

# 2023

## **PUBLIC TRANSIT AGENCY SAFETY PLAN (PTASP)**

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## 1. Transit Agency Information

Transit Agency: Santa Rosa CityBus (Hereafter referred as "Agency")

Transit Agency Address: 45 Stony Point Rd. Santa Rosa CA 95401

Accountable Executive: – Director, Transportation and Public Works Department

Chief Safety Officer/SMS Executive: Adam Martinez, Transit Superintendent

Modes of Service Cover by the PTASP: Fixed Route Transit Bus, ADA Paratransit

List of FTA Funding Received: 5307, 4210, 5311

The Agency does not provide transit services to another transit agency or service.



## 2. Plan Development, Approval, and Updates

The Transit Division of the City of Santa Rosa Transportation and Public Works Department drafted this plan. By signature below, the Accountable Executive confirms the development this plan.

\_\_\_\_\_  
Director of Transportation and Public Works

\_\_\_\_\_  
Date Signed

The City of Santa Rosa approved this plan as so indicated by the signature of the City Manager of the City of Santa Rosa on the date noted below and as specified in the minutes of the December 13, 2022 City of Santa Rosa City Council meeting.

\_\_\_\_\_  
City Manager City of Santa Rosa

\_\_\_\_\_  
Date Signed

### 2.1 Certification

The Agency Plan was approved and adopted by the Safety Committee on

The Agency Plan was certified by the Director of the Santa Rosa Transportation and Public Works Department and the City Manager of Santa Rosa, California, on December 13, 2022, and is affirmed by City Council resolution, which can be viewed at Transit Operations, 45 Stony Point Road, Santa Rosa CA.

### 2.2 Record Revisions

A table that records the history of revisions made to the Agency's PTASP shall be placed in Appendix I of this document with each annual recertification.

### 2.3 Annual Review and Update of the Public Transportation Agency Safety Plan (PTASP)

The PTASP Committee and Safety Committee will review the plan annually in February (see subsection 4.2 Authorities, Accountabilities, and Responsibilities for a definition of the committees. The Safety Committee will review and approve all changes to the document. City staff will communicate all changes and amendments to the document to all employees in the Transit Division upon their approval by the Safety Committee and when necessary, approved by the City Council. Both committees will review the plan outside the annual review under the following circumstances:

- Either committee determines that mitigating safety deficiencies is ineffective.
- Significant changes to service delivery occur.
- The City or Department implement new processes or procedures that may affect safety.
- The City of Department make changes or re-prioritizes resources available to support Safety Management Systems.
- Significant changes are made to organizational structure.
- FTA or State guidelines directly affecting any aspect of this plan that require immediate updating.

### 3. Safety Performance Targets

Santa Rosa CityBus has safety and risk reduction performance targets that is reviews annually. CityBus establishes its safety targets using a 3-year rolling average. The safety committee reviews and approves all performance targets. The performance goals for Santa Rosa CityBus are in Table 1: Safety and Risk Reduction Performance Targets.

*Table 1: Safety and Risk Reduction Performance Targets*

Performance Targets	Fixed Route Bus	ADA Paratransit
Fatalities (Total)	0	0
Fatalities (per 100k VRM*)	0	0
Injuries (Total)	1	1
Injuries (per 100k VRM)	0.1	0.5
Safety Events (Total)	1	1
Safety Events (per 100k VRM)	0.1	0.5
System Reliability (VRM/Failures)	30,000	30,000
Assaults on Operations Staff**	0	0

\*VRM - Vehicle Revenue Miles

\*\*"Assault" definition in Appendix 2: Glossary of Terms

#### 3.1 Safety Performance Target Coordination

Safety performance targets are transmitted to the State of California and the Metropolitan Transportation Commission (MTC).

##### *California Public Utilities Commission*

Daren Gilbert

Manager, Rail Transit and Crossings Branch

180 Promenade Circle, Suite 115

Sacramento, CA 95834

Phone: (916) 928-6858

Email: [daren.gilbert@cpuc.ca.gov](mailto:daren.gilbert@cpuc.ca.gov)

Website: <http://www.cpuc.ca.gov/>

##### *Metropolitan Transportation Commission (MTC)*

Bryan Redmond

Assistant Program Coordinator

375 Beale St, Suite 800

San Francisco, CA 94105

Phone: (415) 778-5311

Email: [bredmond@bayareametro.gov](mailto:bredmond@bayareametro.gov)

Website: <http://www.mtc.ca.gov>

##### *Date Targets Transmitted*

FY 20/21 - December 2022

FY 21/22 - December 2022

##### *Date Targets Transmitted*

FY 20/21 - December 2022

FY 21/22 - December 2022

## 4. Safety Management Policy

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The purpose of the Safety Management Policy/Injury and Illness Plan is summarize in the Safety Policy Statement from the City of Santa Rosa's City Manager.

Dear City Employees,

Here at the City of Santa Rosa, the health and safety of our workforce is a priority. We are committed to creating a safe working environment for all employees and the public we serve. Our safety program is intended to protect our most important assets, you, our employees.

Safe operations do not happen by chance. It is the result of careful attention to all City activities. This includes all our activities in the office environment, our facilities, and in the field.

Once of the City's primary goals is to prevent the occurrence of work-related injuries, illness, and property loss. Accidents are frequently preventable and can result in the needless harm to people and property. If an operation or activity cannot be done in the safe manner, we will not perform it until it can be done safely and in compliance with all applicable policies, regulations, laws, and standards.

At the City of Santa Rosa, safe conduct is a condition of employment. All employees at all levels are responsible for the safety of our operations and are expected to contribute to creating and maintain a safe workplace for themselves, their peers, and the public with which we interact.

The City of Santa Rosa Strives to be respected in the community as a leading employer and a place that employees are proud to work. Conducting all our operations in a safe and courteous manner is one way that we can accomplish this goal.

Thank you for upholding these health and safety standards and keeping our work environment safe.

Sincerely,

Maraskeshia Smith

### 4.1 Safety Management Policy Communication

The Safety Management Policy/Injury Illness Prevention Plan is posted in the Transit Operations Building Driver's break room. The policy is also presented to new employees upon hiring.

### 4.2 Authorities, Accountabilities, and Responsibilities

#### **Accountable Executive**

The Accountable Executive reviews all major changes to this document. They provide comments and recommends changes where appropriate. For major changes to the content of the document the Accountable Executive submits the policy to the Santa Rosa City Council for approval. Once the City Council approves the document, the Accountable Executive signs the policy. Additional responsibilities of the Accountable Executive include, but are not limited to:

- Decision-making about resources (e.g. people and funds) to support asset management, SMS activities, and capital investments;
- Signing SMS implementation planning documents; and
- Endorsing SMS implementation team membership.



## Chief Safety Officer

The Transit Superintendent acts as the Chief Safety Officer for the Transit Division. They collaborate with the Deputy Director, Field Supervisors, and front-line staff to keep the plan update to date and ensure all parts of the plan are being fully executed. The Transit Superintendent is the team’s liaison with the Accountable Executive. The Transit Superintendent duties include, but are not limited to:

- Developing and maintaining SMS documentation;
- Directing hazard identification and safety risk assessment;
- Monitoring safety risk mitigation activities;
- Providing periodic reports on safety performance;
- Briefing the Accountable Executive and City Council on SMS implementation progress; and
- Planning safety management training.

## Safety Committee

CityBus convenes its safety committee by a joint labor-management process. The committee members are two non-management transit operations staff members, the Transit Superintendent (Chief Safety Officer), Deputy Director Public Works – Transit, a labor union representative, and a human resources staff member. The tasks of the committee include identifying and recommending risk-based mitigations or strategies necessary to reduce the likelihood and severity of consequences identified through the agency’s safety risk assessment, identifying mitigations or strategies that may be ineffective, inappropriate, or were not implemented as intended, and identifying safety deficiencies for purposes of continuous improvement. The committee will also review and approve all changes to the PTASP.

## PTASP Committee

The Agency’s PTASP Committee will consist of the Accountable Executive, Deputy Director of Public Works, Transit Superintendent (Chief Safety Officer), and Administrative Services Officer.

## Agency Leadership and Executive Management

Fleet Superintendent	Organize, direct, and control all aspects of Transit equipment maintenance and repairs. Track all work and keep records of repairs and maintenance in accordance with FTA, DOT, and CHP standards. Track fuel consumption and vehicle mileage.
Fleet Superintendent	Analyze vehicle accidents, identify trends, and provide remedial training where appropriate. The Transit Superintendent ensures all Field Supervisor staff are able to train and address areas needing improvement within the system. Submit Safety and Security Reports to the National Transit Database each month. Ensure safety performance targets are met.
Deputy Director Public Works Transit	Manage, plan, direct and review the administrative and operational activities of the Transit Division of the Transportation and Public Works Department, including the CityBus system and the Santa Rosa Paratransit system.

Department Safety Coordinator	Provide management and technical staff assistance and administrative work in developing, maintaining, planning for, tracking, and recording the activities related to training and job safety within Transportation and Public Works Department; to establish safety programs and procedures while maintaining adherence to all applicable local, state and federal safety requirements. This position acts for the whole of the Transportation and Public Works Department and is not specific to the Transit Division.
Technology Coordinator	Monitor, test, and repair all technical systems that provide ridership data, video surveillance, fare collections, and ridership tracking. Oversee contracted repairs and installations of systems that provide data and security. Evaluate performance of systems and monitor current technologies available.
Public Information Office Team	Provide outreach materials and messaging that enhances the safety of Transit riders and staff.
Human Resources Director/Manager	Track employee turnover, monitor staffing levels, and ensure processes for absenteeism, injuries and illnesses are followed appropriately. Conduct recruitments in addition to evaluating and screening job applicants.
Union Leadership	Meet with the citywide safety committee quarterly to discuss any issues around safety and security. Establish the Bus Operator's Safety Committee to meet monthly to discuss safety topics.
Field Supervisors / Trainers	Provide all training necessary to front line staff with a focus on safety and security. Track and record all training given. Monitor Bus Operators to ensure minimum training requirements are met for Transit Bus Operators as required by DMV, DOT and FTA.



## 5. Employee Safety Reporting Program

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Managers and supervisors are responsible for communicating with all employees about occupational safety, health, and protections in a manner that is readily understandable by all employees. Managers must ensure that employees understand safety and health requirements before completing duties that may expose them to workplace hazards. All employees should inform their managers and supervisors about workplace hazards without fear of reprisal.

### 5.1 Reporting Requirements

Employees must notify their supervisor as soon as possible after they are involved in or witness an accident/incident that causes or has the potential to cause an injury, illness, and/or property damage.

- Timely notification of an accident or incident is essential to the conduct of an effective investigation, for relevant factors may not be preserved or remembered.
- Recording when notification of an accident/incident occurs and determining the reason(s) for any delays must be part of the investigation process.
- Supervisors must ensure completion of any necessary Accident/Incident/Injury reports and provide copies to Risk Management, when appropriate, as soon as possible after the incident.
- Supervisors must complete a Supervisor's Report of Injury, Illness, or Exposure (SROIIE) for all employee work-related injuries, illnesses, or exposures (even those not requiring medical treatment) and submit to Risk Management as soon as possible, and no later than one working day.
- The reporting supervisor must also provide the employee with the DWC-1 Workers' Compensation Claim Form and Notice of Potential Eligibility as soon as possible, but no later than one working day.
- After submission of the SROIIE, Supervisors receive a link to the Accident/Incident Investigation Report (AIIR) which must be completed and attached to the original SROIIE within 2 working days.
- Full reporting procedures are located on the Risk Management INET page. Supervisory staff will provide employees with a hard copy if needed. <https://inet.srcity.org/hr/risk/Pages/SROIIE.aspx>

## 6. Safety Risk Management

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The City utilizes inspections, industry data, reviews, observations, and documentation procedures as the primary tools for identifying unsafe conditions and practices that are not reported through an accident investigation, employee concerns, or the Safety Committee. These procedures reveal hazards that exist in the workplace, arrange for corrective actions to those hazards, and initiate steps to prevent their recurrence. Employees are encouraged to report any and all workplace hazards to their supervisors. Additionally, employees can anonymously report hazards through their department safety coordinators, safety committee representatives, union representatives, or to the Safety Officer.

### 6.1 Inspections and Observations

Each supervisor of field employees shall conduct and document frequent, and regular, worksite or job task inspections to thoroughly evaluate personnel work practices, job task procedures, workplace conditions, and equipment that may result in injury or property damage.

- If the safety inspection(s) or observation(s) reveal an unsafe condition or unsafe work practice, the supervisor is to correct the condition or inform/train/retrain the employee(s) involved.
- If an employee is observed working unsafely, not following safe practices, or violating requirements, the supervisor is to immediately stop the unsafe behavior, find out why it is being performed, and counsel the employee in the safe method for performing the task.
- If an unsafe condition is identified, the supervisor is to have the condition isolated until corrective measures can be implemented.
- If the supervisor sends a work request to have a hazardous condition corrected or isolated, they shall follow up to ensure that the work is completed.
- Once an unsafe condition or unsafe work practice has been alleviated, the Supervisor shall act to control the "root causal factors." If controlling the root cause(s) of the hazard(s) is beyond the authority or capability of the Supervisor, they are to report the problem to their manager and request assistance.
- Supervisors shall keep affected employees informed of the progress of hazard control activities.

All Supervisors are required to assess workplace hazards as follows:

- Perform regular and frequent job safety observations of work areas under their supervision.
- When a new or previously unrecognized hazard, substance, process, procedure, or equipment is introduced or discovered that presents a new health/safety hazard.
- Review applicable Safety Data Sheets (SDS).
- An occupational injury, illness, or property damage accident occurs.
- In response to employee safety concerns or complaints.
- Whenever workplace conditions warrant an inspection or observation.
- Additionally, all supervisors are required to document job site and facility inspections and retain them for 5 years.

Transit Operations personnel have department specific "fitness for duty" checks, which may identify:

- Physical or mental impairment
- Fatigue
- Absence of corrective lenses.

