave. If you fail to return to work at your leave's expiration and have not obtained an extension of the leave, the Company may presume you do not plan to return to work and voluntarily terminate your employment.

#### Amount of Leave Available.

The maximum amount of FMLA Leave will be twelve (12) workweeks in any 12-month period when the leave is taken for: 1) Bonding Leave; 2) Family Care Leave; 3) Serious Health Condition Leave; and/or 4) Military Exigency Leave. However, if both spouses work for the Company and are eligible for leave under this policy, their leave may be limited to a combined total of 12 weeks if the leave is taken for Bonding Leave or Family Care Leave, under certain circumstances. A 12-month period begins on the date of your first use of FMLA Leave.

The maximum amount of Family and Medical Leave for an employee wishing to take Service Member Family Leave will be a combined leave total of twenty-six (26) workweeks in a 12-month period.

*EXAMPLE:* You take 12 workweeks off to bond with a newly adopted child. Later, in that same 12-month period, you wish to take time off from work to care for a spouse, child, parent or next of kin under the Service Member Family Leave provision of this policy. Because the law allows extra time off for Service Member Family Leave, you will be allowed to take this time off, so long and the total amount of leave does not exceed 26 workweeks.

If both spouses work for the Company and are eligible for leave under this policy, the spouses may be limited to a total of 26 workweeks off between the two when the leave is for Service Member Family Leave only or is for a combination of Service Member Family Leave, Bonding Leave and/or Family Care Leave.

Under some circumstances, you may take Family and Medical Leave intermittently – which means taking leave in blocks of time, or by reducing your normal weekly or daily work schedule.

#### How the Amount of Leave is Calculated.

The Company will calculate Family and Medical Leave on a "rolling 12-month basis." This means that the 12-month period is measured backwards from the date an employee uses any Family and Medical Leave. Each time an employee

takes Family and Medical leave, the remaining leave entitlement would be any balance of the 12-week annual entitlement (or 26 weeks, if applicable) that had not been used during the immediately preceding 12 months.

#### Benefit Continuation.

During Family and Medical Leave, your group health insurance will be maintained under the same conditions as if you were working. If you are on paid leave, your share of the premium, if any, will be deducted from your pay. If you are on unpaid leave, you must make the premium payments yourself on a monthly basis. If employee premium payments are more than 30 days late, insurance coverage may be terminated. You will be required to reimburse the Company for any premium payments you missed that the Company pays on your behalf.

You will not continue to accrue vacation or PTO while on unpaid Family and Medical Leave.

#### Reinstatement.

Under most circumstances, you will be reinstated to the same position held at the time of the leave or to an equivalent position with equivalent pay, benefits, and other employment terms and conditions. However, because the maximum entitlement under the FMLA is 12 weeks (or 26 weeks for Service Member Family Leave), this right to reinstatement will not apply to leaves that continue after the amount of leave you are entitled to is exhausted. Additionally, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave.

"Key employees," as defined by law, may be subject to reinstatement limitations in some circumstances. If you are a "key employee", you will be notified of the possible limitations on reinstatement at the time you request a leave.

#### Pay Status.

Family and Medical leave is generally unpaid leave. However, if you have any accrued PTO, you may be required to use that accrued time. Under these circumstances both the paid and unpaid leave count as Family and Medical Leave.

You may be eligible to receive benefits through State-sponsored, Company-sponsored, or some other wage-replacement benefit programs.

#### Fitness for Duty.

If you are taking medical leave due to your own serious health condition, you must provide a return to work release from your health care provider before you return to work. The return to work statement should be submitted to the Leaves Manager in the Benefits Department. Employees returning to work after 30 days or more break in service will be required to undergo a background check, return-

to-work physical and drug test, as permitted or required by applicable federal or state law which includes but is not limited to regulations and requirements set forth by the DOT, FTA, FMCA, OSHA and ADA.

#### Status Update.

While you are on leave, the Company may require you to periodically confirm your status and your intention to return to work. Any employee who decides while on leave that he or she will not be returning to work at the end of the leave should immediately inform the Company.

#### Fraudulent Use of Leave.

If the Company determines that an employee has obtained leave or continued to take leave under the state or federal family and medical leave laws based on fraudulent, dishonest or misleading conduct of any kind, the employee will be subject to immediate termination.

A Notice to Employees of Rights Under FMLA is attached to this policy, as Appendix 2.

#### ***Bereavement***

If an employee wishes to take time off due to the death of an immediate family member, the employee should notify his or her supervisor immediately. Immediate family member is defined as spouse, domestic partner, child, domestic partner's child, sibling, parent (or person who raised you), grandparent or grandchild. Hourly employees may be granted unpaid time off of up to one week for bereavement leave. See your division or location for specific policies regarding bereavement leave. Salaried employees may take paid time off of up to three days (five days if air travel is required) for bereavement leave.

#### ***Jury Duty***

A leave of absence will be granted if an employee is required to appear for jury duty. An employee must notify their supervisor immediately upon receipt of your selection notice. Exempt employees are entitled to full pay for each day of jury duty or service as a witness if they work anytime during the week of jury duty. If no work was performed during the week, the employee will not be compensated. Unless applicable law provides otherwise, non-exempt employees will not be compensated; however, the absence will be considered excused and the employee will continue to accrue other benefits, such as vacation or PTO. Employees may use any accrued vacation or PTO for the period of the jury duty leave. Employees are expected to report to work whenever the court schedule permits.

### ***Administrative Leave***

Unless prohibited by law, employees are required to report any life event that could potentially disqualify them from employment based on our Qualification standards. The employee may be placed on unpaid administrative leave until a final disposition has been provided by the appropriate authoritative agency.

## **Employee Performance and Conduct Policies**

### ***Performance Appraisals***

Exempt employees and non-exempt staff employees will ordinarily be reviewed annually during a common review date of January 1. The appraisal will be discussed in a meeting between the employee and the supervisor. The supervisor and employee will review the job requirements, performance objectives, or other performance criteria. A performance rating will be assigned and an annual pay review may be provided.

### ***Conflicts of Interest***

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. Our Code of Conduct outlines our policies regarding conflicts of interest.

### ***Reference Checks***

No employee may provide a reference check, letter of reference, verification of employment or disclose any performance or employee information to any outside party at any time on either a current or past employee. All requests for reference checks or verifications of employment must be forwarded to Human Resources at the Support Center. The Company only provides confirmation of employment, dates of employment and position held. No performance or termination information may be disclosed.

### ***Outside Employment***

An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with the Company. Employees should consider the impact that outside employment, whether paid or voluntary, may have on their health and physical endurance. All employees will be judged by the same performance standards and will be subjected to the scheduled needs of our clients, regardless of any existing outside work requirements. In some divisions, operators are required to report hours worked as a driver for another employer on a daily basis. Under certain circumstances a log may be required. Your General Manager has more information.

### ***Hiring of Relatives***

MV Transportation is a family oriented company and encourages family and friends of employees to consider making MV their company too. However, relatives in the same area of the company may not supervise each other or direct each other's work. Exceptions to this policy must be approved by the Chief Human Resources Officer.

### ***Anti-Fraternization Policy***

In order to promote the efficient operation of the Company's business and to avoid misunderstanding, complaints of favoritism, other problems of supervision, security, and morale, and possible claims of sexual harassment, members of management and supervisors are forbidden to date or pursue romantic or sexual relationships with employees whom they supervise, directly or indirectly. Employees who violate this guideline will be subject to discipline, up to and including termination of employment.

### ***Confidentiality and Proprietary Information***

During the course of employment, employees may receive and have access to confidential information. All employees are expected to respect and maintain the confidentiality of employee and customer records, business records, data and other information not otherwise available to the public. Upon separation of employment, an employee must return all documents, records, or any property that belongs to the Company or is related to Company business. Any programs, writings, or other material developed by an employee as part of his or her work at the Company is property of the Company.

The protection of confidential business information during and after your employment is important to the interests and the success of this Company. Such confidential information includes, but is not limited to the following examples:

- Technological Data
- Operations Data: customer lists, trip sheets, financial & billing information, schedules, dispatch logs, policy or program manuals
- Marketing plans and strategies, or project plans or proposals
- Personnel or labor information such as names, titles, employee phone numbers, medical and benefit information, training materials or labor relations strategies

Nothing in this policy, however, should be construed to prohibit employees from discussing their terms and conditions of employment amongst themselves.

### ***Electronic Data Systems Policy***

The Company maintains a computer system, a voice-mail system and an e-mail system to assist employees in conducting Company business. These systems, including the equipment and data stored in the systems, are the exclusive property of the Company. As such, all messages created, sent, received or stored in these systems are and remain the property of the Company.

The Company's e-mail and computer systems and resources are not to be used for any non-business purposes, entertainment, personal communications and other personal use or any illegal, harassing, inappropriate, pornographic, libelous or obscene purpose during or outside work hours. The only exception is for limited personal uses, subject to the limitations and guidelines set forth in this Handbook and of the Internet, Newsgroup and Electronic Mail Policy. This policy allows for reasonable personal use of the internet during an employee's own time (non-working time), for example at the beginning of the day, during the lunch break and again at the end of the working day, and so long as it does not interfere with your work and/or the work of other employees. The Company's electronic data systems may not be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitation.

Because the computer systems and resources remain Company property, employees should have no expectation of privacy with regard to these systems and resources. All computers and Company equipment are subject to search at any time. Additionally, MV reserves the right to discontinue an employee's access to any computer systems and resources at any time.

The Company reserves the right to access, read, review, and monitor all messages, images, programs, files, and content on the Company's email, voicemail, computer and internet systems, and employees should have no expectation of privacy in this regard. You are advised that any incidences of inappropriate use may result in disciplinary action up to and including termination of employment.

Examples of 'inappropriate usage' would be:

- visiting sites with sexual or offensive context
- transmitting, receiving, viewing, or storing words or images of a discriminatory or harassing nature or that are obscene, vulgar, derogatory, or inflammatory
- excessive personal use of the internet during working hours
- any usage, including, streaming radio, music and video, with legal implications such as copyright and performing rights
- any use that would violate any Company policy or rule or any federal, state, or local law



The above are illustrative examples, and are not intended to be exhaustive.

Employees are prohibited from downloading or uploading “executable” files, music, videos, or any software without advance written approval by the Director of Information Technology. Additionally, employees are prohibited from copying software without advance written approval by the Director of Information Technology.

Please see the Internet, Newsgroup and Electronic Mail Policy for more detail.

### ***Software Code of Ethics***

Unauthorized duplication of copyrighted computer software violates the law and is contrary to our organization’s standards of conduct. The Company prohibits all copying or pirating of software, and the use, duplication, or dissemination of copyrighted materials in violation of copyright laws is prohibited. The Company recognizes the following principles as a basis for preventing its occurrences:

- Employees are prohibited from making or using unauthorized software copies under any circumstances.
- Employees must comply with all license or purchase terms regulating the use of any software we acquire or use.
- Employees must comply with, and enforce, MV’s internal controls to prevent the making or using of unauthorized software copies, including effective measures to verify compliance with these standards and appropriate disciplinary measures for violation of these standards.

### ***Social Media Policy***

The Company respects the legal rights of its employees and understands that employees' time outside of work is their own. However, employees should be mindful that their social media activity, even if done off premises and while off-duty, could affect the Company's legitimate business interests. For example, the information posted could be the Company's confidential business information. In addition, some readers may mistakenly view you as a spokesperson for the Company. Consequently, social media activity is a legitimate and proper focus of Company policy.

This Social Media Policy (the "Policy") provides guidance on responsible social media activity by employees. This Policy does not and cannot cover every possible social media activity. If you are unsure how this Policy may apply to your social media activity, the Human Resources Department is here to help you. For purposes of this Policy, "social media activity" includes all types of posts and other communications on the Internet, including but not limited to, posts on social networking or affinity sites (such as Facebook, LinkedIn, and Tumblr); blogs and other on-line journals and diaries; bulletin boards and chat rooms; microblogging, such as Twitter; and posts of video or audio on media-sharing sites, such as

YouTube or Flickr. "Social media activity" also includes permitting, or failing to remove, posts by others where the employee can control the content of posts, such as on a personal page or blog.

#### Application:

This Policy applies to social media activity that relates in any way to the Company's business, employees, customers, vendors, or competitors or that identifies an employee's affiliation with the Company (other than as an incidental mention of place of employment in personal social media activity unrelated to the Company). This Policy applies to social media activity when on or off duty, while using the Company's or personal electronic resources, and whether or not the employee posts anonymously or using a pseudonym.

#### Guidelines:

The Company values its established brand reputation and good will relationships. These are important corporate assets. When you engage in social media activity that identifies you as a Company employee, or in any way relates to the Company, you should bear that in mind. Unless you have received prior authorization in writing from an authorized Company representative, you should not represent or suggest in any social media content that you are authorized to speak on the Company's behalf, or that the Company has reviewed or approved your content.

You may use the Company's electronic resources to engage in social media activity for non-business purposes during your own time (non-working time), so long as it does not interfere with your or your co-workers' job responsibilities, and complies fully with all Company policies. You may not maintain an open connection to, or stream, any social media site. Such non-business use is a privilege that may be withdrawn if abused.

Your social media activity is subject to all pertinent Company's policies, including, but not limited to the Code of Conduct, Equal Employment Opportunity, Confidentiality, Anti-Discrimination/Anti-Harassment Policy, and Electronic Data Systems Policy.

The Federal Trade Commission requires that endorsements be truthful and not deceptive. If your social media activity endorses the Company's products or services, i.e., expresses opinions, beliefs, findings or experiences concerning the Company's products or services, you must disclose your name and position with the Company.

You should not post content about the Company, management, co-workers, vendors, or customers that is vulgar, obscene, physically threatening, intimidating, defamatory, harassing, or a violation of the Company's policies against discrimination or harassment. You should not unlawfully disparage the

Company's products or services, or the products or services of its customers, vendors or competitors.

You should not use the Company's logo, trademark or proprietary graphics (collectively, "IP") for any commercial purpose, such as selling or advertising any product or service, without the Company's prior written consent. You should not use the Company's IP in a way which suggests that you are representing the Company or while engaging in conduct that violates Company policy.

You should not disclose, or post images or video of, any of the Company's trade secrets or confidential business information or of any confidential business processes.

You should not post images or video of the Company's employees, customers, vendors or competitors without their prior permission.

To reduce the risk of identity theft, stalking, and similar criminal conduct, you should not disclose personally identifying information (such as personal telephone numbers, Social Security numbers, the date of birth, credit or debit card numbers or financial account numbers) of the Company's employees, customers, vendors or competitors.

Consistent with applicable law, members of management should not gain unauthorized access to the restricted social media page of a subordinate. Any employee may reject, without fear of retaliation, any request from any other employee that, if accepted, would permit access to a restricted social media page - such as a friend or connection request.

Employees may not use their Company e-mail address to register for any social media account or site, or as an identifier needed to participate in any social media activity, except to engage in social media activity authorized by the Company and for the Company's business purposes. Employees may reference the Company as their employer and include contact information on social and professional networking sites only, such as LinkedIn and Facebook.

If you need clarification of any aspect of this policy, contact the Human Resources Department. You should report all violations of this policy to the Human Resources Department or utilize any reporting mechanism set forth in this handbook.

The Company will, in its discretion, review social media activity to the fullest extent permitted by applicable law.

Employees are solely responsible for their social media activity and will be held accountable for violating this Policy. Failure to comply with this Policy may lead to discipline, up to and including termination of employment, and if appropriate, the Company will pursue all available legal remedies. The Company also may report suspected unlawful conduct to appropriate law enforcement authorities.

The Company will not construe or apply this Policy in a manner that improperly interferes with or limits employees' rights under the National Labor Relations Act.

### ***Workplace Violence***

MV Transportation is firmly committed to providing a workplace free from acts of violence or threats of violence. In keeping with this commitment, the Company has established a policy strictly prohibiting any employee from threatening or committing an act of violence in the workplace, while on duty, while on company related business, or while operating any vehicle or equipment owned or leased by the Company.

Assistance is needed from all employees to achieve a workplace secure and free from violence. MV is committed to a “zero tolerance” policy and compliance with this policy in respect to workplace violence is every employee’s responsibility. Any and all incidents involving an act or threat of violence must be reported immediately to the employee’s supervisor or the Human Resources department. Any employee may do so without fear of retaliation of any kind. After the incident is reported to a supervisor, he/she will report the matter to the Human Resources department, who will conduct an investigation and take appropriate action.

Any employee who engages in or contributes to violent or threatening behavior may be subject to disciplinary action, up to and including termination.

### ***Weapons Policy***

The Company is committed to ensuring the safety of our employees, customers, clients, contractors, and visitors. In furtherance of this commitment, the Company maintains a weapons-free workplace (except as otherwise provided by law) and strictly enforces the prohibition of the use, carrying, or possession of deadly weapons or destructive devices while on the Company’s property and/or while performing related work or duties for the Company. Employees are also prohibited from keeping or storing weapons or destructive devices in their vehicles in parking areas, unless state law requires that employees be allowed to store or transport certain types of firearms in their own locked vehicles in Company parking areas.

Examples of deadly weapons or destructive devices: firearms, including but not limited to, handguns, rifles, pellet guns, and similar devices; knives with the exception of pocket knives; instruments capable of inflicting a heavy blow, including, but not limited to, nightsticks, clubs and similar devices; explosive devices, including but not limited to bombs, grenades, and similar devices and other devices whose primary purpose is the infliction of bodily harm.

Although some states license individuals to carry concealed firearms, the Company prohibits them on Company property or while participating in work-related duties for the Company. A violation of this policy is considered gross misconduct and will result in immediate discipline and/or termination.

Customers, clients, contractors, or other visitors who violate this policy will be asked to immediately leave the Company's premises and may be subject to arrest and prosecution by law enforcement officials for any criminal acts.

## **Discipline**

Any violation of MV Transportation policies or any inappropriate or improper behavior or conduct may warrant disciplinary action. Although the employment relationship may be terminated at will by the employee or the Company, without following any formal system of discipline or warnings, the Company may, in its discretion use progressive discipline. The progressive discipline system is intended to give the employee advance notice, whenever possible, of problems with their conduct or performance to provide the employee with an opportunity to correct their actions. Normally, progressive discipline involves verbal counseling and one or more written warnings, before an employee is terminated. However, deviations from progressive discipline may occur when serious offenses occur or circumstances warrant alternative measures in the Company's sole discretion. If your employment is governed by a valid collective bargaining agreement, discipline will be governed by that agreement.

Work rules are needed to ensure the safety and well-being of all employees. The purpose of Work Rules is not to punish employees; instead, it is intended to inform employees regarding expectations and provide a framework for coaching and counseling. The Company reserves the right to skip steps in the disciplinary process whenever it determines circumstances warrant. Work Rules are divided into two groups of offenses:

1. *Minor Violations* will usually be addressed in a four-step process (although the Company need not follow this sequence):
  - First violation – Counseling session/verbal warning
  - Second violation- written warning
  - Third violation – Final warning and/or unpaid suspension
  - Fourth violation – Termination
2. *Major Violations* will warrant disciplinary action up to a final warning and/or unpaid suspension, or termination.

### Minor Violations

The Company need not follow any particular sequence of discipline and may impose immediate suspension or discharge where circumstances warrant. Violations may be personally observed or reported, or observed via DriveCam and Other Video Systems or Electronic Systems, including GPS and mobile data terminals. Examples of minor violations include, but are not limited to, the following types of workplace behavior.

1. Failure to follow work policies, procedures or duties
2. Failure to follow personal appearance standards
3. Use of abusive or profane language
4. Use of personal radios while operating a Company vehicle.
5. Eating or drinking while operating a Company vehicle.
6. Violation of the Internet, Newsgroup and Electronic Mail Policy, not considered to be a major violation

### Major Violations

Major violations will result in termination or other serious discipline. Violations may be personally observed or reported, or observed via DriveCam and Other Video Systems or Electronic Systems, including GPS and mobile data terminals. Examples of major violations include, but are not limited to, the following types of workplace behavior:

1. Reporting to work or working under the influence, possessing alcohol or illegal drugs in the workplace, or any violation of MV's Drug and Alcohol Policy
2. Deliberately damaging or abusing property
3. Carelessness or horseplay resulting in property damage in excess of \$5,000 or personal injury
4. Insubordination, including the refusal and/or failure to follow a directive, to perform assigned work, or to encourage others to do either
5. Violation of confidentiality and proprietary information policy
6. Harassment prohibited by Company policies

7. Violations of State, Federal, County or Municipal laws, regulations or requirements that would disqualify you from employment under MV's hiring criteria, with the exception of moving violations while driving which are governed by the MV Safety Point System. Employees are required to report such arrests and/or convictions within 24 hours.
8. Additional violations of the MV Safety Policy, Attendance Policy, Substance Abuse Policy Violations, or misuse of Company vehicles and/or equipment, including but not limited to:
  - Operating without a valid license appropriate for that vehicle, equipment or service.
  - Driving on a suspended license
  - Driving a commercial vehicle without a valid medical card
  - Transporting school children without proper school bus certification as required by applicable law
  - Un-insurability as a vehicle operator
  - Negligent use of a Company owned or provided vehicle or equipment
  - Unauthorized use of a Company owned or provided vehicle or equipment including transporting unauthorized passengers
  - Use of a personal cell phone while operating a Company vehicle
9. Falsification of any records, such as medical forms, time records or employment applications, or making false statements
10. Unprofessional or disorderly verbal or physical conduct directed towards coworkers, passengers, clients or any third party while acting as a representative of the Company.
11. Engaging in a romantic or sexual relationship with a passenger who is unable to provide meaningful consent.
12. Entering a passenger's home while in service or in Company uniform without a legitimate business purpose
13. Possession of weapons or explosives on Company premises
14. Conviction of driving under the influence, reckless driving or hit-and-run driving whether on or off the job, in a Company or private vehicle, for employees performing safety sensitive functions

15. Use of Company property or Company garages for personal vehicle repair
16. Failing to pass initial, ongoing or changed qualification standards
17. Dishonesty, theft, or improper handling of company assets or cash
18. Gross negligence

### ***Vehicle Citations***

In addition to any potential safety point assessments, vehicle citations are the responsibility of the employee. MV will not pay for parking tickets or citations issued to Company vehicles or employees on Company time unless required by law. It is the responsibility of the employee to obey all traffic laws and to operate a vehicle in a safe and legal manner.

### ***Personal Appearance***

When at work, employees are expected to present a professional appearance and to dress according to the requirements of their position.

Every employee is expected to practice daily hygiene and good grooming. Scents – whether artificial or natural – should not be distracting to other employees or our passengers.

Where required, employees must come to work in a clean, pressed uniform. Those who report for work inappropriately dressed will be sent home unpaid and directed to return to work in proper attire. For safety reasons, the following appearance standards also apply for all operators and safety sensitive positions:

- Leather, rubber soled shoes must be worn
- Long hair extending past the shoulders must be tied back
- Fingernails cannot exceed 1/2" past the tip of the fingers
- Dangling jewelry, including earrings, is not permitted

If the employee's shift needs to be covered by another employee, the employee may forfeit his/her entire days shift at the manager's or supervisor's discretion. If sent home, the employee will be issued an attendance occurrence noted as an absence.

### ***Smoking***

Smoking (both cigarette and e-cigarette) is expressly forbidden in or near Company vehicles at all times. This rule applies to everyone - employees, passengers, clients and the general public. It is also prohibited for any employee to smoke in any MV facility or garage. Employees wishing to smoke must do so on their own time and a minimum of 20 feet from a facility or bus.



## ***Solicitation***

MV prohibits:

- Solicitation and distribution of goods, services, or literature by non-employees on Company premises
- Solicitation by employees on Company premises when the person soliciting or the person being solicited is on working time (Working time is the time employees are expected to be working and does not include your scheduled meal or other authorized breaks.)
- Distribution of goods and/or literature by employees on Company premises in non-working areas during working time, as defined above
- Distribution of goods and/or literature by employees on Company premises in working areas

*Note: A “working area” is an area, usually inside production areas or offices, where work is performed. It includes halls and aisles used in the course of employees’ work. It also may include outside areas like the yard. “Working area” generally does not include break rooms, cafeterias, employee parking lots and Company grounds or recreation areas.*

## ***Confidentiality of Information***

MV treats employee information as confidential. MV will only release employee information upon 1) written authorization, 2) court order, 3) as necessary in accordance with business needs and to administer benefits, or 4) to meet other contractual or legal requirements.

## ***Security Inspections***

Employees should not have an expectation of privacy in Company equipment such as desks, lockers, and computers. Desks, lockers, computer and communications systems are the property of the Company and therefore can be inspected by any agent or representative of the Company at any time, either with or without prior notice. The Company has the right to inspect packages and persons on, entering and/or leaving Company property. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto the Company's premises.

## ***Employee Personnel Files***

MV Transportation retains the right not to provide an employee with any duplications or copies of any paperwork within his/her personnel file, unless otherwise provided by applicable law. Access to and documents from an employee's personnel file will be provided to employees as required by applicable law. Employees who are interested in reviewing the contents of their personnel file should complete the Personnel File Review Form and submit it to their Manager of Human Resources to schedule a mutually convenient time for an appointment.

To ensure that MV's personnel files are up-to-date and contain accurate, complete information, employees are asked to notify their supervisor or Human Resources of any changes that need to be made in any of the following categories:

- Name
- Telephone number
- Home address
- Individual to notify in case of an emergency

## **Safety and Incident Policies**

### ***Safety Hotline***

Since the safety, health and welfare of our employees, passengers and public is our number one priority at MV, we have established an Employee Safety Hotline to report any safety problems or concerns. Our safety hotline number is **1 - 877 - MVSAFE - T (687-2338)**. Concerns including vehicle maintenance issues, unreported incidents, failure to secure wheelchairs, office safety issues, etc. should be reported to the Employee Safety Hotline. You are also expected to report any instances to your supervisor so your concerns can be immediately addressed.

### ***Incident***

Any occurrence, event or action (regardless of how minor) which does not follow Company procedures or presents a threat or problem to MV, its passengers, public or its employees is considered an incident. Any occurrence involving a passenger while under the care, custody and control of MV and its employees is considered an incident. Any contact between your vehicle and another person, vehicle or object is considered an incident whether or not there was damage or injury.

### ***Incident Reporting***

All incidents, regardless of how minor, must be immediately reported per MV's 'Incident Reporting' procedure. Failure to timely report any incident, regardless of whether or not it results in injury or property damage, may result in disciplinary action up to and including termination. **For workplace injuries, please refer to our 'Workers' Compensation' policy.**

### ***Major Safety Incidents***

For incident reporting purposes, a major incident is one involving a transit vehicle or occurring on MV property. This includes, but is not limited to:

- Fatality
- Pedestrian or cyclist incident/injury
- Passenger incident or injury involving a lift
- Passenger incident or injury while entering or exiting a vehicle
- Passenger incident or injury involving improperly securing a passenger
- Preventable roll-away incident
- MV Operator is cited for a major/serious moving violation (reckless driving, DUI)
- Any injury (including to the MV Operator) requiring immediate medical attention away from the scene
- Property damage of at least \$5,000
- Environmental spills
- Vehicle roll-over/lay-over
- Vehicle fire
- Incidents with Operator allegation of equipment or maintenance failure
- Events with potential for negative public relations and/or news media coverage
- Incidents where Operator drug and/or alcohol use may be involved
- Incidents where fault is in question
- Any use of a cellular telephone or electronic device while operating a company vehicle

### ***Minor Safety Incidents***

All other incidents that do not meet the definition of a “major” incident.

### ***Subrogation of Incident or Injury Claims***

Every employee is expected to protect MV's rights to subrogate for reimbursement of vehicle damages, Workers' Compensation payments and related costs, Medical and Dental Insurance payments and related costs, and other payments/costs which result from the negligence of third-parties. Employees must obtain concurrence from MV (Risk Management for Workers' Compensation claims or Human Resources for Medical/Dental claims) prior to signing any "release of liability" from any responsible third-party or third-party insurer.

### ***Safety Investigation Leave***

Any employee involved in a major incident will be placed on administrative leave while the incident is being investigated to determine root causes and preventability. Administrative leave is unpaid unless the incident is determined to be non-preventable. Employees may perform other non-safety sensitive functions if available and/or appropriate until final determination is made.

### ***Electronic Systems***

The company employs numerous technologies, including DriveCam, video systems, GPS and mobile data terminals in order to help ensure the safety of the driver and passengers, compliance with Federal, State and Local driving laws as well as regulations for both the driver and the motoring or pedestrian public. Any recording resulting from these technologies may be used as evidence in the investigation and may result in the issuing of appropriate disciplinary action.

### ***Safety Point System***

MV safety results are directly related to the actions and behaviors of our employees. At-risk behaviors lead to incidents and injuries. Therefore all MV safety sensitive employees are subject to a Safety Point Program rating which assesses cumulative points for at risk safety behaviors or actions.

Any work related incident, which involves an employee at MV will be investigated and may result in Safety Points being assigned.

If the incident is determined to have been "preventable" by the MV employee, then it will be considered a preventable incident. While an incident may not be legally considered your "fault", it will be treated as preventable, regardless of the cost to MV. Even minor damage incidents cost the Company money in terms of repairs, lost vehicle or driver time, staff time, etc. Any damage to a Company vehicle will automatically be assessed to the most recent employee who drove that vehicle and who failed to report it on a daily vehicle inspection sheet.

***Preventability of Incidents and Injuries***

The determination as to whether an incident could have been "preventable" will be made by the Division Safety Manager and General Manager. It is subject to review by the Area Safety Director and/or the Region Vice President. If there is a disagreement it will be given to the Vice President of Safety. The Chief Safety Officer has the final determination of preventability on all incidents.

***Disciplinary Action***

Any employee who has a preventable incident will be subject to re-training and/or discipline up to and including termination based on the safety point system.

Although most situations will be addressed by issuing safety points, MV reserves the right to impose discipline, up to and including termination, for any unsafe act, failure to follow safe work practices and/or procedures, or negligent operation of a Company vehicle regardless of the point assessment under the Safety Point System. Unsafe behaviors are also subject to disciplinary action regardless of whether they lead to injury. Such discipline must be approved by the Chief Safety Officer or a Company President.

***Accruing Safety Points***

DriveCam and Other Video Systems events/incidents will be assessed safety points based on the current version of the DriveCam and Other Video Systems Points Policy. DriveCam and Other Video Systems Points may result from both coached and auto-resolved events/incidents. DriveCam and Other Video Systems Points are included and considered when applying the following Maximum Allowable Safety Points section. The good-faith filing of a workers' compensation claim shall not accrue safety points or discipline

All preventable incidents will be assigned points in the following manner:

- Failure to cycle wheelchair lift ..... One (1) point
- Failure to do a proper vehicle inspection (DVI) ..... One (1) point
- Driver unbelted or improperly belted when legally required ..... One (1) point
- Failure to stop at a Railroad Crossing..... One (1) point
- Unsafe maneuver(s) or act(s) ..... Two (2) points
- Conviction of a minor traffic violation ..... Two (2) points
- Backing incident or collision ..... Three (3) points
- Rear-end collision ..... Three (3) points
- Failure to provide door-to-door service, to include failure to properly load/unload a passenger via the lift..... Three (3) points

Preventable incident and/or collision up to \$15,000 in injuries or property damage .....	Four (4) points
Preventable incident or collision up to \$20,000 in injuries and/or property damage .....	Five (5) points
Preventable incident or collision in excess of \$20,000 in injuries and/or property damage .....	Six (6) points
Any preventable roll-away incident or collision regardless of damage amount .....	Six (6) points
Failure to properly secure/transport a mobility device .....	Six (6) points
Failure to properly secure/transport a paratransit passenger .....	Six (6) points
Failure to immediately report a citation or incident in a Vehicle while in Company service .....	Six (6) points
Tampering with, disabling, obstructing, abusing, disconnecting, or otherwise interfering with Drive Cam or other monitoring equipment .....	Six (6) points
Any use of a cellular telephone or electronic device while operating a vehicle in Company Service .....	Six (6) points
Conviction of a major traffic violation * .....	Six (6) points

*(\*) A major traffic violation is any citation, in either a personal or company vehicle, that involves any item listed under Major Safety Incidents and/or: (1) Driving while intoxicated or under the influence of alcohol or drugs; (2) Failure to stop and immediately report an incident in which you are involved; (3) Homicide, manslaughter, or assault arising out of the operation of a motor vehicle; (4) Driving while your license is suspended or revoked; (5) Reckless driving; (6) Possession of open container or alcoholic beverages; and/or (7) Speed contests, drag racing, or attempts to flee from an officer of the law, (8) leaving the scene of an accident.*

To be clear, and notwithstanding any other language in the Safety and Incidents Policy, an employee will not receive safety points or be otherwise disciplined simply because an incident results in an injury or a worker’s compensation claim.

**Maximum Allowable Safety Points**

For introductory employees:

The occurrence of a preventable incident during the introductory period will result in termination. Receipt of four (4) or more points during the introductory period, outside of preventable incidents, will result in termination. In addition, receipt of two (2) separate safety point assessments during the introductory period will result in termination, regardless of the employee’s total point count.

For non-introductory period employees:

In any rolling 18 month period of employment, receipt of six (6) or more points will result in termination. Any infraction which occurred more than eighteen months prior would no longer be included in the safety point count. In addition, receipt of three (3) separate safety point assessments in any rolling one year period will result in termination, regardless of the employee's total point count.

***Safety Point Hearing***

If an employee feels that he/she has been issued safety points improperly, a point count hearing may be requested. Point count hearing requests must be made within five (5) business days of the point assessment to your supervisor. The supervisor will contact the Area Safety Director to conduct the hearing within ten (10) business days of the request.

The hearing panel will consist of three of the following people: Vice President of Safety, Area Safety Director, General Manager, Assistant General Manager and/or Safety and Training Manager. The hearing will be chaired by the Vice President of Safety or the Area Safety Director. Decisions by the panel must be signed-off and approved by the Regional Vice President and the Chief Safety Officer to be binding.

***Retraining***

MV reserves the right to require an employee to attend retraining in addition to any discipline imposed. Failure to attend mandated re-training courses may result in disciplinary action up to and including termination.

All customer service related incidents which do not result in termination are subject to retraining from the MV customer service program (Ergometrics START program) or other approved Customer Service Training Module using the applicable section of the training that will apply to the incident. This must be accomplished within one week of the incident date.

All vehicle-related incidents which do not result in termination are subject to retraining using the approved Defensive Driving Training Programs. This must be accomplished within one week of the incident date.

Retraining may also be required based on an unacceptable onboard or field inspection.

***MVR Records***

All employees in safety sensitive positions who will operate a vehicle in Company service (either on a regular or occasional basis) must provide a copy of their Motor Vehicle Record (MVR). MVR's may also be checked during employment. Such employees must report to their supervisor a citation received in either a vehicle in Company service or personal vehicle within 24 hours. Failure to report a citation will result in immediate termination.

MV retains the right to access your MVR during employment. If an operations employee in a position requiring a driver's license has his/her license suspended, restricted or revoked, as a result of a vehicle citation, his/her employment may be terminated at the sole discretion of the company.

### ***Statements at the Scene of an Incident***

Under no circumstances is a MV Operator to discuss the circumstances of a vehicular incident occurring while in the course of his/her duties for MV or make any statement about the incident with anyone other than with police, MV division/safety personnel, MV Risk Management personnel, MV attorneys, and/or MV Third Party Claims Administrator personnel. Drivers are to give their names, addresses, telephone numbers, vehicle insurance, and driver's license information. Any further information can be obtained by contacting the General Manager or the Area Safety Director.

### ***Leaving the Scene of an Incident or Injury***

Under no circumstances is a MV Operator to leave the scene of an incident without first doing each of the following:

1. Immediately reporting the incident to the division.
2. Providing any and all claimants or other parties in the incident the personal and Company information required by law and needed to make a claim.
3. Obtaining all information regarding other vehicles and parties involved.
4. Obtaining authorization from the dispatcher to leave the incident scene.
5. Taking pictures of the vehicles involved and the incident scene as well as sketching out the scene of the incident on the incident diagram form.

### ***Safety Inspections***

All employees are subject to inspections to ensure safe, quality service for our passengers. Inspections will be done at random as well as scheduled times. Types of inspections include field inspections, on-board evaluations, vehicle inspection audits and facility inspections.



### ***Wheelchair Lift Deployment***

Under no circumstances is a MV employee to leave a wheelchair lift partially or completely in the down position outside of the vehicle while not physically there and able to alert any pedestrians to the potential danger. Under no circumstances is the vehicle to be driven unless the wheelchair lift is safely and properly stowed in its secure folded position.

### ***Safety Meetings***

Safety meetings are a critical component of our safety program and assist MV in managing contractual and refresher training requirements. All operations employees are required to attend a minimum of one safety meeting per month.

### ***Return of Property***

Employees must return all Company property at the time of termination, resignation or layoff, or immediately upon request. Where permitted by law, the Company may withhold from the employee's pay or final pay the cost of any items that are not returned. The Company may also take all action deemed appropriate to recover or protect its property.

### ***Use of Personal Cell Phones and other Electronic Devices***

The use of cell phones for personal calls during your working hours is discouraged and should be limited to break or meal periods. Where a client contract prohibits drivers from carrying personal cell phones, the use of personal cells phones is prohibited. Any use of a personal cell phone or other non company-issued electronic device, hands-free or not, during the operation of a company vehicle is prohibited.

### ***Preparedness for Work and Alertness Management***

It is the Operator's responsibility to report for duty well rested, with proper equipment and uniform and in sufficient time as required to perform his/her duties.

Professional operators must get adequate rest – ideally a minimum of eight hours – before coming to work. Every operator is responsible for coming to work well rested, as there is a significant risk of fatigue-related incidents. If an operator is not properly rested or is fatigued, they must report their condition to a supervisor or manager immediately.

## **APPENDIX 1**

### **Federal and State Agencies**

Local, state and federal employment discrimination agencies that enforce the laws against sexual harassment and discrimination in California, Maine, Massachusetts, Rhode Island, and Vermont and for government contractors can be contacted at the phone numbers and addresses listed below.

#### **Federal**

##### *The Office of Federal Contract Compliance Programs (OFCCP)*

U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210  
Phone (800) 397-6251  
TTY (202) 6936-1337  
[OFCCP-Public@dol.gov](mailto:OFCCP-Public@dol.gov)

#### **California**

##### *Department of Fair Employment and Housing*

Sacramento District Office  
2000 O Street, Suite 120  
Sacramento, CA 95814  
Phone (800) 884-1684  
Fax (916) 323-6092

##### *Equal Employment Opportunity Commission*

901 Market Street, Suite 500  
San Francisco, CA 94103  
Phone (415) 356-5100

#### **Maine**

##### *Main Human Rights Commission*

51 State House Station  
Augusta, ME 04333  
Phone (207) 624-6050  
Fax (207) 624-6063  
TTY/TTD (888) 577-6690

##### *Equal Employment Opportunity Commission, Area Office*

John F. Kennedy Federal Building  
Government Center, Room 475  
Boston, MA 02203  
Phone (617) 565-3200

## **Massachusetts**

### Massachusetts Commission Against Discrimination

1 Ashburton Place, Room 601

Boston, MA 02108

Phone (617) 994-6000

436 Dwight Street

Springfield, MA 01103

Phone (413) 739-2145

### Equal Employment Opportunity Commission, Area Office

John F. Kennedy Federal Building

Government Center, Room 475

Boston, MA 02203

Phone (617) 565-3200

## **Rhode Island**

### Rhode Island Commission for Human Rights

180 Westminster Street

Providence, RI 02903

Phone (401) 222-2661

### Equal Employment Opportunity Commission, Area Office

John F. Kennedy Federal Building

Government Center, Room 475

Boston, MA 02203

Phone (617) 565-3200

## **Vermont**

### Vermont Attorney General's Office

Civil Rights Unit

109 State Street

Montpelier, VT 05602

Phone (802) 828-3171

### Equal Employment Opportunity Commission, Area Office

John F. Kennedy Federal Building

Government Center, Room 475

Boston, MA 02203

Phone (617) 565-3200

## APPENDIX 2

### EMPLOYEE RIGHTS AND RESPONSIBILITIES

#### UNDER THE FAMILY AND MEDICAL LEAVE ACT

##### **Basic Leave Entitlement**

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

##### **Military Family Leave Entitlements**

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

##### **Benefits and Protections**

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

##### **Eligibility Requirements**

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

##### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

##### **Use of Leave**

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

##### **Substitution of Paid Leave for Unpaid Leave**

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

##### **Employee Responsibilities**

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

##### **Employer Responsibilities**

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

##### **Unlawful Acts by Employers**

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

##### **Enforcement**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosure**



**For additional information:**  
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)



**RECEIPT AND ACKNOWLEDGEMENT**

**EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM**

I have received a copy of the September 2016 MV Employee Handbook, and I have reviewed and understand its provisions. If at any time I do not understand a policy in this Handbook or any other Company policy, I will seek clarification from my supervisor or the Human Resources Department. Unless otherwise provided under the terms of an applicable Collective Bargaining Agreement or other valid contract, I understand the Company is an 'at will' employer and, as such, employment with the company is not for a fixed term or definite period and may be terminated at the will of either party, with or without cause and without prior notice.

