

## 3-09/070.45 - Corrective Action

Department member is responsible for the care and condition of any vehicle assigned to him/her (see Policy and Ethics chapter). Willful negligence or abuse of County property shall be grounds for disciplinary action and where responsibility can be determined, captains/directors shall proceed as with any other disciplinary matter.

If the traffic collision or vehicle incident was non-preventable and no corrective action or disciplinary action was taken, such information shall appear in the final disposition section of the SH-R-257.

The following provisions pertain to those actions which constitute violations described in section 3-01/090.10 Operation of Vehicles. Conduct relating to a collision or vehicle incident, but not described in section 3-01/090.10, should be addressed by other relevant policy or applicable laws.

### Purpose

The intent of this section is to provide a means to differentiate between inattentive preventable collisions or vehicle incidents and those resulting from recklessness. Additionally, this plan will tailor the Department's response to the specific conduct of the employee.

If the collision or vehicle incident was "preventable," it will be classified into the appropriate category as described below:

### Level One

- Collision:
  - While maneuvering speed of 10 miles per hour or less prior to any braking;
  - With no disregard for safety;
  - With no visible injuries or complaint of pain;
- Incident not involving a collision or work damage:
  - Use of communication devices in violation of policy (distracted driving);
  - Violation of seatbelt use policy;
  - General Vehicle Code violations.

**NOTE:** Collisions involving distracted driving, multiple general Vehicle Code violations, and violations pertaining to seatbelt use are subject to discipline per the Guidelines for Discipline Manual.

### Level Two

- Collision:
  - While operating speed above 10 miles per hour prior to any braking and in essential compliance with the Vehicle Code;
  - With no disregard for safety;
  - With no life-threatening injury;
  - County vehicle is repairable.

### Level Three

- All preventable collisions or vehicle incidents not classifiable as Level One or Level Two.

### Use of Levels as a Basis for Driving Record

### Point System

A preventable traffic collision or vehicle incident shall be categorized by a Level, and a prescribed number of "points" shall be assigned to the driver's history. The points accumulated for each individual preventable traffic collision or vehicle incident shall be maintained for a revolving 36-month period and accrued as of the date the traffic collision(s) occurred. When 36 months have elapsed from the date of the specific traffic collision or vehicle incident, the points for that specific collision or vehicle incident will be deleted from the individual's driver's history.

<b>Level One Collision or Incident</b>	1 point
<b>Level Two Collision</b>	2 points
<b>Level Three Collision</b>	3 points or 4 points (notable disregard for safety and life-threatening injury)

When three points are accumulated within a 24-month period, the driver shall attend the **mandatory** Alternative to Discipline Driving Class.

**NOTE: This training will not expunge existing points.**

When an employee is involved in three preventable collisions or vehicle incidents or accumulates five points in any 36-month period, he or she will be assigned to a non-driving position and prohibited from driving a county-owned vehicle (except in exigent circumstances) for six months. This assignment shall be based on the needs of the unit. The employee shall also attend the **mandatory** Alternative to Discipline Driving Class.

**NOTE:** If a change in the driver's unit of assignment is needed to comply with the provisions of this section, the unit of assignment will be determined by the needs within the concerned Division. If the employee has a Patrol Retention Bonus, it shall not be affected. The employee shall be allowed to return to the former unit of assignment after this period.

The accumulation of seven or more points, or four preventable collisions or vehicle incidents within a 36-month period, shall result in a transfer to a different unit and an assignment to a non-driving position and prohibition from driving a county-owned vehicle (except in exigent circumstances) for one year. The location of this assignment shall be based on the needs of the Department. The employee shall be allowed to return to the former assignment after this period. In addition, the employee shall also attend the **mandatory** Alternative to Discipline Driving Class.

When an employee is assigned to non-driving duties due to preventable collisions, the employee's unit commander shall notify the Risk Management Bureau captain via memorandum which shall include the name of the employee, employee number, and effective dates of the non-driving assignment. The employee's unit of assignment shall also be responsible for inputting the information into the Department's Preliminary Data

Entry (PDE) database component of the Personnel Performance Index (PPI). Risk Management Bureau personnel shall be responsible for updating the employee's Personnel Performance Index "Special Conditions" section with the effective dates of the non-driving assignment.

**NOTE:** An employee with five consecutive years at the same assignment with no previous preventable collisions, who later rises to this level of points or number of collisions or vehicle incidents at that unit of assignment, shall not be subject to transfer but shall be placed in a non-driving position for one year.

#### Elimination of One Point - Traffic Collision Point Reduction Class

Completion of the designated voluntary, off-duty, one-day approved "Traffic Collision Point Reduction Class" may be used to exempt one point. This class shall not be used for this purpose more than once in any 36-consecutive month period. Employee time and costs for this class are the employee's responsibility.

**NOTE:** "Traffic Collision Point Reduction Class" credit(s) may not be retroactively applied to prevent the imposition of an administrative action once that action level has been reached. Points are accrued as of the date the collision or vehicle incident occurred and shall remain on the employee's record for a period of 36-consecutive months unless removed by successful completion of the "Traffic Collision Point Reduction Class."

#### Elimination of One Point – EMERGENCY VEHICLE OPERATIONS CENTER TRAINING

Completion of the designated Emergency Vehicle Operation Center's **voluntary** "Alternative Driving" course or the "S.T.A.R. Program" may be used to exempt one Level 1 point. These classes shall not be used for this purpose more than once in any three-year period.

**NOTE:** The "Alternative Driving" course or the "S.T.A.R. Program" credit may not be retroactively applied to prevent the imposition of an administrative action once that action-level has been reached. Points are accrued as of the date the collision or vehicle incident occurred and shall remain on the employee's record for a period of 36-consecutive months unless removed by successful completion of the "Alternative Driving" course or the "S.T.A.R. Program."

#### Department Safe Driver Awards

It shall be the responsibility of every captain/director to develop a strategy to acknowledge those employees who maintain a driving record free from preventable traffic collisions or who consistently demonstrate the principles of defensive driving.

#### Report Processing

Each unit shall send a copy of the complete traffic investigation file, including records of the employee's current point/time period status, via their division headquarters to Risk Management Bureau - Discovery Unit.

#### Unit Commander Responsibilities

Captains and directors are responsible for conducting appropriate follow-up to ensure that, when an employee has reached an action-level calling for corrective action, (training, job reassignment, or transfer), the

designated corrective action is taken.

Refer to section 3-09/070.30 for additional information.

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