- Obvious bodily injuries.
- Uniform issues.
- Radio or digital communication checks, which may identify radio failures, dead spots, and areas of high interference.
- CDL and driver citations checks, which may identify driver non-compliance with driving regulations and requirements.
- Pre-trip inspections, which may identify instances of a bus beginning revenue service after failing a pre-trip inspection.
- Vehicle inspection, which may identify a series of defects in components and parts with the potential to impact the safety performance of the vehicle.
- Facilities inspections, which may identify conditions with the potential to impact safety.

## 6.2 Safety Hazard Identification

Common safety hazard identification methods include, but are not limited to:

- Results of the TAM Assess Condition Assessments
- Facilities Inspections
- Bus Stop Inspections
- Pre-Ops Vehicle Inspections
- Routine Maintenance Inspections
- Employee Observations
- Federal Transit Authority Notices and Announcements
- Industry Publications
- Driver Evaluations
- Statewide Incident Tracking Reports from CHP
- Customer Complaints
- Near-Miss Reports
- Trends in the Cost of In-house Repairs
- Third Party Administrators for Workers' Compensation and for Liability Claims
- Cal-OSHA Lost and Restricted Days Reported on the Cal-OSHA 300

### 6.3 Safety Risk Assessment

Safety inspections provide the data necessary to perform a Safety Risk Assessment. Inspection staff identify potential hazards and remedy those hazards immediately. If staff is unable to solve the hazard immediately, staff will develop and implement a plan to address and mitigate the risks associated with the specific hazard.

### 6.4. Safety Risk Mitigation

It is the City's intention to eliminate all hazards and unsafe work practices as quickly as possible. Priority will be given to severe and imminent hazards.

Documentation will be required by the manager, supervisor, or Safety Officer to describe measures taken to abate the hazard or correct the unsafe work practice.

While corrective actions are being made, precautions will be taken to protect or remove employees from exposure to the hazard. Employees must not enter a severe hazard area without prior approval from their supervisors. Employees expected to correct these severe and imminent hazards must be properly trained and provided with the necessary safeguards or PPE. If corrections of the imminent hazard(s) are beyond the capabilities of the City, other resources shall be engaged in coordination with the manager, supervisor, purchasing, and/or Safety Officer.

Employees are responsible for reporting any unsafe condition, equipment, procedure or practice they may observe. If the employee is unable to correct the unsafe situation, it should be reported to their supervisor as soon as possible. The supervisor will work within their authority to correct the situation as soon as possible. If other departments are involved, appropriate supervisory personnel will be informed of potentially hazardous situations as soon as possible.

If the initiating employee who observes the unsafe condition does not feel that the condition has been satisfactorily corrected within a reasonable period of time, they should contact the Safety Officer, Human Resources/Risk Manager, or the Safety Committee Representative of their work unit. The person that initiates a safety concern may choose to be anonymous.

In accordance with the Bipartisan Infrastructure Law changes to 49 U.S.C § 5329(d) the safety committee made a review of transit operations vehicles. The review was to determine where, if any, a reduction of visibility impairments can be made to limit accidents caused by those impairments. Feedback from the committee indicated that all vehicles in the fleet did not contain major visual impairments and that no further modifications will assist in improving sight lines. The safety committee also recommends that all future purchases maintain the highest industry standard for visibility possible.

In accordance with the Bipartisan Infrastructure Law changes to 49 U.S.C § 5329(d) the safety committee discussed the implementation of assault mitigation measures to keep the annual number of assaults at zero. It was the decision of the committee that driver barriers be further investigated by transit staff. This will entail surveying all operational staff to determine general consensus about the installation of barriers around the driving compartment. Staff will also begin the process of acquiring demonstration barriers before the transit fleet is retrofit in its entirety. The safety committee and staff agree that specific de-escalation training be administered annually to all transit staff.

CityBus is in the process of formally adopting a Code of Conduct for its riders. Upon approval by the City Council, CityBus will be incorporated into CityBus's standard operating procedures as another form of mitigation for assaults on operational staff.

## 7. Safety Assurances

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The Department Safety Coordinator implements the department program. Department managers and supervisors are responsible for clearly communicating all safety and health policies and procedures to all employees prior to employee exposure to hazards. Managers and supervisors must also ensure that all employees fully understand the safety and health policies and procedures. Supervisors must enforce compliance fairly and uniformly. All employees are responsible for complying with safe and healthful work practices, for following all directives, policies, and procedures, and for assisting in maintaining a safe work environment.

### 7.1 Safety Performance Monitoring and Measurement

To ensure compliance with safe work practices, managers and supervisors must:

- Inform employees of the provisions of this PTASP plan and the City IIPP.
- Evaluate the safety performance of all employees
- Recognize employees who perform safe and healthful work practices. Acknowledgment certificates or department-specific incentives may accomplish recognition.
- Provide training to all employees with additional training for employees whose safety performance is deficient
- Implement fair and consistent progressive discipline for employees who have been trained, yet fail to comply with safe and healthful work practices
- Participate in the annual evaluation of Department safety program implementation

Safety protocols and procedures shall be reviewed to ensure the information provided is current, effective, and relevant. Safety protocols for specific tasks shall be reviewed during training classes and safety meetings to determine effectiveness and current compliance.

All safety incidents, whether they result in injury or equipment losses, are reviewed by Supervisors to determine if proper safety procedures were followed, relevant training is sufficient and applicable standards are met.

Any workplace hazard may be reported anonymously. An employee can report hazards via their Union representatives, in writing anonymously, or directly to the City Risk Manager. All reported safety concerns are investigated and reviewed by Field Supervisors, the Transit Superintendent, the Risk Manager or Accountable Executive.

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## 8. Safety Promotion

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The City considers safety training paramount in ensuring employee safety and health. Safety training will be provided to employees in an understandable manner, so employees can be safe and productive workers. Managers and supervisors will ensure that new or reassigned employees receive training on the safety procedures and hazards associated with their assignments or work tasks.

The City requires employees and contractors, including the Chief Safety Officer or SMS Executive and the City Council or equivalent authority, to complete training to be able to fulfill their safety-related roles and responsibilities. Initial training will be completed at hire/assignment, and refresher training will be provided when behaviors indicate a need, and/or there are changes to the PTASP, operations, procedures, organizational structure, and when new hazards are identified and mitigation measures are developed.

### 8.1 Competencies and Training

Managers and supervisors, with assistance from the Safety Officer and Safety Coordinators, are to assess the training needs of all employees under their direction. Supervisors are to ensure their subordinates are trained in general workplace health and safety, given appropriate instructions, and necessary training regarding hazards unique to any job assignment. This can be in the form of one to one, formal classroom, online instruction, and “on the job” training.

The City recognizes that safety training is needed for:

- Employees given a job assignment for which they have not previously been trained.
- Hazards specific to job tasks and methods used to determine the presence of hazardous conditions/substances.
- New substances, processes, procedures, tasks, or equipment that pose a new hazard.
- Hazards previously unknown or newly discovered hazards
- Periodic refresher safety training as applicable.

Safety training records shall be maintained by each department for a minimum of five (5) years.

## 9. Safety Communication

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The City recognizes that open, two-way communication between management and staff on health and safety issues is essential to an injury-free and productive workplace. The following system of communication is designed to facilitate a continuous flow of health and safety information between management and staff in a form that is readily understandable.

### 9.1 Forms of Communication

Communication about safety is facilitated in multiple ways. These communications include:

- New Employee Welcome presented by the City's Organizational and Training Coordinator which includes an overview of the City Injury and Illness Prevention program as well as a discussion of general safety and health policies and procedures.
- Each City of Santa Rosa department provides employees with task-specific and hazard specific training prior to assignment to duties exposing them to workplace hazards.
- The City of Santa Rosa regularly offers workplace safety and health training.
- Bus Operators attend two hour safety and training classes bimonthly. Classes are given by DOT certified managers / trainers.
- Transportation and Public Works Safety Committee meetings are held bimonthly to discuss safety topics across all divisions within the department. Chaired by the Department Administrative Services Officer.
- Citywide Safety Committee Meetings are held quarterly to discuss safety topics for all City departments. Chaired by the City Risk Manager. The City Safety Coordinator chairs the City Safety Committee (CSC). The CSC is comprised of all Department Safety Coordinators as well as voluntary labor and management participants. CSC meets regularly (scheduled quarterly) or more frequently as deemed necessary by the creation of hazards or the occurrence of injuries or illnesses. Meeting minutes are posted on the Risk Management INET Safety page. The Committee discusses safety topics, reviews results of site inspections, investigations of accidents and exposures to make suggestions to management for the prevention of future incidents, reviews investigations of alleged hazardous conditions, submits recommendations to assist in the evaluation of employee safety suggestions, develops new/recommended trainings and safety topics, and prepares written records of the committee's meetings.
- Any City employee who discovers a "Serious Concealed Danger" within the City's operations or facilities must immediately notify the affected employees, their supervisor, and/or the Safety Officer.
- The Safety Officer must ensure that the City's Injury and Illness Prevention Program is accessible to all employees for their reference. This can be accomplished via a "hard copy" or a copy that can reviewed, printed, or distributed via online resources.
- All employees are required to inform their supervisor, Safety Officer, Risk Manager, and/or any member of the Safety Committee of any matter they perceive to be a workplace hazard and/or a potential workplace hazard. Employees are also encouraged to make safety suggestions.
- No employee will be retaliated against for reporting hazards, potential hazards, or for making suggestions related to safety. The name of any employee providing a safety communication in confidence will not be revealed without the approval of the employee.
- Anonymous safety suggestions may be submitted via Safety Committee representatives and will be presented during Safety Committee Meetings.



- Anonymous safety suggestions presented to supervisors or managers via any other methods or means of communication shall be presented to the Safety Committee Meeting via written correspondence or by presentation by a Committee Member.
- Every year, during the month of February, the Safety Officer shall post for employee viewing a copy of the "OSHA 300A" annual report of the City's previous year's cumulative injury/illness experience.

## 10. Appendices

The appendices contain additional documentation that supports or expands on all safety related items in the PTASP.

### 10.1 Appendix 1: Record of Revisions

Version Number	Section/Page Affected	Reason for Change	Date Issued
1.1	Authorities, Accountabilities, and Responsibilities	Changes to staffing roles and responsibilities.	5/2022
2.0	All sections received so sort of edit.	Changes made to be consistent with the Bipartisan Infrastructure Law changes to 49 U.S.C § 5329(d) and an internal update to the City's Injury and Illness Prevention Program	12/2022

## 10.2 Appendix 2: Glossary of Terms

**Accident** - 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. (per § 673.5)

**Accountable Executive** - § 673.5 Definitions – 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.

§ 673.23(d)(1) – The transit agency must identify an Accountable Executive. The Accountable Executive is accountable for ensuring that the agency's SMS is effectively implemented throughout the agency's public transportation system. The Accountable Executive is accountable for ensuring action is taken, as necessary, to address substandard performance in the agency's SMS. The Accountable Executive may delegate specific responsibilities, but the ultimate accountability for the transit agency's safety performance cannot be delegated and always rests with the Accountable Executive.

**Assault** - An unlawful attack by one person upon another. The act that, by its nature, would probably result directly in the application of force to someone else. The act was done willfully. The offender was aware of facts that would lead a reasonable person to believe that the act would directly and probably result in the application of force to another person. The offender had the present ability to apply force to another person.

**Chief Safety Officer/SMS Executive** - § 673.31 Definitions – Chief Safety Officer means an adequately trained individual who has responsibility for safety and reports directly to a transit agency's chief executive officer, general manager, president, or equivalent officer. A Chief Safety Officer may not serve in other operational or maintenance capacities, unless the Chief Safety Officer is employed by a transit agency that is a small public transportation provider as defined in this part, or a public transportation provider that does not operate a rail fixed guideway public transportation system. Safety Management System (SMS) Executive means a Chief Safety Officer or an equivalent.

§ 673.23(d)(2) – The Accountable Executive must designate a Chief Safety Officer or SMS Executive who has the authority and responsibility for day-to-day implementation and operation of an agency's SMS. The Chief Safety Officer or SMS Executive must hold a direct line of reporting to the Accountable Executive. A transit agency may allow the Accountable Executive to also serve as the Chief Safety Officer or SMS Executive.

**Consequence** - Consequences are outcomes or what those conditions can cause. Transit agencies should assess the likelihood and severity of the consequences of a hazard, not of the hazard itself (per § 673.5)

**Event** - Event means any Accident, Incident, or Occurrence. (per § 673.5)

**Fatalities** - Deaths, excluding suicides or trespassers

**Hazard** - 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. Hazards are conditions. (per § 673.5)

**Incident** - 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. (per § 673.5)

**Injuries** - Not including assaults or injuries due to crimes

**Occurrence** - 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. (per § 673.5)

**Performance Target** - 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 Federal Transit Administration (FTA). (per § 673.5)

**Safety Event** - Reportable derailments, collisions, fires, and evacuations.

**Safety Performance Target** - Safety performance target means a Performance Target related to safety management activities. (per § 673.5)

**Serious Injury** - Serious injury means any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date 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. (per § 673.5)

### 10.3 Appendix 3: 2018 NTD Safety & Security Quick Reference Guide – Non-Rail Mode Reporting

**Reportable Event:** A safety or security event occurring on transit right-of-way or infrastructure, at a transit revenue facility, at a maintenance facility or rail yard, during a transit-related maintenance activity, or involving a transit revenue vehicle. Excluded from this event reporting requirement are events that occur off transit property where affected persons, vehicles, or objects come to rest on transit property after the event, OSHA events in administrative buildings, deaths that are a result of illness or other natural causes, other events (assault, robbery, non-transit vehicle collisions, etc.) occurring at bus stops or shelters that are not on transit-controlled property, collisions that occur while traveling to or from a transit-related maintenance activity, collisions involving a supervisor car, or other transit service vehicle operating on public roads.

Alaska (AR) and Commuter rail (CR) modes report only SECURITY events that meet a Major event threshold.