I understand that the Handbook states certain of the Company's policies and practices in effect on the date of publication. I UNDERSTAND THIS HANDBOOK DOES NOT CONSTITUTE A CONTRACT OF EMPLOYMENT. I UNDERSTAND THAT NOTHING CONTAINED IN THIS HANDBOOK MAY BE CONSTRUED AS CREATING A PROMISE OF FUTURE BENEFITS OR A BINDING CONTRACT WITH THE COMPANY FOR BENEFITS OR FOR ANY OTHER PURPOSE. Unless otherwise provided under the terms of an applicable Collective Bargaining Agreement, arbitration agreement, or other valid contract, I also understand that the Company's policies and procedures may be amended, supplemented, modified or terminated at any time, with or without notice.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name (please print)



# MV Transportation Drug and Alcohol Policy

Issue Date  
April 2018



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## Drug and Alcohol Testing Core Values

Drug and alcohol abuse are the two most preventable behavioral disorders facing our society today. Drug abuse literally costs hundreds of billions of dollars alone in lost productivity, increased healthcare costs, accidents and theft. It is estimated that drug and alcohol abuse costs over a trillion dollars worldwide and growing.

MV Transportation, Inc. and its Subsidiaries are dedicated to providing safe, dependable, and economical service to its clients. MV Transportation's employees are our most valuable resource. It is our policy (1) to take appropriate action to assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner; (2) to foster and maintain a drug and alcohol - free environment for all employees and patrons; (3) to prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances; and (4) to encourage employees to voluntarily seek professional assistance whenever personal problems, including alcohol or drug use, may adversely affect their ability to perform their assigned duties.

Drug testing not only saves businesses money, but it also saves lives. This is the backdrop that MV Transportation's Drug and Alcohol Compliance Department works in to promote a safe and ethical drug testing program that will be the standard of the industry. MV Transportation's Compliance Department is always looking for ways to improve the everyday challenges by using state of the art software and easy to follow testing instructions and forms, and a comprehensive collection site inspection tutorial for supervisors.

To achieve these goals and to comply with all applicable Federal regulations governing workplace anti-drug programs in the transit industry, MV Transportation incorporates three integrated components:

- **Prevention through education and training**
- **Detection, deterrence and enforcement**
- **Treatment and opportunities for rehabilitation**

MV's purpose is to assure worker fitness for duty and to protect our employees, passengers, and the public from the risks posed using alcohol and prohibited drugs. MV is surrounded by an extraordinary Board of Directors, Executive Committee and professional staff who support and promote a safe and drug free environment in which we all live and work.

In accordance with the U.S. Department of Transportation and the  
Federal Transit Administration Regulations  
(49 CFR Parts 40, 655, and 382)  
**MV TRANSPORTATION, INC.**

**SUBSTANCE ABUSE POLICY**

**1.0 Policy**

MV Transportation, Inc. and its Subsidiaries (MV Transportation) are dedicated to providing safe, dependable, and economical service to its clients. MV Transportation's employees are our most valuable resource. It is our policy (1) to take appropriate action to assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner; (2) to foster and maintain a drug and alcohol - free environment for all employees and patrons; (3) to prohibit the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances; and (4) to encourage employees to voluntarily seek professional assistance whenever personal problems, including alcohol or drug use, may adversely affect their ability to perform their assigned duties.

To achieve the goal of a substance-free workplace, this policy incorporates three integrated components:

**Prevention through education and training:**

Education and training will communicate and clarify this policy to all employees, assist employees in recognizing substance abuse problems and in finding solutions to those problems.

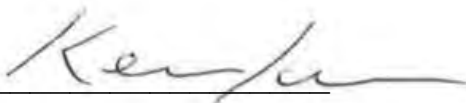
**Detection, deterrence and enforcement:**

Federal regulations require that effective January 1, 1995, all safety - sensitive employees will be subject to reasonable suspicion, post accident, random, return to duty and follow up drug and alcohol testing. Applicants for safety sensitive positions will not be eligible for those positions unless they pass a pre-employment drug test. **As a "zero tolerance" employer, any positive drug or alcohol or refusal to tests will result in a termination of employment.**

**Treatment and opportunities for rehabilitation:**

Alcohol and drug abuse are recognized as diseases that can be treated. MV Transportation promotes a voluntary rehabilitation program to encourage employees to seek professional assistance prior to testing positive for drugs or alcohol, without fear of discipline.

Approved: \_\_\_\_\_



**Kevin Jones, CEO**  
**MV Transportation, Inc. and its Subsidiaries**

Date: April 1, 2018

## **2.0 Purpose**

The purpose of this policy is to assure worker fitness for duty and to protect our employees, passengers, and the public from the risks posed by the use of alcohol and use of prohibited drugs (as defined below). This policy is also intended to comply with all applicable Federal regulations governing workplace anti-drug programs in the transportation industry.

The Federal Transit Administration (FTA) and the Federal Motor Carrier Safety Administration (FMCSA) of the U.S. Department of Transportation have enacted 49 CFR (Code of Federal Regulations) Parts 655 and 382, which mandate urine drug testing and breath alcohol testing for employees performing safety-sensitive functions. These regulations also prevent performance of safety-sensitive functions when there is a positive test result or a test refusal. The U.S. Department of Transportation (DOT) has also adopted the revised version of 49 CFR Part 40 as amended, which outlines procedures for transportation workplace drug and alcohol testing programs. This Policy incorporates these federal requirements for employees performing safety-sensitive functions, as well as other provisions.

In addition, DOT has published 49 CFR Part 29, implementing the Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA. California passed a similar version of the federal law, the Drug-Free Workplace Act of 1990 (Gov't Code § 8350 et seq). This policy reiterates the requirements of the federal regulations; these requirements will be in *Italics*. Portions of this policy marked in **bold** are not necessarily FTA-mandated but reflect MV Transportation employment policy (this does not include policy headings).

If any provision of an existing MVT policy, rule or resolution is inconsistent or in conflict with any provision of this policy or the DOT/FTA rules, this policy and the DOT/ FTA rules shall take precedence; if any provision of this policy is inconsistent or in conflict with the DOT/ FTA rules the DOT/ FTA rules shall take precedence.

## **3.0 Applicability**

### **3.1 Safety-Sensitive Employees**

This policy applies to all safety-sensitive MV Transportation employees, including paid part time employees who perform or could be called upon to perform any transportation related safety-sensitive function, and this includes off-site lunch periods or breaks when an employee is scheduled to return to work.

A safety-sensitive function is any of the following duties:

- 1) The operation of a transportation revenue service vehicle even when the vehicle is not in revenue service.

- 2) The operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Drivers License (CDL).
- 3) Maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle or equipment used in revenue service.
- 4) Controlling the movement of a revenue service vehicle and
- 5) Carrying a firearm for security purposes. (Not applicable to MVT)
- 6) Volunteers are considered a covered employee if; 1) they are required to hold a commercial driver's license to operate the vehicle; or 2) if the volunteer receives re-numeration in excess of their actual expenses incurred while engaged in the volunteer activity.

(For a description of job categories - See Exhibit B)

### **3.2 Contractors**

Contractors who perform any of the safety-sensitive functions described in this policy for MVT will be subject to the same requirements as safety-sensitive MVT employees.

### **3.3 Non-Safety Sensitive Positions**

**All MVT employees are subject to the provisions of the Drug-Free Workplace Act of 1998. Visitors, vendors and contracted employees on MVT premises will not be permitted to conduct transportation business if found to be in violation of this policy.**

## **4.0 Opportunities for Rehabilitation (MVT Policy)**

To promote a drug and alcohol-free workplace, this policy includes a rehabilitation program that allows employees to voluntarily come forward to request rehabilitation.

### **4.1 Voluntary Rehabilitation (MVT Policy)**

**Any employee who has a drug and/or alcohol abuse problem and has not been selected for reasonable cause, random or post-accident testing or has not refused a drug or alcohol test may voluntarily refer her or himself to the General Manager or the Human Resource Department, who will refer the individual to the company's Employee Assistance Program and/or a Substance Abuse Counselor for a Non-DOT evaluation and treatment. Voluntary self-referral commits the employee to a therapeutic process. Confidentiality of the employee will be protected. The Counselor will evaluate the employee and make a specific recommendation regarding the appropriate treatment. When an employee voluntarily refers her or himself for treatment, the employee may be eligible for sick leave and disability benefits. Employees will be allowed to take accumulated vacation time or may be eligible for unpaid time off to participate in any prescribed rehabilitation program. Employees are encouraged to voluntarily seek professional substance abuse assistance before any substance use or dependence affects job performance.**

#### **4.2 While Undergoing Treatment (MVT Policy)**

**Any covered employee who admits to a drug and/or alcohol problem will immediately be removed from his/her safety-sensitive function and will not be allowed to perform such function until successful completion of a prescribed rehabilitation program is completed. The employee will be placed on an unpaid leave of absence for maximum of 30/60 days to allow time for completion of the treatment/rehabilitation program. Proof of completion must be provided in writing by a valid professional. The employee will be required to pass a Non-DOT drug and alcohol test before he/she can perform a safety-sensitive function.**

**\*MV shall make every effort to place the employee back in his/her position upon returning to work. However, an employee's commitment to undergo rehabilitation treatment does not guarantee that the employee's job will be available upon return.**

#### **4.3 Cost of Rehabilitation (MVT Policy)**

**All associated costs for treatment are the sole responsibility of the employee.**

#### **4.4 Returning to Work after Treatment (MVT Policy)**

**All employees who successfully complete prescribed treatment and can return to work will be subject to unannounced Non-DOT follow-up testing as prescribed by doctor/counselor.**

### **5.0 Prohibited Behavior and Conduct**

"Prohibited substances" addressed by this policy include the following:

#### **5.1 Prohibited Drug Use**

FTA regulations specifically prohibit the use of the following illegal, prohibited substances and require testing for their presence under certain circumstances: Marijuana, Amphetamines, Opioids, Phencyclidine (PCP) and Cocaine ("Prohibited Drugs") - Safety-sensitive employees may be tested for prohibited drugs at any time while on duty or **on MVT property.**

#### **5.2 Prohibited Alcohol Use**

The consumption of beverages containing alcohol, or substances including any medication such that alcohol is present in the body while performing safety sensitive duties or transportation business, are prohibited. "Alcohol" means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl or isopropyl alcohol. (The concentration of alcohol is expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath testing device.)

### **5.3 Legal Drugs (MVT Policy)**

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected **MUST** be reported to supervisory personnel. Medical advice should be sought, as appropriate, while taking such medication and before performing safety-sensitive duties.

Any time an employee comes forward about a medication that he/she is taking the information must be forwarded to the Director of the Compliance Department for clarification and review. The Compliance department will then consult with the Medical Review Officer (MRO) to determine if the medication is appropriate to take while performing a safety-sensitive function.

A legally prescribed drug means that the employee has a prescription or other written approval (in his/her name) from a physician for the use of a drug during medical treatment. The misuse of legal drugs while performing a safety-sensitive function is prohibited at all times.

If the MRO determines that the medication being taken is not appropriate to take while performing a safety-sensitive function the employee will remain off duty until the issue is cleared by the MRO.

To continue performing a safety-sensitive function the employee taking the medication will be required to provide the following:

A written letter from the prescribing physician stating the patient's name, the name of the substance, the period of authorization and a statement that the medication will not adversely affect the employee's performance to drive or perform his/her safety sensitive function and that the employee may continue to perform his/her safety-sensitive function while taking such medication. The letter must be signed and dated by the physician and the letter will be provided to the MRO for final approval.

### **6.0 Prohibited Conduct. Manufacture, Trafficking, Possession, and Use of Controlled Substances**

*The manufacture, distribution, dispensation, possession, or use of controlled substances in the workplace is prohibited. A "controlled substance" is any illegal drug or any substance identified in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. § 812), and as further defined by 21 CFR 1300.11-1300.15. Any employee engaging in the manufacture, distribution, dispensation, possession or use of a controlled substance on MVT premises will be subject to disciplinary action, up to and including termination and/or will be required to complete a drug abuse assistance or rehabilitation program. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.*

## **6.1 Requirement to Submit to Drug and Alcohol Testing**

MVT shall require every covered employee who performs a safety-sensitive function as described in the FTA regulations Part 655 and the FMCSA regulations Part 382 to submit to post-accident, random, and reasonable suspicion drug and alcohol test- and to a pre-employment drug test- as described in this policy. MVT shall not permit any employee who refuses to submit to such tests to perform or continue to perform any safety-sensitive functions.

## **6.2 Alcohol Use/Hours of Compliance**

No safety-sensitive employee should report for duty or remain on duty when his or her ability to perform assigned functions is adversely affected by alcohol or when his or her breath alcohol concentration is 0.04 or greater. No employee shall use alcohol **while on duty** or while performing safety-sensitive functions. No employee shall have used alcohol within four hours prior to reporting for duty. After an accident, employees shall refrain from alcohol use for eight (8) hours or until an alcohol test has been administered, whichever occurs first.

No safety-sensitive employee shall use alcohol during the hours that they are on call. On call employees can acknowledge the use of alcohol at the time he/she is called to report to duty and the inability to perform his/her safety sensitive function.

## **6.3 Compliance with Testing Requirements**

Any safety-sensitive employee who refuses to comply with a request for testing, who fails to remain readily available for post-accident testing, who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution, shall be removed from duty immediately. Refusal can include an inability to provide a specimen or breath alcohol sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test.

## **6.4 Refusal to Submit to a DOT Alcohol or Controlled Substance Test**

As an employee, you have refused to take a drug or alcohol test if you:

- (1) Fail to appear for any test (excluding pre-employment) within a reasonable time, as determined by the employer, after being directed to do so by the employer.
- (2) Fail to remain at the testing site until the testing process is complete; Provided, that an employee who leaves the testing site before the testing process commences, for a pre-employment test it is not deemed to have refused to test; unless the testing cup was handed to the donor.
- (3) Fail to provide a urine or breath specimen for any drug or alcohol test required by Part 40 or DOT agency regulations.
- (4) In the case of a directly observed or monitored collection in a drug test, fail to permit the observation or monitoring of your provision of a specimen.
- (5) Fail to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.

**It is MVT's policy that any employee that does not provide a valid specimen during a collection for a test will remain off duty until the employee is cleared by the MRO that the employee had a valid medical reason.**

- (6) Fail or declines to take a second test the employer or collector has directed you to take.
- (7) Fail to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER as part of the "shy bladder" or "shy lung" procedures.
- (8) Fail to cooperate with any part of the testing process (e.g., refuse to empty pockets or wash hands when so directed by the collector, behave in a confrontational way that disrupts the collection process).
- (9) If the MRO reports that there is verified adulterated or substituted test result.
- (10) Failure or refusal to sign Step 2 of the alcohol testing form.
- (11) Failure to follow the observer's instructions during an observed collection including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
- (12) Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
- (13) Admit to the collector or MRO that you adulterated or substituted the specimen.

As an employee, if you refuse to take a drug and/or alcohol test, you incur the same consequences as testing positive and will be immediately removed from performing any safety-sensitive functions and referred to the Substance Abuse Professional.

## **6.5 Compliance with Treatment Requirements**

**All employees are encouraged to make use of the available resources for treatment for alcohol and substance abuse problems.**

## **6.6 Notify MVT of Criminal Drug Conviction**

*Every employee must notify MVT of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to do so shall subject said employee to disciplinary action up to and including termination, or satisfactory participation in a rehabilitation program, at the employee's expense.*

## **6.7 Improper Application of the Policy**

**MVT is dedicated to assuring fair and equitable application of this "Zero Tolerance" substance abuse policy. Therefore, supervisors and managers are required to use and apply all aspects of this policy in an unbiased and impartial manner.**



## **7.0 Testing for Prohibited Substances**

### **7.1 General**

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Services (DHHS). Testing for prohibited drugs and alcohol on safety-sensitive employees shall be conducted in accordance with the procedures set forth in 49 CFR Part 40 as amended. See attached Testing Procedures for detailed procedures on all required types of drug and alcohol testing.

**Medical Review Officer (MRO)**- All drug testing results shall be interpreted and evaluated by an MRO who meets all applicable requirements of Part 40, who shall be responsible for receiving laboratory results generated by an employer's drug testing program and has appropriate medical training to interpret and evaluate an individual confirmed positive test result. The MRO shall comply with the drug testing procedures set forth in 49 CFR Part 40. The MRO will not review alcohol test results. When a confirmed positive test is reported from the testing laboratory, it is the responsibility of the MRO to: (a) contact the employee and afford the employee the opportunity to discuss the test results with him/her; (b) review the individual's medical history, including any medical records and biomedical information provided; (c) determine whether there is a legitimate medical explanation for the result, including legally prescribed medication. The MRO shall not convey test results to MVT until the MRO has made a definite decision that the test result was positive or negative, or refusal to test. If the employee provides an adequate explanation, the MRO verifies the test as negative and no further action is taken. When the MRO reports the results of the verified positive test to MVT, the MRO will disclose the drug(s) for which there was a positive test. If the MRO declares a drug test to be invalid for any reason, the test is considered canceled, and neither positive nor negative. However, a re-collection under direct observation may be ordered by the MRO.

The Medical Review Officer conducting MRO services for MVT is Dr. Stephen Kracht, M.D., D.O. in Kansas City, MO.

### **7.2 Testing for Prohibited Drugs**

MVT shall collect or have collected urine samples from safety-sensitive employees to test for Prohibited Drugs. An assigned Collection Site will split each urine sample collected into a primary and a split sample. (See testing procedures) The urine samples will be sent under seal, with required chain of custody forms, to a laboratory certified by the DHHS. Currently MV Transportation is under contract with Alere Toxicology in Gretna, LA for its initial testing and confirmation testing. An initial drug screen will be conducted on each primary specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GS/MS) test will be performed. The test will be considered positive if the amounts present are at or above the minimum thresholds established in 49 CFR Part 40 as amended, as set forth in the attached Exhibit A (Threshold Levels).

**Split Specimen Testing-** If the test result of the primary specimen is positive or a refusal to test due to adulteration or substitution, the employee may request the MRO to direct his/her split specimen be tested in a different DHHS-certified laboratory. The MRO shall honor such a request if it is made within 72 hours of the employee having been notified of a verified positive or refusal to test result. This does not delay MVT from taking any action consistent with this policy for positive tests and the employee will be removed immediately from any safety-sensitive functions regardless if he/she is having his/her split specimen tested by a different laboratory. However, if the split specimen (bottle B) produces a negative result, or for any reason the second portion is not available, the test is considered cancelled and no sanctions are imposed. However, a re-collection under direct observation may be ordered by the MRO.

**Cancelled Test -** A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which this part otherwise requires to be cancelled. A cancelled test is neither a positive nor a negative test.

### **7.3 Alcohol Testing**

Tests for alcohol concentration on safety-sensitive employees will be conducted with a National Highway Traffic Safety Administration (NHTSA) -approved evidential breath testing device (EBT) operated by a trained breath alcohol technician (BAT). In order to maintain quality assurance, EBT's must be externally calibrated in accordance with the plan developed by the manufacturer of the device. If the initial test on an employee indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. For summary of applicable alcohol threshold levels, see Exhibit A.

## **8.0 Types of Testing**

49 CFR Parts 655 and 382 require the following types of testing for Prohibited Substances for safety-sensitive employees: Pre-employment or transfer, reasonable suspicion, post-accident, random.

### **8.1 Pre-employment, Transfer Testing or Return to Work Testing**

All applicants for safety sensitive positions shall undergo urine drug testing prior to employment. Receipt by MVT of a verified negative test result from the MRO is required prior to performing ANY safety sensitive functions for the first time. If an applicant or employee's drug test is cancelled or negative-dilute the employee or applicant shall be required to immediately take another pre-employment drug test.

Existing employees who are being considered for transfer to a safety-sensitive position from a NON-safety-sensitive position will be required to undergo a DOT pre-employment drug test. Any existing safety-sensitive employee who is simply transferring to a different division for another safety-sensitive position is NOT required to undergo another DOT pre-employment drug test.

### **8.1.1 Non-Safety-Sensitive Positions**

**All applicants applying for non-safety-sensitive positions will have to take and pass a pre-employment NON-DOT urine drug test prior to being hired.**

### **8.1.2 Return to Work after 30 Days (DOT-FMCSA Policy)**

MVT has some contracts that are subject to the Federal Motor Carrier Safety Regulations and NOT FTA regulations. Therefore, if the employee has a commercial license and has been out for 30 days or more AND the employee has been taken out of the random testing pool, the covered employee will be required to take a DOT pre-employment drug test before he/she can perform his/her safety-sensitive position.

### **8.1.3 Return to Work after 90 Days (DOT-FTA Policy)**

If a covered employee has not performed a safety-sensitive function for 90 consecutive calendar days regardless of the reason, AND the employee has been removed from random pool, the employee must take and pass a DOT Pre-Employment drug test (NOT a return-to-duty) before he/she can perform a safety-sensitive function.

### **8.1.4 Return to Work after 30 Days for Non-Regulated employees not subject to federal guidelines but perform driving duties that is considered sensitive work (MVT Policy)**

**It is MVT's policy that all non-covered drivers who drive an MV vehicle and has not performed his/her driving functions for 30 or more consecutive days (regardless of reason) the non-covered employee will be required to take and pass another Non-DOT Pre-Employment drug test before he/she can return to his/her driving position.**

**\*\*For confirmation of regulation authority contact Drug & Alcohol Compliance Department\*\***

### **8.1.5 Previous Employer Request Requirement**

As an employer we are required to verify previous violations of DOT drug and alcohol regulations within the last two years of employment with a DOT regulated agency or employer.

An employer must obtain and review the information listed below from any DOT-regulated employer the employee performed safety-sensitive functions for in the previous two years. The information must be obtained and reviewed prior to the first time an employee performs safety-sensitive functions. If not feasible, the information should be obtained no later than thirty (30) days after the first time an employee performs safety-sensitive functions. The information obtained must include:

1. Information on the employee's alcohol test in which a breath alcohol concentration of 0.04 or greater was indicated.
2. Information on the employee's-controlled substance test in which a positive result was indicated.

3. Any refusal to submit to a required alcohol or controlled substance test. (including verified adulterated or substituted drug test results)
4. Other violations of DOT agency drug and alcohol testing regulations

As the applicant or employee if you have violated any of the DOT drug and alcohol regulations, you must also obtain documentation of your successful completion of the DOT return-to-duty requirements (including proof of follow-up tests administered).

Furthermore, all applicants will be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee applied for but did not obtain safety-sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past two years.

#### **8.1.6 Pre-employment Breath Alcohol Testing**

Although it is not MV Transportation's policy to test for alcohol on a pre-employment test, MVT does have contracts that require a breath alcohol test be conducted in addition to the required drug test. Divisions that are subject to this requirement will have to take a pre-employment breath alcohol test. Breath alcohol testing will be in accordance with DOT Part 40 and 655.42.

### **8.2 Reasonable Suspicion Testing**

All safety-sensitive employees shall be subject to reasonable suspicion testing, to include appropriate urine and/or breath alcohol testing when there is reasonable suspicion to believe that a covered employee has used a prohibited drug and/or engaged in alcohol misuse. A reasonable suspicion referral for testing will be made based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee. Reasonable suspicion tests for the presence of alcohol shall be authorized by observations made just prior, during or immediately after the period of the day in which the employee is required to be in compliance with the requirements of Part 655; and those alcohol tests shall only be conducted just before, during, or just after the performance of a safety-sensitive function. If an alcohol test is not administered within two hours following the determination to test the employee, the employer shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If the alcohol test is not administered within eight hours following the determination, MVT shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test.

Reasonable suspicion determination will be made by a supervisor, or other company official who has had the required Reasonable Suspicion training to detect and document the signs and symptoms of probable drug use and alcohol use and who reasonably concludes that an employee may be impaired by of a prohibited substance.

**Any employee who is required to take a Reasonable Suspicion test will remain off duty until a negative alcohol and drug test is received.**

## 8.3 Post-Accident Testing

### **Fatal Accidents**

As soon as practicable following an accident involving the loss of human life, MV Transportation will conduct drug and alcohol tests on each surviving covered employee operating the public transportation vehicle at the time of the accident. Post accident drug and alcohol testing of the operator is not required under this section if the covered employee is tested under the fatal accident testing requirements of the Federal Motor Carrier Safety Administration rule 49 CFR 382.303 (a)(1) or (b)(1). MV Transportation shall also test any other covered employee whose performance could have contributed to the accident as determined by investigating staff using the best information available at the time of the decision.

### **Non-Fatal Injury Accidents**

As soon as practicable following an accident not involving the loss of human life in which a public transportation vehicle is involved, MV Transportation will drug and alcohol test each covered employee operating the public transportation vehicle at the time of the accident unless investigating staff determine, using the best information available at the time of the decision, that the covered employee's performance can be completely discounted as a contributing factor to the accident.

Accident means an occurrence associated with the operation of a vehicle, if as a result: (1) An individual dies; or (2) An individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident; or (3) With respect to an occurrence in which the transit vehicle involved is a bus, electric bus, van, or automobile, one or more vehicles (including non-FTA funded vehicles) incurs disabling damage as the result of the occurrence and such vehicle or vehicles are transported away from the scene by a tow truck or other vehicle; or (4) With respect to an occurrence in which the public transportation vehicle involved is a rail car, trolley car, trolley bus, or vessel, the public transportation vehicle is removed from operation.

(For exact testing criteria -See Post Accident Testing Procedures Pg. 28)

MV Transportation shall also test any other covered employee whose performance could have contributed to the accident as determined by investigating staff using the best information available at the time of the decision.

### **MV Policy: When to conduct a NON-DOT Post accident/incident test**

**If the accident does not meet the FTA/FMCSA testing criteria, MVT will reserve the right to test any safety-sensitive employee after any accident/incident regardless of the severity of the accident/incident. Additionally, MVT will test any other safety-sensitive employee whose performance MVT determines could have contributed to the accident.**

**Under these circumstances it must be explained to the employee that the drug and alcohol tests will be done under M.V. Transportation authority and should be done on NON-DOT drug and alcohol chain of custody forms.**

**Any employee who takes a post accident test will remain off duty until a negative drug test and alcohol test result is received.**

#### **8.4 Random Testing**

Employees performing safety-sensitive functions will be subject to unannounced, random drug and alcohol testing in accordance with FTA regulations. The random drug and alcohol testing rates will be, at a minimum, based on the current FTA and FMCSA requirements at all times. Each such employee shall have an equal chance at selection and shall remain in the pool even after being tested. The basis for random selection shall be by a scientifically valid random number generation method initiated by computer. The dates for administering unannounced testing of randomly-selected covered employees shall be spread reasonably throughout the calendar year, month, week, and all hours that safety-sensitive functions are performed. This ensures that employees would have a reasonable expectation that they might be called for a test on any day they are at work. A covered employee shall only be randomly tested for alcohol misuse while the employee is performing safety-sensitive functions; just before the employee is to perform safety-sensitive functions; or just after the employee has ceased performing such functions. A covered employee may be randomly tested for prohibited drug use anytime while on duty. The employee must proceed to the test site immediately after being notified that he or she has been selected for testing in the allotted time given.

### **9.0 Consequences**

#### **9.1 Positive Alcohol Test**

- (a) A safety-sensitive employee who has a confirmed alcohol concentration of 0.02 or greater but less than 0.04 will be removed from his or her duties for eight hours unless a confirmation test results in a concentration measure of less than 0.02. (For a test result which is less than 0.04 no other action will be taken except that which is described in this paragraph.)
- (b) An alcohol concentration of 0.04 or greater or a test refusal will be considered a positive alcohol test. The employee will be immediately removed from duty and referred to a Substance Abuse Professional (SAP) **and terminated from employment.**

#### **9.2 Positive Drug Test**

The consequences of a positive drug test or a test refusal are as follows: the employee will immediately be removed from safety sensitive duties, referred to a Substance Abuse Professional **and terminated from employment.**

### **10.0 MRO Report of a Negative Dilute Specimen**

If the MRO informs MVT that a negative drug test was dilute, the employee will be directed to take another test immediately. In some cases, the MRO may require the retest to be performed under "Direct Observation." Each employee directed to take another test, will be given the minimum possible advance notice that he or she must go to the collection site to take another test.

For any employee that is directed to take another test, the result of the second test – not that of the original test – becomes the test of record which MVT will rely on for purposes of this policy. Any employee who is directed to take another test and the employee declines to do so, shall be considered as a refusal to test for purposes of this policy and DOT agency regulations.

Dilute Specimen- A specimen with creatinine and specific gravity values that are lower than expected for human urine.

### **11.0 Substance Abuse Professional (SAP)**

A SAP must meet all the credential, basic knowledge, qualification training, continuing education, and documentation requirements of 49 CFR Part 40, Subpart O, §40.281 (a-e). The SAP will evaluate the employee to determine what assistance the employee needs in resolving problems associated with prohibited substance abuse or alcohol misuse. The SAP will also determine whether an employee has successfully completed a program of rehabilitation.

MV Transportation uses:

**American Substance Abuse Professionals, Inc. (ASAP)**  
Nationwide Network [www.go2asap.com](http://www.go2asap.com)  
1421 Clarkview Road, Suite 130, Baltimore, Maryland 21209  
Contact: Nicole Hanratty, CEAP, SAP, C-DERT  
888-792-2727 x177 Mention MV Transportation

This firm is a national company that contains a large network of qualified SAPs throughout the United States. Employees simply call the toll-free number and provide the SAP their city and zip code and the SAP will find them the qualified SAPs closest to their area.

### **12.0 Training and Education**

All employees shall participate in a minimum one-hour training session designed to meet FTA requirements by learning about the effects and consequences of drug use on personal health, safety and the work environment. For those supervisors participating in reasonable suspicion determination testing, there will be at least two hours of training to explain the criteria for reasonable cause testing, including at least an hour on the physical, behavioral and performance indicators of probable drug use and another hour on the physical, behavioral, speech and performance indicators of probable alcohol misuse. Initial training sessions will be re-enforced with educational materials and meetings. Further, employees shall be provided with a community hot-line telephone number.

### **13.0 Employee Assistance Community Service Hot-Line**

The Center for Substance Abuse Treatment maintains a toll-free Referral Helpline  
800-662-HELP  
National Mental Health Association  
800-969-NMHA (6642)  
National Domestic Violence Hotline  
800-799-SAFE  
National Suicide Hotline  
800-SUICIDE (784-2433)  
National Child Abuse Hotline  
800-422-4453

### **14.0 Records, Confidentiality**

A safety-sensitive employee is entitled, upon written request, to review and obtain copies of any records relating to the employee's drug and alcohol testing. MVT must maintain records of its substance abuse program in a secure location with controlled access.

### **15.0 System Contact**

Any questions regarding this policy or any other aspect of MVT's Substance Abuse Management Program should be directed to the office of the following:

Name: Esther Avalos, Director of Drug & Alcohol Compliance  
Address: 2711 N. Haskell Ave., Ste. 1500, LB-2, Dallas, TX 75204  
Phone Number: 972-391-4616

### **16.0 Local Authority**

Local Division General Managers and Safety Managers are the Designated Employer Representatives (DERs) and are authorized to receive test information from the MRO as well as confirmation test results from the qualified B.A.T.

### **17.0 Revisions to the Policy and Program**

This policy and program are subject to revision in accordance with the Department of Transportation regulations, as amended.

### **18.0 Zero Tolerance Policy**

MV Transportation's "Zero Tolerance" Policy means any covered employee that has a verified positive drug or alcohol test, or test refusal, will be immediately removed from his/her safety-sensitive position, referred to a Substance Abuse Professional (SAP), and **will be terminated.**



## EXHIBIT A

Pursuant to the Federal Department of Transportation regulations, the following are the drugs to be tested for, and the threshold levels of each test which MV Transportation is required to accept:

Initial test analyte	Initial test cutoff 1	Confirmatory test analyte	Confirmatory test cutoff concentration
Marijuana metabolites (THCA) 2 .....	50 ng/mL <sup>3</sup>	THCA	15 ng/mL.
Cocaine metabolite (Benzoyllecgonine) ...	150 ng/mL <sup>3</sup>	Benzoyllecgonine	100 ng/mL.
Codeine/ .....	2000 ng/mL	Codeine	2000 ng/mL.
Morphine		Morphine	2000 ng/mL.
Hydrocodone/ .....	300 ng/mL	Hydrocodone	100 ng/mL.
Hydromorphone		Hydromorphone	100 ng/mL.
Oxycodone/ .....	100 ng/mL	Oxycodone	100 ng/mL.
Oxymorphone		Oxymorphone	100 ng/mL.
6-Acetylmorphine .....	10 ng/mL	6-Acetylmorphine	10 ng/mL.
Phencyclidine .....	25 ng/mL	Phencyclidine	25 ng/mL.
Amphetamine/ .....	500 ng/mL	Amphetamine	250 ng/mL.
Methamphetamine		Methamphetamine	250 ng/mL.
MDMA 4/MDA 5	500 ng/mL	MDMA	250 ng/mL.
		MDA	250 ng/mL.

\* (ng/mL) nanograms per milliliter

## ALCOHOL

(Includes ethanol, methanol, isopropanol)

### Breath Alcohol Concentration

(expressed in terms of grams of alcohol per 210 liters of breath)

#### Initial Screen

Under 0.02

#### Confirmatory

(given if 0.02 or greater on initial screen)

0.02 to less than .04 employee may not perform safety-sensitive function

## EXHIBIT B

The following is a general list of safety-sensitive functions and the job categories of employees who are subject to the provisions of 49 CFR Par 655 and 382 at MV Transportation:

**NOTE: This list is subject to change and revision.**

49	Maintenance Training Manager	340	Lead Dispatcher	416	Safety Manager	550	Mechanic
87	Safety Assistant	345	Dispatcher	420	BTW Trainer	561	Mechanic A (specify Union Class)
112	Floating Class A Mechanic	346	Window Dispatcher	425	BTW Instructor	562	Mechanic B (specify Union Class)
113	Body Repairman	349	Scheduling Manager	450	Classroom Instructor	563	Mechanic C (specify Union Class)
300	General Manager	350	Scheduler	451	Classroom Trainer	564	Technician A Mechanic
301	General Manager 1	352	Scheduling Coordinator	470	Parts Manager	565	B Mechanic
302	General Manager 2	353	VA Coordinator	471	Assistant Parts Manager	566	Technician C Mechanic
303	General Manager 3	354	Operations Supervisor	475	Parts Clerk	567	Technician Apprentice
304	General Manager 4	355	Road Supervisor	500	Maintenance Manager	568	Technician
310	Division Manager	357	Where's My Ride Supervisor	510	Assistant Maintenance Manager	569	Mechanic Helper
315	Assistant Division Manager	359	Lead Supervisor	512	Maintenance Technician	570	Cleaners
320	Operations Manager	379	Lead Schedule/Dispatcher	514	Bus Stop Maintenance	571	Mechanic Helper
321	Shift Supervisor	399	Call Center Manager	515	Maintenance Clerk	572	Body Shop Technician
322	Assistant Operations Manager	400	Safety and Training Manager	516	Maintenance Supervisor	575	Service Worker
323	Operations supervisor	405	Training Manager	517	Service Employee	580	Utility Crew
330	Dispatch Manager	406	Training Supervisor	518	Advanced Service Employee	584	Station Supervisor
332	Reservations Manager	410	Safety Trainer	519	Entry Level Mechanic	590	Bus Aide
335	Dispatch Supervisor	411	Safety Training Supervisor	520	Shop Foreman	600	Driver Trainer
336	Drive Cam Supervisor	415	Assistant Safety Manager	530	Lead Mechanic	610	Driver

Any MVT employee who has a non-safety-sensitive position, but who may perform a safety sensitive function at any time while they are working will be subject to random testing and will be included in the DOT random testing pool.

## ***Testing Procedures***

Note: Testing and collection procedures will be conducted as set forth by 49 CFR Parts 40 (as amended) & 655 & 382. The information on the following pages is meant for general information only for MV Transportation employees. Any questions regarding reference to the regulations should be directed to the policy section of this handbook. A copy of 49 CFR Part 40 is available for review to each employee upon request to their local manager.

**This is a “Zero Tolerance” policy and any reference to return to work after a positive test result does not apply to employees affected by this policy. The FTA does not mandate “Second Chance”.**

### ***Pre-Employment Testing***

1. The FTA regulations require that all applicants for employment in safety-sensitive positions or individuals being transferred to safety-sensitive positions from NON-safety-sensitive positions must be given a pre-employment drug test.
2. Applicants may not be assigned to safety-sensitive functions unless they pass the drug test.
3. Applicants must be informed in writing of the testing requirements prior to conducting the test. **MVT will require applicant to sign a form acknowledging that they know that their urine will be tested for Cocaine, PCP, Amphetamines, Marijuana, and Opioids.**
4. Appropriate personnel at each location will schedule appointments for collection. The employee must be made aware that their placement into a safety sensitive position is contingent upon a negative test result.
5. It is the responsibility of the applicant to report to the collection site at the time and day scheduled.
6. Positive test results must be reviewed by the MRO.
7. Applicants are notified by the MRO of the laboratory results and are given an opportunity to discuss the results.
8. Applicants who test positive will not be hired into a safety-sensitive position.
9. An applicant whose pre-employment test results are negative will continue through the safety-sensitive hiring process.
10. Applicants will be asked whether he or she has tested positive or refused to test on a pre-employment drug or alcohol test while trying to obtain safety sensitive transportation work from an employer covered by DOT agency during the past two years. If applicant admits that he or she had a positive test or a refusal to test, MV will not allow the applicant to perform safety sensitive duties unless and until applicant provides documents showing the successful completion and release from a SAP.

## ***Random Testing Procedures***

The FTA regulations require random testing for prohibited drugs and alcohol for all safety-sensitive employees. Random testing identifies those who are using drugs or misusing alcohol but can use the predictability of other testing methods to escape detection. More importantly, it is widely believed that random testing serves as a strong deterrent against employees beginning or continuing prohibited drug use and misuse of alcohol at MVT. MV Transportation has developed procedures for notification and collection to best implement the requirements of the federal rules.

These procedures answer common questions regarding random testing: Who is tested? Why are only some individuals tested? When and how do the tests occur?

1. Random drug and alcohol testing applies only to safety-sensitive employees. Identification numbers for all safety-sensitive employees will be included in a selection pool.
2. Random drug and alcohol testing is accomplished by a scientifically valid, tamper-proof, computer-generated selection process. A random list for testing of employee numbers will be generated every month.
3. Employees are chosen in an unannounced, unpredictable manner. No employee will be removed from the random pool following the next selection, and every employee will continue to be subject to random selection throughout the year. Every employee in the random pool has an equal chance of being selected every time. Employees are only removed from the random pool when they are in rehabilitation programs, terminated or permanently transferred to a non-safety-sensitive position, or expected to be out for at least 90 days or more.
4. Random testing will be conducted on all shifts, all times of day, and all days of the week throughout the calendar year. No shift is exempt from testing.
5. Random drug testing may be conducted concurrently with random alcohol testing or at any time during an employee's shift. Random alcohol testing will be conducted just before the employee is scheduled to perform a safety-sensitive function, while the employee is performing safety-sensitive functions or just after the employee performs a safety-sensitive function. The employee must proceed to the test site immediately after being notified that he or she has been selected for testing in the allotted time given.
6. For both Maintenance and Operations (Drivers) the Divisional Manager in each location will be notified which employees have been selected for testing. Once an employee is notified of his/her selection, he/she must report immediately for the test. Failure to report after notification constitutes a refusal to test. (see procedures for random test notification)
7. Employees will be notified where to report for collection, when to stop work and report to the collection site and who will relieve them, if necessary.
8. The employee must submit to a drug and/or alcohol test. Failure to cooperate with the collection procedure in any way constitutes a refusal to test which has the same consequences as a positive test result.

9. The employee is in a paid status throughout the random testing procedure. Employees will be removed from duty if the results are positive **and employee will be terminated.**
10. If both alcohol and drug tests are being given, the breath alcohol test will be performed first. Immediately thereafter, the urine sample will be collected for the drug test.
11. If there is a confirmed breath alcohol test of between .02% and .039% (inclusive), the employee will be relieved from duty immediately for a minimum of eight (8) hours.
12. If there is a confirmed positive breath alcohol test (.04% or above), the employee will be given the name of a Substance Abuse Professional (SAP) **and terminated.**

### ***Procedures for Random Test Notification***

1. The Human Resource Department triggers the selection list of the month's safety-sensitive employees to be scheduled for testing.
2. The local manager will review work schedules, including planned absences when known, to develop a best available time to perform the tests. The local manager will coordinate the testing schedule with the collector.
3. In developing testing times, the goal will be to minimize the impact in service. Testing will be conducted using the following priority periods:
  - Before work,
  - During split time,
  - After work/shift is completed
  - During work, with standby personnel relief.
4. During work, without relief (if no other time is possible).
5. Notification of Employees- The Human Resources Department triggers notification to each location's designated employer representative (DER) via electronic mail. The DER will notify each safety-sensitive employee selected and thus notified. Each employee who is selected is to report to the test site immediately

The employee cannot "go off sick" or on vacation or leave of absence after notification.