S&S-40 Major Event Report (Major Thresholds)	S&S-50 Non-Major Monthly Summary (Non-Major Thresholds)
<p>An event meeting the reportable event definition AND meeting one or more of the following reporting thresholds:</p> <ul style="list-style-type: none"> <li>• A fatality confirmed within 30 days (including suicide)</li> <li>• An injury requiring transport away from the scene for medical attention for one or more persons (partial exception in the case of Other Safety Events)</li> <li>• Estimated property damage equal to or exceeding \$25,000</li> <li>• An evacuation for life safety reasons</li> <li>• Collisions involving transit roadway revenue vehicles that require towing away of a transit roadway vehicle or other non-transit roadway vehicle</li> </ul> <p>Reports are due within 30 days of the date of the event.</p>	<p>Less severe Other Safety Occurrence Not Otherwise Classified (OSONOC) injuries meeting the reportable event definition that is NOT a result of a collision, derailment, evacuation, security event, hazmat spill, or Act of God and non-major fires.</p> <p>OSONOC:</p> <ul style="list-style-type: none"> <li>• Single injury event requiring transport away from the scene for medical attention (do not report “minor” collisions on S&amp;S-50)</li> </ul> <p>Fires:</p> <ul style="list-style-type: none"> <li>• Requires suppression that does not meet a major incident reporting threshold injury, fatality, evacuation, or property damage of \$25,000 or more)</li> </ul> <p>Reports due by the end of the following month (e.g., January data due by end of February)</p>

S&S-40 Major Event Report (Event Types)	S&S-50 Non-Major Monthly Summary (Event Types)
<p>A collision (including suicide/attempted suicide)</p> <p>A fire</p> <p>A hazardous material spill (requires specialized clean-up)</p> <p>Acts of God (nature)</p> <p>System security:</p> <ul style="list-style-type: none"> <li>• Arson</li> <li>• Bomb threat/bombing</li> <li>• Burglary/vandalism</li> <li>• Chemical/biological/radiological/nuclear release</li> <li>• Cyber security event</li> <li>• Hijacking</li> <li>• Sabotage</li> <li>• Suspicious package</li> <li>• Other security event (shots fired, projectiles, etc.)</li> </ul> <p>Personal Security:</p> <ul style="list-style-type: none"> <li>• Assault</li> <li>• Homicide</li> <li>• Robbery</li> <li>• Larceny/theft</li> <li>• Motor vehicle theft</li> <li>• Rape</li> <li>• Other personal security events (non-collision suicide/attempted suicide, etc.)</li> </ul> <p>OSONOC (two injuries and/or another threshold)</p> <ul style="list-style-type: none"> <li>• Miscellaneous events that meet a threshold</li> </ul>	<p>OSONOC:</p> <p>Injury due to:</p> <ul style="list-style-type: none"> <li>• Slip/trip</li> <li>• Fall (Including person making contact with a non-moving transit vehicle)</li> <li>• Injury to maintenance workers</li> <li>• Boarding/alighting</li> <li>• Electric shock/burns</li> <li>• Abrupt or evasive transit vehicle maneuvers</li> <li>• Mobility device (e.g. wheelchair) securement issues</li> <li>• Injury sustained on a mobility device lift</li> <li>• Stairs/elevator/escalator injury</li> </ul> <p>Fire:</p> <ul style="list-style-type: none"> <li>• Requires suppression but no major threshold is met</li> <li>• Small fire in transit station</li> <li>• Small engine fire on transit vehicle</li> </ul>

## 10.4 Appendix 4: City of Santa Rosa 2022 Injury and Illness Prevention Program

Dear City Employees,

Here at the City of Santa Rosa, the health and safety of our workforce is a priority. We are committed to creating a safe working environment for all employees and the public we serve. Our safety program is intended to protect our most important assets, you, our employees.

Safe operations do not happen by chance. It is the result of careful attention to all City activities. This includes all our activities in the office environment, our facilities, and in the field.

One of the City's primary goals is to prevent the occurrence of work-related injuries, illness, and property loss. Accidents are frequently preventable and can result in the needless harm to people and property. If an operation or activity cannot be done in the safe manner, we will not perform it until it can be done safely and in compliance with all applicable policies, regulations, laws, and standards.

At the City of Santa Rosa, safe conduct is a condition of employment. All employees at all levels are responsible for the safety of our operations and are expected to contribute to creating and maintain a safe workplace for themselves, their peers, and the public with which we interact.

The City of Santa Rosa Strives to be respected in the community as a leading employer and a place that employees are proud to work. Conducting all our operations in a safe and courteous manner is one way that we can accomplish this goal.

Thank you for upholding these health and safety standards and keeping our work environment safe.

Sincerely,

Maraskeshia Smith

### 1.0 INTRODUCTION

#### 1.1 Purpose

The safety and health of each City of Santa Rosa (City) employee is of primary importance. The City will maintain a safety and health program conforming to the best practices of similar organizations. To be successful, such a program must embody proper attitudes toward injury and illness prevention on the part of supervisors, managers, and employees. It also requires cooperation in all safety and health matters, not only between the supervisor and employee, but also between each employee and their co-workers. Only through such a cooperative effort can a safety program in the best interest of all be established and preserved.

The City's objective is a safety and health program that will reduce the number of injuries and illnesses to an absolute minimum, not merely in keeping with, but surpassing, the best experience of similar operations. The City's goal is zero accidents and injuries. Safety and health in the City's business must be part of every operation. It is every employee's responsibility at all levels.

#### 1.2 Objectives

The Program's objectives are to:

- Maximize the safety of employees and the public with which we interact.
- Maintain a safe and healthy work environment as free as possible from threat of injury or illness due to unsafe practices or conditions.
- Establish safety as a priority in unification with efficiency and productivity.
- Provide appropriate resources to support safety and health efforts.



- Provide appropriate and effective safety training for employees.
- Comply with all Federal, State, and City safety requirements, guidelines, and where necessary, implement additional policies to ensure the safety and health of City employees.

### 1.3 Scope

This program applies to all employees and departments and is to be implemented in all City facilities and operations.

### 1.4 Legal Basis

In California, every employer is required by law (Labor Code Section 6400) to provide a safe and healthful workplace for its employees. Title 8 of the California Code of Regulations (CCR) requires that every California employer have an effective Injury and Illness Prevention Program, in writing, which must be in accordance with the provisions of Title 8 CCR Section 3203 of the General Industry Safety Orders (may also include other safety orders as applicable).

### 1.5 Program Review

The Injury and Illness Prevention Program will be reviewed at least biennially and revised as necessary. Risk Management and/or the Safety Officer has responsibility for initiating the review process.

### 1.6 Other Applicable Policies

Individual departments may create additional programs or policies that are intended for their specific work environment, conditions, or operations.

## 2.0 ROLES AND RESPONSIBILITIES

Achievement of the Injury and Illness Prevention Program (IIPP) objectives depends upon each employee fulfilling their responsibilities. For this to occur consistently, responsibilities must be clearly understood, employees must be empowered to fulfill their responsibilities, and Executive staff, managers, and supervisors must hold them accountable for doing so.

The City Manager has the overall responsibility and authority for ensuring program implementation. The City Manager is Maraskeshia Smith.

The Risk Manager and the Safety Officer have been designated the responsibility of administering the program. The Risk Manager is Dominique Blanquie & the Safety Officer is Don Carlisle.

### 2.1 Executive staff, manager, and supervisor responsibilities

Executive staff, managers, and supervisors are responsible for implementing and maintaining safety regulations and policies for their respective staff and ensuring that work hazards are minimized. It is the duty of each supervisor to consider the employees' safety before convenience and expedience in City operations. We require safe operations, not operations with safety as a secondary priority. The Executive staff, managers' and supervisors' responsibilities include but are not limited to:

- Recognizing and supporting a culture of safety in all operations.
- Requiring safe production, not production with safety as a secondary priority
- Lead by example: Model and follow all safety and health policies and procedures.
- Answering employee questions about the IIPP.
- Examining, identifying, and assessing workplace hazards on a continuing basis.
- Mitigating any new or previously unrecognized hazards in the workplace.

- Monitoring & reviewing all employees' safety training records and arranging for the appropriate training.
- Ensuring required personal protective equipment (PPE) is available and that employees under their direction wear required PPE.
- Ensuring that each subordinate is able to, and understands how to, complete each assigned task safely. This includes ensuring appropriate tools and equipment are used to safely perform the assigned task.
- Reporting and documenting all work-related accidents, incidents, injuries, or property damage within their departments and forwarding necessary reports in a timely manner.
- Investigating and determining the cause of all accidents, injuries, incidents, or property damage and taking the necessary action(s) to prevent recurrence.
- Enforcing the City's safety programs and policies and recognizing employees that contribute to the City's safety programs.

## 2.2 Employee Responsibilities

It is the responsibility of every employee to practice safe work habits, to assist in keeping work areas clean and hazard-free, and to abide by all City policies and procedures.

It is the policy of the City that all employees, regardless of their position, are obligated to observe all published health and safety policies and requirements. In the case of equipment/instrument operation, the manufacturer's and supplier's safety instructions must also be observed. If the employee believes there is a conflict between safety and operational requirements, the safety aspects will be considered priority.

Appropriate disciplinary action may be initiated by the supervisor or manager if required safety procedures are not followed. Each employee's cooperation in identifying hazards and controlling them is a condition of employment.

Any employee reporting any hazard, unsafe condition, injury, illness, and/or incident will be free from fear of reprisal or other discrimination by the City.

Employees' responsibilities include but are not limited to:

- Follow safe work practices and procedures.
- The authority to order a stop to work when any activity or workplace hazard presents an imminent danger to employee health and safety, property, and/or the general public.
- Report any accidents, hazardous conditions, unsafe practices, and unsafe procedures to their supervisor immediately.
- Correct unsafe conditions whenever possible.
- Recognize and support a culture of safety in all operations.
- Make sure that equipment and tools are in safe operating condition.
- Perform only tasks you have been trained or authorized to do.
- Be knowledgeable about the chemical hazards for materials used in the workplace, including Hazardous Material Safety Data Sheets (SDS) information, and report any potential overexposures.
- Participate in safety tailgate meetings and training sessions.

### 2.3 Safety Officer Responsibilities

The Safety Officer's function is to promote a safe place to work and be the safety specialist/resource for the City and its employees. The Safety Officer's responsibilities include, but are not limited to:

- Developing safety procedures, coordinating safety training, and evaluating the effectiveness of the program.
- Providing training on the provisions of the Injury and Illness Prevention Program (IIPP).
- Acting as a resource for all safety and health issues and to answer questions/concerns regarding the IIPP.
- Working with departments, managers, and supervisors in identifying, recognizing, and evaluating workplace hazards on a continuing basis. Working with supervisors and managers in abating workplace hazards in a timely and effective manner.
- Developing and publishing necessary policies and procedures to ensure that City activities are conducted in a safe manner and consistent with local, City, State, and Federal Regulations.
- Ensuring confidentiality of certain records and maintaining/auditing the overall safety training and inspection record keeping process.
- Conducting safety inspections in coordination with managers, coordinators, and supervisors.
- Reviewing investigations of occupational accidents and causes of incidents resulting in property damage, injuries, illnesses, or exposure to hazardous substances and, where appropriate, implementing controls for the prevention of future incidents.

### 2.4 Departmental Safety Coordinator Responsibilities

All departments are required to designate a Department Safety Coordinator to act as the department liaison with Risk Management/Safety Officer to facilitate the implementation of this IIPP and any department specific safety programs. The designated individual must have the authority, skills, and abilities to effectively manage the departmental program(s) and have direct access to the department head or designees regarding safety-related issues.

### 2.5 Safety Committee Responsibilities

Members of the City's Safety Committee serve to communicate general safety requirements, principles, and techniques to their fellow employees.

The Safety Committee responsibilities include, but are not limited to:

- Providing a forum for direct employee communication and involvement in workplace safety.
- Recognizing and supporting a culture of safety in all operations.
- Reviewing select accident summaries and recommending corrective action.
- Promoting safe work practices and employee participation.
- Identifying programs that will enhance employee awareness of safety and health issues.
- Assisting in the overall implementation of the City's safety & health program.
- Meeting at least once every quarter.
- Influencing others by setting an example of safe work practices.
- Reporting on their work group's safety concerns.

- Informing their work group of pertinent safety issues.
- Participating in other safety and health related groups or activities.
- Actively participate in finding solutions for safety and health issues.

### 3.0 SAFETY TRAINING

The City considers safety training paramount in ensuring employee safety and health. Safety training will be provided to employees in an understandable manner, so employees can be safe and productive workers. Managers and supervisors will ensure that new or reassigned employees receive training on the safety procedures and hazards associated with their assignments or work tasks.

#### 3.1 General Safety Training

Managers and supervisors, with assistance from the Safety Officer and Safety Coordinators, are to assess the training needs of all employees under their direction. Supervisors are to ensure their subordinates are trained in general workplace health and safety, given appropriate instructions, and necessary training regarding hazards unique to any job assignment. This can be in the form of one to one, formal classroom, online instruction, and “on the job” training.

The City recognizes that safety training is needed for:

- Employees given a job assignment for which they have not previously been trained.
- Hazards specific to job tasks and methods used to determine the presence of hazardous conditions/substances.
- New substances, processes, procedures, tasks, or equipment that pose a new hazard.
- Hazards previously unknown or newly discovered hazards
- Periodic refresher safety training as applicable.

Safety training records shall be maintained by each department for a minimum of five (5) years.

#### 3.2 New Hire/Reassignment Orientation

Before being assigned a job task, supervisors will ensure that employees who are new, reassigned, from another work area, or are unfamiliar with the assignment shall be trained and demonstrate how to complete the work safely.

#### 3.3 Job Specific Safety Training

Supervisors must ensure that each employee has been trained and can safely perform the work assigned. This will include job hazards, job responsibilities, equipment operation, and the appropriate control measures prior to assigning any job duties.

#### 3.4 Tailgate Safety Sessions for Construction Activities

Job site supervisors or department supervisors that perform Construction Activities must hold regular “tailgate” safety sessions at least every ten (10) working days. “Construction Activities” are defined as: whenever employment exists in connection with the construction, alteration, painting, repairing, construction maintenance, renovation, removal, or wrecking of any fixed structure or its parts. The purpose of these “Tailgate Safety” sessions is to identify and discuss the hazards associated with the work currently being performed as well as to establish a regular forum for conducting employee safety training, and in the process, to generate team discussion and team problem solving skills for job-related safety issues.

Discussions will include, but are not limited to, the following:

- New hazards that have been identified or introduced in the workplace.
- Causes of recent accidents or injuries and the methods adopted by the City or the affected divisions to prevent similar incidents in the future.
- Any health or safety issues deemed by the Manager or Supervisor to require reinforcement.
- Any safety training required.
- Review of safety programs/guidelines such as the Emergency Action Plan, Hazard Communication, Respiratory Protection Program, Injury and Illness Prevention Program, etc. Employees are required to attend and participate in tailgate safety sessions. Records of the date, attendance and topics covered must be documented by the supervisor.

### 3.5 Minimum Safety Training Standards

All workers, including managers and supervisors, shall have training and instruction on general and job specific safety and health practices.

Training and instruction shall be provided as follows:

- When the IIPP is first established or is significantly revised;
- To all new employees;
- To all employees given new job assignments for which training has not been previously provided;
- Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard;
- Whenever the employer is made aware of a new or previously unrecognized hazard;
- To supervisors to familiarize themselves with the safety and health hazards to which employees under their immediate direction and control may be exposed; and
- To all employees with respect to hazards specific to their job assignment.

### 3.6 Documentation and Record keeping

All safety related training must be documented. The documentation must include: the name of the trainer, the training subject, the date of training, and the name of each attendee. The supervisor is to file a copy for review. Employees should document all safety training received external to the City and provide copies to their supervisor. Training records should be retained by departments for a minimum of 5 years.

## 4.0 HAZARD IDENTIFICATION AND CORRECTION

The City utilizes inspections, industry data, reviews, observations, and documentation procedures as the primary tools for identifying unsafe conditions and practices that are not reported through an accident investigation, employee concerns, or the Safety Committee. These procedures reveal hazards that exist in the workplace, arrange for corrective actions to those hazards, and initiate steps to prevent their recurrence. Employees are encouraged to report any and all workplace hazards to their supervisors. Additionally, employees can anonymously report hazards through their department safety coordinators, safety committee representatives, union representatives, or to the Safety Officer.

#### 4.1 Field safety inspections and observations

Each supervisor of field employees shall conduct and document frequent, and regular, worksite or job task inspections to thoroughly evaluate personnel work practices, job task procedures, workplace conditions, and equipment that may result in injury or property damage.

- If the safety inspection(s) or observation(s) reveal an unsafe condition or unsafe work practice, the supervisor is to correct the condition or inform/train/retrain the employee(s) involved.
- If an employee is observed working unsafely, not following safe practices, or violating requirements, the supervisor is to immediately stop the unsafe behavior, find out why it is being performed, and counsel the employee in the safe method for performing the task.
- If an unsafe condition is identified, the supervisor is to have the condition isolated until corrective measures can be implemented.
- If the supervisor sends a work request to have a hazardous condition corrected or isolated, they shall follow up to ensure that the work is completed.
- Once an unsafe condition or unsafe work practice has been alleviated, the Supervisor shall act to control the "root causal factors." If controlling the root cause(s) of the hazard(s) is beyond the authority or capability of the Supervisor, they are to report the problem to their manager and request assistance.
- Supervisors shall keep affected employees informed of the progress of hazard control activities.

All Supervisors are required to assess workplace hazards as follows:

- Perform regular and frequent job safety observations of work areas under their supervision.
- When a new or previously unrecognized hazard, substance, process, procedure, or equipment is introduced or discovered that presents a new health/safety hazard.
- Review applicable Safety Data Sheets (SDS).
- An occupational injury, illness, or property damage accident occurs.
- In response to employee safety concerns or complaints.
- Whenever workplace conditions warrant an inspection or observation.
- Additionally, all supervisors are required to document job site and facility inspections and retain them for 5 years.

#### 4.2 New or Previously Unrecognized Hazard

All employees must report any new or previously unrecognized hazard to their immediate Supervisor as soon as possible. Based upon the information provided, the supervisor will ensure an investigation or inspection is completed and issue any corrective actions that may be necessary.

#### 4.3 Correction of Workplace Hazards

It is the City's intention to eliminate all hazards and unsafe work practices as quickly as possible. Priority will be given to severe and imminent hazards.

Documentation will be required by the manager, supervisor, or Safety Officer to describe measures taken to abate the hazard or correct the unsafe work practice.

While corrective actions are being made, precautions will be taken to protect or remove employees from exposure to the hazard. Employees must not enter a severe hazard area without prior approval from their supervisors. Employees expected to correct these severe and imminent hazards must be properly trained and provided with the necessary safeguards or PPE. If corrections of the imminent hazard(s) are beyond



the capabilities of the City, other resources shall be engaged in coordination with the manager, supervisor, purchasing, and/or Safety Officer.

Employees are responsible for reporting any unsafe condition, equipment, procedure or practice they may observe. If the employee is unable to correct the unsafe situation, it should be reported to their supervisor as soon as possible. The supervisor will work within their authority to correct the situation as soon as possible. If other departments are involved, appropriate supervisory personnel will be informed of potentially hazardous situations as soon as possible.

If the initiating employee who observes the unsafe condition does not feel that the condition has been satisfactorily corrected within a reasonable period of time, they should contact the Safety Officer, Human Resources/Risk Manager, or the Safety Committee Representative of their work unit. The person that initiates a safety concern may choose to be anonymous.

## 5.0 ACCIDENT / INCIDENT REPORTING AND INVESTIGATION

The purpose of accident/incident reporting and investigation is to determine the cause of an accident and prevent further occurrences. A thorough accident/incident investigation is necessary to obtain facts. The investigation should focus on causes and hazards. Analysis of what happened and why it happened is aimed at determining how it can be prevented in the future.

### 5.1 Reporting Requirements

Employees must notify their supervisor as soon as possible after they are involved in or witness an accident/incident that causes or has the potential to cause an injury, illness, and/or property damage.

Timely notification of an accident or incident is essential to the conduct of an effective investigation, for relevant factors may not be preserved or remembered.

Recording when notification of an accident/incident occurs and determining the reason(s) for any delays must be part of the investigation process.

Supervisors must ensure completion of any necessary Accident/Incident/Injury reports and provide copies to Risk Management, when appropriate, as soon as possible after the incident.

Supervisors must complete a Supervisor's Report of Injury, Illness, or Exposure (SROIIE) for all employee work-related injuries, illnesses, or exposures (even those not requiring medical treatment) and submit to Risk Management as soon as possible, and no later than one working day. The reporting supervisor must also provide the employee with the DWC-1 Workers' Compensation Claim Form and Notice of Potential Eligibility as soon as possible, but no later than one working day.

After submission of the SROIIE, Supervisors receive a link to the Accident/Incident Investigation Report (AIIR) which must be completed and attached to the original SROIIE within 2 working days.

Full reporting procedures are located on the Risk Management INET page <https://inet.srcity.org/hr/risk/Pages/SROIIE.aspx>

### 5.2 Investigation

All accidents, incidents, and property damage must be investigated by the responsible supervisor of the employee(s) involved, the supervisor responsible for the area involved, department Safety Coordinators, and/or Safety Officer. The level of investigation and subsequent reporting will be appropriate to the significance of the accident, incident, or property damage. Investigations should begin as soon as possible upon receipt of notification by the responsible supervisor. Risk Management/Safety Officer can provide assistance as necessary. The investigator should gather information through observation, reports, photography, inspection, and interviews to determine root causes without a focus on finding "blame." The investigator must refrain from drawing conclusions about the accident/incident until all the facts have been collected and established.



The supervisor, manager, or Safety Officer may form a team to assist in the investigation of any accident/incident or property damage event.

- At a minimum, the supervisor's Accident/Incident Investigation Report of Occupational Injury/Illness/Exposure form must be used by investigators to collect and report information relevant to the accident/incident investigation.
- The investigating supervisor must send the completed investigation report to their department manager for evaluation, follow-up (if appropriate), and review.
- The department manager must forward the approved investigation report to Risk Management or the Safety Officer for auditing purposes and for record keeping. These reports will be maintained for at least 5 years.
- The Safety Officer will examine the reported findings and control measures to determine if they meet the standards for timeliness and thoroughness established by this program.

### 5.3 Fatalities and Serious Injuries

Any accident resulting in death or serious injury or illness must be reported immediately, within 8 hours, to the nearest Cal/OSHA office by Risk Management or the Safety Officer. If Risk Management or the Safety Officer is not available, then the Supervisor or Manager must contact Cal/OSHA. Ensure the call is documented. Serious injury or illness is defined in section 330(h), Title 8, California Administrative Code. "Serious injury or illness" means any injury or illness occurring in a place of employment or in connection with any employment which requires inpatient hospitalization for a period in excess of 24 hours for other than medical observation or in which an employee suffers a loss of any member of the body or suffers any serious degree of permanent disfigurement, but does not include any injury or illness or death caused by the commission of a Penal Code violation, except the violation of Section 385 of the Penal Code, or an accident on a public street or highway.

<https://www.dir.ca.gov/dosh/report-accident-or-injury.html>

American Canyon District Office

3419 Broadway Street, Suite H8

American Canyon, CA 94503

To report an accident, call (707) 649-3700

## 6.0 COMMUNICATION

The City recognizes that open, two-way communication between management and staff on health and safety issues is essential to an injury-free and productive workplace. The following system of communication is designed to facilitate a continuous flow of health and safety information between management and staff in a form that is readily understandable.

### 6.1 Procedure

Department Managers must ensure that all City written safety communications are distributed to the affected employees, or posted where they can read them, in a timely manner. Supervisors also must ensure that all verbal and written safety communications are readily understandable by the affected employees. This can include asking questions to determine whether or not the communication was understood or by providing for a "question and answer" period.

#### 6.1.1 Communication of a "Serious Concealed Danger"

Any City employee who discovers a "Serious Concealed Danger" within the City's operations or facilities must immediately notify the affected employees, their supervisor, and/or the Safety Officer.

### 6.1.2 Safety Program Distribution

The Safety Officer must ensure that the City's Injury and Illness Prevention Program is accessible to all employees for their reference. This can be accomplished via a "hard copy" or a copy that can reviewed, printed, or distributed via online resources.

### 6.1.3 Employee Safety Communication

All employees are required to inform their supervisor, Safety Officer, Risk Manager, and/or any member of the Safety Committee of any matter they perceive to be a workplace hazard and/or a potential workplace hazard. Employees are also encouraged to make safety suggestions. No employee will be retaliated against for reporting hazards, potential hazards, or for making suggestions related to safety. The name of any employee providing a safety communication in confidence will not be revealed without the approval of the employee. Anonymous safety suggestions may be submitted via Safety Committee representatives and will be presented during Safety Committee Meetings. Anonymous safety suggestions presented to supervisors or managers via any other methods or means of communication shall be presented to the Safety Committee Meeting via written correspondence or by presentation by a Committee Member. Every year, during the month of February, the Safety Officer shall post for employee viewing a copy of the "OSHA 300A" annual report of the City's previous year's cumulative injury/illness experience.

## 6.2 Safety Committee

Recognizing that communication is crucial to the IIPP Program, the City has established a city-wide Safety Committee. The Safety Committee has the role of establishing and maintaining communications pertaining to occupational health and safety to and from all employees. It also provides a forum for employee reports on the existence of any safety, health, and illness hazards. Representation shall be broad and from each of the appropriate units, divisions, departments to ensure the overall objectives of the Committee are being met. Individual departments or units may create their own safety committee(s). A representative from each of those committees shall also be on the city-wide Safety Committee and provide a report of those activities.

### 6.2.1 Safety Committee Composition

City-wide Safety Committee members are either volunteer(s), elected, or appointed and serve a minimum two (2) year term. Member terms should be staggered, if necessary, to ensure continuity. Members should consist of at least one member from each unit or division in coordination with Bargaining Units Memorandum of Understanding (MOU's) including:

- Safety Officer (Chair)
- Safety Coordinators
- Department Representatives (as per MOU's)
- Risk Manager (and/or designee)

Nothing in the duties of the Safety Committee shall violate the provisions of the Memorandum of Understanding between the City and the respective Bargaining Units.

## 7.0 COMPLIANCE

Management is responsible for ensuring that City health and safety policies and procedures are clearly communicated and understood by all employees. Managers and supervisors are expected to enforce the rules fairly and uniformly. Every City employee has the responsibility to comply with all applicable regulations, policy, and safety procedures. Adherence to the requirements of the IIPP is included in each assessment of job performance. Outstanding performance of a safe and healthful work environment will be noted in evaluations. Standard progressive disciplinary measures in accordance with the applicable City policies and the Memorandum of Understanding will result when employees fail to comply with applicable regulations, City policy, and/or departmental safety procedures. Employees will not be discriminated against for work-related injuries or illnesses, and injuries will not be included in assessments of job performance, unless they were a

result of an act violating established safety procedures or otherwise improper behavior.

Specifically, employees are responsible for the following:

- Their own safety in the performance of their work, and for the safety of his/her co-workers. This includes both job assignments conducted outside of City facilities, including construction sites within our jurisdiction, as well as job assignments performed by non-City employees (contractors, etc.) who are directly supervised by City personnel.
- Employees who deliberately fail to follow safe work practices and/or procedures, or who violate the City's safety rules or directives, will be subject to disciplinary action, up to and including termination.

Additional communication activities include:

- As part of an employee's regular performance review, the employee will be evaluated on his/her compliance with safe work practices and supporting a culture of safety in all operations.
- Employees who make a significant contribution to a safe workplace, will receive written acknowledgment that is maintained in the employee's personnel file.
- Employees who are unaware of correct health and safety procedures will be trained or retrained.