6. Collection site personnel shall report "unreasonable delays" to the local DER as employees are required to immediately report to the collection site following notification. Failing to report to the collection site within a reasonable allotted time constitutes a refusal to test.
7. The DER shall confirm with the Regional, Divisional, or Operations Manager that the employee was notified.
8. The DER shall notify the proper management official if an employee fails to report for testing after notification.
9. An employee who fails to report for testing shall be removed from duty immediately. If employee is determined to have "refused to test" he/she face the

same consequences as testing “positive” for drugs/alcohol and will be given the name and number of a SAP and **terminated from employment**.

### ***Collection Procedures for All Tests***

All collection procedures shall be performed in accordance with Part 40. Upon notification of a test under this policy;

1. The employee must report to the collection site immediately after notification.
2. The employee shall provide photo identification to collection site personnel. Supervisors will verify the identification of employees without photo identification and may photograph the employee if necessary.
3. The employee must comply with all collection procedures.
4. The employee must follow the directions of the collection staff to ensure that an unadulterated urine specimen is collected, and/or the breath alcohol test is completed.
5. The employee will be in a private enclosure and unobserved unless a direct observed collection is determined to be needed by the MRO, the local DER, or the collector.
6. The employee must supply at least 45 ml of urine (approx. 1 ½ oz). If the employee gives an inadequate amount of urine or if the employee is unable to give a sufficient urine sample collection site staff shall provide the individual with no more than 40oz of fluid to drink during a period of up to 3 hours. The employee will attempt to provide a complete sample using a fresh container. If the required amount is provided, the collection staff will continue with collection process. If the employee is still unable to provide an adequate specimen within three hours of the first unsuccessful attempt to provide the specimen, the collection staff must discontinue the collection, note the facts on the “remarks” line of the CCF, and immediately notify the DER.

**Shy Bladder** - The term “shy bladder” refers to a situation when the employee does not provide a sufficient amount of urine (45 ml) for a DOT required drug test. If an employee tells the collector, upon arrival at the collection site, that he or she cannot provide a specimen, the collector must still begin the collection procedure regardless of the reason given and direct the employee to make the attempt to provide the specimen.

The employee must be monitored during this time. If the employee leaves the collection site or refuses to make the attempt to provide a sufficient urine specimen, this is considered a refusal to submit to a test.

Failure to produce a sample of urine will result in an immediate referral for an evaluation from a licensed physician within 5 days who can determine in his or her reasonable judgment the safety-sensitive employee’s inability to provide an adequate amount of urine. If no medical reason is found substantiating an inadequate sample, the incident will be treated as a “refusal to test” and will carry the same consequences as a positive test result.

**It is MVT's policy that any employee who does not provide a valid specimen during a collection for a test will remain off duty until the employee is cleared from the MRO that the employee had a valid medical reason.**

7. If the employee fails to provide an adequate amount of breath for the breath alcohol test, a second attempt will be made. If the Employee, after multiple attempts, fails to produce a sample, the Breath Alcohol Technician (BAT) shall so note in the "Remarks" section of the breath alcohol testing form and immediately inform the DER. The DER will instruct the employee to obtain, as soon as possible but within 5 days after the attempted provision of breath, an evaluation from a licensed physician who is acceptable to the employer concerning the employee's medical ability to provide an adequate amount of breath.
8. Whenever there is reason to believe that an individual has altered or substituted the urine specimen, a second specimen shall be obtained as soon as possible under direct observation of a same gender observer. Reasons may include; temperature of the specimen out of normal range, bluing agent in the specimen.

**Substituted Specimen-** A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

**Adulterated Specimen-** A specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

9. If the breath alcohol screening is 0.02 or greater, the breath alcohol technician will wait at least 15 minutes and a maximum of 30 minutes before administering the confirmation test. Even if more than 30 minutes have passed the BAT will still conduct the confirmation test.
10. To ensure that the test results are attributed to the correct covered employee; both specimen bottles must be sealed and labeled in the presence of the donor. The labels must be printed with the same specimen identification number as the custody control form and are attached to the specimen bottles. The donor initials the labels on the vials verifying that the specimen is his or hers.

### ***Reasonable Suspicion Testing Procedures***

1. Supervisors and managers receive training to identify behaviors that might be indicators of drug use and/or alcohol misuse. Training includes the procedures for how to deal with employees suspected of drug use and/ or alcohol misuse.
2. If a supervisor observes an appearance, behavior, speech pattern, or body odor of the covered employee that might be indicative of drug use and/or alcohol misuse, he/she directs the employee to stop work and escorts the employee to an area to be questioned and observed in private.
3. The supervisor completes the Reasonable Suspicion Incident Report. The

supervisor must ensure that the employee does not continue to operate in a safety-sensitive function after identified for reasonable suspicion testing.

4. If there is a decision to test based on observable symptoms, the employee is ordered to submit to a drug and alcohol test and is escorted to the collection site.
5. The employee is on paid status until the test collection is completed. **Employee will remain off duty until a negative drug and alcohol test is received.** To the greatest extent possible, arrangements shall be made to have him/her transported home and employee should not be allowed to leave on his/her own recognizance.
6. If there is a confirmed breath alcohol test of between .02% and .039% (inclusive), the employee will be relieved from safety-sensitive duty immediately for a minimum of eight (8) hours. If there is a confirmed positive breath alcohol test (.04% or greater) and/or confirmed positive drug test, or refusal to test, the employee shall be provided the name and number of a SAP and the employee **will be terminated.**
7. If the employee's drug test is confirmed negative by the MRO and/or the BAT test is below 0.02 the employee will be allowed to return to work and will be paid for any time missed.

### ***Post-Accident Testing Procedures***

The FTA regulations require testing for prohibited drugs and alcohol in the case of certain public transportation accidents. Post-accident testing is mandatory for accidents where there is a loss of life and for other non-fatal accidents.

1. The supervisor ensures that all injured people receive proper medical care. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.
2. The supervisor determines whether the accident meets FTA criteria using MVT's "Post Accident Decision Checklist Form".
3. If the accident meets the FTA/DOT criteria a DOT post accident drug and alcohol test will be conducted immediately. The employee will be taken to the collection site and tested as soon as practicable following the accident. The employee should remain readily available for alcohol testing up to 8 hours and for drug testing up to 32 hours after the accident, including notifying his/her supervisor of his/her location or he/she may be deemed to have refused to submit to testing if he/she does not make him/herself readily available for testing.
4. **Once the tests have been completed the employee will remain off duty until a negative drug and alcohol test is received.**
5. If the employee is not tested within two hours for alcohol, the supervisor must document the reason for the delay, and if test is not conducted in 8 hours, the DER shall cease all further attempts and update the records as to the reason(s)



why the test was not completed. If the 32 hours have passed the DER shall cease all further attempts to complete the drug test.

6. If the employee refuses to be tested, or the breath alcohol test is .04 or greater, or if the drug test is confirmed positive, the employee is immediately removed from duty, the Sap will find them the qualified SAPs closest to their area and **will be terminated**.

### ***Post -Accident Testing Criteria***

It should be noted that a post-accident test is given because the incident meets the criteria listed below. It is NOT a probable cause or reasonable suspicion test. An accident (§ 655.4) is defined as an occurrence associated with the operation of a vehicle in which:

1. An individual dies.
2. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident.
3. With respect to an occurrence in which the public transportation vehicle involved is a bus, van or automobile, one or more vehicles incurs disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, “disabling damage” means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs.

**(Inclusions)** Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated.

**(Exclusions)** damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, tail-lights, turn signals, horn, or windshield wipers that makes them inoperative.

4. With respect to an occurrence in which the public transportation vehicle involved is a rail car, trolley car, trolley bus, or vessel, the public transportation vehicle is removed from operation.
5. The FTA has determined that “**LIFTS**” constitute equipment used in revenue service and their operation is essential to the operation of the vehicle and protection of public safety, their operation shall now be included in the accident definition.

**To determine if a test should be administered under this section, always use MV Transportation’s “Post Accident Decision Checklist”. This form should be used for all accidents in determining whether a test will be done under DOT authority.**

## ***Prohibited Drugs and Alcohol Misuse***

**MVT is required to ensure that all covered employees receive at least 60 minutes of training and discussion on the effects and consequences of prohibited drug use on personal health, safety, and the work environment, and on the signs and symptoms that may indicate prohibited drug use. The information below shall assist in providing statistics and examples of substance abuse in the work force and the signs and symptoms of such use.**

A study conducted showed 75 percent of illicit drug users 18 and older are employed, which amounts to about 10 million U.S. workers. On a daily basis, based on 250 work days in a year, at least 42,000 Americans are coming to work stoned or are getting “high” while on the job.

### **Studies and statistics show that:**

1. Every 23 minutes a death occurs as a result of a drug or alcohol related accident.
2. A typical abuser is:
  - a. Late to work 3 times more often
  - b. Requests twice as much time off
  - c. Is absent 2 1/2 times more than average
  - d. Uses 3 times as many sick benefits
  - e. Collects 5 times as much worker’s comp
  - f. Has 300% higher medical costs/benefits

If these statistics haven’t convinced you that the problem is serious, let’s look at a few more.

### **A national survey once reported that:**

1. 19% of all children over the age of 12 had used some type of illegal drug
2. 65% of 18 to 25-year olds had used some type of illegal drug
3. 30 to 40 million Americans stated they had used cocaine
4. By age 17, 70% of American teenagers had tried alcohol

As you can see, drug and alcohol abuse is a serious problem, having a major effect on all our lives. Even though you may not be abusing drugs or alcohol, you are affected by the results of drug and alcohol abuse in our society. You pay higher medical costs to help cover the costs for abusers who cannot afford the cost of treatment. You pay higher insurance costs to help fund the drug and alcohol abuse programs paid for by insurance companies. The material and services you buy cost more because of decreased worker productivity, as well as increased cost to employers.

This section is designed to provide you with a brief overview of the seriousness of using controlled substances and alcohol. It also provides education on the signs, symptoms and effects of the illicit drugs that you will be tested for. Your employer has taken great measures to assure you of a safe working environment. Please review this booklet in its entirety to educate yourself on drug and alcohol in the workplace. When you have completed reading this material, you will better understand the need for a drug-free workplace.

The drugs for which you will be subject to testing include:

- Amphetamine
- Cocaine
- Marijuana
- Opioids
- Phencyclidine (PCP)
- Alcohol (by evidential breath testing device only)

### ***Facts about Amphetamines***

Amphetamines (methamphetamine, MDMA-ecstasy) are central nervous system stimulants. They tend to make people “hyper” and “jumpy”. They can be taken either orally or injected. They are often used by people to stay awake and to counteract the effects of drowsiness. They are especially dangerous to take while performing safety-sensitive tasks or driving.

Ecstasy, MDMA (3,4 methylenedioxymethamphetamine), is a synthetic, psychoactive drug that is chemically similar to the stimulant methamphetamine and the hallucinogen mescaline. MDMA causes an increase in serotonin which plays an important role in the regulation of mood, sleep, pain, appetite, and other behaviors.

Some heavy MDMA users experience long lasting confusion, depression, and selective impairment of working memory and attention processes. Ecstasy users make extremely dangerous drivers. They can exhibit the same impairments as amphetamine, heroin, cocaine, and hallucinogen users.

### **Signs and Symptoms of Amphetamine Use**

- ◆ Hypersensitivity
- ◆ Exhaustion
- ◆ Dilated Pupils
- ◆ Grinding teeth
- ◆ Loss of appetite and immediate weight loss
- ◆ Dry mouth
- ◆ Excessive talking

### **Effects on Person**

- ◆ More likely to take risks
- ◆ Impaired judgement

### ***Facts about Cocaine***

Cocaine also stimulates the central nervous system. It gives the user an intense feeling of well-being, or euphoria, known as a “high”. The “high” will last for 10 to 60 minutes. A more potent form of the drug called “crack” cocaine is especially addicting and dangerous. Although it’s “high” lasts only about 5 to 8 minutes, “crack” cocaine can be addicting after only one use, and cause death the first time it is used. Cocaine can be injected, snorted, or free-based. Snorting is sniffing the drug up the nose, and free-basing is done by heating the drug and inhaling the vapors.

### **Signs and Symptoms of Cocaine Use**

- ◆ Mood swings
- ◆ Weight Loss
- ◆ Restlessness: Difficulty sitting or standing in one place
- ◆ Depression
- ◆ Nose bleeds
- ◆ Irritable, angry, nervous, angers easily
- ◆ Bad breath
- ◆ Euphoric feeling
- ◆ Running nose, uncontrollable sniffing

### **Effects on Person**

- ◆ Slowed reaction time
- ◆ Distorted vision and depth perception
- ◆ Slow to make decisions
- ◆ Unable to correctly measure time and distance

### ***Facts about Marijuana***

Marijuana is a depressant and mind-altering drug. Marijuana does not depress the central nervous system’s reaction, it works on the brain. Mind altering means it causes hallucinations. It can be eaten or smoked. Street names for marijuana are “dope”, “grass”, “joint”, “hash”, or “hooch”.

Tests have shown that people’s reflexes and thought processes are slower under the influence of marijuana. The effects of this drug are longer lasting than first thought. In fact, impairment can last more than 24 hours after using marijuana. The body actually stores the drug for days, weeks, and in some cases, months, depending on the frequency of use.

## **Signs and Symptoms of Marijuana Use**

- ◆ Dilated pupils
- ◆ Slowed reflexes
- ◆ Giddiness
- ◆ Slowed thinking
- ◆ Moodiness
- ◆ Trance-like state
- ◆ Impaired vision
- ◆ Reduced feeling of pain
- ◆ Odor of burning
- ◆ Short-term memory loss
- ◆ Loss of concentration
- ◆ Unable to sleep after prolonged use

## **Signs To Look For**

- ◆ Cigarette rolling paper
- ◆ Dried plant material, either crumbled or pressed
- ◆ Roach clip (device to hold joint)
- ◆ Hash pipe (very small pipe)

## ***Facts about Opioids***

Opioids are classified as a narcotic analgesic. They tend to have a sedating, calming effect, and act as a depressant to the central nervous system. Opioids are more commonly known as morphine, codeine, hydrocodone, hydromorphone, oxycodone, oxymorphone, and heroin. Street names for Opioids are “junk”, “smack”, “horse”, and “brown sugar”. Opioids are prescribed by doctors to relieve pain, they can either be taken orally, injected or smoked. Some common names for these semi-synthetic opioids include OxyContin®, Percodan®, Percocet®, Vicodin®, Lortab®, Norco®, Dilaudid®, Exalgo®.

When the drug is injected, the user feels an immediate “rush”, usually followed by a very relaxed and soothing feeling. However, some Opioids can cause very unpleasant side effects such as nervousness, nausea, and restlessness, and if taken in excess, may cause coma or death.

## **Signs and Symptoms of Opioid Use**

- ◆ Mental confusion

- ◆ Slurred speech
- ◆ Unsteadiness
- ◆ Hostility
- ◆ Memory loss
- ◆ Drowsiness
- ◆ Excess talking
- ◆ Euphoria
- ◆ Depression
- ◆ Short attention span
- ◆ Cold, moist or bluish skin
- ◆ Reduced feeling of pain

### **Effects on Person**

- ◆ Lack of concentration – Day dreaming
- ◆ Distorted sense of time and distance
- ◆ Distorted vision

### ***Facts about Phencyclidine (PCP)***

Phencyclidine, commonly called “Angel Dust”, is known as a dissociative anesthetic. Users of PCP may experience hallucinations and signs of intoxication. They may not be able to focus their attention or will experience confusion and lack of coordination.

Although PCP has immediate short-term effects, it is also known for its long-term effect of causing psychotic behavior often associated with violent acts. Other street names for PCP include “hog”, and “crystal”. PCP may be smoked, snorted or injected.

### **Signs and Symptoms of PCP Use**

- ◆ Delusions
- ◆ Confusion
- ◆ Panic
- ◆ Increased blood pressure
- ◆ Anxiety
- ◆ Flashbacks

### **Effects on Person**

- ◆ More likely to take risks
- ◆ Impaired coordination
- ◆ Aggressive actions

## ***Facts about Alcohol***

Alcohol is a socially acceptable drug that has been consumed throughout the world for centuries. It is considered a recreational beverage when consumed in moderation for enjoyment and relaxation during social gatherings. However, when consumed primarily for its physical and mood-altering effects, it is a substance of abuse. As a depressant, it slows down physical responses and progressively impairs mental functions.

### **Signs and Symptoms of Use**

- ◆ Dulled mental processes
- ◆ Lack of coordination
- ◆ Odor of alcohol on breath
- ◆ Possible constricted pupils
- ◆ Sleepy or stuporous condition
- ◆ Slowed reaction rate
- ◆ Slurred speech

(Note: Except for the odor, these are general signs and symptoms of any depressant substance.)

### **Health Effects**

The chronic consumption of alcohol (average of three servings per day of beer [12oz], whiskey [1oz], or wine [6oz glass] over time may result in the following health hazards:

- ◆ Decreased sexual functioning
- ◆ Dependency (up to 10% of all people who drink alcohol become physically and/or mentally dependent on alcohol and can be termed “alcoholic”)
- ◆ Fatal liver diseases
- ◆ Increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast, and malignant melanoma.
- ◆ Kidney disease, Pancreatitis, Ulcers
- ◆ Spontaneous abortion and neonatal mortality
- ◆ Birth defects (up to 54% of all birth defects are alcohol related).

### **Workplace Issues**

- ◆ It takes one hour for the average person (150 pounds) to process one serving of an alcoholic beverage from the body.
- ◆ Impairment in coordination and judgment can be objectively measured with as little as two drinks in the body.
- ◆ A person who is legally intoxicated is 6 times more likely to have an accident than a sober person.



**ACKNOWLEDGEMENT  
OF  
EMPLOYER'S DRUG AND ALCOHOL TESTING POLICY**

I, \_\_\_\_\_, the undersigned, hereby  
*Print Full Name*

acknowledge that I have received a copy of the anti-drug and alcohol misuse program policy mandated by the U.S. Department of Transportation, Federal Transit Administration for all covered employees who perform a safety-sensitive function. I understand this policy is required by 49 CFR Part 655, as amended, and has been duly adopted by the governing board of the employer. Any provisions contained herein which are not required by 49 CFR Part 655, as amended, that have been imposed solely on the authority of the employer are designated as such in the policy document.

I further understand that receipt of this policy constitutes a legal notification of the contents, and that it is my responsibility to become familiar with and adhere to all provisions contained therein. I will seek and get clarification for any compliance with all provisions contained in the policy. I also understand that compliance with all provisions contained in the policy is a condition of employment.

I further understand that the information contained in the approved policy dated April 1, 2018 is subject to change, and that any such changes, or addendum, shall be disseminated in a manner consistent with the provision of 49 CFR Part 655, as amended.

I hereby acknowledge that I have participated in and completed the required minimum 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, and the work environment, and on the signs and symptoms that may indicate prohibited drug use in accordance with Part 655.14(b)(1) and in addition, to the training, this policy and handbook was reviewed.

I further acknowledge that I have been advised of the consequences for safety sensitive employees who violate the testing requirements.

\_\_\_\_\_  
*Signature of Employee*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
Print Name





## Return to Work Less than 30 Days

Employee Name (Print): \_\_\_\_\_ Employee Number: \_\_\_\_\_

EE Job Title: \_\_\_\_\_ Division Name/#: \_\_\_\_\_

Safety Meetings Reviewed	Months Reviewed	Quiz Score %
	April 2020	_____
	May 2020	_____
	June 2020	_____
	July 2020	_____

Safety Meetings	_____	hours
Road Evaluation	_____	minutes (minimum of 30 minutes)
DriveCam 9+ Events Coaching and Counseling	_____	minutes
Total Time	_____	hours and _____ minutes

### Driving Evaluation (must be a minimum of 30 minutes)

- Operator must watch videos and review applicable material for Safety Meetings which he/she has missed during their leave from MV Transportation.
- Operator must review and be coached on DC events with a score of 9+.
- Operator must demonstrate proficiency on all aspects of the road evaluation.

*Note: Road Evaluation and all other applicable training documents to be attached to this record.*

As a MV Transportation Professional Operator Instructor/Supervisor, I recommend this student be release back into revenue service.

This student has NOT satisfactorily demonstrated that he or she has mastered the required standards. As required this student must go through the 31-60 day training curriculum.

**Trainee** - By signing below, I acknowledge that I'm familiar with MV Transportation's safety programs and know what's expected of me in order to perform my job in a safe manner. I AM COMMITTED TO SAFETY!

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**Trainer** - By signing below, I acknowledge that this employee has completed all required classroom training and passed a Road Evaluation.

\_\_\_\_\_  
Trainer Name (print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Trainer Signature



Return to Work 31-60 Days

Employee Name (Print): \_\_\_\_\_ Employee Number: \_\_\_\_\_

EE Job Title: \_\_\_\_\_ Division Name/#: \_\_\_\_\_

**Classroom Training**

Subject Matter	Time (Hours)	Module	Date Completed	Trainee Initials
Intersections	30 mins	16	_____	_____
Pedestrian & Bicyclists	30 min	25	_____	_____

Safety Meetings Reviewed	Months Reviewed	Quiz Score %
	April 2020	_____
	May 2020	_____
	June 2020	_____
	July 2020	_____

Total Classroom	_____ 1 _____	hour(s)
Safety Meetings	_____	hour(s)
DriveCam 9+ Events Coaching and Counseling	_____	minutes
Road Evaluation	_____	minutes (minimum of 30 mins)
Total Time	_____	hours and _____ minutes

**Road Evaluation (must be a minimum of 30 minutes)**

- Operator must complete classroom training.
- Operator must watch videos and review applicable material for Safety Meetings which he/she has missed during their leave from MV Transportation.
- Operator must review and be coached on DC events with a score of 9+.
- Students must demonstrate proficiency on all aspects of the road evaluation.

*Note: Road Evaluation and all other applicable training documents to be attached to this record.*

As an MV Transportation Professional Operator Instructor/Supervisor, I recommend this student be released back into revenue service.

This student has NOT satisfactorily demonstrated that he or she has mastered the required standards. As required this student must go through the 61-90 day training curriculum.

**Trainee** - By signing below, I acknowledge that I'm familiar with MV Transportation's Defensive Driving Program and prepared to go back into revenue service. I AM COMMITTED TO SAFETY!

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**Trainer** - By signing below, I acknowledge that this employee has completed all required classroom training and passed a Road Evaluation.

\_\_\_\_\_  
Trainer Name (print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Trainer Signature



### Return to Work 61-90 Days

Employee Name (Print): \_\_\_\_\_ Employee Number: \_\_\_\_\_

EE Job Title: \_\_\_\_\_ Division Name/#: \_\_\_\_\_

#### **Classroom Training**

Subject Matter	Time (Hours)	Module	Date Completed	Trainee Initials
LLC Defensive Driving	30 mins	15	_____	_____
Intersections	30 mins	16	_____	_____
Pedestrians & Bicyclists	30 mins	25	_____	_____
Mobility Device Securement	45 mins	31	_____	_____

Safety Meetings Reviewed	Months Reviewed	Quiz Score %
	April 2020	_____
	May 2020	_____
	June 2020	_____
	July 2020	_____

Total Classroom	_____ 2 _____ hour(s) and _____ 15 _____ minutes
Safety Meetings	_____ hour(s)
DriveCam 9+ Events Coaching and Counseling	_____ minutes
Road Evaluation (field)	_____ minutes (minimum of 30 minutes)
Total Time	_____ hours and _____ minutes

#### **Road Evaluation (must be a minimum of 30 minutes)**

- Operator must complete classroom training.
- Operator must watch videos and review applicable material for Safety Meetings which he/she has missed during their leave from MV Transportation.
- Operator must review and be coached on DC events with a score of 9+.
- Operator must demonstrate proficiency on all aspects of the Road Evaluation.

*Note: Road Evaluation and all other applicable training documents to be attached to this record.*

As an MV Transportation Professional Operator Instructor/Supervisor, I recommend this student be released back into revenue service.

This student has NOT satisfactorily demonstrated that he or she has mastered the required standards. As required this student must go through the Like Service training curriculum.

**Trainee** - By signing below, I acknowledge that I'm familiar with MV Transportation's safety programs and know what's expected of me in order to perform my job in a safe manner. I AM COMMITTED TO SAFETY!

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**Trainer** - By signing below, I acknowledge that this employee has completed all required classroom training and passed a Road Evaluation.

\_\_\_\_\_  
Trainer Name (print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Trainer Signature



**Return to Work - Safety Leadership – BTWs and Road Sups**

Employee Name (Print): \_\_\_\_\_ Employee Number: \_\_\_\_\_

EE Job Title: \_\_\_\_\_ Division Name/#: \_\_\_\_\_

**Classroom Training**

Subject Matter	Time (Hours)	Module	Date Completed	Trainee Initials
LLC Defensive Driving	30 mins	15	_____	_____
Intersections	30 mins	16	_____	_____
Pedestrians & Bicyclists	30 mins	25	_____	_____
Road Supervisor Obs. Techs.	30 mins	pg. 8-11 & CD	_____	_____
Road Supervisor Obs. Techs.	15 mins	Test (pg. 11)	_____	_____

Safety Meetings Reviewed	Months Reviewed	Quiz Score %
	April 2020	_____
	May 2020	_____
	June 2020	_____
	July 2020	_____

Total Classroom	_____ hours and ____ minutes
Safety Meetings	_____ hour(s)
DriveCam Trend and Risky Driver Review	_____ minutes
Road Supervisor Observation Techniques – pg 8-11 & corresponding CD	_____ minutes
Road Supervisor Observation Techniques – Take Test (pg 11)	_____ minutes
Certificate Review (Reasonable Suspicion, BTW, Road Sup)	_____ minutes
Total Time	_____ hours and ____ minutes

- Employee must complete classroom training.
- Employee must watch videos and review applicable material for Safety Meetings which he/she has missed during their leave from MV Transportation.
- Employee must review DC trends and current priorities based off risky behaviors / risky operators.
- Employee must complete a refresh of performing a Road Evaluation, found in the Road Supervisor manual on pg 8 – 11.
- Employee must successfully pass test on performing a Road Evaluation, found in the Road Supervisor manual on pg 11.
- Employee must be up-to-date on certificates, including Reasonable Suspicion, Road Supervisor and BTW. If Road Sup or BTW certificate is more than 12 months old, schedule for retraining within 60 days of RTW.

*Note: All other applicable training documents to be attached to this record.*

- As an MV Transportation Professional Operator Supervisor/Manager, I recommend this student be released back into revenue service.
- This student has NOT satisfactorily demonstrated that he or she has mastered the required standards. As required this student must go through a more in-depth training curriculum with the Safety Manager and / or Safety Director.

**Trainee** - By signing below, I acknowledge that I'm familiar with MV Transportation's safety programs and know what's expected of me in order to perform my job in a safe manner. I AM COMMITTED TO SAFETY!

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**Manager** - By signing below, I acknowledge that this employee has completed all required training and is up-to-date on certifications.

\_\_\_\_\_  
Manager Name (print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Manager Signature



Return to Work - Dispatchers

Employee Name (Print): \_\_\_\_\_ Employee Number: \_\_\_\_\_

EE Job Title: \_\_\_\_\_ Division Name/#: \_\_\_\_\_

**Classroom Training**

Subject Matter	Time	Date Completed	Trainee Initials
Technical Refresher Training (Dispatch Software, Forms, Scripts, etc.)	_____	_____	_____
Review Changes to Policies (Social Distancing, PPE, Fares, etc.)	_____	_____	_____
1 Hr of Customer Service Refresher Training	_____	_____	_____
Missed MVU Courses (Cybersecurity, etc.)	_____	_____	_____

Safety Meetings Reviewed	Months Reviewed	Quiz Score %
	April 2020	_____
	May 2020	_____
	June 2020	_____
	July 2020	_____

Total Classroom	_____ hours and ____ minutes
Safety Meetings	_____ hour(s)
Total Time	_____ hours and ____ minutes

- Employee must watch videos and review applicable material for Safety Meetings which he/she has missed during their leave from MV Transportation.
- Employee must review and demonstrate proficiency in a technical refresher training, to include a refresher of dispatch software, review of forms and scripts, etc.
- Employee must review and be aware of all changes to policies, including but not limited to social distancing policies; number passengers per vehicle; PPE required by passengers or employees; fare collection; how to board a vehicle; any other changes that may have taken place.
- Employee must complete a 1-hour refresher of customer service training.
- Employee must be up-to-date on their Reasonable Suspicion certificate, if applicable.
- Employee must complete any missed courses in MV University, such as Cybersecurity training.

*Note: All other applicable training documents to be attached to this record.*



As an MV Transportation Professional Operator Instructor/Supervisor/Manager, I recommend this student be released back to work.

This student has NOT satisfactorily demonstrated that he or she has mastered the required standards. As required this student must go through more in-depth training curriculum with the manager.

**Trainee** - By signing below, I acknowledge that I'm familiar with MV Transportation's safety programs and know what's expected of me in order to perform my job in a safe manner. I AM COMMITTED TO SAFETY!

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**Manager** - By signing below, I acknowledge that this employee has completed all required training and is up-to-date on certifications.

\_\_\_\_\_  
Manager Name (print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Manager Signature

**POST ACCIDENT RETRAINING**

Classroom	Module #	Fixed Object	Pulled Out	Roll Away	Intersection	Pedestrian	Hit Other in Rear	Head On Collision	Cyclist	Sideswipe	Hit at RR Tracks	Hit in Rear	Backing	Hit While Stopped	Drowsy/Fatigue
The Katherine McClary Story	2		X		X	X			X						
MV Transportation Professional	3	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Fatigue Management	6						X								X
On the Road	13	X	X	X	X	X	X	X	X	X	X	X		X	X
The Basics of Safety	14	X	X	X	X	X	X	X	X	X	X	X	X	X	X
LLLC - Defensive Driving	15	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Mirrors & Reference Points	18	X	X		X	X	X	X	X		X		X		
Following Distance	20						X		X						
Backing Basics	21	X			X		X			X				X	
Intersections	22				X	X	X	X	X		X		X		
Changing Lanes, Merging & Passing	23		X		X	X	X	X		X				X	
Railroad Crossings	24						X	X	X	X	X				
Pedestrians	25		X		X										
Special Conditions	26					X		X							
<b>LLLC</b>															
Slips Trips and Falls		X													X
Distracted Driving		X	X		X	X	X		X	X	X				
Pedestrians/Cyclists															
Avoiding Fixed Objects		X	X		X										
Left Turns/Pedestrians															
Right Turns/Pedestrians															
<b>BTW</b>															
➤ BTW															
➤ Road Test Eval															

**NOTES:**

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\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Trainer Signature



#44 LIVERMORE ANNUAL DRIVER RECERTIFICATIONS  
2019

Employee Name (print): \_\_\_\_\_

Employee Number: \_\_\_\_\_ Division #: \_\_\_\_\_

Drivers Initials:

Date completed:

Subject:

\_\_\_\_\_

\_\_\_\_\_

W/C Recertification

\_\_\_\_\_

\_\_\_\_\_

Mirror Station

\_\_\_\_\_

\_\_\_\_\_

Pre-Trip Inspection

\_\_\_\_\_

\_\_\_\_\_

Air Brake Test

\_\_\_\_\_

\_\_\_\_\_

Right/Left Turns

\_\_\_\_\_

\_\_\_\_\_

Ride/Road Check

\*\*Note: Drivers must demonstrate proficiency on all aspects of the recertification subjects above

\_\_\_\_\_ This Driver has satisfactorily demonstrated that he/she has mastered the subjects listed

\_\_\_\_\_ This Driver has not passed some/all subjects listed above. Needs retraining.

By signing below, we acknowledge that the Driver has been trained and is familiar with the above noted subjects and meets the minimal requirements for this locations annual recertification process.

\_\_\_\_\_  
Drivers Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Safety Manager

## **Operator Requirements and Training Program**

Prior to Proposer starting revenue service, training shall be given to each of the Proposer's employees or subcontractors, as appropriate. Training must be performed by a certified Operator trainer. Operators must meet minimum qualifications outlined below.

### **Certified Operator Trainer**

Certified Operator Trainer must have either a State of California Department of Education Instructor's Certificate or a Department of Transportation Instructor's Certificate.

### **Operator/Operator's Licenses**

Operators must have Department of Motor Vehicles Class B or C Operators' licenses, as appropriate, with passenger endorsements current medical certificate (DL-51), and hold a current Verification of Transit Training (VTT) certificate.

### **Pull Notice Program**

All persons operating LAVTA equipment shall be on the DMV Pull Notice Program. Any "Notice of Action" on a Operator's record shall be reviewed by the certified Operator trainer. Review of operators' commercial license records is mandatory.

### **New Bus Operator/Operator Training For Commercial Class B or C License**

Those bus Operators without prior transit coach or charter coach driving must complete a training program that results in qualifying for a Class B or C, as appropriate License and training verification.

All State of California, California Highway Patrol, Department of Motor Vehicles, and Department of Transportation requirements shall be included in the new bus Operator training program.

No prospective or present employee of Proposer who tests positive on the drug/alcohol screening test shall be assigned to LAVTA service.

### **Training for Existing Certified Operator/Operators**

Operators with an existing Class B certified license that have at least three months experience with transit coaches shall have minimum of sixteen (16) hours of training on the specific vehicles used in all of LAVTA's services. Those Operators without at least three months transit coach experience should have at least forty (40) hours of behind the wheel training on the specific vehicles in LAVTA service. Minimum training hours required shall be in non-revenue service.

### **Supplemental Training for All Operators**

- All Operators, regardless of prior experience, must be given route specific training. At least sixteen (16) hours of actual driving for each route must be included.

- A minimum of four (4) hours of classroom instruction on the following: vehicle code, radio procedures, accident procedures, Operator vehicle and schedule assignments, and employee rules and regulations.
- A minimum of four (4) hours of classroom instruction of the following: fares, monthly pass sales, transfer use and procedures, regional transit information and other pertinent customer operating procedures. Operators shall obtain through training a good working knowledge of the regional public transit system. Operators shall be informed on an ongoing basis of transit service changes.
- A minimum of four (4) hours of classroom instruction of the following: customer courtesy and safety procedures and techniques for handling customer complaints and handling of Operator-passenger confrontations and sensitivity training.
- A one (1) hour plus orientation to LAVTA policies and requirements for operating performance including completed trips, on-time performance, and liquidated damages/performance bonuses.
- All Operators must receive and pass the eight hour minimum National Safety Council Defensive Driving Courses or equivalent.
- An additional eight hours of training shall be devoted to the operations of lift equipment and sensitive and courteous treatment of persons with disabilities. The lift training shall include instruction on the operation of lifts and securements, experience boarding and alighting individuals in wheelchairs under various conditions and empathy training to help operators gain insight into the special needs and specific obstacles persons with disabilities may encounter using public transportation. Note that all Operators, fixed route, Dial-A-Ride, and Demand Area Responsive Transit, undergo this training.
- Red Cross First Aid Training is an option which may be completed within fifteen (15) days after start of Operator's service.

## **Operators' Rules and Regulations**

**Uniforms/Appearance.** Uniforms must be worn at all times when on duty.

Proposer shall provide and maintain clean, identical uniforms for all Operators and shall enforce dress and appearance requirements, also subject to approval of LAVTA. At a minimum, dress requirements shall include:

- Clean, identical (currently blue and white striped) shirts for all Operators.
- Clean, identical, dark solid color jackets or sweaters for all Operators for use during cold or rainy weather.
- Clean, identical, professionally made identification tags, including WHEELS logo and Operator name.
- WHEELS patch on the right sleeve of the shirt and jackets.
- Clean, dark solid color full-length pants/trousers, clean, dark, matching socks and clean, dark solid shoes for all male Operators.
- Clean, dark solid color full-length pants/trousers (or clean, dark solid skirts), and clean dark color shoes for all female Operators.
- Proposer may propose alternative summer uniforms for Operators subject to LAVTA approval.
- All shirts/blouses tails must be tucked into the Operators' pants/trousers (or skirts).

- Operators must have neatly groomed hair and maintain neat appearance. For safety reasons Operators with hair longer than shoulder length will be required to have it pulled back and secured.
- Proposers may specify equivalent alternate dress and appearance codes, subject to LAVTA's prior approval.

#### Operator Rules

- While in uniform, a Operator will not purchase, consume or be under the influence of any narcotic, intoxicant or harmful drug.
- A Operator will be responsible for keeping the vehicle clean and sanitary during his/her shift.
- Operators are responsible for immediately reporting any defects their assigned vehicle may have to the supervisor.
- Operators must conduct themselves and operate their assigned run in a safe vehicle and courteous manner at all times.
- Operators may use vehicles only in accordance with their assigned duties.
- Operators are responsible for displaying proper destination signs while in service.
- Operators providing service must travel over the prescribed routes and must maintain time schedules. If it becomes necessary to go off route, the employee will first immediately notify his/her supervisor via radio or phone to receive direction. No run will be cut short.
- Operators will report to the dispatchers any unusual occurrences observed on the road and any vandalism or damage to LAVTA property.
- Operators shall not accept gratuities.
- Operators may not talk on cell phones while their vehicle is in service or in motion.
- Operators may not eat or drink while operating their vehicle. Beverages must be in an approved container.

#### In-Service Training

- Operators should receive at least one (1) hour of pure safety training each month by a certified trainer. Proposer should be prepared to submit to LAVTA safety meeting topics and attendance lists.
- Proposer trainer shall conduct a one (1) hour evaluation check ride with each Operator at least once every three months. This is a minimum. Additionally, random follow-ups should be performed on all Operators. LAVTA should be provided with certification that ride checks have been performed.
- Proposer shall conduct a one (1) hour refresher training in proper use of wheelchair lift procedures and use of all wheelchair securement devices with each LAVTA fixed route, Dial-A-Ride, and Demand Area Responsive Transit service bus Operator at least once every six (6) months. All Operators should receive refresher sensitivity training annually. These are minimum training goals.
- Operators are to receive refresher presentations on a regular basis on emergency procedures and emergency preparedness so that they will be prepared to respond in a major disaster.

- Proposer shall require operator's attendance at a Planning and Marketing/Public Outreach meeting no less than once per quarter. These meetings may be monthly at LAVTA's discretion.

### **Safety**

Operators shall conduct themselves with the highest regard for passenger safety and comfort, including but not limited to:

- Yield even though they may not have the right-of-way.
- Follow National Safety Council Defensive Driving Course practices.
- All information regarding any system accident is confidential. Employees will only speak to police or supervisory personnel regarding any such accident.
- Operators shall report unsafe conditions to the dispatcher or supervisor for immediate attention

### **Intelligent Transportation Systems Training Requirement**

LAVTA owns and operates several pieces of technology which are designed to provide excellent customer service information to patrons and assist staff with the daily management of the system. Operators are a critical piece of this puzzle and Contractor shall ensure that all operators are properly trained in all pieces of technology currently (and in the future) in use. These systems have been listed and described in previous citations within this solicitation. Contractor shall conduct mandatory retraining of operators if deficiencies with use of technology are noted. Contractor shall also provide periodic retraining classes to re-fresh operators who may not use technology as frequently as others. Proposers who elect to use "approved equal" technology must train Operators on their use and ensure the use is as intended by the Proposer.

### **Physical Examinations**

Proposer shall provide Proposer's Operators' medical examinations at Proposer's expense at a certified medical facility, and Proposer shall not permit any Operator who has not successfully passed such examination to operate a vehicle in any service included in this Agreement. Medical examinations must be sufficient to meet the medical requirements to qualify for a Class B or C, as appropriate, certificate issued by the California Department of Motor Vehicles. Operators must have in their possession when operating a vehicle a valid Class B or C, as appropriate license, current medical card (DL-51) with current medical form on file with DMV.