## 8.0 RECORD KEEPING

No operation can be successful without consistent and complete record keeping which enables the City to learn from past experience and make corrections for future operations. All records pertaining to the IIPP should be retained for at least five (5) years.

### 8.1 Health & Safety Program Record Locations

Records of health and safety training received by employees, containing the employee's name, training date, type of training, and identification of the trainer, will be maintained for at least five (5) years. All other work group safety meetings (Tailgates), Inspection Logs, and Chemical Inventories will be maintained by the supervisor/manager and should be available for review by the Safety Officer and other applicable regulators for at least five (5) years.

## Appendix A: Code of Safe Practices

### GENERAL

All persons shall follow these safe practice rules, render every possible aid to safe operations, and report all unsafe conditions or practices to the foreman or superintendent.

Supervisors and leads shall insist on employees observing and obeying every rule, regulation, and order as is necessary to the safe conduct of the work and shall take such action as is necessary to obtain observance.

All construction based activity employees shall be given frequent accident prevention instructions.

Instructions shall be given at least every 10 working days.

Anyone known to be under the influence of drugs or intoxicating substances that impair the employee's ability to safely perform the assigned duties shall not be allowed on the job while in that condition.

Horseplay, scuffling, and other acts that tend to have an adverse influence on the safety or well-being of the employees shall be prohibited.

Work shall be well planned and supervised to prevent injuries in the handling of materials and in working together with equipment.

No one shall knowingly be permitted or required to work while the employee's ability or alertness is so impaired by fatigue, illness, or other causes that it might unnecessarily expose the employee or others to injury.

Employees shall not enter manholes, underground vaults, chambers, tanks, silos, or other similar places that receive little ventilation, unless it has been determined that is safe to enter.

Employees shall be instructed to ensure that all guards and other protective devices are in proper places and adjusted and shall report deficiencies promptly to the supervisor, lead, or manager.

Crowding or pushing when boarding or leaving any vehicle or other conveyance shall be prohibited.

Workers shall not handle or tamper with any electrical equipment, machinery, or air or water lines in a manner not within the scope of their duties, unless they have received instructions from their supervisor.

All injuries shall be reported promptly to the supervisor or manager so that arrangements can be made for medical or first aid treatment.

When lifting heavy objects, the large muscles of the leg instead of the smaller muscles of the back shall be used.

Inappropriate footwear or shoes with thin or badly worn soles shall not be worn.

Materials, tools, or other objects shall not be thrown from buildings or structures until proper precautions are taken to protect others from the falling objects.

## 10.5 Appendix 5: City of Santa Rosa IIPP COVID-19 Supplement

### Policy

This COVID-19 IIPP Supplement has been established in accordance with the Cal/OSHA Interim General Guidelines on Protecting Workers from COVID-19 and the Injury & Illness Prevention Program (Title 8 Section 3203) requirements.

Under the IIPP hazard assessment requirements, it has been determined exposure to the COVID-19 virus is a potential hazard in our workplace. Therefore, infection control measures as directed in the Cal/OSHA mandatory guidance have been developed and implemented.

This program has been created based on the currently available data provided by the Centers for Disease Control and County of Sonoma Public Health. All prevention and response policies and procedures are subject to modification based on updated guidance regarding COVID-19.

### Responsibilities

The Injury and Illness Prevention (IIP) Program Administrator, City Manager, Sean McGlynn, has the ultimate authority and the responsibility for providing a safe and healthful workplace for City employees and accountability for implementing and maintaining this IIP Program for the City of Santa Rosa.

The Program Administrator delegates Risk Management to direct and administer City-wide safety programs and assign the City Safety Coordinator who has the authority and responsibility to ensure that each Department Safety Coordinator is effectively:

- Implementing the infection control measures as outlined in this supplement
- Ensuring the outlined sanitation and disinfection efforts are conducted
- Ensuring regular inventories are conducted to ensure all needed supplies and personal protective equipment (PPE) are available
- Making certain COVID-19 training (as outlined in the training section) is conducted and documented for all employees
- Ensuring the City is aware of, and complying with, the COVID-19 employee requirements in the Families First Coronavirus Response Act (FFCRA).

### Managers & Supervisors

Managers and supervisors are responsible for implementing and maintaining the infection control measures in their work areas. They are responsible for answering employee questions and setting a good example by following the guidance in this supplement.

### Employees

All employees are responsible for understanding and following the infection control measures and for asking questions when direction is unclear. Employees are expected to report any unsafe conditions to their supervisor.

## Compliance

Our primary goal is to prevent the spread of COVID-19 and protect our employees. All managers, supervisors, and employees are required to strictly adhere to all the outlined infection control measures in this supplement. Our compliance measures include, but are not limited to, the following:

- Informing employees of these requirements in a readily understandable language
- Training all employees on the infection control measures
- Disciplining employees for failure to comply with the requirements in this supplement

## Communication

All employees will be trained on the infection control measures in a form readily understandable by all. Our communication system encourages all employees to inform their managers and supervisors of any unsafe working conditions without fear of reprisal. Employees can report COVID-19 specific or any workplace hazards anonymously by contacting Risk Management or their Union Steward.

## Hazard Assessment & Infection Control Measures

The IIPP regulation requires us to conduct a hazard assessment to identify, evaluate, and implement control measures whenever we are made aware of a new or previously unrecognized hazard. It has been determined that exposure to the COVID-19 virus is a potential hazard in our workplace. Therefore, infection control measures as directed in the Cal/OSHA mandatory guidance have been developed and implemented.

Procedures regarding all infection control measures listed below are detailed in the Reopening Following COVID-19 Closure.doc.

## Infection Control Measures

### Administrative Controls

- All sick employees will be actively encouraged to stay home.
- Employees will be immediately sent home or to medical care, as needed, if they have a frequent cough, fever, difficulty breathing, chills, muscle pain, headache, sore throat, or recent loss of taste or smell.
- Employees who are out ill with fever or acute respiratory symptoms are not allowed to return to work until both of the following occur:
  - At least three full days pass with no fever (without the use of fever-reducing medications) and no acute respiratory illness symptoms; and
  - At least 10 days pass since the symptoms first appeared.
- Employees who return to work following an illness are required to report any recurrence of symptoms.
- Teleworking options will continue to be supported where feasible.
- Employees will be advised of any non-essential travel requirements as per County Health regulations/recommendations.

### Physical Distancing

- Physical distancing will be practiced by cancelling in-person meetings and using video or telephonic meetings when possible.
- A distance of at least 6 feet between persons will be maintained at the workplace when possible.
- Shared workspaces (desks, offices, and cubicles) and work items (phones, computers, other work tools and equipment) will be avoided when possible. If workspaces and work items must be shared, they will be cleaned and disinfected before and after use.

### Face Covering

Employees will be provided with cloth face covers or encouraged to use their own face covers whenever they may be in workplaces with other persons. Cloth face coverings are not PPE, but combined with physical distancing of at least six feet, they may help prevent infected persons without symptoms from unknowingly spreading COVID-19. The City's Facial Coverings Policy is Administrative Policy 1.3.4.

### Cleaning & Disinfection

Procedures have been established to routinely clean and disinfect commonly touched objects and surfaces such as elevator buttons, handrails, copy machines, faucets, and doorknobs. Surfaces are cleaned with soap and water prior to disinfection. These procedures should include:

- Using disinfectants that are EPA-Approved for use against the virus that causes COVID-19.
- Providing EPA-registered disposable wipes for employees to wipe down commonly used surfaces before use.
- Following the manufacturer's instructions for all cleaning and disinfection products (e.g., safety requirements, PPE, concentration, contact time).
- Ensuring there are adequate supplies to support cleaning and disinfection practices.

### Confirmed Cases of Employee Exposure to COVID-19

Refer to Human Resources' COVID-19 Return to Work Policy for detailed information about employee exposure procedures.

If an employee is confirmed to have COVID-19 infection, the following measures will take place:

- Inform employees of their possible exposure to COVID-19 in the workplace, but maintain confidentiality as required by the Americans with Disabilities Act (ADA) and the California Department of Fair Employment and Housing.
- Temporarily close the general area where the infected employee worked until cleaning is completed.
- Conduct deep cleaning of the entire general area where the infected employee worked and may have been, including breakrooms, restrooms and travel areas, with a cleaning agent approved for use by the EPA against coronavirus.
- Any person cleaning the area will be equipped with the proper PPE for COVID-19 disinfection (disposable gown, gloves, eye protection, mask, or respirator if required) in addition to PPE required for cleaning products.



## Engineering Controls for Customer Service Areas

For employees who have frequent contact with the public, the following measures will be implemented that take into account the possibility that the public is a possible contamination source, including:

- Conducting even more frequent cleaning and disinfection of surfaces touched by the public such as credit card machines, touch screens, doorknobs, etc.
- Where feasible, employees who have frequent interaction with the public will be protected with engineering controls such as Plexiglas screens, tables or other physical barriers, or spatial barriers of at least six feet.
- If exposures to the general public cannot be eliminated with engineering controls, customers will be required or encouraged to wear face coverings and physical distancing.
- Hand sanitizer stations will be provided, and employees will be encouraged to frequently wash their hands with soap and water for 20 seconds.
- Physical distancing will be enforced by limiting the number of customers in the space, where feasible.
- Disposable gloves will be provided to employees who handle items touched by the public where handwashing facilities are not readily available or as required by existing programs.

## Hazard Correction

**Any reported COVID-19 related unsafe or unhealthy work conditions, practices, or procedures will be investigated and, if warranted, corrected in a timely manner.**

## Accident/Incident Investigations

**Accident/incident investigations, for potentially work-related COVID 19 illnesses, will be conducted as required by Cal/OSHA.**

**Risk Managmeent will investigate all reports of occupational exposure to COVID-19.**

## Training

All employees will receive training in a language that is readily understandable to them.

COVID-19 trainings are posted on the iNET Safety Page.

Training will include a review of this IIPP - COVID-19 Supplement and the following topics:

- General description of COVID-19, symptoms, when to seek medical attention, how to prevent its spread, and the employer's procedures for preventing its spread at the workplace.
- How an infected person can spread COVID-19 to others even if they are not sick.
- How to prevent the spread of COVID-19 by using cloth face covers, including:
  - CDC guidelines that everyone should use cloth face covers when around other persons.
  - How cloth face covers can help protect persons around the user when combined with physical distancing and frequent hand washing.
- Information that cloth face covers are not protective equipment and do not protect the person wearing a cloth face cover from COVID-19.
- Instructions on washing and sanitizing hands before and after using face coverings, which should be washed after each shift.
- **Cough and sneeze etiquette.**

- Washing hands with soap and water for at least 20 seconds after interacting with other persons and after contacting shared surfaces or objects.
- Avoiding touching eyes, nose, and mouth with unwashed hands.
- Avoiding sharing personal items with co-workers (i.e., dishes, cups, utensils, towels).
- Providing tissues, no-touch disposal trash cans, and hand sanitizer for use by employees.
- Safely using cleaners and disinfectants, which includes:
  - The hazards of the cleaners and disinfectants used at the worksite.
- Wearing PPE (such as gloves).
- Ensuring cleaners and disinfectants are used in a manner that does not endanger employees.

#### Record Keeping

All COVID-19 related training records, inspections, and investigations will be maintained as outlined in our IIPP Recordkeeping section.

## 10.6 Appendix 6: Santa Rosa CityBus Standard Rules and Operation Procedures

### I. FOREWORD

As a CityBus Operator, you are expected to meet a number of important qualifications:

- Honesty and truthfulness
- Good judgment and initiative
- Good personal appearance, courtesy and tact in dealing with other people
- Knowledge of the city and exhibition of good driving skills
- A desire to serve the public

The staff is here to provide you with equipment, schedules, information, training and other services that will enable you to perform your job well. In return, we expect you to be responsible for the safety and welfare of the public and conduct yourself in a courteous and professional manner at all times. Knowledge of the City's policies, rules and your duties will enable you to function as a productive employee and help you avoid problems. As a CityBus Operator you are the most important key to the success of CityBus. Your professionalism determines the image of our system and affects the success of our operation the most. This manual establishes uniform policies and procedures for Bus Operator functions of Santa Rosa CityBus.

In the event there is a situation where this manual conflicts with an applicable collective bargaining agreement provision, the collective bargaining agreement shall be the authority. Additional procedures and revisions to procedures may be required if federal, state or local regulations are mandated and/or changed or modifications to procedures are necessary in order to operate efficiently.

This handbook of instructions will serve as a guide to employees. Any lack of knowledge and understanding of the rules shall not be an excuse for failure to exercise reasonable judgment or proper mature and professional behavior. Any employee who engages in illegal, indecent, improper or offensive action shall be disciplined or discharged. Violation of Rules and Regulations contained herein may lead to discipline consistent with the City of Santa Rosa's Personnel Rules and Regulations.

If any doubt exists regarding the exact meaning of a rule, special order or instruction, you must immediately secure additional information from the supervisor in charge. Circumstances involving unusual complications or accident hazards, including mechanical failure of a coach should be reported immediately to your supervisor.

This handbook is not meant to be all-inclusive for all situations, but is to offer general guidelines as well as standard operating procedures.

### II. PROPER ATTITUDE TOWARD DRIVING

The job of a Bus Operator is primarily that of providing safe, courteous and professional service to all CityBus patrons. The usage of good, safe defensive driving practices is a job requirement.

As a CityBus Operator you are expected to:

- Abide by Standard Operating Procedures, Rules and Regulations.
- Perform duties safely and efficiently using good defensive driving skills.
- Operate within DMV guidelines for Class B License.
- Maintain a (preventable) accident/incident free record.
- Perform the required pre and post trip bus inspections daily and complete the appropriate forms.