### **Additional Requirements**

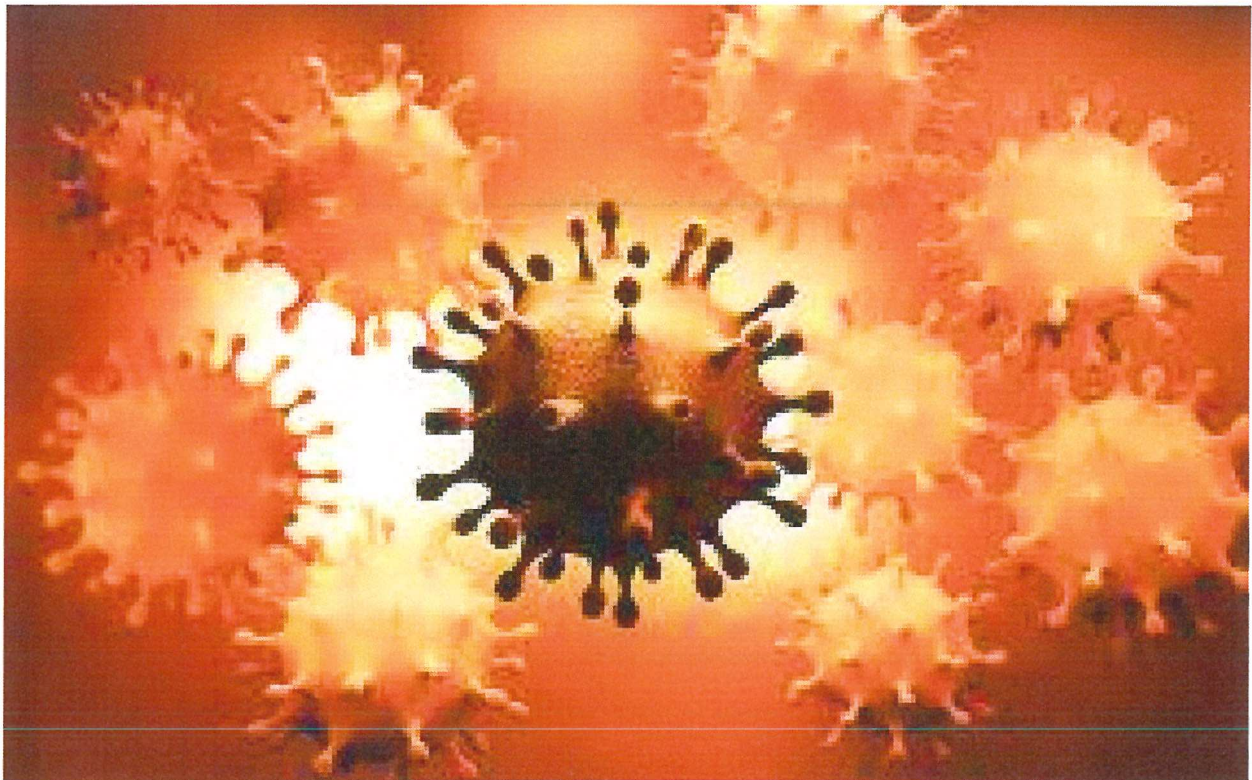
- LAVTA may revise operating procedures, fare policies, and employee's rules and regulations based on specific incidents or general policy development. LAVTA may request Proposer input, when necessary, to make changes to the operating procedures and rules and regulations included within this Agreement.
- Proposer shall supply LAVTA with a list of Operators who have completed the specified Operator training program for all LAVTA's routes. This list shall be updated at least monthly and as additional Operators are trained.
- A meeting of all affected personnel of the Proposer shall be held prior to system start-up or service changes when so requested by LAVTA. No more than four (4)



such meetings will be requested during any one (1) year period. LAVTA shall be permitted to attend these meetings if so requested by LAVTA.

- LAVTA shall be able to request that specific Operator(s) be replaced for failure to follow the Operator's Rules or LAVTA's Customer Service Policies: (Section 6 of this Attachment) or other reasonable cause.

**MV TRANSPORTATION  
LIVERMORE DIV 44  
CORONA VIRUS**



**HEALTH & SAFETY  
PREPAREDNESS PLAN  
UPDATED 11/18/2020**

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## COVID-19 Health and Safety Preparedness Plan

MV Transportation is committed to providing a safe and healthy workplace for all employees, customers, clients, and business partners. To ensure we have a safe and healthy workplace, MV Transportation has developed the following COVID-19 Health and Safety Preparedness Plan in response to the COVID-19 pandemic. All employees are responsible for implementing this plan. Our goal is to mitigate the potential for transmission of COVID-19 in our workplaces and communities, and that requires full cooperation among our workforce. Only through this cooperative effort can we establish and maintain the safety and health of all persons in our workplaces.

MV's COVID-19 Health and Safety Preparedness Plan follows the guidance published by the Centers for Disease Control and Prevention (CDC), Occupational Safety and Health Administration (OSHA), as well as industry guidance applicable to our business from the Federal Transit Administration (FTA) and American Public Transportation Association (APTA). This plan addresses:

- Everyday preventative safety precautions;
- Ensuring sick employees stay home and prompt identification and isolation of sick persons;
- Physical distancing – Employees must be at least six-feet apart;
- Worker hygiene and source controls;
- Workplace cleaning and disinfection protocol and;
- Communications and training practices and protocol.

This plan provides guidance for personal hygiene skills and habits that should be followed at home and in the workplace. Remember, safety is everyone's job!

### Maintain Safe Behavioral Practices

It is imperative that we all take self-responsibility during this pandemic. Everyone has a role in making sure our communities are as safe as possible – at work and at home. Training will be provided on the proper methods of wearing a mask as well donning and removing gloves.

1. Perform a Health Assessment self check prior to reporting for work. You should stay home if:
  - a. You have a temperature of 100° or more
  - b. You exhibit any of the COVID19 signs and symptoms as described by the CDC. Inform your supervisor if you have a sick family member at home with COVID-19.
2. Practice 6 feet physical distancing in every situation possible.
3. Avoid social gatherings outside of work where more than 10 people are gathered, including postponing travel plans.
4. Facial coverings or face masks are required. Follow protocols on proper way to wear and dispose of masks.
  - a. Facial coverings and masks should properly cover your nose and mouth.
  - b. Facial coverings should be worn in offices where 2 or more people are present.
  - c. Stay informed from the CDC on the importance of your facial coverings and masks.

5. When possible, use phone, email, or Microsoft Teams instead of face-to-face interactions.
6. Do not shake hands – consider the use of other noncontact methods of greeting.
7. Regularly wash your hands with soap and water for 20 seconds or apply hand sanitizer containing at least 60% alcohol immediately after coming into contact with another person.
8. If wearing gloves, wash your hands immediately after taking them off. Follow protocols on proper way to wear and dispose of gloves.
9. Avoid touching your nose, mouth, and eyes.
10. Cover coughs and sneezes with a tissue or elbow, and immediately wash hands or apply hand sanitizer.
  - a. Cough etiquette is a series of actions to take if you are coughing or sneezing, which are designed to reduce the spread of respiratory illness to others.
  - b. Sneeze, blow your nose, or cough into a disposable tissue, and discard the tissue immediately into a bin.
11. Practice routine cleaning and disinfection of frequently touched surfaces, following the directions on the cleaning product's label.
12. Limit the use of shared tools and schedule regular decontamination should sharing occur (i.e. tools in the shop, pens at check-in, etc.).
13. Avoid using other employees' phones, desks, offices, or other work tools and equipment, when possible. If necessary, clean and disinfect them before and after use.
14. Report any safety concerns or hazards to your supervisor or manager.

Please review the following sections for a more in-depth overview of precautions to take to maintain a safe and healthy workplace.

## **Sanitary Measures in the Workplace**

### **Performing Cleaning and Disinfection**

The virus that causes COVID-19 can be killed if you use the right products. EPA has compiled a list of disinfectant products that can be used against COVID-19, including ready-to-use sprays, concentrates, and wipes. Each product has been shown to be effective against viruses that are harder to kill than viruses like the one that causes COVID-19.

MV Transportation has procured Zep Spirit II, Triton, Lemonex III, and D-7 for cleaning and disinfecting. These are an EPA approved product against COVID-19. The current cleaning protocols have been enhanced to include deep cleaning on a more regular basis using the EPA approved products. Additionally, Lysol Disinfecting Wipes are included as an effective disinfecting measure in between the deeper cleans.

According to the CDC, "Cleaning refers to the removal of germs, dirt, and impurities from surfaces. It does not kill germs, but by removing them, it lowers their numbers and the risk of spreading infection. Disinfecting refers to using chemicals, for example, EPA-registered disinfectants, to kill germs on surfaces. This process does not necessarily clean dirty surfaces or remove germs, but by killing germs on a surface after cleaning, it can further lower the risk of spreading infection. If surfaces are dirty, they should be cleaned using a detergent or soap and water prior to disinfection."

- Consider the type of surface; is it a hard surface or a soft surface? Ensure the product instructions are followed and all surfaces are receiving cleaning / disinfecting. Prioritize disinfecting frequently touched surfaces.
- Wear disposable gloves to clean and disinfect. Additional PPE may be needed based on setting and product. Please read the product instructions and/or Safety Data Sheet (SDS) prior to using.
- First, perform routine cleaning with soap and water to remove germs and dirt from surfaces.
  - If surfaces are visibly dirty, they should be cleaned using a detergent or soap and water prior to disinfection.
- Then, disinfect using an EPA-approved disinfectant. Disinfectants will kill germs on surfaces.
  - Contact time with the surface or object should not be brief. Follow the instructions on the label, which will recommend keeping surface wet, for a period of time, to ensure sufficient time to kill the virus (i.e. at least 30 seconds prior to wiping dry).
- Frequently touched surfaces in the workplace will be disinfected using an EPA-approved product against COVID-19.
- When possible, avoid using other workers' phones, desks, offices, or other work tools and equipment. If necessary, clean and disinfect them before and after use.
- Store and use disinfectants in a responsible and appropriate manner according to the label. Do not mix bleach or other cleaning and disinfection products together.
- Gloves and other disposable PPE used during cleaning and disinfecting should be removed and thrown away.
  - After removing gloves, wash hands with soap and water for at least 20 seconds or use a hand sanitizer with at least 60% alcohol if soap and water are unavailable.

The CDC guidelines on cleaning and disinfecting are summarized above. More in-depth detail can be found on their website: <https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>

All locations will receive the enhanced cleaning protocol and will ensure accountability by recording cleaning on a schedule and log. Additionally, all employees should clean their area routinely throughout their shift, using sanitizing wipes.

Finally, MV Transportation has developed a set of protocols to decontaminate the workplace if an employee becomes ill with COVID-19, consistent with the CDC standards.

### **Using Sanitizing Wipes**

Wipes will allow you to keep your workspaces clean in-between deeper cleanings.

- Read and follow the instructions on the label.
- Keep the following tips in mind:
  - Do not reuse wipes to wipe down multiple surfaces. This can transfer germs from the used wipe to other surfaces. To prevent this, use one wipe for each surface and then throw it out.
  - These wipes should not, under any circumstances, be thought of as a substitute for other hygienic practices like proper hand-washing.
  - Sanitize your hands after wiping down a surface.
  - Store sanitizing wipes at room temperature and securely close covers so they do not dry out.

**Frequently Touched Surfaces**

There are several high-touch areas in the facility or office that need to be frequently wiped down and cleaned. Prioritize disinfecting these frequently touched surfaces. Examples of frequently touched surfaces and objects that will need routine disinfection include, but are not limited to:

Tables	Countertops	Phones	Faucets and Sinks
Doorknobs	Handles / Handrails	Keyboards	Electronics
Light switches	Desks	Restroom Surfaces	Elevator Buttons
Steering Wheels			

Before and after a staff member changes shifts, wipe down the entire workstation, including the PC, keyboard, phone, desk, etc.

- Any shared tool or object should be wiped down before and after using it.
- Operators are encouraged to avoid touching surfaces often touched by passengers, but to disinfect before and after when needed, and then sanitize their hands.
- Operators will have access to disposable sanitizing wipes to use on any surface with which they have regular contact. Surfaces should be wiped regularly, after each stop if possible.
- Clean your frequently touched surfaces routinely throughout your day.

*Everyone needs to take personal responsibility for helping disinfect and clean their work areas throughout the day.*

**Clean Desk Policy**

In an effort to maintain optimal workplace cleanliness, all employees are to follow a clean desk policy.

- To avoid cross contamination, please limit the number of personal items brought into the workplace to the essential items needed to be productive for the workday. No bringing in pastries or other community food items.
- Limit the outside items brought into the workplace.
- Upon entering the workplace, disinfect your surface area and frequently touched objects.
- Plan first thing in the morning and keep just the things you need for your workday on your desk.
- Maintain a supply of PPE at your desk for personal use, including tissues, hand sanitizer, sanitizing wipes, and a facial covering.
- All sensitive and confidential paperwork must be removed from the desk and locked in a drawer or filing cabinet.
- Pick up at the end of the day and disinfect your workspace at the end of your shift.

### **Common Area Cleaning**

MV's Maintenance crew has been equipped with the proper and necessary tools to facilitate the cleaning of all common areas within the facility. This includes the driver and mechanic break room, all rest rooms, shop area, and common hallways. This task is performed twice a day to ensure proper sanitation, disinfection, and sterilization.

### **Transit Vehicle Cleaning**

MV has acquired fogging devices that have been approved by the CDC as an effective deterrent against the Coronavirus. As such, our fleet is fumigated once a day, at the end of the bus rotation or shift. This ensures that each day is started with a clean, sterile vehicle.

## **Hygiene and Infection Control**

### **Feeling Sick or Symptomatic**

Employees are to be informed of and encouraged to self-monitor for signs and symptoms of COVID-19. Employees who feel ill or are exhibiting symptoms of COVID-19 should not report to work. Symptoms of COVID-19 can be found on CDC at <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>

If an employee begins feeling ill while in the workplace, they are to isolate from others, send a notification to their supervisor, and immediately leave the workplace. The employee is encouraged to immediately seek medical care. The employee will be contacted by their supervisor with further instructions.

MV Transportation has developed a set of protocols that includes contact tracing guidelines to communicate with others that may have been potentially exposed if they were in close contact with the sick employee, according to CDC guidelines.

If any employee has tested positive for COVID-19 or been diagnosed as COVID-19 positive by a healthcare provider within the last 14 days, they will not be permitted to enter the workplace and will be asked to isolate at home.

If an employee has been in close contact with anyone who has been diagnosed as infected with, or is being screened or monitored for, COVID-19, or who has been advised by a health care professional to quarantine within the last 14 days, they will not be permitted to enter the workplace and will be asked to self-quarantine.

MV Transportation will maintain confidentiality of screening information, which are designed only for COVID-19 related purposes while it remains a direct threat and/or we continue to be in a state of emergency. This is in an effort to maintain a safe environment as we focus on the health and well-being of our employees and the community.

### **Hand Hygiene**

Proper hand hygiene is an important infection control measure. MV Transportation will ensure that handwashing and/or hand sanitizing stations are readily available and stocked.



Employees are to wash hands regularly with soap and water for at least 20 seconds. If soap and water are not readily available, use an alcohol-based hand sanitizer containing at least 60% alcohol.

Wash hands with soap and water or use hand sanitizer before and after wearing gloves. And whether you wear gloves or not, avoid touching your eyes, nose and mouth to limit possible exposure to germs.

Employees are instructed to wash their hands for at least 20 seconds with soap and water frequently throughout the day, but especially at the beginning and end of their shift, prior to any mealtimes, and after using the restroom. All employees and non-employees are required to wash or sanitize their hands prior to or immediately upon entering the workplace.

- Key times to clean / disinfect hands in general include:
  - Before, during, and after preparing food
  - Before eating food
  - After using the toilet
  - After blowing your nose, coughing, or sneezing
- Additional times to clean / disinfect hands on the job include:
  - Before and after work shifts
  - Before and after work breaks
  - After touching frequently touched surfaces
  - Before and after wearing gloves
  - Before and after providing care for another person who needs assistance
  - After putting on, touching, or removing cloth face coverings
- Avoid touching your eyes, nose, or mouth.

Practice good personal health hygiene, including washing your clothes and your safety vest.

Signs and posters are posted in the following areas to reinforce these safety precautions:

- At the office entrance
- In the bathrooms
- Near sinks or faucets
- In the breakrooms

### **Hand Sanitizer**

There are important differences between washing hands with soap and water and using hand sanitizer. Soap and water work to remove all types of germs from hands, while sanitizer acts by killing certain germs on the skin.

- DO NOT use hand sanitizer if your hands are visibly dirty or greasy. If a handwashing station is available, wash your hands with soap and water instead.
- When using hand sanitizer, use an alcohol-based hand sanitizer that contains at least 60% alcohol.
- Put enough sanitizer on your hands to cover all surfaces.
- Rub your hands together until they feel dry (this should take around 20 seconds).
- Do NOT rinse or wipe off the hand sanitizer before it's dry; it may not work well against germs.

### “Electronic Hygiene”

For electronics such as cell phones, tablets, MDTs, touch screens, remote controls, and keyboards, employees are to practice safety precautions and to wipe these down frequently to disinfect and sanitize.

Instructions:

- Follow the manufacturer’s instructions for all cleaning and disinfection products.
- If no manufacturer guidance is available, consider the use of alcohol-based wipes or sprays containing at least 70% alcohol to disinfect touch screens.
- Wipe the surfaces prior to use and when you are done using them at the end of the shift.
- Wipe the surfaces down after anyone else touches them.
- Dry the surfaces thoroughly to avoid pooling of liquids.
- Clean your hands as frequently as possible and sanitize your hands before and after touching new surfaces.
- If you have a timeclock, please reference the Coronavirus Response website for guideline on cleaning your timeclocks.

This includes the following:

- Your PC or laptop
- Your phone
- The printer
- Any other electronics

## **Use and Availability of PPE**

### Availability of PPE in the Workplace

MV Transportation will provide employees the recommended protective supplies and ensure the availability of hand sanitizer and approved cleaning products.

- Face masks, gloves, hand sanitizer, and sanitizing wipes will be available to employees and are to be used during employee shift
- Hand Sanitizer is strategically placed throughout facility and “Sanitary Stations” are available at high-touch areas
- Routine cleaning of frequently touched surfaces is to be practiced by all employees

If an employee is running low on PPE, they are to contact their supervisor.

### Proper Use and Disposal of Gloves and Masks

If you are using gloves and masks for additional protection, please be sure to follow the proper usage and disposal of gloves and masks. Employees are to follow universal precautions, like what is taught through Bloodborne Pathogen training.

- Gloves
  - Wash and/or sanitize hands before and after using gloves
  - Ensure glove removal does not cause additional contamination of hands.

- Gloves can be removed using more than one technique (i.e. glove-in-glove or bird beak).
- Change gloves throughout the day to avoid cross-contamination.
- After removing PPE, wash your hands with soap and water for at least 20 seconds or use hand-sanitizer (with at least 60% alcohol).
- Masks
  - Facial coverings are to be worn in all areas of the business.
  - Wash and/or sanitize hands before and after using a facial covering.
  - Do not touch the front of the respirator, facemask, or facial covering.
  - Facial coverings should cover your nose and mouth and be snug against your face.
  - Carefully untie (or unhook from the ears) and pull away from face without touching the front.
  - For disposable masks, dispose of it in a safe and secure manner.
  - Cloth masks and gloves should be washed and dried as frequently as possible, with detergent and the warmest water possible, in accordance with CDC guidelines for cleaning and disinfecting soft (porous) surfaces.
  - After removing PPE, wash your hands with soap and water for at least 20 seconds or use hand-sanitizer (with at least 60% alcohol).

Work uniforms worn during cleaning and disinfecting should be laundered afterwards. Clean your hands after handling laundry by washing your hands with soap and water or using an alcohol-based hand sanitizer with at least 60% alcohol if soap and water are not available.

Reference the Coronavirus Response website for more in-depth safety procedures for both gloves and masks.

## **Physical Considerations and Office Layout**

Physical distancing of at least six feet is to now be implemented and maintained throughout the workplace through both engineering and administrative controls. Per CDC recommendations, no congregating should occur. Therefore, there are practices that MV Transportation has adopted to promote a safe physical environment for employees.

The following actions have been implemented:

- Workspace seating adheres to 6 feet separation, including spacing out staff members into every other cubicle and installing barriers or partitions where possible or necessary
- Workspaces have been reconfigured that takes physical distancing into account, including all common areas
- Visual cues and signage are placed throughout the workplace to encourage proper physical distancing
- Tape markings showing acceptable physical distancing placed where lines might form
- Traffic patterns have been evaluated for physical distancing bottlenecks
  - Entrance and exit doors identified
    - Entrance and Exit doors identified and marked.
    - Capacity limits established or rooms / spaces closed when necessary
- Small conference rooms have been closed or a capacity limit has been established
- Desks, tables, and chairs in congregation-prone areas have been removed (including in the breakroom)

## **Breakrooms / Lounges**

As previously stated, we need to limit the use of shared objects and avoid congregating. This includes the breakroom.

- Employees are encouraged to bring their own lunchbox with an ice-pack.
- Seats and/or tables are removed in the breakroom to help avoid congregating and to provide additional personal space to achieve 6 feet distance.
- Employees are to stagger their meal and rest breaks to avoid congregating.
- Limit surface contact by removing or shutting down (where possible) the following:
  - Microwaves, Coffee Pots, Popcorn Machines, Water Cooler, Refrigerators, Ice Machines, Sinks
  - Drinking fountains are closed until further notice; employees are encouraged to use bottle filling stations, sinks, or employees bringing water from home.
- A “sanitary station” is set up within the breakroom and employees are to clean / disinfect the frequently touched surfaces before and after use.
  - Exceptions for the refrigerator use includes medical purposes and split-shifts.
  - No food is to be stored in the fridge overnight.
  - Signage is posted on the refrigerator instructing on the sanitary protocol.
- If the breakroom needs to be accessed, capacity limits are established at no more than 1 or 2 people in breakroom at any given time (depending on square footage of space).

## **Restrooms**

- Our workplaces follow our [Facility Cleaning policy](#) for thorough cleaning in areas where we perform the cleaning.
- Restrooms are receiving a more frequent cleaning protocol.
- Restrooms are checked regularly to ensure they are stocked with hand soap and paper towels.
- Capacity limits are established at no more than 1 or 2 people in restroom at any given time to allow for 6 feet physical distancing.
- A [hand hygiene awareness poster](#) is visible in the restrooms near the sinks.
- Employees are to wash their hands and re-sanitize prior to returning to their desk.

## **No Visitor Policy**

Until further notice, employees are not to have visitors or business partners visit us at our workplace. The use of phone, email or Microsoft Teams should be leveraged instead of face-to-face interactions.

## **How can I achieve physical distancing in meetings, training, or conversations?**

There are certain things that will still need to occur in our daily operations. To the extent possible, the use of phone, email or Microsoft Teams should be leveraged instead of face-to-face interactions. However, these are ways to achieve Physical Distancing during a mandatory interaction:

- [Post a sign on the door](#) to ask employees to knock and wait for directions rather than just walking into the office
- Find a larger space where you can talk and keep distance.
- Everyone is to wear a facial covering and have recently washed their hands.

- Stagger seating in conference and training rooms to maintain a 6 feet distance.
- Have individual writing utensils rather than using shared items.

## Culture of Mental Health Safety

While it is not the responsibility of an employer or supervisor to diagnose mental health conditions, MV Transportation is committed to promoting a culture of mental health safety as we continue to navigate through this pandemic. Leadership, supervisors, and other managers have an essential role in promoting a culture of wellness.

### Assess Internal Resources

MV Transportation is committed to communicate the “how” of navigating healthcare benefits and Employee Assistance Program (EAP) services – for employees in distress or employees who have not used these benefits before, not knowing how to navigate resources is a barrier to accessing them.

Employees are encouraged to take advantage of our EAP, LifeWorks. LifeWorks is a total well-being solution offering support for your mental, physical, social, and financial well-being. The invitation code is MVT-Employee ID, for example MVT-222333.

Employees are encouraged to contact their Human Resources representative if they have any questions about this program.

### Connecting Employees to Mental Health Resources

An educated workforce can better protect themselves from the impacts of mental health and stress related to COVID-19. MV Transportation is committed to providing resources from the National Safety Council that includes tips on managing stress and taking care of mental health during a pandemic.

Here are a few tips to help promote positive mental health:

1. **Take care of your mental health and be aware of signs of stress.** Take deep breaths, stretch, or meditate. Try to eat healthy, well-balanced meals, exercise regularly and get plenty of sleep. Even 1 minute of practicing mindfulness will help you calm your mind.
2. **Utilize resources at your disposal.** Take advantage of the EAP, LifeWorks.
3. **Be aware of signs of stress in your family members.** Not all children and teens respond to stress in the same way. Talk to your child to reassure them, try to keep up with regular routines, and be a role model to them. The CDC has put together [other recommendations to help children cope](#).
4. **Kindness and patience go a long way.** We are all adjusting to this new normal and each person adjusts differently. Make time to talk and be supportive of your teammates, friends, and family current needs and concerns.

It is important to recognize how mental health can affect worker safety. Even if no actual illness is diagnosed, it's easy to imagine how a worker's mental state might affect his or her ability to make good decisions and recognize potential hazards.

# COVID 19

## SIGNS AND SYMPTOMS

People with COVID-19 have had a wide range of symptoms reported – ranging from mild symptoms to severe illness. Symptoms may appear **2-14 days after exposure to the virus**. People with these symptoms may have COVID-19:

- Fever or chills
- Cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

This list does not include all possible symptoms. CDC will continue to update this list as we learn more about COVID-19.

Look for **emergency warning signs\*** for COVID-19. If someone is showing any of these signs, **seek emergency medical care immediately**:

- Trouble breathing
- Persistent pain or pressure in the chest
- New confusion
- Inability to wake or stay awake
- Bluish lips or face

\*This list is not all possible symptoms. Please call your medical provider for any other symptoms that are severe or concerning to you.

**Call 911 or call ahead to your local emergency facility:** Notify the operator that you are seeking care for someone who has or may have COVID-19.

## **MV DIV.44 Sanitation cleaning for COVID-19**

Walls, floors, windows, windowsills, ceilings, light fittings and covers, doors, including handles, toilets, wash hand basins, cupboards, shelving, refrigerator, sinks, tables, including underside and legs, work surfaces and chairs.

<b>Dispatch/Driver Area Disinfecting Program</b>		
<b>Area/Item</b>	<b>Method</b>	<b>Frequency/Comments</b>
Walls, floors, windows, windowsills, ceilings, light fittings and covers	Clean with ZEPP ii product. (Spray).	Twice Daily.
Cupboards, shelving, refrigerator, sinks, tables, including underside and legs, work surfaces and chairs.	Clean ZEPP ii product. (Spray).	Twice Daily.
Waste bins	Empty. Lysol spayed.	Twice Daily.

<b>Toilet Area Disinfecting Program</b>		
<b>Area/Item</b>	<b>Method</b>	<b>Frequency / Comments</b>
Wash hand basins, taps, surrounding counters, soap dispensers.	Clean ZEPP ii product. (Spray).	Twice Daily.
Both sides of toilet seat, toilet handles, doorknobs or cubicle handles.	Clean with ZEPP ii product. (Spray).	Twice Daily.

## **MV DIV.44 Sanitation cleaning for COVID-19**

**Continued...**

<b>Office Environment Disinfecting Program</b>		
<b>Area/Item</b>	<b>Method</b>	<b>Frequency/Comments</b>
Walls, floors, windows, windowsills, ceilings, light fittings and covers, desks.	Clean with ZEPP ii product. (Spray).	Twice Daily.
Cupboards, shelving, refrigerator, tables, including underside and legs, work surfaces and chairs.	Clean ZEPP ii product. (Spray).	Twice Daily.
Waste bins	Empty. Lysol spayed.	Twice Daily.

**\*\* The cleaning of the facilities is performed twice daily, as indicated. The sign off sheet has been designed to be signed off once the Manager verifies that the cleaning has been done for that week.\*\***



## Disinfection Checklist

August – December 2020

Week #	Cleaning Frequency	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Managers signature
34	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
35	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
36	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
37	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
38	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
39	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
40	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
41	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
42	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
43	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
44	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
45	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
46	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	

47	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
48	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
49	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
50	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
51	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	
52	AM	✓	✓	✓	✓	✓	✓	✓	
	PM	✓	✓	✓	✓	✓	✓	✓	



*Maintenance / Shop Safety  
Handbook*



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## **INTRODUCTION**

The Company makes every effort to maintain pleasant, safe working conditions and to prevent accidents and injuries. Machines and equipment are fitted with mechanical safeguards, and safety instructions are given through job training, inspections and safety posters.

The safety of each employee is important to the Company. While the overall responsibility for safety lies with the supervisors, all employees are requested to help prevent accidents by assuming individual responsibility in the use of safety equipment and by following instructions carefully. Any condition which is believed to be unsafe should be reported to the employee's supervisor. All personnel are asked to become familiar with the exits and the location of fire extinguisher equipment nearest their area of work.

All injuries, regardless of how minor they may appear, should be reported immediately to the employee's supervisor.

Occupational safety is a serious matter. Adherence to the established safety rules and practices is an extremely important component of accident prevention.

Therefore, the following Rules and Guidelines have been developed to help each employee to maintain safe working conditions.

## GENERAL SAFETY RULES

These safety rules have been established for the protection of each employee. All employees are required to cooperate in observing these rules, and to assist in making the Division a safe and orderly place to work.

1. Do not endanger yourself or others. Report any hazardous conditions or practices that may cause injury to people, property, or the environment.
2. Never operate any machine or equipment unless you are specifically authorized to do so by your supervisor.
3. Do not operate defective equipment of any kind that may be personally or company owned. Do not use broken hand tools. Report defective or hazardous equipment to your supervisor.
4. Obtain full instructions from your supervisor before operating a machine with which you are not familiar.
5. Never start on any hazardous job without being completely familiar with the safety techniques that apply to it. Check with your supervisor if in doubt.
6. Make sure all safety attachments are in place and properly adjusted before operating any machine.
7. Do not operate any machine or equipment at unsafe speeds. Shut off equipment that is not in use.
8. Wear all protective garments and equipment necessary to be safe on the job. Wear proper safety shoes. Sandals or other open-toed or thin-soled shoes are not permitted. PPE must be worn/used properly at all times.
9. Do not wear loose or flowing clothing. Employees with long hair must take appropriate measures to prevent their hair from coming into contact with moving equipment or machinery.
10. Never repair, modify or adjust any machine or equipment unless you are specifically authorized to do so by your supervisor.
11. Never oil, clean, repair, or adjust any machine while it is in motion.
12. Never repair or adjust any electrically or power driven machine without observing prescribed lock out/tag out procedures.
13. Put tools and equipment away when they are not in use.
14. Make sure you can safely lift something before you move it. Get help with heavy or oversize items and always use proper lifting techniques. Ask for assistance.
15. Keep all aisles, stairways, and exits clear of skids, boxes, air hoses, equipment, and spillage.
16. Do not place equipment and materials so as to block emergency exit routes, fire boxes, sprinkler shutoffs, machine or electrical control panels, or fire extinguishers.
17. Stack all materials neatly; make sure piles are stable.
18. Keep your work area, machinery, and all company facilities that you use clean and neat.
19. Do not participate in horseplay, or tease or otherwise distract fellow workers. Do not run on company premises—always walk.
20. Power-truck operators must safeguard other workers at all times; power-truck operators must yield the right of way to pedestrians.

## **Maintenance/Shop Safety Handbook**

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21. Never take chances. If you're unsure, ask your supervisor. Let good common sense be your guide.
22. Report all injuries, collisions, incidents and near misses to your supervisor
23. Follow procedures, signs and instructions
24. If you have suggestions for safety improvements, tell your supervisor or team leader.

## EMPLOYEE RESPONSIBILITIES

Attitude and work practices go a long way toward creating a safe work environment and avoiding injuries to yourself and others. You have a responsibility to yourself and your co-workers to perform every assigned task in a safe manner. You also have a responsibility to help all new employees understand the importance of working safely, and you have the responsibility to report and correct any hazard or unsafe conditions.

Safety is everybody's business, and our safety requires the active participation of management, supervisors, and workers. No one group can do the job alone.

If you don't hold up your end, then the company's safety procedures, equipment, and training don't get used and accidents happen.

If you don't stay alert to, and report, accidents, near-misses, and unsafe acts and conditions that you experience or notice on the job, we may not know about them and won't be able to correct them and improve the prospects for everyone's safety.

The following is to review just what your safety responsibilities are so that you'll be able to help us all stay safe, healthy, and in compliance with the law.

### ***General Hazards***

There are two types of general hazards on the job: unsafe acts and unsafe conditions.

They are just what they sound like.

- Unsafe acts are things people do that ignore safety procedures and risk their own, or other peoples, health and safety. Examples of an unsafe act might include not wearing protective clothing, mixing reactive chemicals, using a machine without a guard, or tossing sharp tools around the work area.
- Unsafe conditions are machines, tools, protective equipment, or work area situations that don't comply with safety rules and practices and have to be fixed or corrected in order to protect the people who work here. Examples of an unsafe condition may include frayed electric cords, tools that spark, leaking chemical containers, and inadequate ventilation.

Remember, accidents and injuries can be prevented if proper safety and environmental standards and procedures are followed.

## **PROTECTING AGAINST INJURY**

### ***Eye Protection***

Injuries to the eye are one of the most common industrial accidents and can be extremely serious. Don't take chances with your eyesight.

### ***Face Shields & Goggles***

Face shields must be worn in designated areas and for all grinding and wire wheel and cutoff wheel operations, even though these machines are equipped with shields and guards. A face shield must be worn by anyone using compressed air or liquids to clean parts.

### ***Welding Goggles and Helmets***

- Welding goggles with proper lenses that filter out the injurious radiant energy that is produced by oxyacetylene welding and cutting must be worn by the welder, his/her helper, and anyone who may be watching the operation.
- Welding helmets must be used when doing any arc welding. For heavy gas cutting, use goggles.
- Do not watch any welding or cutting without the proper shaded goggles or helmet.

### ***Foot Protection***

Strong, well-soled shoes should be worn by all employees. You will not be permitted to work with shoes which have worn-out soles or are of such construction or material that they are not suited for the work being done.

### ***Hand Protection***

- Wear proper gloves when handling hot, jagged, or sharp materials, wood, or acid.
- It is not advisable to wear rings, watches, or other jewelry during the performance of mechanical and/or electrical work.
- Gloves around moving machinery are dangerous and forbidden.
- Rubber gloves should be used by employees cleaning parts with cleaning solvents. (Solvents wash the protective skin oils away).
- Gauntlet gloves will be worn by welders when arc welding or cutting.

### ***Respiratory Protection***

Employees will wear a cartridge-type respirator when spray painting, fine sanding, sandblasting or working in the same area of someone doing this work, and in any other designated area.

### ***Clothing and Other Protection***

- Employees shall be suitably clothed for their work. Loose or torn clothing, neckties, dangling sleeves, gloves, suspenders, or unbuttoned jumpers must not be worn

when working around moving parts. Sleeves of all clothing must be rolled up or kept buttoned. Shirt-tails must be tucked inside the trousers

- Grease or oil-soaked clothing should not be worn. This is not only for appearances, but also for safety. Exchange soiled uniforms as soon as possible.
- Shop employees must wear shirts, long pants and safety footwear.
- Avoid wearing jewelry while on the job. Chains, rings, watches, and bracelets can get caught in machinery
- When vehicle fuel, cleaning solvents, or chemicals are spilled on clothing, wipe off immediately and, if excessive, change clothing.

## HOUSEKEEPING: Every Employee's Responsibility

- Walks, aisles, exit, and stairways shall be kept clean and clear of debris at all times. If it is necessary to obstruct a passageway, barricades shall be erected. Access to fire equipment and electrical panels must be kept clear.
- Pick up dropped items immediately; even a paper clip, thumb tack, penny, or a small screw can cause a very dangerous fall.
- Nails should never be left protruding from boards or walls where they may cause personal injury. They should be bent flat or removed entirely.
- Tools, pieces of equipment, scrap and refuse shall be removed from the floors **immediately after completion of work.**
- Keep tools in chests, drawers, cabinets, or on convenient racks when not in use. Hooks on racks or cabinets should be inspected frequently and replaced as they become unsafe.
- Stored material should be piled securely and equally so the piles are not top heavy. Material should not project into aisles. Floors and storage racks must not be overlooked.
- Employees **must** wipe up all spillage **immediately** to prevent fires, falls, and slips. Industrial towels/rags, and oil absorbent compound should be used to soak up and wipe oil, grease, or other slippery spillage from the floor. Dirty towels/rags must be deposited in metal containers provided.
- Scrap boxes shall be provided for broken glass, metal, scrap, etc. Lighting - poor vision can cause nasty accidents. Report all necessary bulb replacement immediately. *Stairways and aisle ways must be well lighted.*
- Each employee is responsible for the neatness and "Orderliness of his/her immediate work area.
- Report loose flooring, smooth step edges, loose handrails and holes to your supervisor as you notice them.





## **MACHINES**

### ***General Safety Rules***

- Workers must wear safety goggles or face shields at all times when operating a machine.
- Never use hands to shift belts in motion.
- All shafting, wheels, gears, belts, and other moving parts of a machine for which guards have been provided must be kept guarded while the machine is operated. Never operate a machine from which the guard has been removed.
- Never start a machine until it is certain the piece to be worked on is firmly secured and everything is clear.
- Never leave a machine running unattended.
- A machine must never be operated by anyone except those who are properly authorized.
- Chucks are to be turned one full revolution by hand before power is applied. Make sure chuck wrench is removed.

### ***Grinders and Buffers***

- Clearance between wheel and work rest should not exceed 1/8". Do not try to change a work rest when wheel is in motion.
- Supervisors shall make periodic inspections of grinder Wheels, rests, guards, and glass shields.
- Never grind on the flat side of a wheel, and always take special care to avoid striking the side of the wheel with a heavy object.
- Never buff a piece of material from the lower half of the wheel because the piece may catch and pull your hands into the wheel.

### ***Presses and Shearing Machines***

- Press operators must use a stick or tool provided for the purpose of disengaging stuck work. Do not use fingers.
- Hammers and dies must be in good condition and properly fastened before using the machine.
- Always place a substantial timber under the hammer, shear, or punch when changing dies or making repairs. In all cases, block the treadle to prevent accidental tripping.

### ***Drill Presses***

- Oversized bits should not be ground down to fit smaller chucks. A proper adapter should be used.
- Small pieces of work must be clamped down to prevent their movement.

## **PORTABLE POWER TOOLS**

### ***General Rules***

- Extension cords and air hoses must be kept clear of aisles and walkways as much as possible.
- All portable tools must have a safety switch on them which cuts off power if the tool is dropped.
- Ensure you only use appropriate attachments and accessories for the tool. All attachments, fittings, hoses and accessories must be properly rated for use on the tool (i.e.: sanding, cutting and grinding wheels).
- Do not remove manufacturer's guards.
- Use drill stops to prevent the drill from penetrating beyond the depth needed or into wires or conduit.
- All electrical tools must have a ground wire which must be connected to a ground when the tool is in use.
- Chuck keys or adjusting wrenches must not be attached to electrically or air operated power tools. They may be attached to the electrical cord or air hose 18" or more away from the tool. Power cord or air hose shall be disconnected when changing tools or bit.
- No fuses, automatic cutouts, switches, or other devices should be inserted in a grounding line.
- The continuity of the grounding circuit should be checked periodically.

### ***Ladders***

- Always make sure that both side rails of a ladder have secure footing. If there is danger of slipping, or if you have to climb fairly high, securely fasten the ladder or have someone hold it for you.
- Ladders should always be placed in position at the proper angle. The base of the ladder should be out 1/4" of the vertical distance to the point of support, unless braced, fastened, or held to prevent slipping.
- Do not place a ladder in front of a door which opens toward the ladder unless the door is opened, locked or guarded.
- Always face the ladder when ascending or descending. Take each step in order with both hands on the side rails. If material needs to be handled, use a rope.
- Do not use ladders with cracked rails or broken or missing rungs. Withdraw the ladder from service and mark as "Dangerous, Do Not Use", then send it to the shop for repair.
- Do not paint ladders except for the yearly inspection color code. Do not climb on shelving, supplies, or any other makeshift item to get into or up to something. Use a ladder!

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## ***Scaffolds***

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- Thoroughly inspect each scaffold component before using it to make certain there are not bad welds, boards, etc., which could impair its strength.
- Do not overload scaffolds.
- Make sure scaffold legs rest on a firm foundation. Use base plates when necessary. Keep scaffolding level.
- Planking should have at least 12" overlap. Cleats should be used to prevent planking from slipping. Toe boards and guardrails should be used to prevent materials and employees from falling.
- The area below scaffolding must be roped off and kept clear. Warning signs should be used.
- When a plank is used as a scaffold between two ladders or other elevated structures, the plank should be level and securely locked to prevent creeping.
- A rolling tower or scaffold must have brakes which lock the caster wheels as well as the swivel.
- When moving a rolling tower, make sure that sufficient help is used to assure proper direction and to prevent tipping. Each time a scaffold is moved, be sure that the wheels are reclamped.
- When the height of a scaffold exceeds three times the narrower base dimension, it should be guyed or fastened in some way to prevent tipping.
- Caution should be taken while working on the top of a bus. Care should be taken to watch footing.

## MATERIAL HANDLING TOOLS

### *Hand Trucks*

- Keep load as low and up front as possible.
- Make sure that the load is secure and does not obstruct vision.
- Never walk backwards with a hand truck.
- On an incline, keep the truck ahead of you when going down, and behind you when going up.