- Provide a safe, smooth ride, preventing passenger injury, while following and maintaining schedules as closely as safety permits.
- Abide by the rules of the road and treat other drivers with courtesy.
- Observe and report hazardous safety conditions promptly and properly.
- Be patient and courteous. Assist elderly and disabled patrons according to required procedures.
- Avoid all confrontations, if possible.
- Focus on the situation and behavior instead of the person.
- Provide correct information and help as needed by passengers.
- Interact with the public without generating valid public complaints.
- Maintain good relationships with co-workers, supervisors and staff.
- Resolve passenger conflicts appropriately. Lead by example.
- Govern the speed of the vehicle in accordance with the law.
- Use the horn only when necessary.
- Start and stop your bus smoothly in consideration of your passengers.
- Watch your doors. Be sure your passengers are clear before closing.

Drive carefully, safely and defensively at all times. Remember, the lives of your passengers are dear to their loved ones. They are in your care. Your passengers judge your driving ability and formulate opinions of you. Endeavor to have them think well of you.

Courtesy to passengers is a requirement of the Operator's job. A kind word, a helping hand and a pleasant smile will make for a good relationship between you and our patrons. Answer all questions politely and be conscientious and professional in your work. This will make the job easier and more pleasant for yourself and your co-workers.

### III. PUBLIC CONTACT

#### A. APPEARANCE

As representatives of the City of Santa Rosa, your appearance is expected to be neat and clean. The City provides you with your uniforms. You are to wear your clean and pressed uniform at all times while on duty. The uniform helps present a consistent, professional image and makes you easily identifiable as the person in charge of the vehicle.

##### 1. Hair

Hair shall be clean and well groomed. For safety reasons, hair shall not hang over the eyes or interfere with peripheral vision.

##### 2. Mustache, Beards, and Sideburns

Mustache, beards, and sideburns, when worn, shall be neatly trimmed and well groomed. Areas of the face not devoted to mustache, beard, or sideburns shall be clean-shaven.

### 3. Accessories

Only uniform issue hats, sweaters and jackets may be worn.

Jewelry shall conform to the following standards:

- Necklaces - When worn shall be worn inside the collar consistent with safety.
- Earrings - Close fitting styles only. No dangling style earrings will be allowed.
- A supervisor must approve headbands, wristbands, ribbons, and scarves.

On-duty Operators may use personal cellular phones, or other personal communications devices, only during approved layover periods between scheduled trips, providing that their usage does not result in violations of any other CityBus "Standard Operating Procedures". Cellular phones must be turned off at all times while the Operator is driving a bus. Use of hands free phone devices while operating a bus is forbidden. Any use of a cellular phone must occur away from the driver's seat. Use of a cellular phone / texting device while driving violates CVC section 23125.

### 4. Shoes

Shoes must have closed toes, sides, heels, and be a solid dark blue or black.

### 5. Sunglasses

Sunglasses may be worn during the day. However, dark lenses may not be worn after sundown for safety reasons.

### 6. Miscellaneous Items

Items having political or social implications may not be worn or displayed by an Operator in uniform with the exception of the permitted wearing of a Union Service emblem on the uniform. Weapons of any kind are prohibited.

## B. COURTESY

Proper interaction with passengers and the public in general is a key function of the Bus Operator. It is the singular function that separates the bus driver from any other driver in the transportation field. The success of CityBus is predicated on our Operators' attitudes and satisfactory service to the public. Passengers appreciate riding with an Operator who runs on schedule and operates the bus smoothly and safely. If the passengers approve of the Operator's tact in handling special cases that arise with other passengers, they learn to appreciate the Operator and are encouraged to ride more often. This is especially true if the Operator has a good disposition and makes the passengers feel that the system really wants their business. A friendly greeting, a "please" and "thank you" are very important public relation tools and are expected as part of the superior level of customer service provided by each Operator. Attempt to secure the friendly cooperation of the passengers by understanding and appreciating their viewpoint, by speaking to them courteously and tactfully, and by remembering the following:

1. Have a general knowledge of the entire transit system. It is very important that you answer accurately any route or schedule requests made by a passenger.
2. Make any request, therefore, in as pleasant a manner as possible and give a reason for your request.
3. Avoid making an issue of any problem that may arise. AVOID ARGUMENTS AT ALL COST.
4. Never publicly accuse a passenger of making a mistake. People resent having mistakes called to their attention. All requests addressed to passengers should reflect the Operator's friendly interest in the welfare of the passengers. Generally speaking, the public is not familiar with operational problems confronting a transportation system. As a result, passengers may become annoyed or upset over a seemingly insignificant point. In these situations, please remember that the passenger's point of view is based on their circumstances.

Do not characterize the passenger's behavior as either intentionally ill tempered or dishonest. Any time that you request a passenger to change their behavior, do so in a manner that maintains their dignity and allows them to save face.

5. When buses pull in toward the curb where there is water in the street, avoid splashing water on waiting passengers or pedestrians.
6. Assist disabled or blind passengers when such aid is needed, and as required by law.
7. Keep in mind that in all situations there will be an Operator and a passenger point of view. A courteous "please" or "thank you" is a small price to pay to insure community support for the system.
8. You are not required to give your name to passengers or others. You must however, provide your driver I.D./fare box number. Do not make derogatory comments if asked for your name.
9. Before moving the coach, wait until everyone is safely seated. Politely enforce guidelines governing use of seats intended for elderly and disabled patrons.
10. Be alert to hear the passenger's signal for you to stop (the sound of a chime or buzzer). Should you carry a passenger past his stop, apologize and permit the passenger to alight at the next safe and legal location.
11. All routinely requested stops are to be made at posted stop locations. If you accidentally pass a requested stop, you may stop at a location that is safe to discharge the passenger(s). It is not necessary to proceed to the next designated stop unless there is no safe alternative. Normal stops are to be made at designated stops only.
12. Passengers should not be permitted to operate radios or recorders audibly while being transported on any vehicle in regular service. A passenger may, however, operate a radio or recorder with the proper use of earphones. Any noise so loud as to be distracting to the driver or compromising the comfort of other passengers is not permitted.
13. Occasionally passengers will attempt to board a bus with food, beverages, or cigarettes in hand. When this happens, politely ask them to discard the food or drink, and request that they stop smoking or finish while waiting for the next scheduled bus. Allowing these behaviors to occur only creates problems such as sticky seats, messy floors, smoke, etc. that can cause discomfort or health and safety concerns to others. Remember that the restrictions on eating, drinking and smoking on the bus apply equally to passengers and Bus Operators.

#### C. PROBLEM PASSENGERS

Proper assessment of the situation will determine the appropriate course of action to take when dealing with problem passengers. When a situation arises, the following must be taken into account:

1. Regarding the situation itself
  - Is this a health issue?
  - Is this a service issue?
  - Is life or property at stake?
  - How is this impacting service?

2. Regarding the dynamics of the people involved
  - Are they juveniles?
  - Are they disabled?
  - Are they angry? Violent? Drunk? Scared? Hurt?

Once proper assessment is made, determine the best method of diffusing or mitigating the situation. The best course of action will be one that maintains the dignity of the individuals involved, has the least impact others, considers the safety of everyone and minimizes service disruption.

Problem passengers may be asked to leave the bus if their behavior is dangerous, disorderly or offensive to other passengers, or if they refuse to pay the fare. If a passenger is verbally harassing you personally, that passenger may be asked to leave if the disruption is sufficient to distract you from safely operating the bus.

Except in extreme circumstances, passengers should be given the opportunity to correct their actions prior to being asked to leave the bus. The mere use of profane or potentially offensive language may not warrant the removal of a passenger. Passengers are not to be refused a ride if they simply appear intoxicated or have been disorderly in the past.

The Field Supervisor on duty must be notified and a Passenger Incident Report Form completed in full each time a problem passenger is requested to leave or denied access to the bus that you are assigned.

In order to help identify and take appropriate measures against frequent abusers all Operators are strongly encouraged to use the Incident Report Form to document negative interactions with problem passengers regardless of whether or not the passenger was asked to leave the bus. Physical harassment of a Bus Operator will not be tolerated and must always be reported immediately.

Avoid direct confrontations and make no physical contact with the problem passenger. If problems occur, avoid turning your back on the passenger and call for assistance. When you are in the Transit Mall, the on-duty Transit Service Representative can assist with some passenger conflicts. However, they are not armed and are not trained to handle volatile or physical confrontations. They can call the proper authorities if needed. Contact the on-duty Supervisor if the passenger refuses to alight after your request. Briefly describe the nature of the problem so that an appropriate response can be made.

When addressing boisterous and/or nuisance behavior of juvenile patrons, especially the younger ones, the following is to be taken into consideration:

1. Be sure to positively identify the responsible individual. If necessary, stop and adjust interior mirrors to aid you in this endeavor.
2. Except in the most extreme of circumstances, give the responsible individual(s) the opportunity of correcting their actions prior to asking them to leave the bus. Always advise them of the possible repercussions should they fail to comply with your requests.
3. Take action only against the individual(s) you know to be responsible. Do not consider someone to be responsible merely because they are sitting within a group of unruly juveniles.
4. Should it become necessary to order the individual(s) to leave the bus, call your supervisor to notify him/her of your intentions, give a brief description of the individual(s), then in a calm, professional manner instruct the individual(s) to leave the bus. Explain to them specifically why you are taking this action. Offer them a courtesy transfer to allow them to access the next bus that services that stop, and advise them of the time that bus will come.
5. Make no physical contact with the individual or their belongings. If the individual refuses to comply with your instructions, call your supervisor.



6. Where possible, obtain names and means of contacting witnesses to the incident for your report.
7. Always file a Passenger Incident Report within the required time frame.

If you consider the incident to be of such a magnitude that further action or follow-up is warranted, advise your supervisor accordingly.

#### ON-BOARD VIOLENT EMERGENCY

When the preceding procedures are not effective or appropriate and the situation is potentially life threatening:

1. Remain calm.
  - STOP the bus.
  - OPEN the doors.
  - CALL the on-duty Supervisor for assistance if you are able.

If you are unable to make a standard call for assistance due to circumstances on the bus that are potentially life threatening, use the silent alarm button. This will alert the on-duty Supervisor to dispatch assistance to your location with priority.

2. Standard emergency radio calls are to be made in this manner:
  - Establish contact with the Field Supervisor using the phrase, "EMERGENCY TRAFFIC".
  - Say what has happened or what is happening, then break.
  - The supervisor may request that you switch your radio to TRANSIT 2.
  - Only give information when you are asked for it. (Location, descriptions, etc.
  - DO NOT give lengthy descriptions, details, or information. Doing so will only compromise response time. The staff will ask for information, as they are able to copy it. ALL OTHER RADIO TRAFFIC MUST CEASE DURING EMERGENCIES.
  - Be prepared to protect yourself from harm in all instances. Do not physically confront anyone. If you are the object of a passenger's physical aggression and your personal safety is compromised inside the bus, it may be wise to vacate it. If you must vacate the bus, make an effort to disable it. This can be done by:
    - Shut the bus off in "Kneel."
    - Cut the external battery switch.
3. Be prepared to be a good witness. Note physical descriptions, jewelry, tattoos, and clothing. Complete an Incident Report and Police Report as required.

#### SILENT ALARMS

All buses have a hidden silent alarm switch in the Driver's compartment. Press and hold the silent alarm if you have a situation where regular use of the radio would be dangerous. The Field Supervisor will receive a signal from your bus and your head sign will display "Call Police". When the alarm is received the Field Supervisor will attempt to call you on the radio. If you do not respond, the Field Supervisor has the capability to listen in to your bus through your radio and will do so to determine the severity of the situation. Use of this alarm may generate an extreme response, so be sure it is a true life-threatening emergency before you activate it.

**FALSE ALARM:** Occasionally the alarm system is activated through malfunction or the Operator unknowingly pressing the button. A Field Supervisor will call you on the radio and state: "Check your radio". If there is no emergency in progress, simply reply that everything is OK. Be sure to report the defective alarm on the proper defect report.

#### D. HEALTH AND SAFETY GUIDELINES

It is both our intent and our obligation to routinely provide the optimum levels of transit service to all those who wish to utilize Santa Rosa CityBus. Denial of service to any individual may only take place as a last resort, after careful review of all the pertinent facts.

Service may be denied to passengers whose physical condition poses a direct threat to the health and safety of the Operator or other passengers. All of the following steps must be followed each time an individual is denied service for health and safety reasons:

1. Explain the reasons behind the decision to deny service to the passenger in a professional non-threatening manner.
2. If the passenger requires urgent medical attention, provide for this immediately via the two-way radio.
3. Notify the on-duty Field Supervisor immediately via radio that a passenger has been denied access for "health and safety" reasons.
4. The on-duty Field Supervisor will contact you at his/her earliest opportunity for a detailed explanation of the situation and to provide appropriate follow-up measures.
5. Submit an "Incident Report Form", providing as much information as possible to the on-duty Field Supervisor at the end of your run.

#### IV. SAFETY & HAZARDS

##### A. VEHICLE INSPECTIONS

All buses must have a proper pre-trip inspection before leaving the MSCN Yard. No bus may be placed in revenue service without a proper pre-trip safety inspection.

##### B. SAFE DRIVING

Always DRIVE SAFELY – regardless of all other requirements. To be on time is never as important as to arrive safely.

##### C. GAUGES

Observe all gauges and indicator lights at frequent intervals to be sure they are functioning properly. The air gauge should be observed to make certain that sufficient air pressure is maintained to properly operate the brakes. Gauge and indicator lights must never be obstructed from view in any manner at any time.

##### D. CONTROLS

The controls of vehicles must be handled at all times in a smooth and efficient manner. Proper acceleration and brake application are essential to safe and correct operation. Under no condition shall any door control be engaged for braking purposes.

##### E. STANDEE LINE

Buses designed to allow standing must have a 2-inch line on the floor or some other means of showing riders where they cannot stand. This is called the standee line. All standing riders must stay behind it.

**F. VISUAL CHECK**

While driving, scan the interior of your bus as well as the road ahead, to the sides, and to the rear. You may have to remind riders about rules, or to keep their arms and heads inside the bus. Check to see that all passengers either boarding or alighting are completely clear of the doors before closing them. All doors are to remain closed while the bus is in motion.