### *Forklift Operation*

- All forklift operators must be properly trained and licensed/certified for the use of the forklift.
- Maintain safe speeds.
- Slow down at intersections, doorways, and blind corners. Use horn only when necessary.
- Never overload a truck so that the view is obstructed.
- Always have the truck in control so that an emergency stop can be made within the clear distance ahead.
- Always drive in the reverse position when going any great distance.
- The fork height should be at a safe position off the ground when in moving operation.
- Park the truck in designated areas only (never in aisles, doorways, or work areas) and lower forks to the ground.
- Never carry passengers.
- **Note:** See section on *Moving Vehicles* for additional information on operating moving vehicles.

### *Hoists\**

- Defective ropes, chains, hooks, or any other defective part of the hoists must be promptly reported to the supervisor. Defective slings and hoisting appliances must not be used.
- Load limits shall be posted on each hoist.

### *Jacks\**

- The use of jack stands is mandatory whenever a vehicle is off the ground.
- Defective jacks are not to be used. Unsafe jacks must be reported to the supervisor and sent in for repairs. At no time shall a jack be overloaded.
- When using a jack, always grip the handle firmly and keep your body and head clear of the handle.
- Remove all handles from jacks when not in use.

- When raising any part of a vehicle with jacks, secure the vehicle against movement with blocks and hand brake. When more than one jack is used, the lift should be even.
- Jacks, handles, crowbars, and blocking must be returned to their proper storage place as soon as they have served their purpose.
- Defective (splintered or rounded) blocking shall not be used.
- When maintaining a load in a raised position, relieve the strain on the jacks by lowering vehicle on jack stands.
- When- a man is working under a vehicle that is blocked up, men working on top of the bus must not work in a manner that may jar the vehicle off the blocks or jacks.
- **Caution:** No one should work under any vehicle unless supported by jack stands. Do not attempt to work under a vehicle without first blocking the wheels.

*\* Jacks, Hoists and Vehicle Lifts shall be inspected and recertified annually.*

### ***Chains, Ropes, Cables, Slings, and Hooks***

Particular care must be exercised when using these materials. Some precautions to be taken are:

- Never overload, twist, kink, or drag a chain, rope, cable, or sling.
- Never cross or fasten a chain or rope over sharp corners.
- Never apply sudden loads to any chain or rope.
- Never hammer a chain or hook into place.
- Never use a chain at small angles or allow a load to rest on a chain.
- Don't carry a load on the point of a hook.
- Don't tip or tumble loads with chains.
- Never use a chain with stretched or still links. Don't take chances when a chain or cable looks unsafe; notify the supervisor immediately.
- Never carry an unbalanced load.
- Chains shall be inspected annually and tagged showing maximum load capacity and date of last inspection.
- Bolts shall not be used to shorten or join chains. All chains shall have hooks and eyes.
- Wire rope should be lubricated at regular intervals to prevent rust and excessive wear.

## **HAND TOOLS**

Employees should report all unsafe tools or lack of proper tools to their supervisor.

### **General Rules**

- All tools should have proper sized, tight fitting handles which are free of splinters. Tools with cracked, missing, or loose handles should not be used. Taping or wiring of handles is not allowed.
- Pointed or sharp tools when in transit, or not in use, must be kept in toolboxes or holders which fully protect the edges or points.
- Do not use dull tools; keep them sharp.
- Never strike or pull sharp tools toward your body.
- Never apply excessive force in such a manner that would cause you injury if the resistance were suddenly released.

### **Shock Tools**

Metal cold chisels, drifts, punches, hammers, wedges, and sledge hammers.

- If heads are mushroomed, do not use - have them redressed or safe-ended.
- Do not use a steel hammer on hardened metal surfaces.
- Do not attempt to re-temper or re-harden heat-treated tools - send them to the shop.
- When swinging a sledge hammer or axe, make sure you have a clear circle in which to swing. Warn nearby workers not to get in the way. Do not wear gloves when swinging a sledge hammer or an axe. A person holding a tool which is to be pounded on by other tools must use proper holding tongs or other devices to keep him/herself clear and safe.
- Copper or lead hammers must be used when striking tempered pins, castings, or tools. Never strike two hardened tools together.
- Whenever possible, hold a chisel in the hollow of the hand with the palm up. If the hammer glances, it will strike the soft palm instead of the knuckles.
- When chipping or shearing with a chisel, warn others in your area to wear their safety glasses.

### **Brittle Tools**

#### **Files and drills**

- Must not be hammered on, bent, or used as a pry,
- Do not clean a file or a drill by striking it against a steel or hard object. Use a file card or wire brush to remove the metal shavings.

### **Pliers and Wrenches**

- Use the correct wrench for the bolt or nut being worked on and make sure you have secure footing and a firm hold on the wrench before applying pressure. Pull wrench when possible, do not push.

- When using an adjustable wrench, pull when the adjustable jaw faces you. Push when fixed jaw faces you. This insures proper locking of the wrench onto the nut or pipe.
- Do not use wrenches or pliers as hammers. Do not use pliers as wrenches.
- Electricians must use properly insulated pliers.

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### ***Screwdrivers***

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- Do not use a screwdriver as a punch, wedge, pinch bar, or prybar.
- Do not use a screwdriver with rounded or bent tips.
- Electricians must use properly insulated screwdrivers.
- Do not apply a screwdriver to objects held in your hand.
- Always use the proper size screwdriver for the screw or bolt being used.

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### ***Proper Tool Maintenance***

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- Use a file instead of an abrasive wheel to repair a screwdriver tip. (The temper is maintained.)
- Shock tools - all edges of the striking heads of hammers and chisels and pins should be either dressed or safe-ended to prevent mushrooming or spalding.
- Employees should not use an unsafe tool at anytime. Employees are responsible for returning broken or damaged tools to the tool room for repairs.





## **SPECIFIC OPERATIONS**

### ***General Tire Work Rules***

- Do not perform tire operations until you have been properly trained on the safe operating procedures
- Tires, rims, lock rings, and wheel nuts should be frequently inspected in service.
- Always store tires with the lock ringside of the wheel facing the wall.

### ***Changing Tires***

- Before attempting to loosen wheel nuts, note the wheel and lock ring condition. Remove the valve core to deflate any tire with a damaged rim or lock ring before taking the wheel nuts off.
- A damaged rim or lock ring may not be noticed on a rear tire until the tire is off the bus. In cases like this, turn the wheel so the lock ring faces away from you, then remove the valve core from the back side of the tire.
- There are many different types of wheels on our buses. Each wheel type has a different dish size or mounting. When changing a tire, take extreme care to make sure that the correct wheel and tire assembly is put back on.
- Vehicles must always be blocked or set so that they cannot be moved while a tire is changed.
- Never strain or fight a tire. Use only proper tire changing tools when repairing tires to avoid injury.
- Never inflate a tire that has run flat. Remove, inspect, and repair it if possible.
- Dual wheels - the inside tire must always be installed so the valve stem is easily accessible.
- Tires must only be inflated in an approved tire cage. When inflating tires, use a sufficient length of hose between the clip-on chuck and the inline valve to allow the employee to stand outside the trajectory.

### ***Mounting and Dismounting Tires on Wheels***

- NO mounting and/or dismounting of multi-piece rim wheels are to be performed by MV employees
- Do not attempt any tire repair work until you have read the wall chart on safe operating procedures for mounting and dismounting bus tires.
- Before assembly, wheels and lock rings should be thoroughly cleaned and inspected. Worn, cracked, or bent parts must not be used.
- Excessive pressure should not be exerted or unnecessary hammering done when removing or installing lock rings. Bent rims or lock rings will not fit properly.
- Never try to straighten or rebend a bent or distorted lock ring.
- When mounting tires, make sure that the lock ring is secure. Put the tire into the tire inflation cage or see that safety bar is securely fastened. Inflate until both bead rings make full contact with the rim: then allow the air to escape. Install valve core and fill

to proper pressure. Tap the lock ring as necessary to make it seat properly. **DO NOT** over inflate the tire.

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## ***Welding, Heating, or Cutting Operations***

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- No persons except those properly qualified shall use the gas or arc welding equipment.
- Approved welding goggles, gloves, and other safety equipment must be used. Clothing should be grease and oil free and be fastened at the neck, wrists, and ankles. Low cut shoes shall not be worn.
- All gas welding equipment must have safe hoses with "safety" valves located on the tank to prevent possible flashback. All hoses and regulators shall be free from grease and oil.
- Bystanders shall not be permitted to watch welding and cutting without protective equipment.
- Whenever welding at an elevated height, take precautions to prevent hot material or sparks from falling on people or on inflammable material.
- Whenever possible, barriers shall be used when arc welding is done to protect other workers from the ultra violet rays.
- Hot material must be marked "Hot" or allowed to cool before being left unguarded.
- Care must be taken when heating or burning pipes or tubes. The ends of the pipes must be directed away from fellow employees. Proper ventilation must be secured when brazing, soldering, cutting, or welding on any material metals which produce harmful gases. Fumes of hot metal or acid should be avoided as much as possible. Extreme caution must be exercised when electric welding to avoid accidental grounding of the electrode. When the arc welder is not in use, the main switch should be off.
- When welding is done in a confined place, an attendant shall be stationed at the arc welder switch.
- Welding shall be permitted only when proper precautions are taken.

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## ***Material Handling: Lifting and Carrying***

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- Do not attempt to lift a heavy load beyond your lifting capacity. Get help for heavy lifts and use hand trucks, cranes, jacks, drum dollies or other hoisting / material handling equipment whenever practicable or required.
- Lifting on a dare, testing strength, and similar horseplay are prohibited.

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## ***Proper methods of lifting heavy loads are:***

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- Consider the size, weight, and shape of the object to be carried. Never lift more than you can handle comfortably.
- Get the center of the weight as high as possible. If a sack, stand it up. If a box, stand it on a corner.
- Set your feet solidly for good balance and stability.
- Get as close to the object as possible. Bend the legs about 90 degrees at the knees. Do not fully squat; it will take twice as much effort to straighten up if you do.

- Keep the back as straight as possible. It does not have to be vertical, but it should not be bent.
- Get a firm grip on the object. Straighten the legs to lift the object, and at the same time, swing the back into a vertical position.
- If you have to turn, turn on your feet, not at your hips or shoulders.
- Never carry a load which obstructs the view ahead.
- Do not carry heavy loads in dark areas or where the footing is uncertain.
- Do not try to lift on oily or slippery floors. Use sand or other material to insure good footing, first.
- Always inspect materials for splinters, jagged edges, burrs, rough or slippery surfaces before handling.
- Keep fingers away from pinch points when setting materials down.
- Wear gloves when material is hazardous or rough.
- Handling Specific Shapes:
  - (1) Boxes, bags, and sacks - grasp at opposite top and bottom corners and draw a corner between the legs.
  - (2) Drums and barrels - two-man operation - make sure there is enough room to perform the upending or overturning operation. Working in cramped quarters can result in badly injured hands. Use a drum-dolly whenever possible.
  - (3) Long items such as pipes or ladders should be carried over the shoulder with the front end held as high as possible to prevent striking other employees. When necessary, two people should carry such items.

### ***Material Handling: Hazardous Material***

- Acids and Caustics
  - (1) Don't store acids or caustics in glass or other containers near heat or steam pipes, or in direct sunlight. Expansion in the containers due to the heat may cause a fire or explosion.
  - (2) Rubber gloves, aprons, boots, and a face shield shall be worn when handling acids or caustics.
  - (3) Drums or containers should be emptied by gravity only.
  - (4) Acid or caustic carboys should not be moved unless they are securely sealed and wired.
  - (5) Never pour water on top of acid. The acid should be added to water in small quantities.
  - (6) When acid gets on any part of the body, including the eyes, flush immediately with plenty of water.
- Gas Cylinders
  - (1) Compressed gas cylinders should be stored on end on a smooth floor and chained or fastened firmly against a wall post or other solid object.
  - (2) Do not store cylinders in or near heavy traffic areas.
  - (3) Gas cylinders must be rolled, not dragged, on the bottom edge when moved.
- Volatile Petroleum Products

- (1) The use of gasoline or diesel for cleaning parts is prohibited.
- (2) Smoking is prohibited in shops, around vehicles, near gas pumps, cans, tanks, or when near anyone pouring or working with gas or flammable material.
- (3) Never fill a tank on a vehicle when the motor is running.
- (4) Only approved safety cans are to be used for handling, storing, or transporting gasoline, kerosene, or diesel fuel.
- (5) Clean up spilled gasoline quickly. If gas gets into the drainage system, notify the Fire Dept. so sewers can be flushed. Gasoline vapors collect in low spots such as pits, sumps, and basements. Care should be taken to keep these areas ventilated when vapors are present.
- (6) Always keep alcohol, grease, gas, and oil in fireproof rooms except for a small working supply.
- (7) When dispensing flammable liquids with a transfer pump or faucet from a drum or a bus or car, use a ground wire and clamps to ground the drum to the vehicle being filled to prevent a static discharge from occurring.
- (8) Always keep the metal fuel nozzle of the hose in contact with tank while the fuel is flowing to prevent any static discharge from igniting vapors.

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### ***Moving Vehicles***

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- ONLY authorized personnel shall drive company vehicles.
- Do not carry passengers unless the conduct of the company's business demands it.
- When driving company owned vehicles on a street or highway, obey all rules of the road. Buses and miscellaneous vehicles are not to be moved except by those specifically authorized to do this work.
- No bus, van, or car shall be moved until it is determined that no one is working on the vehicle.
- Beep the horn loudly; then wait a few seconds before starting and moving the bus. Air pressure must be 100 PSI prior to moving vehicle equipped with air brakes.
- A complete safety stop must be made before a vehicle is moved by or through any door, post, wall or other objects which may obstruct your view. A warning signal shall be given before moving forward. Make sure garage doors are fully open before driving through.
- No buses are to be pushed with pickup trucks or trucks other than tow trucks. **At no time should you push a bus with another bus.** Always turn the ignition off when fueling.
- Whenever a driver leaves a vehicle, the engine must be stopped, the gears in neutral, the switches off, and the parking brake set. If it is necessary to leave the engine running to make repairs, the gears must be in neutral and the parking brake set.
- Before starting any vehicle, make sure the shift is in neutral and the parking brake is set.
- State law requires all buses to stop at all railroad crossings, unless the crossing is controlled by a traffic light or traffic officer.
- Obey all speed limits and drive according to the conditions of the road and weather.

## **Battery Safety**

- Before attempting to lift a battery, make sure the battery handles are secure. If the battery is too bulky for one person to lift and carry, get help and/or use a battery cart.
- Do not wear rings or wrist watches when working around batteries. Safety glasses must be worn when working with batteries.
- Avoid getting battery corrosion or acid on the skin or in the eyes. Acid burns should be flushed immediately with water. After flushing, baking soda (sodium bicarbonate) should be placed on the affected skin.
- Open flames or smoking shall not be permitted in the battery area.
- Only the battery attendants or those assigned to work on batteries are allowed in the battery area. No one except authorized personnel shall be allowed to connect or disconnect a battery on charge.
- Batteries should only be charged in an area with proper ventilation. Batteries with loose or broken posts must not be used.
- When installing a battery, make sure all switches in the vehicle are off . Take care not to cross wires. **Disconnect ground cable first, and reconnect it last.**
- Never check a battery by arcing across posts with pliers or steel prods.
- When using jumper cables to start a vehicle, make sure of the polarity of both batteries (positive to positive, negative to vehicle frame) are matching when hooking up the cables.
- Batteries must be stored off the ground at all times (battery pallet is preferred)

## **Working In, On, Behind, or Under Vehicles**

- Lock-out/Tag-Out steering wheel covers will be used at all times when working on a vehicle. No one shall work under a vehicle or on the motor of a vehicle without taking the necessary precautions to prevent the engine from being started and the vehicle from being accidentally moved.
- Disconnect the battery ground cables when working on the engine, transmission, starter, generator, or other parts where injury may occur if the engine is turned over.
- Engine exhaust pipes must be connected to the exhaust ventilating system when engine tune-ups or checks are made. No bus engine shall be run in the shops or garage for more than one minute without the exhaust system being connected, except when building air to move the bus out.
- Apply a battery cable guard (short piece of rubber hose over cable ends) when batteries are disconnected but not removed.
- Never use a torch or flame to thaw out frozen air tanks or lines.
- Use an electric heat gun or allow the bus to stand inside and thaw itself out.

## **Pressurized Fluids or Compressed Air**

- When testing or working with diesel engine fuel injectors, keep fingers and hands away from oil stream and spray tip. The high velocity could penetrate the skin and cause blood poisoning.
- Compressed air shall never be directed toward the body or clothing. Forty pounds of pressure can kill.

- When blowing off dirt from material, always direct the force of air in such a manner as to avoid blowing the dirt on fellow workmen. If this is unavoidable, warn everyone away from the immediate vicinity.
  - Air hose valves shall be turned off at the feeder line connection when air is not being used.
  - Scuffling with compressed air is prohibited.
  - If it is necessary to test tanks, cans, radiators, or other similar parts for leaks with compressed air, the pressure used must be of known, low, safe pressure with an air gauge and a properly adjusted reducer or safety valve in the air line.
  - Proper air hose fittings should be used on all hose ends.
  - Anyone cleaning engines, bus chassis, or parts with pressurized cleaning sprays must wear safety goggles, boots, and aprons. Use only OSHA approved gun with proper air pressure.
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### ***Painting***

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- Only use automotive paint products that allow the use of charcoal cartridge air respirators/purifiers and **do not** require “positive air flow / forced fresh air flow” respirators – information on proper PPE/respirator type is found on the product’s MSDS sheet.
- Painters shall wear properly rated cartridge type respirators when spray painting. Employees working in immediate vicinity shall wear them, also. There is to be no spraying during the movement of vehicles in and out of the spray room/areas.
- Paint limit – recommended 2 pints max (0.25gls) per day (approximately the quantity of 2 aerosol cans).
- Use only “Single Stage” paint (meaning the paint product does not require a separate clear coat application)
- Paint only in well ventilated areas or outdoors (if indoors, try to paint only at night or after-hours to limit exposure to other employees)
- Use only “low velocity” spray nozzles or aerosol cans
- Maximum paint area: Only perform in-house paint repairs if the area to be painted is not larger than 162 square inches (18” x 9”), or roughly the area that can be covered by two “adult male” hands.
- No painting shall be done on the inside of the bus while it is being sprayed on the outside.
- Electric wires to are to be left alone by painter unless supervisor has determined that they are dead.
- Each worker must know the danger of lead poisoning existing in certain kinds of paint. The Industrial Commission recommends the following steps to be taken to avoid this danger.
  - Do not put fingers in the mouth or eat food while working.
  - Before eating and before leaving work, wash face, hands, and arms with soap, and thoroughly cleanse the nose and mouth: Do not eat lunch in the same room where lead paint is handled.
  - Do not go to work with an empty stomach.
  - Keep fingernails cut short and clean.

- Do not chew tobacco while at work.
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### ***Servicing and Cleaning Buses***

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- See "Moving Vehicles".
  - Personnel who are servicing buses must wear shoes without metal cleats, so as not to damage the flooring.
  - When checking water level, take extreme care when opening the filler spout, as follows:
    - Push pressure relief valve to release pressure.
    - Stand back and keep face away from opening when releasing filler cap. Report all caps and relief valves which do not work properly.
  - When cleaning or servicing a bus, report all defects immediately to the supervisor.
  - Use windshield wipers when driving a bus through a washer.
  - Always wear proper PPE when cleaning/servicing buses (gloves / eye protection)
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### ***Electrical Equipment***

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- Only qualified workman shall work on live electrical lines. Never work on a live line unless absolutely necessary.
  - When opening switches, cutouts, or clamps on a live line, use approved insulated tools.
  - When connecting equipment to a live line, make the live connection last.
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### ***Light Bulbs***

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- When removing light bulbs which have become stuck in the socket, use bulb pliers, rag, or glove to avoid cuts if glass should break.
- Burned out bulbs must not be dropped or broken.,
- Burned out fluorescent tubes should only be replaced by authorized persons. The tubes should be put in the box provided so the trash man can easily dispose of them.

## **FIRE AND FIRE HAZARDS**

Every ordinary fire depends upon three components for its existence: air, heat and fuel. Prevention of fires depends upon the elimination of one or more of these components.

### ***Fire Fighting***

When an employee discovers a fire, he/she should do the following two things:

- Turn in the alarm - regardless of the size of the fire. Do not attempt to fight a fire before turning in an alarm. The locations of city fire alarm boxes or other alarm equipment and/or telephone numbers should be memorized.
- Attempt to extinguish the fire after turning in the alarm by using the proper extinguisher.
  - Class A Extinguishers - use on wood, paper, rubber, and any ordinary combustibles of similar nature where a quench cooling effect is required.
  - Class B Extinguishers - flammable liquids, bases, and greases where an oxygen exclusion of flame interruption effect is essential.
  - Class C Extinguishers - electrical equipment and wiring where the di-electric conductivity of the extinguishing is of importance.
  - Class D Extinguishers -combustible metals.

In case of fire, all employees must:

- Stop work immediately upon hearing the fire signal.
- Listen for the location of the fire.
- Use proper fire extinguisher on the fire; don't use the wrong type of extinguisher on a fire.
- Avoid smoke inhalation.
- After a fire, return all firefighting equipment to its proper position or holder. If a seal on an extinguisher is broken, notify the supervisor. He will see that it is inspected and recharged.

### ***General Fire Safety Rules***

- Oil and oily waste rags shall be kept off the floor. Dirty rags and wiping towels shall be deposited in the approved self-closing metal containers.
- Flammable liquids shall be kept only in approved closed containers.
- Keep grease and oil and other flammable liquids in fireproof rooms except for small working supplies.
- Only vapor-proof lamps are to be used in the enclosures where volatile petroleum products are stored.
- Warning signs shall be posted at all entrances to fireproof rooms where flammable liquids are stored and all paint spray rooms.
- All vent and fill openings on gasoline storage tanks should be equipped with flameproof double screen fittings.
- Gasoline in a tank shall never be gauged by a metal stick. Always use wooden sticks.



- Gasoline must never be used as a cleaning solution for any reason. Never switch a flashlight on or off near a gasoline tank opening or whenever gasoline vapors are present.
- Open flames or hot objects are prohibited in the vicinity where oil or other flammable liquids are handled. "No Smoking" rules as applied to various divisions must be observed.
- Avoid static sparks when transferring gasoline or other volatile fluids from one container to another by bonding both containers.
- Fire doors and their mechanisms shall never be locked. Passageways to fire - fighting equipment must be kept open at all times.
- Employees shall familiarize themselves with the locations, types, and use of various fire extinguishers.
- After being used, fire extinguishers shall be checked, refilled, resealed and returned to their hangers promptly.
- Firefighting equipment must never be used for any other purposes. All possible fire hazards should be reported to the supervisor as soon as they are noticed.
- The nearest fire alarm station box and how to use it should be known by every worker.
- Lockers and tool chests shall be kept clean and free of flammable material. Oily clothes must be **hung** in ventilated lockers, **NOT** thrown on the bottom.
- Fire extinguishers shall be hydrostatically tested periodically (every five years).



## **BUS SECURITY**

Bus security begins with you – your knowledge and your best judgment. Being able to define and identify security threats and incidents will help you distinguish between a prank and an actual emergency, and help you determine the appropriate course of action. Maintain a high level of awareness at all times. Monitor and observe people, events, activities and items around you and take careful note of irregular and/or suspicious behaviors or happenings. If it looks out of place, question it...

### **Look for people who:**

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- Are not where they are supposed to be (restricted or employee-only areas)
- Look lost and /or wandering around – especially at the bus yard, parking and maintenance areas
- Appear to be conducting surveillance (a bus maintenance facility is not a tourist attraction...)
- Cause disruptions or intentionally distracting behaviors
- Abandon an item and leave the area quickly
- Openly possess a weapon and /or prohibited or dangerous item(s) and/or
- Use a vehicle in a suspicious way (illegally parked against a building, erratic driving, following, etc.)

### **Look for items and/or devices that:**

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- Were abandoned by someone and left in the open
- Were abandoned and hidden/concealed
- Do not belong where they are located
- Appear to be suspicious or dangerous, such as a canister, tank, metal box, bottle, etc.
- Have an attached message
- Appear to be emitting a vapor, mist, gas, or odor
- Seem to have seepage or leakage of a suspicious / unknown substance
- Are connected to wires, timers, tanks or bottles and/or
- Appear to be the source of a foreign substance that is causing people to cough, have trouble breathing, feel nausea, lose consciousness, or exhibit any other medical condition/symptom.

If you encounter any of the suspicious activities or items listed above, notify your supervisor or manager immediately.

## OSHA Regulations and Frequent Violations

OSHA stands for Occupational Safety and Health Administration. OSHA's whole reason for being is to ensure your health and safety on the job. Every single rule and regulation was created for that purpose.

Now, the main responsibility for OSHA compliance falls on employers. But they can't do it without employees. If you don't understand what's safe and what's not and don't play an active role in following the safety programs and procedures the government and the company have established, all the time, money, and effort that go into these programs will be for nothing.

In addition, you are often in the best position to notice if a safety regulation is not being met. When a system malfunctions, when information is missing, when a machine or tool isn't working right or isn't properly guarded, it's up to you to report it immediately so that safety and OSHA compliance can be maintained.

### ***Identifying Hazards***

A key part of your safety responsibility is:

- Know what constitutes a safety hazard.
- Be on the lookout for safety hazards.
- Correct or report safety hazards immediately.

Our training and safety meetings educate all of us on what constitutes a safety hazard. You can also obtain information from sources like labels and material safety data sheets however a lot of your hazard knowledge is the result of your experience, instinct, and common sense. If you see a tool that isn't working right, smell a peculiar odor, or notice materials piled up in a blind corner, you know it's a safety hazard even if it isn't something you've specifically covered in training or in a safety meeting.

Let's think for a minute about the kinds of conditions that could be hazardous and the kinds of questions you should ask as you plan and execute your jobs.

- Is there an opportunity of a person, equipment, or materials getting caught in or between objects?
- Is there a danger of falling, tripping, or slipping?
- Is there a chance of being hit by or against an object?
- Are there materials around that could burn or explode?
- Are there materials that could create health hazards?
- Is there a danger of electrical overload?
- Are emergency exits blocked or is emergency equipment out of commission?
- Are there unlabeled substances in the work area?

These are the kinds of questions you should be asking, in your head, all the time and if the answers you get are answers that spell danger, you have to take the next step: Either correct the problem if you can or report it to Division Management Team immediately so that it can be corrected.

## ***Safety Procedures***

Hazard identification is very important, but it's just one of your safety responsibilities. Let's look at the others.

- Know and use safe work procedures. The training you receive gives you the information and equipment you need to work safely. It is your responsibility, legally and as a matter of plain common sense, to make use of what you know.
- Avoid obvious unsafe acts—things like running through the work area or horseplay that jeopardize safety.
- Keep the work area clean and uncluttered. It's up to you to see that your work area isn't going to cause an accident. That means leaving aisles and stairways clear, cleaning up spills, properly disposing of flammable scrap—eliminating any items or conditions that could create a hazard.
- Report accidents, injuries, illnesses, exposures to hazardous substances, and near misses to Division Management Team immediately.
- OSHA requires the company to record and report any incident that results in death, lost work time, transfer to another job or termination of employment, need for medical treatment, loss of consciousness, or restriction of work or movement.
- Our requirements go beyond those listed by OSHA. Near misses are especially important. When we know about them, we can do something about the circumstances that created them before anything serious happens. We may have to replace or repair equipment, redesign a process, provide additional training, etc. But we can't do it if we are unaware of the problem.
- Report things that don't seem right even if you are unsure they're hazards. This is especially important if you're working with hazardous chemicals, where symptoms that appear to be minor like a headache or red skin may be the first indicator of overexposure. We don't want to take any chances, and neither should you. This is a real example of "Better safe than sorry."
- Cooperate with internal inspections and job hazard analyses. We conduct these as a part of our program to keep this a safe workplace. They're to your benefit and we need your help.
- Follow company safety rules. They're not just made up out of thin air. These rules result from a combination of government laws and regulations and the experience of many people in this company and this industry. It's been determined that they help employees perform their jobs in a safe and healthy way.
- Look for ways to make the job safer. There is always room for improvement, and the people who are on the front lines, like you, are often the ones who see gaps in the procedures or figure out a better way to do things. We want you to help us improve safety by letting us hear your observations and suggestions.
- Participate in safety training. That doesn't just mean showing up. It means paying attention, playing a role in discussions and practice sessions, reading materials, and asking questions. It means applying what you've learned on the job, and helping other workers when they're unsure of what to do.
- Treat safety as one of your most important job responsibilities. Your job is not only to perform particular tasks and get particular results: it's to do those things safely. We really mean that. The safe way is, in the long run and sometimes even the short

run, the most efficient and most effective way to get the job done. What, after all, could be more inefficient than a job that results in injury or illness, fire or explosion?

### **Summary**

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A safe workplace is a combination of the efforts of management, supervisors, and employees. No one group can do it alone, but together we can create an environment that doesn't hold a potential accident or illness around every corner.

There's no way to absolutely guarantee safety every moment of every day, on the job or off it however a combination of training and experience makes it relatively easy to identify on-the-job hazards and protect ourselves from the dangers.

Because you're on the floor, working with the equipment, materials, procedures, and protections, you're in the best position to see that they really do promote safety—and to do something about it if they don't.

## **OSHA 300**

### ***Requirements***

The Division Maintenance Staff shall support the Division Safety Staff in compliance with its requirements for maintaining a current and accurate OSHA 300 LOG as well as all other safety related records required by any government agency, customer or the Company.

The OSHA law requires most employers with 10 or more full-time employees to keep a yearly log of all work-related injuries and illnesses. This is the OSHA Log of Injuries and Illnesses, or the OSHA Form 300.

### ***OSHA Form 300A (Annual Summary)***

MV as an employer is responsible for preparing an annual summary of injuries and illnesses that occurred during the calendar year. The annual summary, OSHA form 300A, displays the totals from columns G through M of OSHA log 300. The summary also displays the calendar year covered, company name and address, annual average number of employees and total hours worked by all employees covered by the OSHA 300 log. Form 300A is a separate form and does not display any personal information, as shown on OSHA log 300. Form 300A also makes it easier to calculate incident rates. The annual summary must be:

- Posted by February 1 and remain posted until April 30th
- Posted in areas where other notices are normally placed
- Certified (signed) by a company executive, stating that the information is correct and complete to the best of the employer's ability
- Retained for five years following the calendar year to which they relate

If no cases are recorded during a reporting period, a summary must still be posted. Zeros should be entered into all spaces provided on form 300A.

### **What Kinds Of Injuries Or Illnesses Should Be Reported On The Form?**

Employers must record all new cases of work-related fatalities, injuries, and illnesses if they involve:

- death,
- days away from work,
- restricted work or transfer to another job,
- medical treatment beyond first aid,
- loss of consciousness,
- Or a significant injury or illness diagnosed by a physician or other licensed health care professional.

Each recordable injury or illness case must be recorded on the OSHA 300 Log and the Form 301 Incident Report within seven calendar days after the employer receives notice that the injury or illness occurred.

One of the most confusing aspects of recordkeeping is determining if an injury or illness is recordable, based upon first aid or medical treatment. The revised standard sets new definitions of medical treatment and first aid to simplify recording decisions.

Medical Treatment is defined as:

- Administering immunizations, such as Hepatitis B or rabies (does not include tetanus)
- Using wound closing devices, such as sutures, staples, etc.
- Using rigid means of support to immobilize parts of the body
- Physical therapy or chiropractic treatment

Medical Treatment does not include:

- Visits to a physician or other licensed health care professional solely for observation or counseling
- The conduct of diagnostic procedures, such as X-rays and blood tests, including the administration of prescription medications used solely for diagnostic purposes

First Aid is defined as:

- Using a nonprescription medication at nonprescription strength
- Administration of tetanus immunizations
- Cleaning, flushing or soaking wounds on the surface of the skin
- Use of wound coverings, such as bandages, Band-Aids®, gauze pads, etc.
- Application of hot or cold therapy
- Use of any non-rigid means of support, such as elastic bandages, wraps, non-rigid back belts, etc.
- Use of temporary immobilization devices while transporting an accident victim (e.g. splints, slings, neck collars, back boards, etc.)
- Drilling of a fingernail or toenail to relieve pressure, or draining fluid from a blister
- Use of eye patches
- Removal of foreign bodies from the eye using only irrigation or a cotton swab
- Removal of splinters or foreign material from areas other than the eye by irrigation, tweezers, cotton swabs or other simple means
- Use of finger guards
- Administration of massage
- Drinking fluids to relieve heat stress

This is a complete list of all treatments defined as first aid under the revised standard.



## **ACCIDENT REPORTING**

### ***Employee Injury Reporting Procedure Guide***

#### **Employee Notifies Management of an Injury (Immediately)**

- Serious injuries requiring immediate medical attention need to be addressed first. (Call emergency response 911)
- Minor injuries not serious in nature, once reported are investigated, documented.

#### **Medical Evaluation**

##### ***Employee requests to see a doctor***

- Transport employee to our clinic. Stay with employee through initial visit. Communicate to the clinic our investigation findings and any concerns.
- Ensure the clinic is aware of the physical requirements of the job and that we have TMW available. (Get a copy of any employee restrictions with details of TMW eligibility to the Risk Management upon return).
- Employee refuses medical aid
- Fill out Employee Incident Form and Refusal of Medical Treatment form, then forward to Risk Management for Record Only.

##### ***Drug Testing - Take the employee to clinic for testing***

- Any medical treatment requires drug testing

##### ***Supervisor calls the Injury Hotline 1-800- 831-0294 (Immediately)***

***Gather completed incident reporting packet paperwork. Submit the employee injury reports to the Safety Manager for processing to Risk Management. The following forms must be faxed to Risk Management at 707-863-8167 within 12 hours (Keep a copy of the successful transmission receipt in the accident file)***

- The Online Workers' Comp Submission Form (on portal)
- Employee Incident Report
- Initial Medical Reports
- Modified Duty Offer Letter
- Drug & Alcohol Test Results
- Accident/Police Report

##### ***Investigate the injury***

- Document the facts Who, What , When, Where, Why
- Identify any injury witnesses and document their statements of the occurrence
- Take pictures of the injury scene and any material objects involved and forward to Risk Management

##### ***Ask questions in your investigation and document responses***

- What was the employee doing just before the injury? Was it an unsafe action?
- Were they properly trained to do the work they got injured doing?

- Was the employee using any required PPE equipment?
- Was the employee on duty?
- What were the possible contributory causes of the injury?
- How could the injury have been avoided?

***If Drive Cam equipped and the injury was recorded on Drive Cam, download and secure Drive Cam incident event.***

## ACCIDENT INVESTIGATION / JOB SAFETY ANALYSIS

### *Introduction/Overview*

Our safety training, including safety meetings, usually focuses on known job hazards—especially those regulated by OSHA. We pay close attention to understanding the possible hazards and safety procedures for these tasks, equipment, or substances—and they deserve it.

There can be potential hazards in any task or even in the way we organize the workplace or the way we behave on the job. One way to call attention to these easy-to-miss risks and make sure that we don't ignore any safety or health hazards is to perform a job hazard analysis.

A job hazard analysis is a process where the management team work together to really analyze a particular job being conducted. Checklists are created to help take a close look at the conditions under which the job is performed. Then, again with the help of a checklist, break the job down into steps and examine each step for possible hazards. Next, look for ways to eliminate those hazards, either with safety equipment, by changing the way the job is performed, or by adding special precautions.

A job hazard analysis is not an evaluation of job performance, but of the possible hazards in the job itself. It's a good way to take a fresh look at what we do—and hopefully, find ways to keep ourselves safer and healthier.

### *General Hazards*

When we think about which tasks we want to consider for job hazard analysis, we look first at the ones that have caused accidents and injuries. The more problems we've had, the higher on the list that job goes. Right after jobs that have actually led to reported accidents or injuries are those that have had "near misses." We want to find the problem before someone gets hurt.

Other good candidates for job hazard analysis are new tasks or processes or jobs where changes have been made in processes and procedures. Ideally, we'd like to conduct a job hazard analysis for every job we perform.

You can't set up hard and fast rules for the steps of a job hazard analysis, because every one—like every job—is different. But there are some basic steps to follow. Before you start going through the job itself step-by-step, it's usually a good idea to perform a pre-analysis check.

In a pre-analysis, we look for possible hazards in the general conditions under which you're performing the job. To do that, we create a checklist of questions to make us really look for potential hazards in the work area. We might ask questions like these:

- Is there adequate lighting?
- Could materials on the floor cause people to slip or trip?
- Are there exposed or live electrical wires?
- Are tools, machines, and other equipment in good repair?
- Do machines have guards in place?

- Are noise levels high enough to interfere with communication?
- Are fire alarms and portable extinguishers readily available?
- Are emergency exits clearly marked?
- Is personal protective equipment available, in good condition, and used when necessary?
- Have there been complaints of headaches, dizziness, or respiratory problems?
- Is the work area ventilated?
- Are chemical containers kept covered when not in use?
- Is the "no smoking" rule obeyed around flammables, open flames, or sparking tools?

Using a checklist of questions like these can often help call attention to hazards that don't register with us as we go about our work. The hazards may not relate to a specific job, but that doesn't mean they can't cause injuries or other serious problems. You don't want to wait till you trip over packing materials on the floor or can't find a fire extinguisher when you need one. Hazards like that have to be identified and fixed no matter what type of job you're doing and analyzing.

### ***Identifying Hazards***

Once general work area hazards have been studied and analyzed, the process moves on to taking a close look at the specific job you're doing. We break the job down into steps, including enough details to describe what you do—but not so many that you need pages and pages to say it.

When I say that we break the job down into steps, I mean every step that you follow. That includes inspecting and putting on protective clothing and equipment, organizing the work area, and setting up for the job. It includes the machinery and equipment you're using, the condition it's in, and the ways in which it's used.

The checklist would also cover the exact way you perform the job, literally step-by-step. It would list the parts and materials required, and how they're organized, located, and used. We'd note when equipment has to be shut down and how that's done. And we'd cover any potential hazards that are created while performing the job, such as dust, chemicals, heat, and excessive noise.

Once the steps are listed, I'd watch to see exactly what you do in each step. Since the goal is to identify hazards—or possible hazards—that could harm you, you have to perform the job in your normal way. It is important to look for hazards that can be reduced or eliminated to make the job safer.

The goal here is to try to be as objective as possible and look at the job as if seeing it for the first time. As you perform the tasks, you would mentally do the same thing. In order to identify hazards, we have to ask questions about each part of the job—and answer those questions honestly!

If, for instance, we're analyzing a job that involves using a machine, we might ask questions like these:

- Is all protective clothing and equipment inspected before use to be sure it's in good condition?

- Is appropriate protective equipment, such as safety goggles and work shoes, being used?
- Is the operator wearing any loose clothing or jewelry that could get caught in the machinery?
- Is the machinery adequately guarded? What about any open areas or work positions around the equipment?
- Is the machine locked or tagged out when repair or maintenance work is performed?
- Does the machine have any exposed parts, such as sharp edges, that could cause injury?
- Is there any possibility of getting caught in or between machine parts?
- Is there a risk of being injured while reaching over moving machinery or materials when the job is performed?
- Is the job organized in a way that demands moving faster than is comfortable?
- Does the task ever place the operator in an off-balance position?
- Are materials located in places demanding lifting that could cause back strain or injury?
- Could the way materials are placed, or operations conducted, cause objects to fall or fly across the room?
- Does the job include movements that could cause hand or foot injuries?
- Are there any risks of falling to another level?
- Does the job create dust, chemicals, heat, excessive noise, or other hazards?

You get the idea, I'm sure. The point is to try to think like a hard-nosed safety inspector, really examine every part of the job as if it's brand new, and look for hazards. Sometimes the analysis will turn up something obvious, like a missing machine guard. Other hazards may be less noticeable, or they may seem less important. But no hazard is unimportant. The point of job hazard analysis is to uncover anything risky that could happen while performing the job—and then take action to prevent it.

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### ***Protection against Hazards***

Once we have looked at every possible aspect of the job and listed every hazard or potential hazard, it's time to figure out what to do about these problems. In this part of the analysis, we carefully study each hazard we've identified, along with the job step or steps associated with it.

Sometimes we may be able to figure out a different way to perform the job, one that would eliminate the hazard. You might, for instance, be able to combine several steps or perform the steps in a different order that would be less hazardous.

As an example, suppose we notice that during a particular step of a process, you have to lean over moving machine parts to reach some needed materials. That's a hazard, because there's a risk of injury if your clothes or a body part gets caught in the machine.

We might decide that the best way to eliminate that hazard is to move those materials before the machine is turned on. If that's the case, we would work together to write up new job steps, describing exactly what has to be done to perform the job safely. Just

saying "be careful" doesn't make it. These steps have to be specific, so you—or anyone else who performs the job—will know just what to do.