**G. SIGNALING**

Proper signals are to be given when boarding and discharging passengers. A "Right" turn signal should be flashing when pulling into the curb and while loading and unloading. A "Left" turn signal should be given prior to pulling back into the traffic lane.

**H. SPEED LIMIT**

No vehicle shall be operated at speeds greater than the legal or restricted speed limit. Operate your bus at a safe, prudent and careful speed with due regard to traffic and other conditions, and at a speed that insures the safety of persons and property.

**I. ATTENTIVE DRIVING**

Never pull from the curb until you can give full attention to your driving. Fares should be collected, doors must be closed and passengers should be seated before pulling away from the curb. Check outside to make sure pedestrians are clear of the bus before moving.

**J. DRIVING UNDER CONTROL WHEN IT IS IN MOTION**

Do not conduct any transaction while the vehicle is in motion if such transaction would require the removal of both hands from the steering wheel. Do not engage in any activity that could interfere with the proper observation of traffic or the safe operation of the vehicle. Keep mirrors properly adjusted at all times. Do not place loose articles on the driver's area in such a manner as to cover gauges/switches or obstruct vision. Use both hands to control the steering wheel at all times.

**ALWAYS WEAR A SEAT BELT WHEN OPERATING ANY CITY VEHICLE OR MOTOR COACH WHEN IT IS IN MOTION.**

**K. CHECKING TRAVEL LANES**

When pulling from the curb or changing lanes always check that traffic lanes are clear. Turn signal lights must always be used to signal your intent.

**L. FOLLOWING DISTANCE**

After starting, allow sufficient distance between your bus and the vehicle ahead to permit a normal smooth stop instead of an emergency stop. "Tailgating" can cause a rear-end collision, and/or injury to passengers. At traffic signals, leave enough room to pull around any stopped vehicle.

**M. STOPPING**

Always come to a full stop to pick up and discharge passengers. When possible, pull in parallel to the curb and close to the sidewalk. If this is not possible, allow sufficient room between the exit door and the curb so patrons exiting the bus can step down onto the road surface before stepping up onto the sidewalk. Avoid creating a situation where they are stretching to reach the curb.

**N. RAILROAD CROSSINGS**

A complete stop must be made at all railroad crossings, and the vehicle shall stop not less than 15 or more than 50 feet from the nearest rail of the track. Use the 4-way flashers while approaching the tracks to alert following drivers of your intention to stop. While stopped, you must listen and look in both directions along the track for any approaching train or train signal. Do not proceed until it is safe to do so.

## O. REVERSE PROCEDURE

Never put your coach in a position where you will be forced to back up. If faced with a situation where you are forced to back up, use a spotter to enhance safety. The following precautions would be taken if nobody is available to direct you:

1. Go to the rear of the bus and check clearance. If at all possible, use a spotter.
2. As you return to your seat, monitor traffic to the rear to be certain conditions behind you have not changed.
3. Back the bus up at a speed no faster than 1 mile per hour.
4. Keep the window open so you can hear anyone attempting to signal you.

## P. SCHEDULE CONSIDERATION

Maintain schedules and routes under normal conditions. Schedules may be disregarded in favor of safety when adverse weather, traffic delays or conditions of the coach make it necessary.

## Q. LEAVING DRIVER'S SEAT

Always set the parking brake and place the transmission in neutral. Never use the rear door interlock to replace setting the parking brake. If it is necessary to leave the vicinity of the coach, secure the vehicle and shut down the engine.

Do not leave the driver's seat of a bus in revenue service except in unusual or emergency situations. If it is necessary to leave the driver's seat, first ensure that the bus is parked in a safe location and that the parking brake is set and the vehicle placed in neutral gear.

## R. UNNECESSARY CONVERSATION

Unnecessary conversation with passengers or other employees while driving a coach is prohibited. Specific questions pertaining to the service should be answered briefly and courteously but all other conversation must be discouraged.

## S. DEPENDENTS, RELATIVES, AND FRIENDS

Your primary responsibility is the safe transportation of passengers on CityBus. To this end, unless they are a fare-paying passenger on a trip with a specific purpose, dependents, other relatives, friends or acquaintances of Operators are not to ride on your bus. They are not to be entrusted to your care or supervision during your duty hours, nor are they to be inside the MSCN yard.

## T. DRESS CODE FOR PASSENGERS

All passengers are required to have their feet covered and be wearing shirts or some other type of upper body coverings.

## U. EMERGENCY VEHICLES / FUNERAL PROCESSIONS / PARADES

Yield the right of way to all emergency vehicles and school buses as required by law. Never interfere with any funeral procession or any parade except on orders from a police officer. Never block an emergency vehicle entrance or exit.

## V. UNSAFE BOARDING

1. Passengers should not be allowed to board the bus while wearing roller skates/inline skates, on a skateboard or in any unusual manner that could jeopardize the safety of that passenger, or other passengers. Occasionally, you may have a drunk or unruly rider. You must ensure this rider's safety as well as that of others. Don't discharge such riders where it would be unsafe for them. It may be safer to unload these passengers at the next scheduled stop, or a well lighted area where there are other people.

2. The passenger may take ordinary hand baggage, suitcases and packages or articles which can be carried without inconvenience to passengers inside the bus. Foldable shopping carts are also allowed, provided there is sufficient room to store them out of the aisle. No such articles should be permitted to remain in any location where they could trip riders or interfere with the entrance, exit, or free use of the aisles, or with the safe operation of the bus.

Do not assume responsibility for articles of baggage. Advise passengers accordingly in a courteous manner if asked to do so.

3. Baby strollers may, at the passenger's discretion, be stored unfolded in a mobility device securing area providing that the space is not required to transport a mobility device or is otherwise occupied by a qualified senior citizen or disabled person. Should, at any time during the trip, a mobility device require access to the securing area, the baby stroller must be folded and stored out of the aisle so as not to interfere with the safe operation of the bus. Passengers must be able to hold onto the stroller while the coach is in motion or use the wheelchair securing belts to prevent unsafe movement. Under no circumstances may a child remain in a stroller while the coach is in motion.

Strollers may access the bus using the wheelchair ramp upon request.

4. Hazardous materials such as gasoline, chemicals, car batteries, firearms or ammunition (except for uniformed peace officers) are not to be allowed. Riders sometimes board a bus with an unlabeled hazardous material. They may not know it is unsafe. Do not allow riders to carry on hazards such as car batteries or gasoline. Passengers may board with oxygen that has been medically prescribed and is in a container designed for their personal use.

Items not permitted on transit buses:

- Poisons
- Blasting Agents, including Fireworks
- Flammable and Combustible Liquid
- Corrosive Material
- Car Batteries, new or used
- Hazardous and/or Combustible Flammable Gas
- Flammable & Combustible Solids
- Irritating Material
- Radioactive Material
- Non-flammable Gas
- Containers previously used for carrying above-mentioned materials

In addition, no animals, fowl or reptiles may be transported, with the following exceptions:

- a. Small pets in an enclosed container
- b. Service animals

A small pet is defined as an animal small enough to be transported in a suitable container that does not require any special storage provisions within the bus. An animal that is so large that the container cannot be stored on a single seat would not meet this definition.

5. No guns, knives or other objects identifiable as weapons may be transported. Officers of the law are exempt.
6. No object so large, sharp, breakable, or heavy that it could become a threat to the safety of anyone on board cannot be transported.
7. Passengers should be encouraged to sit if seats are available.

#### V. ACCIDENTS & INCIDENTS

##### A. PROCEDURES TO FOLLOW

In the event of an accident in which a City vehicle strikes, or is struck by another vehicle or object, or in the event of an incident which could possibly result in injury, disturbance, conflict or circumstance which may have serious results:

1. Place a radio call to your supervisor immediately. Give the location of the accident or incident, route and bus number. Make known the extent of any injuries and/or damage to all vehicles and property involved. Your supervisor will contact the appropriate police, fire, ambulance and insurance personnel.
2. Keep passengers on board the bus unless circumstances necessitate immediate evacuation.
3. The bus must not be moved from the accident scene if there are injuries to pedestrians, passengers on the bus, or occupants of other vehicles involved in the accident. If there are no injuries, contact a supervisor to obtain permission prior to moving the bus to a safe location, unless specifically directed to do so by a police officer.
4. Obtain "Courtesy Cards" from all persons on your bus in the event of an accident, disturbance or incident as well as any person who may have witnessed the accident, disturbance or incident. Don't refer to the "Courtesy Card" as a witness statement. Explain that it is a requirement of the City to obtain the names and addresses of as many people at the scene as possible, whether or not they saw the occurrence. Give the courtesy cards to the Field Supervisor who responded to the incident/accident scene. Do not give them to anyone else.
5. Be cooperative with the Police Department and comply with their requests for information. However, be aware of volunteering your determination of the cause of the accident. Do not make statements concerning the condition of City equipment. For your protection as well as the City's, do not admit fault.
6. At the end of your run, meet with the on-duty supervisor to review your written report. Obtain the case report number from the police officer and include it on your report.
7. Accident and incident forms are kept available in all route pouches. Under normal circumstances, you should have sufficient time during the course of your run to complete all required documentation of incidents and/or accidents in which you are involved. At the end of your run, contact the on-duty supervisor to review and sign your accident report. Additional compensation shall not be authorized for time spent completing reports outside of the workplace.

## B. VEHICLE ACCIDENT REVIEW PROCESS

All vehicular accidents are reviewed by the Accident Review Committee. This committee consists of the City's Risk Manager or designee (as chairman), the Transit Superintendent or designee, a Bus Operator representative and, if necessary, an officer from the SRPD. Any two of these Committee members represent a quorum to hold the meeting. Involved employees are notified in writing in advance of the date and time of the Committee meeting. Attendance at the meeting is not mandatory unless so specified by the Transit Superintendent. Employees wishing to attend their review should notify the Transit Superintendent in advance of the meeting. The committee shall review the accident investigation, including all written documents and other information necessary to determine whether the investigation was properly conducted and all of the facts were gathered. The committee shall then submit a report of its findings to the Department Head within ten days of the review. Included in this report shall be a determination as to the cause and/or preventability of the accident on the part of the City employee involved.

Employees not in agreement with the findings of the Accident Review Committee as it relates to their accident should submit a written appeal to the Transit Superintendent within three working days of the receipt of the Accident Review Committee Memorandum. Another review of the accident may then take place, at which time the employee will have the opportunity to present additional evidence. Any additional investigative efforts by the City shall be as determined by City management.

## VI. CITYBUS DRIVING POLICY

### A. ACCIDENTS

If you are involved in an accident while operating City equipment and the accident is later judged to be preventable by the City Accident Review Committee, you shall be subject to progressive disciplinary action.

When considering the level of discipline to be applied as the result of a preventable accident, the following factors shall be taken into consideration:

1. Severity of the accident.
2. Circumstances of the accident.
3. Operator's driving record.

While a history of substandard driving performance may be considered correctable, an ongoing pattern of involvement in preventable accidents, or involvement in any preventable accident of a severe nature, may result in more serious disciplinary action, up to and including discharge.

### B. TRAFFIC VIOLATIONS

You must inform a Field Supervisor, within 24-hours, of any moving violation citation received while operating any vehicle.

You are also required to notify a Field Supervisor and the Department of Motor Vehicles within 30 days of any conviction of a traffic violation while driving any type of motor vehicle in accordance with the Federal Motor Carrier Safety Administration rule quoted here:

§383.31 Notification of convictions for driver violations.

(a) Each person who operates a commercial motor vehicle, who has a commercial driver's license issued by a State or jurisdiction, and who is convicted of violating, in any type of motor vehicle, a State or local law relating to motor vehicle traffic control (other than a parking violation) in a State or jurisdiction other than the one which issued his/her license, shall notify an official designated by the State or jurisdiction which issued such license, of such conviction. The notification must be made within 30 days after the date that person has been convicted.



(b) Each person who operates a commercial motor vehicle, who has a commercial driver's license issued by a State or jurisdiction, and who is convicted of violating, in any type of motor vehicle, a State or local law relating to motor vehicle traffic control (other than a parking violation), shall notify his/her current employer of such conviction. The notification must be made within 30 days after the date that the person has been convicted. If the driver is not currently employed, he/she must notify the State or jurisdiction which issued the license according to §383.31(a).

(c) Notification. The notification to the State official and employer must be made in writing and contain the following information:

(c)(1) Driver's full name;

(c)(2) Driver's license number;

(c)(3) Date of conviction;

(c)(4) The specific criminal or other offense(s), serious traffic violation(s), and other violation(s) of State or local law relating to motor vehicle traffic control, for which the person was convicted and any suspension, revocation, or cancellation of certain driving privileges which resulted from such conviction(s);

(c)(5) Indication whether the violation was in a commercial motor vehicle;

(c)(6) Location of offense; and

(c)(7) Driver's signature.

Should you be convicted of any moving traffic violations in a City vehicle, you shall be subject to disciplinary action.

#### C. LOSS OF LICENSE

An employee whose commercial driver's license is suspended or sanctioned for sixty-days (60) or more may be subject to dismissal. Conviction of a major moving traffic violation which results in a mandatory sanction of your commercial driving privilege shall subject you to disciplinary action, up to and including discharge.

#### D. DMV LICENSES AND REGULATIONS REGARDING PASSENGER

##### ENDORSEMENT CERTIFICATE AND MEDICAL EXAMINER'S CERTIFICATE

Safe driving is critical to the operation of Santa Rosa CityBus. It is the responsibility of all Operators to sustain a clean driving record. It is also the sole responsibility of the Operator to maintain and have in their possession at all time while on duty:

1. A valid California Class B drivers license with passenger endorsement.
2. A current California DL-51A Medical Examiner's Certificate.
3. A valid California DL-260A, Verification of Transit Training Document (VTT).

You shall provide to the department a current copy of these certificates to be kept on file as part of your driving and training record. Any traffic violation or other event that results in the loss of any of these endorsements or certificates will result in the loss of the ability to legally drive a bus, and may subject you to dismissal.