Another way to eliminate hazards—or at least reduce them—is to use additional equipment or take other precautions. You might eliminate a lifting hazard by getting a hand truck. You could deal with a hazard of possible falling materials by wearing a hard hat. Or you might add a new first step to the job: carefully checking all personal protective equipment before you put it on to be sure you're not wearing scratched safety goggles or a dented hard hat.

Other ways of reducing hazards might include changing tools, adding machine guards or ventilation, or making other physical changes.

If we can't find a way to reduce a particular hazard, we should probably consult with other safety experts in the company. Every so often, we may find that none of the approaches we consider quite do the trick. If no one can figure out how to reduce the hazards we find in a particular job, we'd probably look for a way to do the task less often—or maybe even eliminate it altogether.

Finally, even the best job hazard analysis needs to be reviewed periodically. If there's an accident or injury involving the job that's already been analyzed, we'd certainly do another analysis immediately. But even if nothing happens, the second go-round may reveal something that was missed the first time. Or we simply may come up with better ideas on how to make the job safer.

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## **Safety Procedures**

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Job hazard analysis is an excellent way to identify hazards and reduce the chance of accidents and injuries in a particular job or task. But it's also a technique that you can adapt and use on the job all the time. If you learn to look objectively at your work and workplace, you can find—and fix—hazards and improve safety even without a checklist.

As you go through each workday, keep asking yourself:

### ***"What could go wrong here?"***

Look for the types of general hazards we discussed earlier, such as whether there's enough lighting in the work area or if materials left on the floor could cause people to slip or trip.

Keep an eye out for hazards every time you use a piece of equipment or work with a substance—in other words, in every job situation. Be especially alert to certain types of hazards. For instance:

### **Fire and Explosion Hazards**

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- Are circuits overloaded?
- Is the insulation on any wires frayed?
- Is all welding and cutting done in well-ventilated, fireproofed areas or areas that are screened off?
- Are combustible materials kept away from lights and machinery?
- Is flammable scrap kept in covered, airtight metal containers?

## Chemical Exposure

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- Are chemical containers kept closed when not in use?
- Do all containers have labels?
- Are MSDSs available for all substances?
- Is there enough ventilation in areas where chemicals are used?
- Are chemical containers left in places or positions where they might spill?
- Is protective clothing and equipment available and inspected to be sure it's undamaged?

## Housekeeping to Prevent Slips, Trips, and Falls

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- Are aisles and stairways clear?
- Are drawers kept closed?
- Are leaks and spills cleaned up promptly?
- Are cords, cables, and air hoses kept above floor level?
- Is trash disposed of promptly and properly?

This is, of course, only a partial list. The bottom line is that you must not ignore anything that doesn't look right or smell right or, for some reason, just doesn't "feel" right. Your instincts could help prevent an accident. Try to figure out what the hazard is and what can be done to correct it. If you're not sure, ask me.

Last, but definitely not least, remember that not all hazards are unsafe conditions. Some are unsafe acts. And that's a type of hazard that every single person can and must prevent.

If you don't bother to read a chemical container label or MSDS, that's an unsafe act. Failing to follow instructions on the label or MSDS is an unsafe act, too. Other unsafe acts that are real hazards in any workplace include:

- Failing to use assigned protective clothing and equipment.
- Removing a machine guard.
- Smoking in a prohibited area.
- Wearing contaminated work clothing out of the work area.
- Speeding through the plant on a forklift truck.

Most unsafe acts, however, are more a matter of attitude. People act unsafely because they don't take the time to think about hazards or because they don't take the hazards—or safety—seriously. But just as hazardous as any open chemical container or unguarded machine are unsafe acts like these:

- Skipping steps or cutting corners on job procedures.
- Concentrating more on personal concerns and problems than the job at hand.
- Doing a job on "automatic pilot."
- Fooling around or showing off on the job.
- Assuming safety is someone else's responsibility, not yours.
- Being afraid or embarrassed to ask questions.

It's just as important to identify these hazards as it is the unsafe conditions we covered earlier. If you're the one who's acting unsafely, do something about it right away. If someone else is acting unsafely, quietly point out the risk. If the other person doesn't get the point, you can bring the problem to your immediate supervisor's attention.

The point is that job hazard analysis is a tool, just like any other. While most tools are used to perform a specific job, job hazard analysis is a tool that helps you do any job safely.

### **Suggested Discussion Questions**

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- How would you define job hazard analysis?
- What is the value of job hazard analysis?
- If you had to pick one job or task for job hazard analysis, what would it be and why would you choose it?
- What are a few general hazards you would check for in a pre-analysis?
- What are examples of questions you would ask about a specific job you perform?
- What are some ways we might reduce or eliminate a hazard uncovered during a job hazard analysis?
- What's the key question to ask when you apply job hazard analysis techniques to your work on an ongoing basis?
- What are some specific unsafe conditions to watch out for?
- What are some specific unsafe acts to watch out for?
- Are there any other questions?

### **Wrap-up**

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Job hazard analysis is a technique we can use to make our workplace—and ourselves—safer. Remember, it's not an evaluation of your performance but of the job itself. Job hazard analysis lets us look objectively and systematically at what we do to identify any possible hazards in the way a job is performed so we can make changes and do the job with less risk of accidents or injuries.

Job hazard analysis also offers us a way to look at everything we do with new eyes. When you continually ask, "What can go wrong here?" you make it a lot less likely that anything will go wrong.

Of course, it's not enough to just identify and analyze hazards. We also have to do something about them. But the step-by-step approach of job hazard analysis makes it more likely that we'll be able to spot the hazards and, by pinpointing just where the problem lies, figure out ways to do our jobs more safely.

### **Sample Handout**

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#### **Job Hazard Analysis Review**

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A job hazard analysis is an objective in-depth analysis of a specific job with the goal of finding and correcting hazards.

- Set Job Hazard Analysis Priorities
- Jobs or tasks that have caused accidents and injuries.



- Jobs or tasks that have caused "near misses."
- New jobs.
- Jobs with changed processes and procedures.
- All other jobs.

### **Conduct a Job Hazard Analysis**

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***Create pre-analysis checklist to identify and correct hazards in conditions under which the job is performed:***

- Is there adequate lighting?
- Could people trip over materials on the floor?
- Are there live electrical wires?
- Are tools, machines and other equipment in good repair?
- Do machines have guards in place?
- Are noise levels high enough to interfere with communication?
- Are fire alarms and portable extinguishers readily available?
- Are emergency exits clearly marked?
- Is personal protective equipment available, in good condition, and used when necessary?
- Is the work area ventilated?

***List all specific job steps and create checklist to identify possible hazards:***

- Include each step.
- Describe each step in adequate detail.
- Include inspection and use of protective equipment.
- Detail job set-up procedures.
- Include condition, use, and safety of equipment and machinery.
- Identify any machine parts or exposures that could create risk of injury.
- Detail actual steps followed while performing the job to identify any movements or positions that could create risk of injury.
- Note procedures to follow when it's necessary to shut down equipment.
- Include organization and placement of parts, tools, etc.
- Include hazards created while performing job—dust, chemicals, heat, and excessive noise.

***Determine best way to eliminate/reduce identified hazards.***

- Fix clear-cut problems, such as replacing missing machine guards.
- Seek ways to eliminate, combine, or rearrange job steps to eliminate or reduce hazards.
- Identify equipment that could be used to reduce hazard.
- Change tools, add ventilation, or make other physical changes to reduce hazard.
- Detail new job steps to follow after changes are made.
- Identify hazards that can't be reduced and seek ways to eliminate job or do it less often.

***Periodically repeat job hazard analysis for each job or task.***

***Use job hazard analysis techniques on an ongoing basis***

- View work objectively, with an eye to hazards.
- Continually ask, "What could go wrong here?"
- Watch out for general hazards, such as inadequate lighting.

***Identify and correct unsafe conditions:***

- Overloaded circuits that could cause fires.
- Frayed insulation on electrical wires that could cause fires.
- Fire hazards from welding or cutting done outside well-ventilated, fireproofed areas or areas that are screened off.
- Combustible materials near lights or machinery.
- Flammable scrap not placed in covered, airtight metal containers.
- Chemical containers left open when not in use, creating inhalation, spill, or fire hazards.
- Unlabeled containers whose hazards are unknown.
- Substances without MSDSs to detail their hazards and protective instructions.
- Inadequate ventilation in areas where chemicals are used, creating possible fire or inhalation risks.
- Lack of protective clothing and equipment or un-inspected protective clothing and equipment.
- Blocked or cluttered aisles or stairways.
- Open drawers.
- Leaks or spills that aren't cleaned up promptly.
- Cords, cables, or air hoses left on or near the floor where they could be tripped over.
- Trash that's not disposed of promptly and properly.
- Anything that doesn't look, smell, or "feel" right.

***Identify and correct all possible unsafe acts:***

- Failing to follow safety procedures or rules.
- Failing to read and use information on chemical labels and material safety data sheets.
- Failing to use assigned protective clothing and equipment.
- Removing a machine guard.
- Smoking in a prohibited area.
- Wearing contaminated work clothing out of the work area.
- Speeding through the plant on a forklift truck.
- Skipping steps or cutting corners on job procedures.
- Letting personal concerns and problems distract from the job.
- Doing a job on "automatic pilot."
- Fooling around or showing off on the job.
- Assuming safety is someone else's responsibility.
- Being afraid or embarrassed to ask questions.

## **Safety Meeting Masters**

### **A Job Hazard Analysis:**

- Looks at Job Conditions
- Studies Each Job Step for Hazards
- Decides How to Eliminate Identified Hazards

Permission is hereby granted to purchasers of this book to make one overhead transparency using this page as a master, solely for use in in-house training conducted by the purchaser.

### **As You Approach Any Job Situation Ask:**

- What Can Go Wrong Here?
- Does Anything Not Look Smell, or "Feel" Right?
- Are Procedures for Emergencies in Place?

## **First Aid**

### **IMPORTANT MESSAGE:**

***The Workers' Compensation Claims Manager is the ONLY one who makes the determination if the reported "alleged" work-related injury is handled as First Aid or a claim. ALL work-related injuries must be reported to the Workers' Compensation Claims Manager within 12 hours of the supervisor's knowledge.***

- Employee reports injury to their supervisor or authorized personnel.
- Employee is taken to our clinic
- Supervisor should always request our clinic to handle as First Aid
- It MUST meet all of the following conditions to be handled as First Aid:
  - Doctor sees the employee and there is NO lost time/missed work (other than the day of the injury.)
  - NO medicine or prescription is given that cannot be bought over the counter.
  - NO medical restrictions of any kind are given.
  - Clinic/doctor/medical visits are limited to the initial visit and one (1) follow-up visit. At the initial or follow-up visit a full medical release that indicates that no further treatment is needed MUST be received.

***Remember – If any of the above conditions are NOT met it MUST be handled as a work comp claim NOT FIRST AID!!!***

***In the event that the Workers' Compensation Claims Manager informs you that an injury is being handled as First Aid please instruct your clinic to send ALL bills ONLY for that employee's injury to the attention of the Workers' Comp Claims Manager at corporate.***

***These bills will be approved and coded to First Aid, charged to your***

*division under the GL first aid account, and submitted to Accounts Payable for payment.*

*Divisions are not to pay ANY medical bills that relate to Workers' Comp or First Aid.*

*All First Aid bills are to be approved by the Workers' Comp Claims Manager before payment.*

The Workers' Comp Claims Manager will monitor expenses of ALL first aid claims and if they become more than the deductible, the first aid will be turned into a claim at their discretion.

## **Safety Talks/Meetings**

If you're asked to run a safety meeting and have never done so before, your immediate reaction is probably: "Oh, I can't. I'm no good at public speaking. I wouldn't know what to say!"

But, let's face it; safety training is part of your job. You have to provide adequate instruction and guidance—and teaching safety is part of that job. The good news is, you don't have to be a professional speaker to deliver an effective safety talk.—but you do have to do some planning. Here are some of the questions you should ask yourself.

**Q. *How often should we have safety meetings?***

A. Hold meetings regularly, such as once a week, so that employees become accustomed to them as part of the work routine.

**Q. *Where should the meeting be held?***

A. Pick a spot that's comfortable and free of distractions. You can't expect your listeners to concentrate in a noisy one or in a location that's too hot or too cold. Don't let them get too comfortable, though, or they may doze off and miss the safety message.

In general, it's a good idea to have all of the regular meetings at the same time and place. But if you're going to talk about a particular type of machine, for example, consider having the group gather near the machine, even if everybody has to stand.

**Q. *What time should the meeting be held?***

A. Pick a time that doesn't disrupt work activities and at which everyone is alert and most likely to pay attention. The beginning of the day, before work starts, is a good time. If this is not convenient, hold the meeting immediately before or after lunch or a regular work break. The end of a shift, for obvious reasons, is not an appropriate time.

**Q. *How long should the meeting run?***

A. "Keep It Short and Simple" (KISS) should be your motto; from 5 to 15 minutes is sufficient. (Most of the talks in this book should run about 10 minutes or less.) If the meeting generates a lot of relevant discussion, consider continuing with the same subject at the next scheduled meeting—or at an extra meeting within a day or two.

**Q. *What subject should I select?***

A. With all the different subjects covered in this book, you should have no trouble selecting one. However, your choice should be relevant to the work your crew performs. For example, if you're not in the construction industry, the talks in Chapter 3 wouldn't be particularly appropriate. And some of the talks in Chapter 20 are directed at workers in specialized occupations. On the other hand, "Safe Housekeeping" will be appropriate for any business, as will talks on safety in general, or safe lifting, or fire safety.

Timeliness is a consideration, too. In other words, lock out would be a timely topic when machine repairs are on the schedule. If a worker recently incurred a back injury while transferring supplies from the warehouse to the local stockroom, "Lifting and Manual Material Handling" is a natural place to turn for your safety talk.

**Q. *Should I stick to just one topic?***

A. Yes. Be specific. Rambling all over the lot is a sure way to lose your audience's attention. Even when dealing with a very general subject such as workplace hazards, a broad view might do for one talk—to introduce later sessions that pinpoint specific hazards such as slips and falls or broken glass.

**Q. *How much preparation is necessary?***

A. Not much—but that doesn't mean none! After selecting the topic, read the safety talks on that subject and pick one or more of them as a guide. Make notes of incidents in your own experience relating to the subject. Ask other supervisors for suggestions as to what to include in the talk—and take notes.

**Q. *Wouldn't it be simpler just to read one of the safety talks in this book?***

A. Simpler, maybe, but not a good idea. Nothing will turn off an audience more quickly than a speaker's droning away with his or her nose in a paper. The safety talks in this book are merely a guide. Use them to bone up on the subject, to get a "hook" to grab attention, and as a breakdown of the points you want to get across. So try as much as possible to deliver the talk in your own words, with the printed copy as a backstop or ready reference.

Again, the more you can adapt it to your workplace the better. Current, local statistics can be added or reference made to current happenings in the news. A talk about Fire Protection might be enlivened by a quote from your community's fire marshal. When floods or hurricanes are in the news, it's a good time to review emergency procedures—and to remind workers of the local radio station's call numbers. Here's where that little extra preparation provides a lot of extra impact.

**Q. *Is it a good idea to use props?***

A. Definitely. "Show and tell" is the best way to convey a message. And most people remember what they see at least as vividly as what they only hear. If you're talking about defective or hazardous hand tools, have samples to show. If the subject is the proper handling of steel drums, demonstrate how it should be done. Better yet, have the members of the group demonstrate how it should be done, with directions from you.

Visual aids like charts or pictures can also be helpful, provided they're large enough to be seen clearly.

**Q. *Should I let the group participate in the discussion?***

A. By all means. In fact, encourage it by asking questions. For example, you can kick off the meeting by describing an accident and then asking for workers' suggestions on how it might have been avoided. It's essential, however, that you don't let the meeting get out of control. Keep it on track, and make sure it doesn't turn into a general gripe session.

**Q. *What about when they ask questions?***

A. If the question is relevant and you know the answer, give it. If you don't know, say so, but tell the questioner that you'll find the answer and get back to him or her. Then make sure you do so. If it's information that could be useful to the whole group, you might want to repeat the question along with the answer at the next meeting.

If the question has nothing to do with the subject of the meeting, don't let yourself become sidetracked. Tell the questioner you'll discuss it in private after the meeting.

**Q. *Should I keep attendance records?***

A. Yes. Each employee who attends the meeting should sign an attendance form (see the accompanying sample). Then you, as supervisor, should complete the form and forward it to wherever your company's procedure calls for. If your workers have come up with valuable suggestions during the meeting, or have alerted you to particular safety hazards, note them at the bottom of the form—and make sure to follow up, either by taking care of the matter yourself or by bringing them to the attention of the appropriate authority.

This kind of record is important. If the company is questioned by OSHA, the form can be used as evidence that employees were given specific safety information and instructions. Of course, what the safety agency is most interested in is how well workers understand and act on this information—so you need to be sure that workers' behavior reflects the guidance/instruction you've provided in your talks and other training. If it doesn't, the record can support management's action if it is necessary to discipline an employee for breaking safety rules.

Some companies also keep a chronological record of each employee's "training history" in his or her individual file at the worksite or in the personnel department. That can be used for the same purposes as the meeting record, as well as for other purposes. For instance, following a transfer or promotion, it can indicate whether the individual in question has had all the safety information and training necessary for the new assignment or is in need of additional or refresher training.

**Q. *Any final advice?***

A. Here's a tried-and-tested technique to help you give better safety talks. It's called the "Five P" Plan:

- Prepare. Think, write, read, listen, organize, and practice your talks.

- Pinpoint. Don't try to cover too much ground in one session. Focus on one main idea.
- Personalize. Bring the subject close to home, to make it meaningful to your listeners.
- Picturize. Create a clear mental picture for your listeners. Use physical objects or visual aids whenever possible.
- Prescribe. Make sure you tell your listeners precisely what they should or should not do in order to keep themselves and their co-workers safe—and be precise.

Even though you didn't ask, here are two additional words of advice: Follow up! Make it a point to check your crew during the week following the safety talk to see if they're practicing what you preached. That's the surest way to determine whether your safety talks are effective. Employees who have shown initiative by asking questions or coming up with good ideas should be given a word of praise either at the meeting or when you pass their workstations.

### **Housekeeping**

If you want to learn about attitudes toward safety, just take a look at housekeeping habits, because good housekeeping is really one of the most important aspects of safety. Good housekeeping is not the sole responsibility of the maintenance and custodial staff; it must be practiced by everyone.

The company could spend a large sum of money to improve the quality and safety of the work environment, but the environment would still be unsafe if you and your co-workers did not practice good housekeeping. Safety entails everyone working as a team to maintain good housekeeping standards. Make sure you follow the rules to prevent accidents by maintaining good housekeeping standards. Here are some examples:

- Make sure all containers are labeled; the labels should be legible, not blurred by liquids that have run down the outside of the containers.
- Do not store supplies where they may be mistaken for something else. For example, it is not a good idea to store caustic chemicals with cleaning powders and liquids.
- Be familiar with special chemicals, gases, and liquids that are used in your work area, and know the ones that can and cannot be stored together. Some substances, like oxygen and fuel gases, have the potential for disaster when stored in close proximity.
- Dispose of hazardous substances—like flammable liquids and chemical reagents—by the safe method prescribed. If you aren't sure how to dispose of a substance, check with your supervisor.
- Clean up your work area immediately after completing each task; never leave an area cluttered with tools or supplies that could present tripping hazards.
- Clean up spilled liquids right away; they can cause slips and falls.
- Respect "wet floor" signs; they are used for your protection.
- Pick up broken glass immediately with a broom and dustpan, never with your hands.
- Do not allow debris, such as cleaning rags and paper, to accumulate anywhere, because this creates a serious fire hazard.

Good housekeeping is one of the most important aspects of any fire safety plan. Accumulated debris can cause fires, and clutter slows movement of personnel and equipment during fires.

In addition to all the safety benefits it contributes, good housekeeping results in a more pleasant working environment. Almost everyone prefers cleanliness and neatness to filth and clutter.

Because good housekeeping is important to your safety as well as the safety of your co-workers, concentrate on keeping your work area clean. Make good housekeeping a daily routine.



## **EVACUATION PLANS**

### ***EMERGENCY EVACUATION GUIDE***

#### **1. Duties and Responsibilities**

The Division Management Team is responsible for all emergency planning and preparedness for this facility. During an emergency the Division Management Team will assume overall direction of the emergency procedure. The first and most important priority during any emergency situation is to ensure the safety of our passengers and employees. The Division Management Team will also:

Review the procedures contained in this document on an annual basis and update and distribute any changes.

Ensure all employees are trained on the procedures contained in this document and will direct that emergency procedures are emphasized during Safety Meetings and other employee training sessions.

Ensure there is an adequate warning system that is known to all and in coordination with other subordinate staff will conduct emergency evacuation drills no fewer than two times per calendar year.

Assume the role as the Company spokesperson for any local media until otherwise directed by the Regional Vice President and act as liaison between MV Transit, Inc. and the client.

The manager designated by the Division Management Team will stay current and recommend any updates to procedures to the Division Management Team. He/she will ensure that all contact information is kept up to date and is properly disseminated. This manager will also:

Ensure that system testing is scheduled and conducted twice each calendar year.

Ensure that system tests are as realistic as possible and include personnel accountability procedures to ensure all employees/customers are accounted for.

Maintain all records concerning drills, corrective action taken and any recommendations made to amend any procedures.

#### **2. Specific procedures that are part of this document are:**

- Annex A: Evacuation Due to Fire (Facility)
- Annex B: Evacuation Due to Fire (Facility)
- Annex C: Evacuation Map

### ***Annex B ((Evacuation Due to Fire)(Facility)) to the (Project) Emergency Evacuation Procedures Guide***

In the event of a fire at a Facility the person(s) noticing the smoke or fire will pull the nearest fire alarm and call out "Fire, Fire, Fire" and immediately exit the building to their designated assembly area. The senior staff person will call 911 as soon as possible

and give the emergency operator as much detail as possible concerning the incident in progress.

Employees, unless specifically trained and certified in the use of fire extinguishers, will immediately exit the facility and move to their designated assembly areas.

Fuel island personnel will, if safe, activate the fuel emergency shut-off valve and then move immediately to their assembly area. In no case will fuelers attempt to fight a fire at the fuel island.

The senior employee present will take the headcount on a clipboard and note any personnel who are not accounted for. The senior employee will ensure that no one is allowed to enter the facility until emergency crews give the "all clear".

The evacuation will take place under the control and direction of the Division Management Team; his/her designated representative or the senior employee present.

The Division Management Team will notify the client and the region manager of the situation

### **Storm Water Run-Off Compliance**

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The EPA has established guidelines for Storm Water Run-off that applies to certain companies that may discharge chemicals including oil, grease and fuel. This act may or may not apply to the Division facility. This determination will be provided by the Area Vice President of Maintenance. Do not contact a governmental agency for EPA questions unless directed to do so by an MV Transportation Inc. Officer.

The Company is dedicated to compliance with guidelines when they apply and to helping its customers when guidelines apply to them.

If the Division or its customer falls under the regulations, the Maintenance Manager and General Manager must work with the MVT Support Center's environmental staff to develop a plan to meet the Division's facility compliance requirements. Appropriate employees must be trained and must faithfully execute the plan.

Regardless of whether or not the regulations apply, the Division and its parking lot must be kept free of all unnecessary chemicals and contaminants. Any needed chemicals and possible contaminating materials must be covered and kept out of rain and run-off water.

Information on control measures for oil and fuel spills must be in the Shop and on file in the Safety Department. All maintenance and safety personnel must be trained in executing the control measures and all needed materials and equipment for such control must be readily available. This specifically includes all fueling stations.

***All correspondence which is received at a division from a regulatory agency shall be forwarded to the Vice President of Maintenance.***

The facility may have to be evacuated due to either on site or off-site spills and leaks. If a hazardous material spill or leak occurs it will normally involve some type of fuel. If the spill is minor in nature the Maintenance Manager or his/her representative should respond with the "spill kit" and contain it. The senior operations personnel will be contacted and briefed. If no further action is required the maintenance crew will clean

up the spill. If the spill or leak is major the person reporting an on-site spill should indicate the location of the spill as part of the emergency report.

The senior person(s) present, based on the information available, determines an evacuation of the facility is prudent he/she will call 911 and direct the immediate evacuation of the facility to the designated assembly areas.

The Division Management Team will be immediately notified and he/she will take charge or designate another member of staff to manage the situation until he/she is able to arrive at the facility.

The Division Management Team or designated representative will brief emergency responders as completely and accurately as possible, i.e. "The propane fuel tank on the other side of the building has a leak". Reports will be kept simple and to the point. Ensure the emergency crew is informed whether or not all personnel are accounted for.

The Division Management Team or designated representative will contact the client and the region manager and give a full report as soon as possible.

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***Annex C (Evacuation Map) It is the Division Managements team responsibility to development and implement a proper facility evacuation map.***

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Any recommendations for changes or amendments to this document should be forwarded to the Division Management Team.

## HAZARD COMMUNICATIONS

### *Employee's Right to Know*

#### **Purpose**

To provide guidelines for the implementation, control and use of all flammable, toxic and caustic materials and hazardous waste programs.

#### **Applicability**

MV Transportation - All Divisions

#### **Policy**

The division will identify, collect, store and dispose of all generated hazardous waste in accordance with federal, state and local mandated requirements. The division Maintenance Manager will manage identified hazardous wastes and maintain all required records in a designated location.

Each departmental manager will maintain current and accurate inventories of flammable, toxic or caustic materials. Flammable, toxic or caustic materials stored in offender areas must be in a secure area and will be dispensed by staff.

Hazardous materials or chemical products will not be brought into the facility unless acquired through the procedures outlined in this policy. The Maintenance Manager may ensure all hazardous material/chemicals are assigned an individual Hazardous Material Part Number (HMPN) for central reference and traceability. Supervisors will ensure a Material Safety Data Sheet (MSDS) for each product is on hand prior to its use in their areas. The Safety Manager, in cooperation with the Maintenance Manager, will approve storage areas for hazardous materials or chemicals and at no time will hazardous material/chemicals be used, traded or stored in any other area of the facility other than the designated areas.

The Maintenance Manager is responsible for maintaining a current list of all known hazardous chemicals used in the facility. This list includes, at a minimum, the product name, name of the chemical manufacturer, the HMPN, and facility work area the chemicals are used. The Maintenance Manager will maintain a master file of all Material Safety Data Sheets (MSDS) on each chemical in a designated area(s).

Pollution prevention is a priority and this facility undertakes activities to reduce generation of solid and hazardous waste and use of toxic chemicals and resources.

#### **Definitions**

Acid - corrosive materials whose water solutions contain hydrogen ions (H<sup>+</sup>). In sufficient amounts, these materials burn, irritate or destructively attack organic tissues such as the skin, lungs and stomach.

Base - corrosive materials whose water solutions contain hydroxyl ions (-OH). In sufficient amounts, these materials burn, irritate or destructively attack organic tissues such as the skin, lungs and stomach.

Caustic – material or element able to burn, corrode, dissolve or otherwise eat away by chemical reaction.

Chemical- any element, chemical compound or mixture of elements and/or compounds.

Combustible liquid - materials with a flash point at or above 100° F.

Corrosive - any solid, liquid or gas that irritates or destructively attacks organic tissues such as the skin, lungs or stomach.

Flammable liquid - a liquid with a flash point below 100 ° F.

Flash point - the minimum temperature that a liquid gives off vapor in sufficient concentration to form an ignitable mixture with the air above the surface of the liquid.

Harmful physical agent - a physical agent determined to present a significant risk to employee health or safety or imminent danger of death or serious physical harm to an employee.

Hazardous substance - a chemical or substance, or mixture of chemicals or substances which:

is regulated by the Occupational Safety and Health Administration

is either toxic or highly toxic, an irritant, corrosive, a strong oxidizer, a strong sensitizer, combustible, either flammable or extremely flammable, dangerously reactive, pyrophoric, pressure-generating, a compressed gas, a carcinogen, a teratogen, a mutagen, a reproductive toxic agent, or that otherwise, according to generally accepted documented medical or scientific evidence, may cause substantial acute or chronic personal injury or illness during or as a direct result of any customary or reasonably foreseeable accidental or intentional exposure to the chemical or substance; or

Is determined as part of the standard for the chemical or substance or mixture of chemicals and substances to present a significant risk to employee health and safety or imminent danger of death or serious physical harm to an employee as a result of foreseeable use, handling, accidental spill, exposure or contamination.

Hazard warning - any words, pictures, symbols, or combination of these conveying the hazards of the hazardous substances in the containers.

Hazardous waste – any material listed as such in Title 40 CFR 2612, subpart D or designated according to the Environmental Protection Agency or that possesses any of the hazard characteristics or corrosivity, ignitability, reactivity or toxicity as defined in Title 40, CFR 261, subpart C, or that is contaminated by or mixed with any of the previously mentioned materials.

Immediate use container - a container that substances are transferred into from labeled containers and will be under the control of and used only by the person who transferred it from a labeled container, and only within the work shift in which it is transferred. This applies to containers such as beakers, graduates, vials, pitchers, pails or similar containers that are routinely used and reused.

Irritant - a chemical that is not a corrosive, but causes a reversible inflammatory effect on living tissue by chemical action at the site of contact.

Material Safety Data Sheet (MSDS) - any data sheet containing information required under Code of Federal Regulations, title 29, part 1910.1200 (g), regarding the physical, chemical and hazardous properties of a substance or mixture. The sheet provides a summary of health and safety information on the chemical provided by the chemical manufacturer. Information provided on a standard MSDS includes; product identification, potential health hazards including symptoms and routes of entry, physical properties, fire and explosion hazards, reactivity data, spill or leak procedures, emergency first aid for exposure, and protective equipment to be used. MSDS formats may vary from supplier to supplier, but the type of information provided must be consistent.

Non-routine tasks - duties occurring outside the scope of the normal course of assigned work (e.g., confined space entry or tank cleaning).

Physical hazard - a chemical that has scientifically valid evidence that it is a combustible liquid, compressed gas, explosive, flammable, organic peroxide, oxidizer, pyrophoric, unstable (reactive) or water reactive.

Process and secondary container - portable containers that hazardous chemicals are transferred into from labeled containers, and are intended only for immediate use by the employee who performs the transfer. The secondary container must be labeled.

Routinely exposed - a reasonable potential for exposure exists during the normal course of assigned work. It includes the exposure of an employee to a hazardous substance who is assigned to work in an area where a hazardous substance has been spilled. It does not include simple walk-through of an area where a hazardous substance, harmful physical agent, or infectious agent is present or an assignment to a work area where a container of a hazardous substance is present, but there is no actual exposure unless a spill should occur.

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## **Procedures**

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### *Hazard Determination*

The manufacturer or importer of a chemical must determine if the chemical products are hazardous under OSHA's hazard code system. The division is not responsible for testing any materials purchased to determine hazard properties. The Maintenance Manager and Safety Manager will be aware of minimal hazard determination procedures.

Hazard class labels on containers must coincide with the hazards described on the MSDS. If the MSDS states that the material is not poisonous, but the shipping label states "poison", the Maintenance Manager or Safety Manager will contact the supplier to resolve the discrepancy.

If staff experience has shown the material to have a different hazard than stated on the MSDS, the Maintenance Manager or Safety Manager must contact the supplier for explanation and clarification.

### *Requisition and Receiving Hazardous Materials/Chemicals*

Staff will review the master chemical list from the Maintenance Manager to determine if the facility has a MSDS prior to submitting a purchase order for hazardous materials or

chemicals. If there is a MSDS, staff may submit a purchase order. If there is not a MSDS, the Maintenance Manager and Safety Manager must approve the product and ensure that a MSDS is sent with the product by requesting it on the purchase order. When the MSDS is obtained, staff will send the MSDS to the Maintenance Manager when a new product is received. The Maintenance Manager may assign a Hazardous Material Part Number (HMPN) and approve the product.

When a MSDS is received, the Maintenance Manager will review the data, the hazard code and update if necessary, may assign a permanent HMPN, enter the information into the master chemical list data files and distribute copies of the MSDS to all appropriate files and requesters.

Procurement staff will accept a purchase order for hazardous materials/chemicals only from the division Maintenance Manager. The purchase order will be processed in a normal manner.

Staff that receives non-purchased vendor samples must submit all samples and MSDS to the division Maintenance and Safety Managers for approval.

### *Chemicals in Unlabeled Pipes*

Prior to starting work in areas that have unlabeled pipes, the employee must contact the division Maintenance and Safety Managers for information regarding:

The chemical in the pipes;

Potential hazards; and

Safety precautions to be taken.

### *Physical Agent Labeling (noise, heat, ionizing and non-ionizing radiation)*

The Maintenance and Safety Managers will label all equipment or work areas that generate harmful physical agents at a level which may be expected to approximate or exceed the permissible exposure limit (PEL). Facilities having these areas must develop facility instruction identifying these areas, precautions to be observed in those areas (including personal protective equipment), and signs and symptoms of overexposure to those agents.

### *Container Labeling*

The Maintenance Manager and Safety Manager will ensure that all containers received are clearly labeled indicating the contents, the appropriate hazard warning and the name and address of the manufacturer.

The Maintenance Manager and Safety Manager will ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with labels that have the identity and the appropriate hazard warning.

The Maintenance Manager will update the labeling procedures as required.

### *Hazard Rating Labels*

In an area that uses chemicals the Maintenance Manager and Safety Manager will ensure that containers are properly labeled. A hazard rating label is optional if the

container is already appropriately labeled. The label must indicate the level of hazard numerically on a scale ranging from 4 (severe hazard) to 0 (no special hazard). The information must be presented in a diagram as follows:

Color backgrounds must be used for the four categories: HEALTH hazard – blue; FLAMMABILITY - red; REACTIVITY (INSTABILITY) - yellow; protective equipment or other specific information - white.

### ***Health Hazard***

There are two sources of health hazards. One arises out of the inherent properties of the material. The other arises out of the toxic products of combustion or decomposition of the material. The hazard degree is assigned on the basis of normal usage conditions. The common hazards from the burning of ordinary combustible materials are not included. The degrees of hazard are ranked according to the probable severity to personnel as follows:

- 4:** Extreme Highly Toxic - may be fatal on short term exposure. Special protective equipment required.
- 3:** Serious Toxic - avoid inhalation or skin contact.
- 2:** Moderate to moderately toxic - may be harmful if inhaled or absorbed.
- 1:** Slight to slightly toxic - may cause slight irritation.
- 0:** Minimal - all chemicals have some degree of toxicity.

### ***Flammability***

Susceptibility to burning is the basis for assigning degrees within this category.

- 4:** Extreme - extremely flammable gas or liquid. Flash point below 73° F.
- 3:** Serious - flammable. Flash point 73° to 100° F.
- 2:** Moderate - combustible. Requires moderate heating to ignite. Flash point 100° to 200° F.
- 1:** Slight - slightly combustible. Requires strong heating to ignite.
- 0:** Minimal - will not burn under normal conditions.

### ***Reactivity (instability)***

The assignment of degrees in the reactivity category is based upon the susceptibility of materials to release energy either by themselves or in combination with water. Fire exposure was one of the factors considered along with conditions of shock and exposure.

- 4:** Extreme - explosive at room temperature.
- 3:** Serious - may explode if shocked, heated under confinement or mixed with water.
- 2:** Moderate - unstable, may react with water.
- 1:** Slight - may react if heated or mixed with water.
- 0:** Minimal - normally stable, does not react with water.



### *Material Safety Data Sheets (MSDS)*

The Maintenance Manager and the Safety Manager are responsible for establishing and monitoring the facility MSDS program. The Maintenance and Safety Managers will make sure procedures are developed to obtain the necessary MSDS and will review incoming MSDS for new or significant health and safety information. Any new information will be passed on to the affected staff. If a MSDS is not received at the time of the initial shipment, Maintenance Manager will contact the vendor and request the MSDS.

Copies of MSDS for all hazardous chemicals to which staff are exposed or are potentially exposed will be kept in the facility maintenance office and other listed areas.

The Maintenance and Safety Managers will ensure that MSDS are readily available to all employees during each work shift. If an MSDS is not available, the employee may contact the supervisor of that area and must notify the Maintenance and/or Safety Manager.

The Maintenance Manager will ensure that updated MSDS are placed in the file. Files of outdated MSDS will be maintained for 30 years.

### *Inventory and Control*

All flammable, toxic or caustic materials with a hazard rating of 2 or greater in the Health, Flammability or Reactivity sections are required to be controlled and a current and accurate inventory needs to be maintained. This facility will adhere to the following guidelines for all substances meeting this criteria:

Constant and accurate inventories need to be maintained in each area and logged on the Control Log for Issuing Chemicals.

The substances must be issued only under the supervision of authorized staff.

All substances must be issued in the amount necessary for one day's use.

All offenders using the issued substances must be authorized by staff.

Maybe include a couple of examples

- Substances that do not contain one or more of the above properties but are labeled "keep out of reach of children" or "may be harmful if swallowed" are not prohibited. Their use and control must be addressed in facility instructions.
- Diluted products with a hazardous rating "0" or "1" for health, flammability and reactivity do not meet the definition of toxic, flammable or reactive materials and do not require issue logs, but all containers must be labeled.

### **Employee Training and Information**

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The Maintenance and Safety Managers will ensure that all program elements of the Right to Know Program specified in this policy are carried out annually.

The Maintenance and/or Safety Manager will provide training [for employees who may be routinely exposed to hazardous substances] in a manner that can be reasonably understood by the employees and must include the following information.

#### **Overview**

- An overview of the requirements contained in the Right to Know Act
- The hazardous chemicals present at his/her work place
- The physical and health risks of hazardous chemicals
- How to determine the presence or release of hazardous chemicals in the work area
- How to reduce or prevent exposure to hazardous chemicals through use of control procedures, work practices and personal protective equipment
- How to read labels and MSDS to obtain hazard information
- Location of the MSDS file and written Right to Know Program

### ***Training program for hazardous substances***

- The name or names of the substance including any generic or chemical name, trade name, and commonly used name
- The level, if any and if known, at which exposure to the substance has been restricted according to standards, or, if no standard has been adopted, according to guidelines established by competent professional groups which have conducted research to determine the hazardous properties of potentially hazardous substances
- The primary routes of entry and the known acute and chronic effects of exposure at hazardous levels
- The known symptoms of the effects
- Any potential for flammability, explosion or reactivity of the substance
- Appropriate emergency treatment
- The known proper conditions for use of and exposure to the substance
- Procedures for cleanup of leaks and spills
- The name, phone numbers and address of the manufacturer of the hazardous substance
- A written copy of all the above information which is readily accessible in the area or areas that the hazardous substance is used or handled

***Training program for harmful physical agents. The training program for employees who may be routinely exposed to harmful physical agents at a level that may be expected to approximate or exceed the permissible exposure limit, or applicable action levels must be provided in a manner that can be reasonably understood by the employees, and will include the information required by the standard for that physical agent which includes the following:***

- The name or names of the physical agent including any commonly used synonyms
- The level, if any and if known, at which exposure to the physical agent has been restricted according to standards adopted by OSHA or the EPA; or, if no standard has been adopted, according to guidelines established by competent professional groups which have conducted research to determine the hazardous properties of potentially harmful physical agents.
- The known acute and chronic effects of exposure at hazardous levels.
- The known symptoms of the effects
- Appropriate emergency treatment
- The known proper conditions for use of and/or exposure to the physical agent

- The name, phone number and address, if appropriate, of a manufacturer of the equipment which generates the harmful physical agent
- A written copy of all of the above information will be readily accessible in the area or areas in which the harmful physical agent is present, and where the employees may be exposed to the agent through use, handling or otherwise
- Prior to introducing a new chemical/physical hazard or infectious agent into any area of the facility, the supervisor will give each employee in that area information and training as outlined above for the new hazard.

### *Hazardous Non-Routine Tasks.*

Periodically, employees are required to perform non-routine tasks which are hazardous. Some examples of non-routine tasks are confined space entry and tank cleaning. Prior to starting work on such projects, the Maintenance Manager and/or Safety Manager will give any affected employee information about the hazardous chemicals that he or she may encounter during such activity. This information will include specific chemical hazards, protective and safety measures the employee can use, and steps the facility is taking to reduce the hazards, including ventilation, respirators, the presence of another employee (buddy systems) and emergency procedures

- 1 Informing Other Employees. The Division Management Team and Safety Manager will provide other employers information about hazardous chemicals their employees may be exposed to on a job site, and suggested precautions for employees. The Division Management Team and Safety Manager will obtain an inventory list of hazardous chemicals and corresponding MSDS used by other employers to which employees of our facility may be exposed.

The Division Management Team and Safety Manager will provide other employers MSDS for hazardous chemicals generated or used by the MV Transportation facility's operation. The Division Management Team and Safety Manager will inform other employers of precautionary measures needed to be taken to protect their employees who are exposed to operations performed by the MV Transportation facility. The Division Management Team and Safety Manager will inform other employers of the hazard labels used by the MV Transportation facility. If symbolic or numerical labeling systems are used, the other employers will be provided with information to understand the labels used for hazardous chemicals which their employees may have exposure.

- 2 Hazardous Waste. The Maintenance Manager, or any other departmental manager, must promptly report all significant spills and leaks to the facility Safety Manager. If the container label does not identify the substance as a hazardous waste, staff must follow the directions on the MSDS under spills and submit an incident report.

In the event the material is identified as a hazardous waste, the area must be secured immediately. The Safety Manager will oversee the cleanup, or, if not equipped to do so, will notify proper authorities to assist.

- Regardless of size or contents of the spill, staff will employ all precautionary means (appropriate personal protective gear will be used by anyone participating in this exercise.) The Safety Manager will determine whether an evacuation is

necessary or if a “defend in place” action is sufficient. Spills equal to or greater than five gallons must be reported to the appropriate agency/authority immediately. [Usually the local fire department who, if not appropriate, will notify and engage the proper respondent].

- A copy of this program will be made available to employees of MV Transportation - or to a legally designated representative upon request.

## Review

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Annually

## ***Material Safety Data Sheets***

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### **What is MSDS?**

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Material Safety Data Sheets explain the potential hazard of a chemical to the user.

Chemical manufacturers are required by the hazard Communication Standard to provide an MSDS to the purchaser of the product at the time of the first order and, thereafter, or anytime the MSDS is revised.

### **How to Read MSDS**

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MSDS sheets are broken into sixteen (16) areas:

#### ***Product and Company Identification***

- Product name
- Manufacture
- Telephone number
- Chemtrec/ Chemical Transportation Emergency Center phone number for transportation emergencies.
- EPA registration number
- Data prepared
- Code number / assigned by manufacture
- Chemical family
- MSDS number

#### ***Composition / Information on Ingredients***

- CAS regulation number / Chemical Abstract Service number for inert ingredients.

#### ***Hazardous Identification***

- Emergency overview
- Potential health effects
- Chronic effects

#### ***First Aid Measures***

- Eyes
- Skin exposure
- Inhalation

- Ingestion
- Notes to physicians

***Firefighting Measures***

- Flashpoint
- Extinguishing media
- Personal protective equipment
- Special procedures
- Unusual fire and explosion hazards
- Hazardous decomposition materials / by products due to fire.

***Accidental Release Measures***

- Evacuation procedures and safety
- Containment of spill
- Clean up and disposal of spill
- Environmental and regulatory reporting

***Handling and Storage***

- Min and Max storage temperatures
- Handling
- Storage

***Exposure Controls/Personal Protection***

- Ingestion
- Eye contact
- Skin contact
- Respiratory protection
- Engineering controls
- Exposure guidelines

***Physical and Chemical Properties***

- Color
- Odor
- PH
- Boiling point

***Stability and Reactivity***

- Chemical stability
- Conditions to avoid
- Chemical incompatibility

***Toxicological Information***

- Eye and skin irritation
- Oral
- Chronic data

### ***Ecological Information / Testing***

- Disposal Considerations
- Transportation Information
- Regulatory Information

### ***Other Information***

- Publishing dates
- Amendments

### **Record Keeping**

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All MSDS sheets will be kept in a binder marked MSDS. This book will be located in the shop area for quick reference. The binder will be organized and consist of the following:

- An inventory quick reference sheet indicating the PPE required and the hazards they present.
- A table of contents of the chemicals in the binder for quickly finding the correct MSDS.
- Organized into groups for easier locating of MSDS.

### **Updates**

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MSDS book should be updated regularly. Anytime a new product is used the MSDS sheet shall be put in the manuals. Anytime a product has been deleted from use then that MSDS sheet shall be removed.

### **Training**

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All existing employees working with chemicals will be required to go through an MSDS review class annually to assure that they understand how to read the sheets.

All new employees must go through safety training to assure the correct and efficient locating and interpreting of the MSDS.

## ***Blood Borne Pathogens***

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***SAMPLE ONLY – MUST BE CUSTOMIZED FOR SPECIFIC LOCATION/FLEET***

### **Exposure Control Plan (ECP) for Bloodborne Pathogens**

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#### ***Purpose***

This document serves as the written procedures Blood borne Pathogens Exposure Control Plan (ECP) for MV Transportation. These guidelines provide policy and safe practices to prevent the spread of disease resulting from handling blood or other potentially infectious materials (OPIM) during the course of work.

This ECP has been developed in accordance with the OSHA Blood borne Pathogens Standard, 29 CFR 1910.1030. The purpose of this ECP includes:

- Eliminating or minimizing occupational exposure of employees to blood or certain other body fluids.
- Complying with OSHA's Blood borne Pathogens Standard, 29 CFR 1910.1030.

- Assuring exposed employees welfare is looked after.

### ***Administrative Duties***

The Safety Officer is responsible for developing and maintaining the program. A copy of the plan may be reviewed by employees. It is located in the Safety and Training office. In addition, the Safety and Training Manager is responsible for maintaining any records related to the Exposure Control Plan. This plan is current as of July 20, 20XX.

If after reading this program, you find that improvements can be made, please contact the Training and Safety Manager. We encourage all suggestions because we are committed to the success of our written ECP. We strive for clear understanding, safe behavior, and involvement from every level of the company.

### ***Exposure Determination***

We have determined which employees may incur occupational exposure to blood or OPIM. The exposure determination is made without regard to the use of personal protective equipment (i.e., employees are considered to be exposed even if they wear personal protective equipment).

### **Job Classes: Global Risk of Exposure**

This exposure determination is required to list all job classifications in which employees may be expected to incur such occupational exposure, regardless of frequency. At this facility the following job classifications are in this category:

- Service or maintenance workers responsible for cleaning the interior of vehicles
- Any trained duties including providing CPR or first aid
- Operations Supervisors

### **Job Classes: Function-Specific Risk of Exposure**

In addition, we have identified job classifications in which some employees may have occupational exposure. Not all employees in these categories are expected to have exposure to blood or OPIM. Therefore, tasks or procedures that would cause occupational exposure are also listed to further specify which employees have occupational exposure. The job classifications and associated tasks for these categories are as follows:

- Fueller / Cleaner
- Building and Grounds Technician

### **Compliance Strategies**

This plan includes a schedule and method of implementation for the various requirements of the standard.

Universal precaution techniques developed by the Centers for Disease Control and Prevention (CDC) will be observed at this facility to prevent contact with blood or OPIM. All blood or OPIM will be considered infectious regardless of the perceived status of the source individual.

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## Engineering and Work Practice Controls:

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Engineering and work practice controls will be used to eliminate or minimize exposure to employees at this facility. Where occupational exposure remains after institution of these controls, employees are required to wear personal protective equipment. At this facility the following engineering controls are used:

- Placing sharp items (e.g., needles, scalpels, etc.) in puncture-resistant, leak proof, labeled containers.
- Performing procedures so that splashing, spraying, splattering, and producing drops of blood or OPIM is minimized.
- Removing soiled PPE as soon as possible.
- Cleaning and disinfecting all equipment and work surfaces potentially contaminated with blood or OPIM. Note: We use a solution of ten parts water to one part bleach.
- Thorough hand washing with soap and water immediately after providing care or provision of antiseptic towelettes or hand cleanser where hand-washing facilities are not available.
- Prohibition of eating, drinking, smoking, applying cosmetics, handling contact lenses, and so on in work areas where exposure to infectious materials may occur.
- Use of leak-proof, labeled containers for contaminated disposable waste or laundry.

The above controls are examined and maintained on a regular schedule.

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## Hand-Washing Facilities

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Hand-washing facilities are available to employees who have exposure to blood or OPIM. Sinks for washing hands after occupational exposure are near locations where exposure to blood borne pathogens could occur.

At this facility hand-washing facilities are located:

- At each end of the maintenance shop.

When circumstances require hand-washing and facilities are not available, either an antiseptic cleanser and paper towels or antiseptic towelettes are provided. Employees must then wash their hands with soap and water as soon as possible. Employees can find these hand-washing supplies:

- In the Parts Room first floor.

Supervisors make sure that employees wash their hands and any other contaminated skin after immediately removing personal protective gloves, or as soon as feasible with soap and water.

Supervisors also ensure that if employees' skin or mucous membranes become contaminated with blood or OPIM, then those areas are washed or flushed with water as soon as feasible following contact.

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## Needles

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Employees may not bend, recap, remove, shear, or purposely break contaminated needles and other sharps. If a procedure requires that the contaminated needle be



recapped or removed and no alternative is feasible, then that employee must recap or remove the needle by using a mechanical device or a one-hand technique.

- Report the discovery of a hypodermic needle to your supervisor as soon as possible.

### *Handling Contaminated Needles and Other Sharps*

The procedure for handling contaminated sharps is:

- Contaminated sharps are discarded immediately or as soon as possible in containers that are closeable, puncture resistant, leak proof on sides and bottom, and labeled or color coded. Exposure control equipment is located in the Safety Cabinet in the Fuel Island.

### **Work Area Restrictions**

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In work areas where there is a reasonable likelihood of exposure to blood or OPIM, employees are not to eat, drink, apply cosmetics or lip balm, smoke, or handle contact lenses. Food and beverages are not to be kept in refrigerators, freezers, shelves, cabinets, or on counter tops or bench tops where blood or OPIM are present.

### **Specimens**

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Specimens of blood or OPIM will be placed in containers, which prevent leakage during their collection, handling, processing, storage, and transport. Any specimen containers, which could puncture a primary container, will be placed within a secondary container, which is puncture resistant.

If outside contamination of the primary container occurs, the primary container shall be placed within a secondary container, which prevents leakage during the handling, processing, storage, transport, or shipping of the specimen.

Since we use universal precautions and specimen containers that are easily recognizable as such, we opt to take OSHA exemption not to label or color code these containers. This exemption applies only when specimens remain in the facility.

### **Contaminated Equipment**

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MV requires that equipment, which has become contaminated with blood or OPIM, must be decontaminated before servicing or shipping as necessary unless the decontamination of the equipment is not feasible. Our procedures for equipment decontamination are as follows:

- Use a solution of one part chlorine bleach per ten parts of water
- Perform procedures so that splashing, spraying, and splattering is minimized
- Remove soiled PPE as soon as possible
- Thorough hand washing with soap and water immediately after decontaminating equipment

### **Personal Protective Equipment:**

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All personal protective equipment (PPE) used at this facility is provided without cost to the employees. PPE is chosen based on the anticipated exposure to blood or OPIM. The protective equipment is considered appropriate only if it does not permit blood or

OPIM to pass through or reach the employees' clothing, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used.

MV makes sure that appropriate PPE in the appropriate sizes is readily accessible at the work site or is issued without cost to employees by:

- Annual record and use review
- Employee surveys

Hypoallergenic gloves, glove liners, powderless gloves, or other similar alternatives are readily accessible to those employees who are allergic to the gloves normally provided.

We purchase (when consumable), clean, launder, and dispose of personal protective equipment as needed by:

- Contracting American First Aid (EXCEPT FOR DISPOSAL)
- Contacting Health South FOR DISPOSAL

All repairs and replacements are to be made by qualified personnel.

Employees must remove all garments, which are penetrated by blood immediately or as soon as possible.

They must remove all PPE before leaving the work area. When PPE is removed, employees place it in a designated container for disposal, storage, washing, or decontamination.

### **Gloves**

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Employees must wear gloves when they anticipate hand contact with blood, OPIM, non-intact skin and mucous membranes; when performing vascular access procedures, and when handling or touching contaminated items or surfaces.

Disposable gloves used at this facility are not to be washed or decontaminated for reuse and are to be replaced as soon as practical when they become contaminated or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised.

Utility gloves may be decontaminated for re-use provided that the integrity of the glove is not compromised.

Utility gloves will be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.

Hypoallergenic gloves, glove liners, powderless gloves, or other similar alternatives shall be readily accessible to those employees who are allergic to the gloves normally provided.

### **Eye and Face Shields**

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Employees must wear masks in combination with eye protective devices, such as goggles or glasses with solid side shield, or chin length face shields, whenever splashes, spatter, or droplets of blood or OPIM may be generated and reasonably anticipated to contaminate eye, nose, or mouth. Those situations and the corresponding eye face protection include:

- Cleaning the interior of a vehicle which has been contaminated with blood or OPIM.
- On the job injury / illness

### **Other PPE**

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Additional PPE selections and such use of head nets, gowns, and foot covering may be necessary to ensure employee safety in regards to blood borne pathogens. Situations where these types of PPE would be necessary include:

- Cleaning up industrial accidents where blood or OPIM is present

### **Handling Regulated Wastes**

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When handling regulated wastes, other than contaminated needles and sharps, we make sure it is:

- Placed in containers which are closeable, constructed to contain all contents, and prevent fluid leaks during handling, storage, transportation, or shipping.
- Labeled or color coded and closed prior to removal to prevent spillage or protrusion of contents during handling, storage, transport, or shipping.
- Disposed of in accordance with applicable Federal, State, and Local regulations.

### **Handling Contaminated Laundry**

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Laundry contaminated with blood or OPIM is handled as little as possible. Such laundry is placed in appropriately marked (biohazard labeled, or color-coded red bag) bags at the location where it was used. Such laundry is not sorted or rinsed in the area of use.

### **Information and Training**

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MV ensures that blood borne pathogens trainers are knowledgeable in the required subject matter. We make sure that employees covered by the blood borne pathogens standard are trained at the time of initial assignment to tasks where occupational exposure may occur, and every year thereafter by the following methods;

- Tracking employee training records
- Initial training

Training is tailored to the education and language level of the employee, and offered during the normal work shift. The training will be interactive and cover the following:

- The standard and its contents.
- The epidemiology and symptoms of blood borne diseases.
- The modes of transmission of blood borne pathogens.
- MV Blood borne Pathogen ECP, and a method for obtaining a copy.
- The recognition of tasks that may involve exposure.
- The use and limitations of methods to reduce exposure, for example engineering controls, work practices and personal protective equipment (PPE).
- The types, use, location, removal, handling, decontamination, and disposal of PPEs.
- The basis of selection of PPEs.
- The Hepatitis B vaccination, including efficacy, safety, method of administration, benefits, and that it will be offered free of charge.

- The appropriate actions to take and persons to contact in an emergency involving blood or OPIM.
- The procedures to follow if an exposure incident occurs, including the method of reporting and medical follow-up.
- The evaluation and follow-up required after an employee exposure incident.
- The signs, labels, and color coding systems.

Additional training is provided to employees when there are any changes of tasks or procedures affecting the employee's occupational exposure. Employees who have received training on blood borne pathogens in the 12 months preceding the effective date of this plan will only receive training in provisions of the plan that were not covered.

### **Recordkeeping**

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Training records shall be maintained for three years from the date of training. The following information shall be documented:

- The dates of the training sessions;
- An outline describing material presented;
- The names and qualifications of persons conducting the training;
- The names and job titles of persons attending the training sessions.

Medical records shall be maintained in accordance with OSHA Standard 29 CFR 1910.20. These records shall be kept confidential, and must be maintained for at least the duration of employment plus 30 years. The records shall include the following:

- The name and social security number of the employee.
- A copy of the employee's HBV vaccination status, including the dates of vaccination.
- A copy of all results of examinations, medical testing, and follow-up procedures.
- A copy of the information provided to the healthcare professional, including a description of the employee's duties as they relate to the exposure incident, and documentation of the routes of exposure and circumstances of exposure.

### ***Availability***

All employee records shall be made available to the employee in accordance with 29 CFR 1910.20. All employee records shall be made available to the Assistant Secretary of Labor for the Occupational Safety and Health Administration and the Director of the National Institute for Occupational Safety and Health upon request.

### ***Transfer of Records***

If this facility is closed or there is no successor employer to receive and retain the records for the prescribed period, the Director of the NIOSH shall be contacted for final disposition.

### **Evaluation and Review**

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This program and its effectiveness is reviewed every year and updated as needed. All provisions required by this standard will be implemented by the Safety and Training manager.

## **Hepatitis B Vaccination Program**

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MV offers the Hepatitis B vaccine and vaccination series to all employees who have occupational exposure to blood borne pathogens, and post exposure follow-up to employees who have had an exposure incident.

All medical evaluations and procedures including Hepatitis B vaccine and vaccination series and post exposure follow-up, including prophylaxis are:

- Made available at no cost to the employee.
- Made available to the employee at a reasonable time and place.
- Performed by or under the supervision of a licensed physician or by or under the supervision of another licensed healthcare professional.
- Provided according to the recommendations of the U.S. public Health Service.

All laboratory tests are conducted by an accredited laboratory at no cost to the employee. Hepatitis B vaccination is made available:

- After employees have been trained in occupational exposure (see information and Training).
- Within 10 working days of initial assignment.
- To all employees who have occupational exposure unless a given employee has previously received the complete Hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or the vaccine is contradicted for medical reasons.

Participation in a pre-screening program is not a prerequisite for receiving Hepatitis B vaccination. If the employee initially declines Hepatitis B vaccination but at a later date while still covered under the standard decides to accept the vaccination, the vaccination will be made available. All employees who decline the Hepatitis B vaccination offered must sign the OSHA- required waiver indicating their refusal.

If a routine booster dose of Hepatitis B vaccine is recommended by the U.S. public Health service at a future date, such booster will be made available.

## **Post-Exposure Evaluation and Follow-Up**

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All exposure incidents are reported, investigated, and documented. When the employee is exposed to blood or OPIM, the incident is reported to the Safety and Training Manager. When an employee is exposed, he or she will receive a confidential medical evaluation and follow-up, including at least the following elements:

- Documentation of the route of exposure, and the circumstances under which the exposure occurred. Identification and documentation of the source individual, unless it can be established that identification is infeasible or prohibited by state or local law. State or local laws may affect the investigation or documentation of exposure incidents.
- The source individual's blood shall be tested as soon as feasible and after consent is obtained in order to determine HBV and HIV infectivity. If consent is not obtained, the Safety and Training Manager establishes that legally required consent cannot be obtained. When the source individual's consent is not required by law, the source individual's blood, if available, will be tested and the results documented.

- When the source individual is already known to be infected with HBV or HIV, testing for the source individual's known HBV or HIV status need not be repeated.
- Results of the source individual's testing are made available to the exposed employee, and the employee is informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual.

Collection and testing of blood for HBV and HIV serological status will comply with the following:

- The exposed employee's blood is collected as soon as possible and tested after consent is obtained;
- The employee will be offered the option of having their blood collected for testing of the employee's HIV/HBV serological status. The blood sample will be preserved for up to 90 days to allow the employee to decide if the blood should be tested for HIV serological status.

All employees who incur an exposure incident will be offered post-exposure evaluation and follow-up according to the OSHA standard. All post exposure follow-up will be performed by Health South.

The healthcare professional responsible for the employees Hepatitis B vaccination is provided with the following:

- A copy of CFR 1910.1030.
- A written description of the exposed employee's duties as they relate to the exposure incident.
- Written documentation of the route of exposure and circumstances under which exposure occurred.
- Results of the source individuals blood testing, if available.

All medical records relevant to the appropriate treatment of the employee, including vaccination status.

MV obtains and provides the employee with a copy of the evaluating healthcare professional's written opinion within 15 days of the completion of the evaluation.

The healthcare professional's written opinion for post-exposure follow-up is limited to the following information:

- A statement that the employee has been informed of the results of the evaluation.
- A statement that the employee has been told about any medical conditions resulting from exposure to blood or OPIM which require further evaluation or treatment.

Note: All other findings or diagnosis shall remain confidential and will not be included in the written report.

Biohazard labels are affixed to containers of regulated waste, refrigerators, and freezers containing blood or OPIM, and other containers used to store, transport, or ship blood or OPIM. The universal biohazard symbol is used. The label is fluorescent orange or orange-red. Red bags or containers may be substituted for labels.

Blood products that have been released for transfusion or other clinical use are exempted from these labeling requirements.

## **PERSONAL PROTECTIVE EQUIPMENT**

All maintenance employees, including Managers, Supervisors, Technicians, and Utility workers etc. who work in the maintenance department, are required to use personal protective equipment to assure their own personal safety.

### ***Safety Glasses and Face Shields***

Safety glasses must be worn at all times when working in the shop, fueling and cleaning vehicles. Every shop should have spare glasses for visitors and vendors who may walk or be working in the maintenance area.

Face shields must be worn when using compressed air or liquids to clean parts and when performing all wire wheel, grinding and cutoff wheel operations. Even though these machines are equipped with shields and guards, a face shield must be worn. The company will provide Safety Glasses and Face shields.

### ***Safety Shoes***

OSHA approved, leather constructed safety shoes must be worn at all times. Safety shoes are a condition of employment and must be provided by employee.

### ***Chemical Masks***

Chemical masks must be worn when using chemicals and cleaning solutions in a confined area. Employees should wear a cartridge-type respirator when spray painting, fine sanding, sandblasting or working in the same area of someone doing this work.

### ***Protective Gloves***

Employees working with chemicals and products, which could be hazardous to their health, must wear rubber gloves. Gauntlet gloves will be worn by welders when arc welding or cutting. The company will provide gloves.

### ***Earplugs***

Employees working around loud machinery and equipment shall wear earplugs to prevent damage to hearing. The company will provide earplugs.

## **HAND TOOLS**

Hand tools are so simple and basic that we don't even think about them in terms of safety. But as anyone knows who's ever gotten a puncture wound from a screwdriver or chisel, or hit a finger instead of a nail with a hammer, there's no such thing as a foolproof instrument. The purpose of this meeting is to make sure we're not fools with tools.

### ***General Hazards***

Hand tools are really well-designed for their tasks. Problems arise from the way we use or handle them. Here are some of the types of injuries resulting from improper use of hand tools:

- Broken bones and bruises from tools that slip, fall, or are thrown
- Eye injuries from flying chips or flying pointed tools
- Cuts, severed arteries, and even finger amputations from saws or cutting tools that slip
- Puncture wounds from flying chips or pointed tools.

All of these injuries can and should be prevented by thinking ahead and thinking safety.

### ***Safety Procedures***

You shouldn't have any problem using hand tools if you keep these safety guidelines in mind.

- Use the right tool for the job. Select a wrench that's the right size. Don't use a nail hammer on a metal chisel or a file, or a screwdriver instead of a pry bar, or pliers instead of a wrench. Don't use standard sockets in lieu of an impact socket.
- Inspect tools before use to make sure they're in good condition.
- Discard or fix unsafe tools like:
  - dull saws
  - screwdrivers with broken tips or handles
  - hammers with chipped or loose heads or broken handles
- Use tools correctly and with common sense. Don't pull a knife toward you or use a screwdriver on something you're holding in your hand. Think about what would happen if the tool slipped and position yourself to avoid injury.
- Use protective equipment. If there's any danger of small flying objects, wear safety goggles. Don't wear loose clothes or jewelry that could get caught in the tools. Wear safety shoes if there's any risk of something falling on your foot.
- Store tools safely. Don't leave them where they could fall on someone or where an exposed sharp edge could come in contact with an exposed body.

### ***Carrying Tools***

A lot of injuries with hand tools occur when they're being carried from place to place or when they're left somewhere and forgotten.



Use a toolbox or belt. Make sure any pointed tools such as screwdrivers are carried with the pointed edges away from your body. If you're carrying tools up a ladder, haul them up in a bag or bucket and bring them down the same way. It's nearly impossible to hold on to a ladder and tools at the same time.

Even if you're only carrying one or two small tools a short distance in your pocket, be sure the points are not sticking up or toward your body.

Keep track of your tools and don't leave them lying around, especially if you're working above ground level. Too often, they're forgotten; an accidental kick or other movement can send them down on some unsuspecting person below. Even a small tool can deal a mighty blow when it comes at you that way.

Hand, don't throw, tools to another person. Pass them handle first. If pointed tools have a carrying case, pass them along in the case.

### ***Suggested Discussion Questions***

What are some of the kinds of injuries you can get from hand tools?

What are some of the hand tools we use on the job here?

What are some of the ways you can avoid hand-tool injuries?

What should you remember about carrying tools?

Are there any other questions?

### ***Wrap-Up***

Hand tools may not be the most hazardous items in the workplace, but that's the main reason why you have to make an effort to use them safely. They're so simple and basic that we forget that they can be dangerous if they're misused.

### ***Hand Tools Safety Checklist***

- Use the right tool for the job.
- Check that tools are in good condition before use.
- Use tools correctly.
- Position yourself so that if a tool that falls or slips it won't cause an injury.
- Wear safety goggles and clothes that won't get in the way of the tools.
- Store tools safely, with sharp edges away from people.
- Carry tools in a box or belt.
- Carry tools with sharp edges pointed away from your body.
- Haul tools up ladders in a container; don't carry them.
- Don't leave tools lying around, especially in locations above ground level
- Pass tools to another person handle first.

## **POWER TOOLS**

One of the main hazards of power tools is that we tend to underestimate them. We don't realize that they have the same potential as their larger cousins to grab careless operators into points of operation such as saw blades, causing serious injuries.

In addition, like any electrical equipment, they pose the risk of fire, shock, or electrocution.

Finally, most power tools create dust, shavings, or other small flying objects that can be another source of injury.

### ***Identifying Hazards***

We're not going to review all the operating instructions for all the power tools we use today. What we are going to do is review the principles of safe power tool use, and I hope you home handymen will pay particular attention because most of this applies to what you do at home, too.

There are several general types of hazards you can encounter with these tools, all of which are easy to prevent.

- Unguarded points of operation.
- Electrical problems: bad cord insulation, poor connections, broke plugs.
- Flying pieces of scrap.
- Physical injury resulting from dropping a tool or straining to lift one.
- Defective tools or tools needing repair.

### ***Protection against Hazards***

When working with any tool, you should make every effort to keep your hands (and other body parts) away from the point of operation.

Most tools help you with that because they come with guards around the point of operation. As with larger pieces of equipment, however, not everyone takes advantage of the guards. They're removed intentionally, or during maintenance and repair, and not replaced.

Another built-in safety feature—required by OSHA in some instances—is an instant-off. You generally turn off these tools by either

- Releasing your finger from the switch you hold to keep it on, or
- A one-motion press or flip of an easily accessible button or switch.

In addition to the built-in protections, there are some easy ones you can add. One of the most important is safety goggles. They're your best safeguard against being injured by flying pieces of wood, metal, or spark.

Since most power tools are electric, you can protect yourself from fire and shock by being sure that the tool is grounded, cords are well insulated, and plugs and connections are good.

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## ***Safety Procedures***

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Power tool safety is mainly common sense. I'm sure you do most of these things automatically most of the time. Our aim here is to raise that percentage to 100 percent and eliminate accidents.

Here's what's important:

- Select the right tool for the job. Don't try to make them do something they're not designed for.
- Inspect each tool before use to make sure it's not missing anything.
- Check that the tool is in good working order: saw blades sharp, etc.
- Become familiar with the manufacturer's instructions and follow them.
- Practice electrical safety by:
  - making sure cord insulation is intact
  - using the correct plugs—3-pronged cords go into 3-pronged outlets
  - turning off tool and power before adjusting or repairing a tool.
- Wear safety goggles.
- Wear a face mask if you're creating a lot of dust.
- Don't wear loose clothes, ties, jewelry, or gloves that could get caught in the machinery.
- Keep the work area clean. Be especially careful of flammable liquids or liquid-soaked rags that could catch fire if ignited by a spark from the tools.
- Keep cords off the floor so no one trips over them.
- Store power tools in their assigned locations or, at the least, away from locations where they could fall on someone or get turned on accidentally by someone brushing against them.

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## ***Power Tool Safety Checklist***

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- Check that all power tools have guards around point of operations and one-move on/off switches.
- Keep body parts and clothes away from the point of operation.
- Select the right tool for the job.
- Inspect each tool before use.
- Follow manufacturer's instructions.
- Check electrical safety:
  - sound cord insulation
  - good insulation
  - outlets that match plugs.
- Turn off tool and power before adjusting or fixing a tool.
- Wear safety goggles.
- Wear a face mask if you're creating a lot of dust.
- Don't wear loose clothes, ties, jewelry, or gloves that could get caught in the machinery.
- Keep the work area clean. Be especially careful with anything flammable.

- Keep cords off the floor.
- Store power tools in their assigned locations.

## LADDERS

### *Introduction/Overview*

Ladders are pretty uncomplicated devices. But, unfortunately, they cause more than their share of accidents. That's not the ladders' fault. These accidents happen when people select the wrong ladder for the job, don't inspect it before using it, or get careless about how they use it.

The basics of ladder safety are a combination of a little bit of knowledge and a lot of common sense. Today we're going to go over the knowledge aspects of ladder safety so that you can apply your own common sense when you use them.

### *General Hazards*

People often fall off ladders, resulting in injuries that can range from bruises to broken bones. Occasionally, the result is death. Falls account for almost 13 percent of workplace deaths and over 16 percent of workplace injury, and ladders are involved in many of those accidents.

There are several potential hazards when you work with a ladder:

- Poor condition. If a ladder is missing parts or has parts that are not intact, it's not going to be able to support a person safely. Frequent inspections are a key part of ladder safety.
- Improper selection. Not every ladder is right for every use. You should be aware of a ladder's weight and height limits. It's also critically important to never use a metal ladder near live electrical wires. Since metal conducts electricity, you could be electrocuted.
- Improper use. Ladders are designed to get you to a higher level. They are not platforms, scaffolds, skids, or braces and should be used only for their purpose.
- In addition, when you have to climb, use a ladder and not a chair, box, or other substitute.
- The way you use a ladder can also promote safety or cause accidents.

### *Identifying Hazards*

Always inspect a ladder before you use it and include ladders in any general safety inspection. Whether the ladder is wooden or metal, check that:

- Steps and rungs are all in place, intact, free from grease or oil, have slip resistant surfaces, and are firmly attached.
- Support braces, bolts and screws are all in place and tight.
- Metal parts are lubricated.
- Rope is not worn or frayed.
- Spreaders or other locking devices are in place.
- Splinters or sharp edges are removed.
- Safety feet are in place.
- Metal ladders are not dented or bent.

If a ladder has anything missing or broken, don't use it. Tag it as defective and remove it from service.

Don't try to fix a ladder yourself. Often they can't be fixed and have to be destroyed, but leave that for experts to decide. A ladder that has been exposed to fire or corrosive chemicals is also a candidate for destruction. Don't use it.

Make sure that ladders are stored correctly, too.

They should be kept in dry areas with moderate temperatures and good ventilation. It's best to store them standing up. But if they have to be stored lying down, make sure they're supported at both ends and in the middle so they won't sag or warp. Nothing should be kept on a stored ladder either, or it will warp.

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### ***Protection Against Hazards***

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The first step in protection from safety hazards with ladders is to select the right ladder for the job.

First, ladders are rated by how much weight they can safely hold. The weight limits include both you and any equipment you're carrying.

- I-A means it can hold 300 pounds (heavy duty)
- I holds 250 pounds (heavy duty)
- II holds 225 pounds (medium duty)
- III holds just 200 pounds (light). These are generally not for use on the job.
- Check the ratings before you select a ladder.
- You should also be aware that there are limits on ladder length.
- A stepladder should be no more than 20 feet high.
- A one-section ladder should be no more than 30 feet.
- An extension ladder can go to 60 feet, but the sections must overlap.

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### ***Ladder Setup***

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Although you've used ladders numerous times, you may not be aware that there is a correct way to set one up. Following this procedure will go a long way toward preventing accidents:

- Place ladder on level surface; use wide boards under it if you're on soft ground.
- Set the feet so they're parallel with the surface the ladder rests against.
- Extend the ladder so there's at least 3 feet above the top support.
- Anchor the top and either tie the bottom or have someone hold it.
- Don't rest the ladder on a window or window sash or place it in front of a door unless it's locked or blocked.
- Position the ladder so that the distance from the ladder base to the wall is one-fourth the length of the ladder.
- Position an extension ladder before you extend it.

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## ***Safety Procedures***

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Once the ladder is set up properly, it's up to you to use it properly so you don't get hurt. As a starter, you shouldn't use a ladder at all if you have a real fear of heights or a tendency toward dizziness or fainting. With that in mind, here are the guidelines for safe ladder use:

- Only have one person on a ladder at a time.
- Wear shoes with clean, nonskid soles—not leather.
- Face the ladder while climbing up or down and hold the side rails with both hands.
- Carry tools up or down on a belt or with a rope or hoist, not in your hands.
- Work with one hand on the ladder, keeping your tools in a hanger or holder.
- Don't step on the top two stepladder steps or top four ladder rungs.
- Keep your body centered on the ladder so your belt buckle is between the side rails.
- Don't move a ladder while you're on it.
- Keep your own movements on a ladder slow and cautious.

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## ***One other safety hint***

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It's best to have two people carry a ladder. If, however, you have to carry one yourself, balance the center on your shoulder. Position it so the front end is above your head and the back end near the ground.

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## ***Wrap-Up***

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Ladders are certainly useful, and there's no reason for them to be the cause of accidents if you check them carefully before use, set them up safely, and exercise caution when working on them. You might want to keep these points in mind with the ladders you have at home, too. Give them a careful inspection; you may find yourself checking the home center ads for a replacement when you see what you've got.

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## ***Ladder Safety Do's and Don'ts Checklist***

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Do:

- Select a ladder that's the right length and weight capacity for the job.
- Inspect ladders before use.
- Make sure rungs or steps are in good condition, have non-slip surfaces, and are free of grease and oil.
- Keep metal parts lubricated.
- Check that there are no splinters or sharp edges.
- Check that support braces, bolts, screws, etc., are in good condition.
- Store ladders in a dry, well ventilated areas with moderate temperatures.
- Store ladders in the preferred vertical position or horizontally with supports at each end and in the middle.
- Position ladders on a firm level surface.
- Set ladder feet parallel to the surface it rests against.
- Anchor the ladder top.

- Have the ladder bottom tied or held.
- Extend the ladder at least 3 feet above the top support.
- Angle the ladder so the distance from the bottom to the wall equals one fourth the ladder's working length.
- Position an extension ladder before extending it.
- Wear shoes with clean, nonskid soles.
- Face the ladder when climbing up or down.
- Use both hands to climb.
- Carry tools up with a rope, belt, etc.
- Keep one hand on ladder while working.
- Keep tools in a holder while working.
- Keep between the side rails while working.
- Move slowly and cautiously on a ladder.

### Don't:

- Use a ladder for any other purpose.
- Use boxes, chairs or anything else in place of a ladder.
- Use a metal ladder near live electric wires.
- Use a ladder with missing or broken parts.
- Use a ladder with worn or frayed rope.
- Use a ladder that's been exposed to fire or corrosive chemicals.
- Store anything on a ladder.
- Rest a ladder on a window or window sash.
- Place a ladder in front of a door unless it's locked or blocked.
- Allow more than one person on a ladder.
- Climb ladders if you're afraid of heights or tend toward fainting or dizziness.
- Move a ladder while you're on it.



## HOIST AND LIFTS

All maintenance personnel at each division who will be using lifting equipment must be trained on the proper and safe way to lift the vehicles. The following training must be completed **prior to operating any vehicle lifting equipment.**

- Take attendance with a printed sheet of each technician in the class. All attendees must sign their name in the space provided on the attendance sheet.
- Perform 1 hour of classroom instruction on “safe and correct vehicle lifting.” This should include review of the vehicle manufacturer’s maintenance manual on instructions for proper lifting of vehicles.
- Perform approximately 2 hours of application and observation of the actual operating of the lift.
- Each student will have an objective task list regarding vehicle lifting. The instructor or maintenance manager will initial each task correctly completed by the student. The manager and student will sign the bottom of the task list in the spaces provided.
- Submit a written test with the technician’s signature on the test.

All maintenance personnel will attend these classes at their division **prior to operating any vehicle lifting equipment.** The following outline must be instructed to assure the technicians are proficient in the correct and safe operation of all types of lifting devices used by the company.

- Types of lifting devices.
  - Hydraulic floor jack
  - Bumper jack
  - Vehicle lift or hoist
  - Transmission jacks
  - Ramps
- Jack Safety Stands
  - To be used any time a vehicle is raised more than 4” from the bottom of the tire to the ground.
- Load capacity
  - Must be on each lifting device.
  - Must have proper rating for weight of equipment to be lifted.
- Operation
  - Correct location for each lifting situation.
  - Make sure you are on a solid level surface.
  - Stay alert and make sure all lifts are working properly and the vehicle raises and lowers in a level position.
  - Lower vehicle down onto safety stands and lower the lift down until the safety lock catches. Always make sure there is a mechanical lock that is in good working order on each lift.
  - When a shift change occurs, prior to beginning work, it is the responsibility of the new person assigned to work on the vehicle to inspect the lift and safety stands.
  - All lifts should be lowered to the ground if there is going to be an extended time that vehicles are not being worked on and at night if the shop is closed.

- Maintenance and Inspection
  - Inspect vehicle lifting devices on a routine basis.
  - Lubricate all points indicated by the manual.
  - Check cables and chains for any damage.
  - Check for any hydraulic leaks.
  - Check for safety lock operation.
  - Check for level and stability.
  - Inspect and check for proper operation.

## **FIRE SAFETY**

### ***Fire Extinguishers***

Fire extinguishers are classified on the basis of what types of fires they are most effective in handling:

- CLASS A extinguishers should be used for fires involving ordinary combustible materials such as paper, wood, and textiles.
- CLASS B extinguishers should be used for fires involving flammable materials such as gasoline, oils, lacquer, thinner, paints, and greases.
- CLASS C extinguishers should be used for fires in electrical equipment.
- CLASS D extinguishers should be used for fires involving metals.
- Fire extinguishers are provided for use within specific areas and are considered "first aid" to control fire in the early stages.

### ***Introduction/Overview***

Most firefighting is best left to professionals, whether the trained group in this company or the local fire department.

But there are some small fires that we can handle ourselves with the portable fire extinguishers the company provides, and that's what we'll be talking about today.

Not all fire extinguishers are the same; they are designed to handle different types of fires. So it's very important to understand which to use when, because the wrong choice not only won't put out the fire, but could make it worse.

There are four types of fire extinguishers. Each one is designed for specific types and sizes of fires.

The fire extinguishers are labeled according to a system developed by the National Fire Protection Association. Let's look at them now.

#### **Class A Extinguishers**

Class A extinguishers are used to put out fires involving ordinary burnables like wood, paper, rags, cloth, or trash, when you want to wet down and cool the area. The extinguishers themselves may use water, water base, foam, loaded steam, or a multipurpose dry chemical to put out the fire.

Class A extinguishers also have a number; they're labeled 1-A, 2-A, etc. The higher the number, the larger the fire that the extinguisher can handle. A 2-A extinguisher can handle a fire twice as large as a 1-A; a 3-A three times as large as a 1-A.

Class A extinguishers, according to OSHA, have to be no more than 75 feet from the work area where they're likely to be used.

Most Class A fires are fairly small, and you must be careful not to make them bigger.

If, for instance, you have a wastebasket fire, be careful not to spread the fire by blowing the burning papers out of the wastebasket.

## **Class B Extinguishers**

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Class B extinguishers are used to put out fires involving gases or flammable liquids such as oil, gasoline, paint, solvents, and grease. The extinguishers may use carbon dioxide, foam, or dry chemicals to put out the fire either by cutting off oxygen or reducing flame.

Class B extinguishers also have numbers. With Class Bs, the numbers tell how many square feet the extinguisher can handle. A 5-B should be able to put out a five-square-foot fire, a 10-B a 10-square-foot fire, etc.

Class B extinguishers are required to be no more than 50 feet from the possible scene of the fire.

## **Class C Extinguishers**

Class C extinguishers are used for fires involving or surrounding electrical equipment fires.

It's very important that you never use water on an electrical fire. Water conducts electricity and using it on an electrical fire could mean a dangerous shock for the person operating the extinguisher.

The Class C extinguishers usually use carbon dioxide or a dry chemical to put out fires. These extinguishers do not have numbers.

## **Combination Extinguishers**

Combination ABC or BC extinguishers are used when a fire combines one or more of the three types of fires we've discussed.

## **Class D Extinguishers**

Class D extinguishers are used for fires in combustible metals, including sodium, magnesium, zinc, potassium, powdered aluminum, and titanium. They're required in any operation that generates combustible metal powders, flakes, or shavings at least once in a two-week span, and have to be kept within 75 feet of where they would be used.

Class D extinguishers don't have numbers. They're considered for "special" hazard protection only.

***We have extinguishers in the following categories (list) and here's where they're located (list).***

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## **Safety Procedures**

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Now you know what kind of extinguisher to use on what kind of fire. The actual operating procedure is fairly simple. You:

- Pull the pin
- Stand about eight feet from the fire
- Aim the hose at the base of the fire
- Squeeze the trigger.

However, aim is very important. If your first shot isn't on target you can lose it, because a fire extinguisher generally only lasts 3 to 20 seconds.

Remember that while you have to know how to identify and use fire extinguishers, that doesn't make you a firefighter. Don't try to be a hero. If the fire looks like it might be too big for you, don't even attempt to put it out. Let the professionals do it.

## COMBUSTIBLE FLUIDS

### *Introduction/Overview*

Many operations use flammable and combustible liquids such as gasoline, kerosene, solvents, strippers, alcohol, and benzene.

These liquids present an obvious danger. Even small amounts may cause fires or explosions. The danger is not the liquids themselves, but the fire or explosion risk that's created when their vapors mix with air and are exposed to an ignition source.

Often these vapors are invisible and odorless. They're heavier than air, so they sink and can build up at ground level. The greater the vapor concentration, the greater the chance of fire or explosion. The fires also tend to spread fast, so people can be badly injured or even die before emergency response teams can take action.

Flammable and combustible liquids are so common that the biggest risk is taking them for granted and forgetting their real hazards.

### *General Hazards*

A combustible substance is one that has the ability to burn given the right conditions. A flammable substance is one that's more likely to burn and to burn more rapidly. Under certain conditions, these substances may also explode and cause an even greater disaster.

Flammable and combustible liquids are defined by their flash points. That's the lowest temperature at which a liquid gives off vapors in enough concentration to catch fire in the air.

- A combustible liquid is one with a flash point at or above 100° F.
- A flammable liquid has a flash point below 100° F.

The lower a liquid's flash point, the more likely its vapors are to ignite. Gasoline and benzene, for instance, both have low flash points.

To prevent fires and explosions, always keep flammable and combustible liquid vapors away from anything that could start a fire. Known as ignition sources, OSHA says these fire-starters include, but aren't limited to:

- Open flames
- Lightning
- Smoking
- Cutting and welding operations
- Hot surfaces
- Frictional heat
- Static, electrical, and mechanical sparks
- Spontaneous ignition, including heat-producing chemical reactions
- Radiant heat

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## ***Identifying Hazards***

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To work safely around flammable and combustible liquids, you have to know when they're present. Fortunately, that information is readily available.

Look for signs that identify storage buildings, rooms, and cabinets that contain flammables. The background or letters are usually red, to catch your attention, with words like:

- DANGER
- FLAMMABLE
- COMBUSTIBLE

Signs may also include more specific precautions like "No Smoking" or "Keep flames and heat away."

Smaller quantities of flammable liquids are kept in special storage cabinets that must be labeled FLAMMABLE—KEEP FIRE AWAY in large letters.

Container labels are still another source of information. The label will use words or the color red to tell you if a substance is a fire or explosion hazard.

To find out how serious the hazard is, check the MSDS for the liquid's flash point. Remember: the lower the flash point, the greater the hazard.

Be aware and informed about flammable and combustible liquids at all times. Read—and obey—all warning signs. And always check the hazard and protective information on labels and MSDSs before starting any job with a potentially hazardous substance.

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## ***Protection Against Hazards***

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Proper storage is one of the best ways to keep these liquids from causing fires or explosions. The OSHA regulation includes a number of aboveground and underground tank requirements designed to keep vapors from escaping and coming into contact with ignition sources. For example, OSHA requires protections like noncombustible construction, venting systems, and stable, fire-resistant supports or foundations. Aboveground tanks must be at least three feet apart, with dikes or drainage around them so leaks won't get into water supplies.

Smaller tanks or containers are kept only in special storage buildings, rooms, or cabinets. OSHA carefully defines the location and construction of these storage areas, as well as the maximum quantities they can hold. Storage buildings and rooms have to be fire-resistant, clearly marked and secured, and well-ventilated. They can't contain ignition sources such as furnaces or electrical panels. To allow effective firefighting if necessary, OSHA doesn't permit us to store water-reactive chemicals with flammables and combustibles.

Here are some other OSHA requirements to prevent fires and explosions in areas where these liquids are stored:

- Keep area free of weeds, debris, and other combustible materials.
- Stack portable containers so they nest—and never stack containers of 30 gallons or more in inside storage rooms.

- Keep exits and stairways clear.
- Maintain a clear aisle at least three feet wide.
- Provide at least three feet clearance around sprinklers.

As added protection, OSHA requires fire-resistant construction for the storage tanks and containers that hold flammable and combustible liquids. Tanks and containers must also have emergency venting devices to prevent pressure buildup when they're exposed to heat.

Even the safety cans you use for up to five gallons of flammable liquids must meet fire-prevention design standards. These containers have to have:

- Leak-tight, corrosion-resistant metal or plastic construction
- Spring-closing lid and spout cover
- Venting devices to prevent hazardous vapor pressure buildup

Many also have flame arresters that absorb and dissipate heat before it reaches the contained liquids.

This careful attention to flammable and combustible liquid storage goes a long way toward preventing fires and explosions. But these substances wouldn't be around if we didn't sometimes have to use them. So we also have to know and follow important precautions every time we open, handle, or use a container.

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### ***Safety Procedures***

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The first safety rule to follow is simple: Keep all flammables and combustibles away from sources of ignition. Never smoke or light a match anywhere near a flammable or combustible liquid. Keep these substances away from open flames and hot work. Use non-sparking tools and, when necessary, explosion-proof electrical equipment.

It's just as important to keep the flammable or combustible vapors out of the air. Always keep containers closed when they're not in use. Treat empty containers that have held flammable and combustible liquid as carefully as full ones. Just a little residue can give off the same dangerous vapors.

When you need a flammable or combustible liquid for a job, follow these OSHA rules:

- Take only the amount you need for the job.
- Transfer or withdraw the liquids either outdoors or in a ventilated area that's either fire-resistant or far enough from other operations to be safe.
- Have fire extinguishers located close by.
- Be sure there's drainage or some other way to control spills.
- Be prepared to clean up any spills quickly and correctly.
- Use a method that prevents spills or static electricity—either a closed piping system or grounding.

Keep in mind that it's the vapors, not liquids that are the fire and explosion risk. Clothes, rags, or other combustible items that absorb liquids can also give off vapors and ignite. So follow these precautions:

- Keep the work area clean and free of dust, paper, and debris.



- Promptly remove any clothing that absorbs flammable or combustible liquids.
- Place oily rags and similar debris in proper closed metal containers, which must be emptied daily.

One last thing: Fire and explosion may not be the only hazards of flammable and combustible liquids. Read the MSDS carefully, and keep these liquids away from any reactive substance. Don't risk any listed health hazards that are linked to inhaling, swallowing, or skin or eye contact.

You will often need to use PPE to prevent exposure to health hazards. Any PPE must, of course, be selected, fitted, worn, and decontaminated properly.

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### ***Wrap-up***

Almost every business and home contains some flammable and combustible liquids. Just because they're common doesn't mean they're not potentially dangerous.

Vapors from these liquids can easily start a fire or explosion if they contact an ignition source. The fires can start fast and spread faster. So take every precaution.

- Read and follow all safety instructions on container labels, warning signs, and MSDSs.
- Store flammables and combustibles in the proper areas and containers.
- Take just what you need for a job and keep containers closed when not in use.
- Keep all ignition sources far from flammables and combustibles.
- Transfer and withdraw liquids carefully and correctly, and clean up any spills immediately.

## **ELECTRICAL SAFETY**

### ***Introduction/Overview***

Electricity provides us with lights and power, both on the job and at home. It's such a normal part of our lives that we often forget that all that power can be dangerous, too.

We've all experienced minor electric shocks, but shocks can be severe enough to kill. Careless use of electricity causes 10 percent of job-related deaths, as well as many serious injuries.

Our objective today is to get an idea of how electricity works, and learn how to identify potential hazards and use electricity safely. We'll also learn about certain particularly risky jobs that can only be performed by specially trained, qualified workers, and how all workers can be protected when working around live wires and parts. At the end of the session, you'll receive an electrical safety "Do's and Don'ts" list that you can use as a reminder. It should be as useful to you at home as it is here on the job.

### ***General Hazards***

A key reason for all these protections is to prevent a major electrical hazard: shock. That's what happens when electric current goes through you because a wire isn't properly enclosed, or has defective insulation, or because you make direct contact with "live" electricity like a power line. The risk grows with length of contact with electric current, especially if the current enters your body near your heart. The ultimate electric shock is electrocution, and it doesn't take much electrical power to kill you.

Instant death is not electrical shock's only hazard. It can cause pain, loss of muscle control and coordination, internal bleeding, damage to nerves, muscles, or tissues, and cardiac arrest. It could also cause you to fall and be injured.

There's an even greater risk of shock if you mix electricity with water. You've all read warnings about being careful with hair dryers and other appliances in the bathroom. The reason is that water, especially when it creates moisture in the air or on the skin, can change what's normally resistant to electricity—like your body—into something that conducts electricity. So if you plug in something electric with wet or sweaty hands, you will get a shock.

Another hazard is electric burn. If you touch overheated equipment, or if current flows through your body, you can end up with serious burns of skin and/or internal tissues.

If you overload circuits or equipment, you could encounter still another electrical hazard: overheating that causes a fire or explosion. This is especially dangerous in areas that contain flammable or explosive substances.

### ***Identifying Hazards***

To use electricity safely, you have to be able to identify its most common hazards. Most occur in everyday work situations, rather than the specific electrical tasks covered by the new OSHA standard. Electrical repair should be left to skilled, trained people. So if you spot one of these hazards, don't touch anything. Report it to Division Management Team immediately so electricians can make the proper repairs.

Here are the hazards to watch out for:

- Loose electrical connections
- Cords with no insulation or frayed insulation
- Plugs that don't match their outlets—like a three-pronged plug in a two-pronged outlet
- Non waterproof cords used outdoors
- Equipment running over capacity
- Tools that smoke, smell, spark, or shock
- Wires running across the floor
- Electrical cords left near heat or water
- Electrical cords used around hazardous flammable or explosive materials and not designed for that use
- Extension cords instead of permanent wiring.

### ***Protection Against Hazards***

As we've discussed, a properly designed electrical system has many built-in protections—such as grounding individual wires and large electrical equipment, fuses, or circuit breakers to shut off overloads, and ground-fault circuit interrupters to detect leaks and cut off power.

For additional protection against overloads, electrical wires, cords, and equipment often have labels identifying their voltage and current capacity. Cords designed for special uses—outdoors, areas with flammable or combustible substances—are also labeled.

### ***Protective Clothing and Equipment***

The new electrical safety standard also requires us to provide—and you to use—appropriate protective equipment. The protective gear you need to keep from becoming an electricity conductor varies by job, but may include:

- Nonconductive head protection
- Eye and face protection
- Tools with insulated handles
- Rubber gloves
- Rubber clothing
- Rubber-soled boots or shoes or rubber mats to stand on.

The standard also warns against wearing metal jewelry like watches or rings, or aprons that may have embedded metal because they could make you an electricity conductor.

Protective equipment must, of course, match the specific hazard and be carefully inspected, tested, and maintained.

The OSHA regulation further protects you from contacting exposed energized parts by requiring employers to use protective shields, barriers, or insulating materials. To make sure no one makes a mistake, exposed energized parts may have warning signs and tags, and even barricades or an attendant to keep you out of harm's way.

The new standard emphasizes procedures to prevent the often fatal contact of workers and their conductive tools and equipment with overhead lines. Before a job around overhead lines starts, the lines must either be de-energized or grounded by the appropriate organization or must have protective measures like guarding, isolating, or insulating in place.

Unqualified workers, as well as the longest conductive objects they hold, must stay at least 10 feet from an energized power line. Vehicles usually have to stay at least 10 feet from the line also, unless insulating barriers or similar protections will prevent contact.

To protect against another high-risk situation, the standard prohibits employees from "reaching blindly" into areas that may contain energized parts. A confined space with exposed energized parts has to have protective shields, barriers, or insulating materials to protect workers from contact.

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### ***Safety Procedures***

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There are a number of commonsense safety procedures that can help prevent electrical accidents. You probably already do much of this. If you don't, start making these procedures a habit.

Inspect electrical equipment and wires before use to make sure they're properly insulated and grounded and that electrical connections are tight.

Don't de-energize live parts unless you've been trained as a qualified person. A qualified person must follow specific procedures to turn off power at the switch box, then lock out and tag the switch so it can't be turned on accidentally. A tag can be used alone with at least one other protective measure if it can be proved as safe as a lock. And a lock can be used alone on a single circuit or piece of equipment when lock out is completed on one shift.

There are times when de-energizing isn't feasible—for instance, if you're testing energized circuits or when de-energizing would deactivate emergency alarms. In those cases, all other protections must be used to prevent accidents. And once work on the equipment is done, the qualified employee follows specific procedures to re-energize it.

Use protective equipment such as rubber gloves or boots when you work with electrical equipment.

Read—and follow—the manufacturer's instructions for your equipment.

Avoid using extension cords whenever possible; check with Division Management Team or with the maintenance department before you handle anything electric.

Inspect portable equipment, including extension cords, before each use and turn in anything that's defective or damaged.

Be sure electric plugs match their receptacles; never alter a plug.

Don't fasten cords with staples.

Make sure your hands are dry before you handle anything electric.

Don't use any piece of electrical equipment that sparks, smokes, smells, or shocks. Mark it "Out of Order" and report it to Divisions Management Team immediately.

Be especially cautious around flammable liquids, vapors or dust, or any area that might have held them. Ventilate the area before you start work and use only electrical equipment identified as safe for that use. And keep an eye on the equipment to avoid sparks or high heat that could start a fire.

When using long conductive objects like ducts or pipes around exposed live parts, be sure to use insulation, guarding and other protections.

Never use a metal ladder around live electricity.

Always obey barriers, signs, and other warnings to stay away from electrical equipment.

### **Good Housekeeping**

Good housekeeping also includes safety procedures that help prevent electrical fires. We're not talking pots and pans here. We mean keeping your equipment and work area clean and organized and disposing of trash properly. Specifically:

- Keep machines and tools properly lubricated.
- Don't let grease, dust, or dirt build up on machinery.
- Don't leave machinery or heating equipment running unattended after working hours.
- Leave at least three feet of work space around electrical equipment so it can be reached for repair or maintenance.
- Keep the work area clean. It's especially important to properly dispose of paper, sawdust, oily rags, or anything that could burn.
- Don't leave cords tangled or lying across an area where people walk.

### **First Aid**

These safety procedures, and your caution and common sense, should prevent serious electrical problems here. But it's still a good idea to know what to do if there is an accident. Here's a brief rundown.

**Shock.** Don't touch a shock victim. Call for professional medical help and, if you can do it safely, turn off the power that's giving the shock. Use a stick or something that won't conduct electricity to push the person away from the wire or equipment that caused the shock.

If you can do that, have the victim lie down, covered lightly, until help comes. If breathing has stopped, give artificial respiration. If the heart has stopped and you know CPR, this is the time for it. If you don't know CPR, call for someone who does.

**Electrical burn.** Rinse with cold water and cover with a clean dry cloth. If it's a major burn, cover it with a clean dry cloth and get immediate medical attention.

**Electrical fire.** Notify firefighters immediately. Don't touch the burning object or use water on it. If you can do it safely, unplug or turn off the current. You can put out a very small fire with a CO<sub>2</sub> or multipurpose ABC extinguisher, or with baking soda. But unless it's very small or you've had special firefighting training, wait for the professionals.

## **Wrap-Up**

Electricity is a fact of modern life, and it's a good thing, too. What would we do without lights, tools, and machines, not to mention TVs, stereos, and refrigerators? But when you think about all the power coming through those wires to run that equipment, it only makes sense to take some precautions. Especially when you consider that a mistake can kill you.

So leave work on energized electrical systems to qualified workers and obey tags and signs that tell you to stay away. Make it a point to check out your electrical equipment and wires before you use them. Don't handle anything electric with wet hands. Keep your equipment clean and in good shape. And if anything doesn't look, sound, smell, or work quite right, turn it off and report it immediately. We don't want to take any chances on anyone getting electrocuted or burned here.

## **Electrical Safety Do's and Don'ts Checklist**

### DO:

- Check wiring to make sure it's
  - properly insulated
  - the right choice for the job (e.g., labeled for use outdoors or in work areas with hazardous substances).
- Check that electrical connections are tight.
- Match plugs and outlets (three-pronged plugs go in three-pronged outlets only).
- Read and follow manufacturer's instructions for electrical equipment.
- Leave work on energized equipment to qualified workers.
- Obey warnings to stay away from electrical circuits and locked-out equipment.
- Wear rubber gloves and any other assigned protective clothing and equipment.
- Keep machines and tools lubricated.
- Keep the work area clean, and promptly and properly dispose of oily rags, paper, sawdust, or anything else that could burn.
- Keep electrical equipment clean.
- Inspect electrical tools before each use.
- Report any electrical tool, equipment, or wire problems immediately.

### DON'T:

- Overload motors, circuits, or outlets.
- Run cords along the floor.
- Use temporary wiring except in emergencies.
- Put anything but a plug into an electrical outlet.
- Place cords near heat or water.
- Touch anything electric with wet hands.
- Leave machinery or heating equipment running unattended after working hours.
- Let cords get twisted or tangled.
- Get closer than 10 feet to a power line (if you're an unqualified employee).

- Reach blindly into a space that may contain energized equipment.
- Wear metal jewelry when working with electrical appliances.
- Use a power tool that smokes, sparks, smells, or shocks.





## **LOCK OUT TAG OUT**

### ***Introduction/Overview***

Every year, people are killed on the job by machinery. All too many of those deaths could have been prevented by following lock out/tag out procedures to turn off machinery that is being cleaned or repaired or that is not working properly.

Here are some real-life examples:

- An untrained worker was feeding scrap cardboard into a shredder. When the shredder jammed, he tried to fix it without turning off the machine. His arm got caught and pulled into the shredder and he bled to death.
- A worker was inside a cement mixer, cleaning it. Another worker, who didn't know anyone was inside the machine, turned it on and the worker inside was crushed.
- A plant superintendent tried to fix an overhead crane without disconnecting the main electrical switch that operated it. He stood on a metal fence, touched a live wire, and was electrocuted.

These tragic examples of accidental death could have been prevented by following lock out/tag out procedures. They also make it clear that everyone has to be aware of the importance of shutting off power to machinery when it's being fixed, cleaned, or maintained.

Even if you don't operate heavy equipment, you could accidentally get in its way if it's not properly disconnected. So today we're going to review and practice our lock out/tag out procedures to make sure no employee or civilian is ever hurt by equipment that should have been shut down.

### ***General Hazards***

Because the deaths associated with lock out/tag out failure are so terrible and so preventable, OSHA has studied them to determine the most common causes. Most of the accidents occurred with moving machinery, electrical equipment, and vehicles. The main reasons for the deaths were:

The machine or piece of equipment was not completely shut off before a maintenance or repair operation. You not only have to turn off the machine itself, but also the power source that goes to it.

The machine was turned on accidentally, either out of carelessness or because the person who turned it on didn't realize that another worker was there and could get hurt. That's what happened in the example I gave about the worker who was inside the cement mixer.

The machine wasn't working correctly. In these instances, the people who knew about the problem didn't fix it, or turn off and tag the malfunctioning machine. Someone who didn't know about the problem used it and was killed.

Moving equipment wasn't blocked. For instance, a truck parked on a slope could roll if it was turned off but didn't have the brake on or the wheels blocked.

Safety procedures were inadequate or hadn't been properly explained to workers. That speaks for itself. If there is no lock out/tag out procedure, or the procedure exist on paper and are not enforced, there's bound to be trouble. That trouble can get even worse if people who aren't trained or authorized operate dangerous equipment or just plain don't think about what could happen when they're working around machinery.

All these hazards are avoidable as long as everyone knows and follows the rules.

### ***Identifying Hazards***

Any powered machinery or electrical equipment that could move in a way that would put people in danger is a hazard that can be prevented by lock out/tag out. You also have to be alert to equipment that could roll, fall, or move onto a person after it's shut down.

The hazards occur under the following circumstances:

- Repair
- Maintenance
- Cleaning
- Mechanical or operational problems
- Machinery that's thought to be fully turned off but isn't.

### ***Protection Against Hazards/Safety Procedures***

(Note: This section explains basic lock out/tag out procedures which may vary considerably depending on the equipment and the company. So be sure to add the specific details that describe your company's procedures.)

The key point of lock out/tag out procedures is to shut down completely machinery and electrical equipment before repair, maintenance, and cleaning. Here's the six-step shutdown procedure:

**Before shutdown.** Before shutdown, the authorized employee must know the type and magnitude of the energy, the hazards of the energy to be controlled, and the method or means to control the energy. The authorized employee must notify all affected employees of the lock out.

**Shutdown.** The authorized employee shuts down the machine or equipment by the normal stopping procedure (pressing the stop button, moving the switch to the "off" position, etc.)

**Isolation.** The main power switches, circuits, or other sources of energy are moved to the "off" position or otherwise rendered inoperative.

**Lock out.** Locks are placed on switches or other energy sources in the "safe," or "off" position. During a group lock out, all members of the group must add their own locks to the lock out. Warning tags should be placed with each lock.

**Energy release.** All potentially hazardous stored or residual energy (such as that in springs, elevated parts, rotating flywheels, hydraulic systems, electrical systems, and air, gas, steam, or water pressure, etc.) is relieved, disconnected, or otherwise made safe by repositioning, blocking, bleeding down, etc. (If there is a possibility of re-accumulation of stored energy to a hazardous level, verification of isolation shall be

continued until the servicing or maintenance is completed, or until the possibility of such accumulation no longer exists.)

**Testing.** After ensuring that no personnel are exposed, and as a check on having disconnected the energy sources, the authorized employee operates the push button or other normal operating controls to make certain the equipment will not operate.

**CAUTION:** Return operating control(s) to the "neutral" or "off" position after the test.

The equipment is now locked out.

The bottom line here is simple: Never try to clean, repair, or perform maintenance on any piece of machinery or equipment without completing lock out/tag out.

There's a second bottom line, too, that applies to everyone who even gets into the vicinity of a machine: Don't touch, much less operate, any piece of equipment or machinery unless you are trained and authorized to do so, and don't touch anything that's locked and tagged unless you are responsible for working on it and are sure the power is disconnected.

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### ***Wrap-Up***

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Lock out/tag out procedures are a commonsense precaution to make sure that machines and people don't accidentally tangle. It's absolutely critical that no power go to a machine that's being worked on. And it's also critical that you go through every step of the process to make sure that the machines are not going to take anyone by surprise.

Not everyone is responsible for performing the tasks that require lock out/tag out first. But every person that works here is responsible for:

- Reporting any machine problems or malfunctions
- Recognizing a locked and tagged out machine and staying away from it.

This procedure is solely for your protection. Learn it and follow it.

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### ***Lock out/Tag out Checklist***

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- Before shutdown, make sure that the authorized employee knows the type, magnitude, and hazards of the energy to be controlled.
- Verify that the employee knows the method or means to control the energy.
- Instruct the employee to inform all affected employees of the lock out.
- The employee then stops the equipment by the usual method.
- Once the machine is turned off, the main power switches, circuits, etc., should be turned off.
- Locks should be placed on the switches (or other energy sources) in the "off" or "safe" position.
- In a group lock out, all members of the group must add their locks to the lock out.
- Warning tags should be affixed with each lock.
- Any stored or residual energy is then eliminated.
- With no one near the equipment, the employee tests it by attempting to start it up in the usual manner.

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## ***Vehicle Lock Out Procedures***

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### **Overview**

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Each division must have a documented procedure for tagging and placing vehicles out of service and should receive training to explain the pre described procedure. There should be one common outline to follow in the out of service procedures then the division must adapt the outline to fit the daily needs and operations of the department. In addition each technician must understand and perform a sufficient lock out tag out program implemented by the Maintenance Manager.

### **Outline**

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Employees should demonstrate and understand the following requirements.

#### ***Out of service procedures***

Mark vehicle noting out of service and disable when not being repaired

Not OOS vehicle on the maintenance OOS board

Tag vehicle out in dispatch and notify dispatcher

Reverse Procedures when placing vehicles back into service

#### ***Lock Out Tag Out procedures***

When LO/TO is necessary?

What LO/TO procedures are necessary?

The limitations of LO/TO?

Who is responsible for LO/TO?

#### ***Out of Service Marking***

A MV Transportation Inc. OUT OF SERVICE marking will be placed upon the driver side windshield of any vehicle that is not safe to operate or the appropriate out of service steering wheel cover should be used which can be purchased through the National account "Edcor Safety". All Company employees shall be trained to recognize the marking and to abide by it. Any use of a marked vehicle shall be considered a "serious unsafe act".

The marking may not be removed and the vehicle may not be put into service until it has been repaired and put back into service by the Maintenance Department. This should be considered a minimum requirement.

## **FUELING**

### ***Fueling, Daily Vehicle Service and Inspection***

Fueling and service shall be performed daily on all equipment that has been in service that day. The process used shall follow **MV Transportation Fuel & Service Policy VM-009**. A copy of that policy is located in the Policy Section of this manual.

It is the responsibility of the General Manager to insure that Policy VM-009 is followed by those assigned to fuel and service vehicles where no shop exists or where persons other than Maintenance Department personnel are assigned the fuel and service tasks.

### ***Fuel Dispenser Nozzle Clips***

For safety and environmental reasons, **MV Transportation Policy VM-022** must be followed with regard to all Divisions that have their own fuel tanks. A copy of that policy is located in the Policy Section of this manual.

### ***Fuel & Fluid Storage Tank Compliance***

The Company is dedicated to compliance and helping the Customer comply with all laws and regulations governing the use and maintenance of fuel and fluid storage tanks.

The General Manager and Maintenance Manager must be aware of the location, piping and all relevant information concerning storage tanks located on the property occupied by the Company. Both must clearly understand and meet all the Company's responsibilities regarding the regulation and maintenance of all tanks including any that are not in current use.

Monthly compilation of fuel usage from the daily and monthly compiled sheets is the responsibility of the Maintenance Manager unless specifically directed otherwise.

It is necessary for the General Manager and the Maintenance Manager to know the capacity and shape of all storage tanks so that the depth can be used to calculate gallons.

Fuel storage tanks should be routinely checked for any indication of water and contaminants.

Any indication of water or contaminants in the tank shall cause the company Director of Maintenance to be contacted immediately and prior to talking to the customer or any government agency.

The Maintenance Manager and the General Manager are accountable for testing as required by law.



## **FORKLIFT OPERATION PLAN**

This written Forklift Operation Program establishes guidelines to be followed whenever any of our employees work with powered industrial trucks at this company. The rules established are to be followed to:

- Provide a safe working environment,
- Govern operator use of powered industrial trucks, and
- Ensure proper care and maintenance of powered industrial trucks.

The procedures here establish uniform requirements designed to ensure that powered industrial truck safety training, operation, and maintenance practices are communicated to and understood by the affected employees. These requirements also are designed to ensure that procedures are in place to safeguard the health and safety of all employees.

It is our intent to comply with the requirements of OSHA's 29 CFR 1926.600, 1926.602(c), and 1926.441 for construction activities. These regulations have requirements for powered industrial truck operations, including that for battery care and charging. We also comply with applicable requirements of design, construction, stability, inspection, testing, maintenance, and operation of ASME/ANSI B56.1-1969, Safety Standard for Low Lift and High Lift Trucks. However, the powered industrial trucks we operate in our storage and maintenance yards and warehouses comply with 29 CFR 1910.176 and 1910.178.

### ***Administrative Duties***

The Maintenance Manager is our Forklift Operation Program Coordinator, acting as the representative of the plant manager, Manager, who has overall responsibility for the plan. Copies of this written program may be obtained from the Maintenance Manager.

## **POWERED INDUSTRIAL TRUCKS AT OUR WORKPLACE**

MV TRANSPORTATION uses these powered industrial trucks as follows:

<b>Make and model</b>	<b>Class</b>	<b>Quantity</b>	<b>Purpose</b>	<b>Location</b>



## TRAINING

Maintenance Manager will identify all new employees in the employee orientation program and make arrangements with department management to schedule training.

Before we begin training a new employee, our Forklift Operation Program Administrator, the Maintenance Manager determines if the potential powered industrial truck operator is capable of performing the duties necessary to be a competent and safe driver. This is based upon his/her physical and mental abilities to perform job functions that are essential to the operation of the vehicle.

These capabilities include the level at which the operator must:

- See and hear within reasonably acceptable limits. This includes the ability to see at distance and peripherally. In certain instances, it is also necessary for the driver to discern different colors, primarily red, yellow and green;
- Endure the physical demands of the job; and
- Endure the environmental extremes of the, such as the ability of the person to work in areas of excessive cold or heat. An operator must be able to climb onto and off of a truck, to sit in the vehicle for extended periods of time, and to turn his/her body to look in the direction of travel when driving in reverse.

Once our Administrator determines that a potential operator is capable of performing powered industrial truck duties, the following person(s) will conduct initial training and evaluation:

Maintenance Manager. This/These instructor(s) has the necessary knowledge, training, and experience to train new powered industrial truck operators. His/Her/Their qualifications include: Successful completion of National Safety Council's Forklift Truck Operators Training Course and past practical experience in training forklift operators.

### ***Initial Training***

During an operator's initial training, the instructor(s) combine(s) both classroom instruction and practical training to assure the best possible coverage of the necessary material.

Our classroom instruction includes the following formats: Powered Industrial Truck Operator Training Power Point presentation downloaded from OSHA's web site. A booklet is given to students and a written test is given. Out of Classroom instruction covers hands on review of the equipment, a simulation of the pre-trip inspection, and a skills test.

Our practical training includes these formats: Review of the students' potential ability to safely use the powered equipment, review the test with each student, and demonstrate proper inspection, safety issues, and maneuverability demonstrations. All powered industrial truck operators are trained and tested on the equipment they will be driving before they begin their job.

Each type of powered industrial truck has a different "feel" to it, and that makes operating it slightly different from operating other industrial trucks. The work areas where these trucks are being used also present particular hazards. For these reasons, it

is impractical to develop a single "generic" training program, which fits all of our powered industrial trucks. Accordingly, during training, MV TRANSPORTATION covers the operational hazards of our powered industrial trucks, including:

- Hazards associated with the particular make and model of the truck;
- Hazards of the workplace; and
- General hazards that apply to the operation of all or most powered industrial trucks.

See Appendix A for company-specific hazards of both our powered industrial trucks and our workplace.

Each potential operator who has received training in any of the elements of our training program for the types of trucks which that employee will be authorized to operate and for the type of workplace in which the trucks will be operated need not be retrained in those elements before initial assignment in our workplace if MV TRANSPORTATION has written documentation of the training and if the employee is evaluated to be competent.

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### ***Training Certification***

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After an employee has completed the training program, the instructor will determine whether the potential driver can safely perform the job. At this point, the trainee will take a performance test or practical exercise through which the instructor(s) will decide if the training has been adequate. All powered industrial truck trainees are tested on the equipment they will be driving.

The Maintenance Manager is responsible for keeping records certifying that each employee who has successfully completed operator training and testing. Each certificate includes the name of the driver, the date(s) of the training, and the signature of the person who did the training and evaluation.

Training is done in house. See the attached current copy of the training material and the course outline.

## PERFORMANCE EVALUATION

Each certified powered industrial truck operator is evaluated once each year to verify that the operator has retained and uses the knowledge and skills needed to drive safely. The Maintenance Manager does this evaluation. If the evaluation shows that the operator is lacking the appropriate skills and knowledge, the operator is retrained by our instructor(s). When an operator has an accident near miss or some unsafe operating procedure is identified, the employee will be retrained.

### *Current Certified Truck Operators*

Under no circumstances shall an employee operate a powered industrial truck until he/she has successfully completed this company's powered industrial truck training program. This includes all new operators regardless of claimed previous experience. The following table lists employees by department who are currently authorized operators of our powered industrial trucks at this company:

Department	Employee name	Make and model

## **INSPECTIONS**

### ***Pre-Operational Inspection Procedures***

The company requires operators to perform pre-operational equipment checks on powered industrial trucks prior to the beginning of each shift in which those trucks will be utilized, to ensure the safe operating condition of the vehicle. The pre-operational check is performed by third shift completing a daily truck inspection checklist.

See an attached sample form. A supply of these forms is provided in each charging and parking area within user departments.

No blank spaces are allowed on the form. If an item does not apply, we use the code N/A. We also require that operators fill out the comment section thoroughly and accurately if there are any operational or visual defects.

That way our Maintenance Department can pinpoint and repair the problem before the truck becomes unsafe to operate.

Our pre-operational inspection procedures used by operators are conducted by daily filling out an operator's daily report. (See appendices)

The Maintenance Manager is responsible for retaining all daily truck inspection checklist forms for each vehicle for six months.

### ***Periodic Inspection Procedures***

Periodic inspections are in conjunction with the particular powered industrial truck's maintenance or service schedule. Maintenance schedules are normally expressed in days and operating or running hours an. outside vendor perform(s) inspection and maintenance. Most manufacturers' operator instruction manuals contain the recommended maintenance schedule. Authorized workshops and/or service technicians do inspections and maintenance or repair beyond the recommended service schedules.

### ***Operating Procedures***

Powered industrial trucks can create certain hazards that only safe operation can prevent. That is why we have created sets of operating procedures. Our operating procedures follow.

### ***Driving***

Driving a powered industrial truck is fundamentally different than driving a car or other trucks. In fact, powered industrial trucks:

- Are usually steered by the rear wheels,
- Steer more easily loaded than empty,
- Are driven in reverse as often as forward,
- Are often steered with one hand, and
- Have a center of gravity towards the rear, shifting to the front as forks are raised.

Unlike cars, some powered industrial trucks have a greater chance of tipping over when suddenly turned. Because of the design of powered industrial trucks; *they have a very short rear wheel swing*. This means that, at high speeds, sudden turns can tip them and could result in serious injury and damage. Speed can cause the center of gravity to shift dramatically. Similarly, speeding over rough surfaces can cause tipping.

Although structurally different than cars, powered industrial trucks, like cars, can collide with property and people. Therefore it is our policy for all operators to use the utmost care when operating the Powered Industrial Truck. Load Lifting and Carrying

Powered industrial trucks can lift only so much. Each truck has its own load capacity which is indicated on the rating plate. Powered industrial trucks also have three-point suspension that forms an imaginary triangle from the left front wheel to the right front wheel to the point between the two back wheels. The center of gravity for a powered industrial truck must lie somewhere within this triangle or else the truck will tip over. The load and its position on the forks, as well as traveling speed and slopes, all affect the center of gravity. Loads, themselves, have gravity with which to contend. Loads need special care so that they do not fall. In order to prevent tipping and load falling hazards, it is required only proper lifting; driving, and moving are allowed at any time.

## **FUEL HANDLING AND STORAGE**

Some of our powered industrial trucks operate with highly flammable and combustible fuels.

The storage and handling of liquid fuels such as gasoline and diesel fuel are done in accordance with NFPA Flammable and Combustible Liquids Code (NFPA 30-1969).

The storage and handling of liquefied petroleum gas fuel is done in accordance with NFPA Storage and Handling of Liquefied Petroleum Gases (NFPA 58-1969).

All employees who handle or use flammable liquids are to follow the guidelines for pressurized gas handling.

### ***Carbon Monoxide Awareness***

Powered industrial trucks with internal combustion engines produce carbon monoxide (CO), an odorless, colorless, and deadly gas produced by the incomplete burning of any material that contains carbon. These materials include gasoline, natural gas, propane, coal, and wood. The most common source of CO is the internal combustion engine. Trucks, cars, forklifts, floor polishers, pressure washers, or any other machine powered by fossil fuels generates CO.

If inhaled, CO restricts the ability of your blood system to carry oxygen to the body tissues, which need it. Overexposure combined with less oxygen results in carbon monoxide poisoning. Mild poisoning can result in headaches, tightness in the chest, dizziness, drowsiness, inattention, fatigue, flushed face, or nausea. If you continue exposure lack of coordination, confusion, weakness, or loss of consciousness may result. A heart condition, smoking, taking drugs or alcohol, and pregnancy can aggravate CO poisoning. Physical activity, too, can make a situation worse that's because your body needs more oxygen to exert itself. Severe poisoning can kill you within minutes, sometimes without warning symptoms. The more CO there is in the air and the longer the exposure, the greater the danger.

### ***Personal Protective Equipment (PPE)***

We have assessed our workplace and determined that the hazards, which threaten our operators, include: Slip and fall, burn or frostbite.

For this reason, we require that our powered industrial truck operators wear the following PPE and equipment Safety Shoes and Gloves, Apron, and Face Shield if changing fuel tanks.

All operators required to wear this equipment are trained:

- When PPE is necessary;
- What PPE is necessary;
- How to properly put on, take off, adjust, and wear PPE;
- Limitations of the PPE; and
- Proper care, maintenance, useful life, and disposal of PPE.

See the Written Personal Protective Equipment Program for more details.

**Pedestrians**

Because powered industrial trucks are typically used near pedestrians, we require both pedestrians and powered industrial truck operators to watch out for each other.

All powered industrial truck operators must: Yield to pedestrians.

All pedestrians must: Use care around Powered Industrial Trucks.

## MAINTENANCE

Investing time and effort into the proper upkeep of our equipment results in day-to-day reliability. Keeping up with the manufacturer's recommended maintenance and *lubrication* schedules, and completing the proper records, will also increase *our* trucks' longevity and enhance its resale value.

The Maintenance Department will complete a receiving or delivery inspection whenever our company purchases powered industrial trucks, and he/she/they perform the recommended "breaking in" inspections and maintenance.

Proper maintenance procedures will require following the manufacturer's operator instructor manual for daily or weekly maintenance.

Periodic maintenance (those completed monthly, every six months, or annually) is done by a factory-trained-expert, or a dealer or by a maintenance employee qualified to do so.



### Safety Strategies for Infectious Diseases

*In order to minimize the exposure of the public, personnel, and property to hazards and unsafe conditions, LAVTA has implemented multiple strategies throughout the workplace and protocols consistent with the guidelines of the Centers for Disease Control and Prevention (CDC) as well as the Transportation Security Administration (TSA), the Division of Occupational Safety and Health of California (Cal/OSHA), and local health authorities.*

*Some of these mitigations are permanent installations and will continue to be used and maintained. LAVTA will continue to monitor and follow the strictest of guidelines published on the websites of the CDC, TSA, and Alameda County Public Health Department, with regard to infectious diseases, current or future. Please see below for websites.*

Documented strategies implemented for COVID-19 pandemic:

Personal protective equipment (PPE) ordered and provided for employees and the public.

- Masks and gloves were ordered and provided daily throughout the COVID-19 pandemic
- Mask mandates when interacting or in the same space with unvaccinated persons or for all as directed by health authorities
- Installation of driver germ barriers to minimize transmission (permanent)

Enhanced sanitization protocols.

- Daily vehicle fogging/disinfection, including high-touch surfaces on-board vehicles
- Disinfection of common public spaces at the Transit Center
- Installation and maintenance of hand sanitizer stations (permanent)
- Installation of continuous on-board air purification systems (permanent)
- Upgraded to more effective ventilation filters and maintained ventilation systems on transit vehicles and administrative offices (permanent)

Social Distancing

- Limited capacity on transit vehicles to allow social distancing; implemented extra standby vehicles to respond to passenger overloads as needed
- Work-from-home policy implemented during peaks of infectious disease cases or as recommended or required by local health guidance
- Implementation of remote meetings
- Temporary free fare implementation and rear-door boarding when possible to minimize interactions and transmission
- Physical distancing in all communal areas for unvaccinated or at-risk workers

Sick Leave Policies

- Compliance with federal legislation for sick leave, at-risk workers, and compensation
- Mandated sick leave, quarantines, and clear test results for return to work in case of exposure or disease, complying with current guidelines from health authorities

Communication

- Communication to employees about infectious disease prevention procedures and Emergency Temporary Standards outlined by health authorities and facilitation for employees getting vaccinated
- Daily in-person or virtual health checks upon entering facilities
- Conduct contact tracing for employees or contractors with any signs of infectious disease or close contacts with disease

Websites:

CDC [www.cdc.gov](http://www.cdc.gov)

TSA [www.tsa.gov](http://www.tsa.gov)

Cal/OSHA [www.dir.ca.gov/dosh](http://www.dir.ca.gov/dosh)

Alameda County Public Health Department [acphd.org](http://acphd.org)

**RESOLUTION NO. 24-2022**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LIVERMORE  
AMADOR VALLEY TRANSIT AUTHORITY ADOPTING THE UPDATED  
LAVTA PUBLIC TRANSPORTATION AGENCY SAFETY PLAN**

**WHEREAS** the Federal Transit Administration (FTA) requires that public transportation systems receiving federal funds develop a Public Transportation Agency Safety Plan (PTASP) that includes the processes and procedures to implement a Safety Management System (SMS); and

**WHEREAS** the PTASP is a required document that must be reviewed at least annual and updated if necessary; and

**WHEREAS** LAVTA has updated the PTASP to comply with new requirements of the Bipartisan Infrastructure Law;

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Board of Directors to adopt LAVTA's revised PTASP.

**APPROVED AND PASSED** this 6th day of June 2022.

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Karla Brown, Chair

**ATTEST:**

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Tamara Edwards, Interim Executive Director