## E. TRAINING REQUIREMENTS

All transit drivers are required by the California Department of Motor Vehicles to receive eight hours of classroom safety training per year in order to maintain their proper certification. CityBus provides two one-hour Safety and Training classes on the last Wednesday of each month, unless otherwise noted in advance. Each Operator should make arrangements to attend as many of these trainings as possible, with a minimum of eight hours per year required. If an Operator fails to attend at least eight trainings during the year, they have failed to maintain the requirements for maintenance of their DL-260A (VTT Certificate), and their certificate will be revoked. An Operator who allows their DL-260A (VTT Certificate) to become invalid will no longer meet the minimum qualifications for Transit Operator and will not be allowed to operate a transit bus in service and may be subject to dismissal.

## VII. CODE OF CONDUCT

The City expects its employees to be courteous and treat fellow employees and patrons with respect. Words or acts of hostility to any of its patrons, officers, agents or employees will not be tolerated. As employees of a public agency, each of us has the obligation to conduct ourselves in a manner befitting the public trust. Avoid discussing problems with your supervisor in front of passengers or other employees. Each employee should remember that their conduct reflects on all other employees of the agency. Therefore, during duty hours, employees should conduct themselves in a respectful and civil manner. Boisterous actions or profane language is not permitted or tolerated. All interactions among City Employees shall be governed by the City of Santa Rosa Basic Principles:

- Focus on the situation, issue or behavior, not the person.
- Maintain the self-confidence and self-esteem of others.
- Maintain constructive relationships.
- Take initiative to make things better.
- Lead by example.
- Think beyond the moment.

## A. DISCIPLINE, ATTITUDE, CONDUCT AND REPORTS

Employees who are careless of the safety of themselves or others, indifferent in the performance of their duties, or who commit acts of discourtesy, dishonesty, intemperance, insubordination, immoral conduct, fighting, gross carelessness, gross misconduct, conduct unbecoming to an employee, violation of rules, improper accounting for passengers or revenues, willful neglect, making false reports or statements, or concealing matters under investigation, failing to report an accident, or failing to make proper effort to procure witnesses will be subject to the disciplinary process.

## B. HORSEPLAY

Physical aggressiveness of any kind is prohibited except in case of self-defense. Rough and boisterous play is prohibited while on duty or on City property.

## C. FARE DEPOSIT AND PASSENGER COUNT

All cash fares and tickets must be placed in the fare box by the passengers whenever possible. Hand deposit of fares by Operators should only be made for disabled passengers who are unable to deposit their fare. If a fare box jams and is unable to accept money, report the problem to a supervisor immediately. A bus exchange may be required. Do not collect money by hand if your fare box is not functioning. Accept transfers as usual but tell cash payers to simply pay their fare the next bus they ride and tally them as transfers.

Use the fare box keypad to keep an accurate count, by category, of all passengers who ride your bus. Children under 5 years of age are to be recorded using the “free” key on the keypad. Passengers who stay on the bus at a terminal point in order to continue their trip on interlined routes are to be recorded as “transfers” on the second route of their trip, even though they do not physically change buses.

In order to qualify for half-fare rates, passengers must be at least 65 years of age or disabled, and/or show one of the following pieces of I.D. upon request:

- Regional Transit Discount Card.
- Regional Transit Discount Sticker on Clipper Cards.
- Medicare Card.
- DMV Disabled Placard I.D. paper (a receipt from DMV, not the placard itself).
- Proof of age.

Examples of these I.D.’s are in the back of this book.

In order to qualify for Youth Pass rates, passengers must be 18 years old or younger and show an appropriate valid I.D. upon request. Student I.D. or proof of age is acceptable.

#### D. SAFEGUARDING CITY PROPERTY

It is the duty of every employee to protect City property by reporting acts of vandalism or improper storage of equipment at outside locations, exercising care in the operation and use of City equipment, and immediately reporting all incidents/accidents involving damage to City property.

#### E. USE OF TOBACCO

Do not smoke or hold in your hand or mouth any cigar, cigarette, pipe or other smoking materials while operating a bus or operating or riding in any city vehicle. Do not smoke at or near fuel tanks or pumps or in any other restricted area. You may smoke outside the bus during scheduled recovery periods if it is not in a smoking restricted area. All smoking materials must be properly disposed of and not become litter. Do not smoke at the door of your bus while loading passengers.

#### F. DRUG-FREE WORKPLACE

The City of Santa Rosa has certified that it will provide a drug-free workplace. A copy of that certification is included at the back of the S.O.P. You should read this certification carefully as it states the City’s intent to provide you with a drug-free workplace and outlines requirements the City must follow to maintain its certification.

We have an obligation to provide safe transportation for the riders of CityBus. To this end, the use, possession or sale of alcohol or controlled substances while on duty is prohibited. Anyone who violates this policy will be subject to discipline, up to and including dismissal. Anyone reasonably suspected of being under the influence of alcohol or controlled substances when reporting for duty or in the course of their work hours will be relieved of duty and shall be required to submit to a fitness for duty examination and/or alcohol or drug test by the City’s occupational health clinic or cooperating hospital. Appropriate disciplinary action, up to and including dismissal, may result from an employee reporting to work or working under the influence of alcohol and/or drugs. Any employee who thinks he or she may have an alcohol or drug abuse problem is encouraged to voluntarily seek confidential assistance through the City’s Employee Assistance Program provider.

## G. REPORTING TO WORK, RELIEFS, AND END OF SERVICE

Reporting for duty as assigned is a critical function of the Bus Operator. Tardiness impairs our ability to provide reliable, expert service and causes disruption and inconvenience to your fellow employees. You must arrive to work on time, every time.

### 1. A.M. RUN PROCEDURE

The A.M. run Operator must report for duty no later than the time indicated for their assigned run.

### 2. UPON ARRIVAL AT THE TRANSIT OPERATIONS BUILDING:

Report to the dispatch window and get your pouch. Your report time will be logged by the Supervisor. Check your mail box for notices or other necessary information.

Gather the supplies you will need for the day, including all items necessary to stock your schedule rack, paper towels, and transfers. Always check your pouch for all necessary forms, including inspection sheets, accident forms, courtesy cards, missed trip reports and all other required report forms.

- a. Check the assignment board for your coach assignment and for messages from the supervisor.
- b. Proceed out to the bus line and locate your assigned coach.
- c. Perform the required inspection and AVL Ion-on. If you discover a defect that renders your coach unusable for service, notify the on-duty supervisor and get another coach assignment. Notify the supervisor of body damage found and write it up on the inspection sheet.
- d. When the inspection is complete, proceed to the location where you will begin revenue service.
- e. Prior to leaving the MSCN yard, check that your radio is operational by notifying the on-duty Supervisor that you are going "10-8" (in service).
- f. When you arrive at the final time point during the last trip of your run, notify the on-duty Supervisor that you are "10-7" (not in service).
- g. Stay with your bus until your relief driver arrives. When your relief arrives, do a quick walk-around inspection together and explain any detours or situations they need to be aware of.
- h. Prior to the end of your run gather up all personal items, including your newspaper, paper towels and food.
- i. If your relief does not show, you are required to cover the next trip. Notify transit base of the situation and a relief will be found as soon as possible.

### 3. SHUTTLE VEHICLES

Shuttle vehicles are provided for transportation to and from the MSCN along an assigned route only. These vehicles are also occasionally used for passenger transport. With that in mind, never punch transfers in the vehicles or leave garbage, food, newspapers or any foreign items in the shuttle vans. Please help keep them clean.

To maintain an efficient and timely run change, shuttle vehicles must depart from the MSCN at their scheduled times.

### 4. P.M. RUN PROCEDURE

All P.M Run Operators must report to the Transit Operations Building at the time assigned to their run. All P.M. Operators must check their mail boxes upon arrival for current information and notices.

5. UPON ARRIVAL AT THE RUN CHANGE LOCATION:

- a. Meet with the A.M. driver for a walk-around inspection and get information regarding detours or other pertinent items. Notify on-duty supervisor immediately of any damage to vehicle not reported on the Vehicle Inspection Form.
- b. Take a moment to adjust the seat and mirrors to your liking
- c. Radio to the on-duty Supervisor that you are 10-8 (in service).

6. AT THE END OF THE P.M. RUN:

All Operators are required to service all stops on their last trip. If you complete your run and the bus is empty, you may bypass the Transit Mall. If you must go into the Transit Mall on your last trip to drop off passengers, put "NOT IN SERVICE" on your head sign before you enter the Transit Mall, drop off your passengers and proceed to the MSCN

7. UPON ARRIVAL AT THE MSCN:

- a. Come to a full stop at the entry gate before you enter.
- b. Drive slowly to the line and park the bus in an appropriate stall. Set the parking brake and place the gear selector in Neutral. Notify the on-duty Supervisor by radio that you have returned to the MSCN and that you are going "10-7" (out of service).
- c. While the motor is still running, walk to the back of the bus and, working your way forward, close ALL windows and hatches.
- d. With parking brake set, transmission in neutral, and rear door in closed position, shut down the motor.
- e. Gather up all personal items, paper towels, and lost-and-found items. Nothing is to be left in the driver's compartment or storage box.
- f. Close the bus door. If directed by a Supervisor, turn off the external battery switch.
- g. In the driver's room remove all paper towels, transfers, schedules, etc. from the pouch and put them in their proper places.
- h. Tag lost and found items and put them in the lost and found area.
- i. Return the pouch to the dispatch office window.

This is a basic list of duties, courtesies and protocol for all Operators to follow. It is intended that these items become routine, so the operation flows as smooth as possible. As an added courtesy to our service staff, please make every effort to keep the driver's area clean and neat.

H. TIMEPIECE

Operators shall adhere to the times given on the AVL system. Operators shall carry a working accurate timepiece to use in the event of an AVL system malfunction or failure.

## I. VEHICLE INSPECTIONS

Always perform a proper safety inspection of your bus at the start of your run. An “Operator’s Vehicle Inspection Report”, available in the driver’s room, includes a checklist of the items addressing coach appearance and safety operations which should be carefully checked. Pre-trip inspections must include inspection of wheelchair securing devices and seat belts in addition to other safety related equipment, wheelchair ramps and lifts. If any defects are found report them to a Supervisor immediately. Both the A.M. and P.M. Operator inspections should be done on the same report. This report also serves as the Operator’s time on duty log and is subject to inspection by State Authorities upon demand. All information provided must be complete and accurate.

All buses that are exchanged during the day due to mechanical defects must be returned to the MSCN accompanied by a fully completed inspection report. Minor defects should also be reported to a Supervisor for possible exchange instructions.

## J. TRANSFERS / TICKETS / PASSES

1. Transfers issued from the fare box when a fare is paid or a ride ticket is used.
2. Transfers are good for two rides on CityBus within a 90-minute period.
3. Transfers are time and date stamped
4. Customers will insert their transfer into the fare box. The fare box reads the transfer and determines if the transfer is valid
5. Passengers may use their valid Sonoma County Transit or Golden Gate Transit transfer to board CityBus. Sonoma County Transit and Golden Gate Transit transfers must be surrendered to the CityBus Operator. No CityBus transfer is issued in this circumstance.
6. Upon request, observe the two (2) minute minimum waiting rule for transfers
7. Passengers may use their CityBus transfers for fare discounts on Sonoma County Transit and Golden Gate Transit within the CityBus service area. These passengers are issued a “dead” transfer that is time and date stamped, but is rejected by CityBus fare boxes.
8. Report malfunctions with the transfer dispenser to the Field Supervisor immediately.

## RIDE TICKETS:

Ride tickets are pre-paid fares. All ride tickets are to be inserted into the fare box. A transfer can be issued when a rider boards and pays their fare with a ride ticket. Ride tickets are marked as Adult, Half Fare or Youth fare. All tickets are tallied on the fare box using the “A” key. Use of Half Fare and Youth tickets require proper identification from the passenger.

## 24-HOUR PASSES (DAY PASS):

A 24-hour pass is issued by the Operator when the proper fare is paid. The 24-hour pass acts like a transfer that can be used without limits for a 24-hour period. A “dead” transfer may be issued to a Day Pass holder when requested so they can use it on a County or Golden Gate Transit bus for a discount.

## MONTHLY PASSES:

All CityBus monthly passes are valid for unlimited rides during the month shown on the pass. All CityBus monthly passes are valid through the third day of the following month.

## MOBILITY TRAINER TICKETS:

The purpose of the Mobility Training Program is to allow trainers to train individuals to use CityBus independently. The program is not to be used by attendants who provide a long-term assistance role. Mobility



trainers are issued tickets that are good for a one-way trip on CityBus. Occasionally trainers will need to use CityBus without being accompanied by a trainee. Trainers may use a ticket for this trip.

#### K. EQUIPMENT ASSIGNMENT

Equipment assigned to a particular route must be used and not be switched to another route without prior approval from a Field Supervisor.

#### L. DOOR OPERATION

Coaches are to be run with doors closed. Visually check that the doors are clear before closing them. Be sure all boarding passengers are seated and all alighting passengers are clear of bus before proceeding.

#### M. UNAUTHORIZED USE OF AGENCY PROPERTY FOR PERSONAL BUSINESS

The only authorized use of City property or time is in the transaction of the City's business. The use of City property, time or personnel for personal gain or benefit is not permitted under any circumstances. The Driver's Lounge and break area at the Transit Operations Building serves as a location to prepare for the beginning of your work run and complete any paperwork or reports that may be required. It is also regularly used as a meeting and training facility. In order to promote the standards of neatness, order and professionalism that we are constantly striving to achieve within our organization, the outside surface of lockers will remain clear of any posted material. A designated place is available on the Drivers Lounge notice board for the posting of appropriate material.

It is not permissible for you to stop for any personal business while operating a City bus whether the coach is in service or not.

#### N. REFRESHMENTS

If you require refreshments during your work run, you should bring those refreshments to work with you. It is not permissible for you to stop on route to purchase them. Consumption of refreshments is to occur outside of the vehicle during scheduled layover periods only.

#### O. PERSONAL BELONGINGS

Secure all of your personal belongings in the driver's storage box where provided. Keep the driver's compartment and dash area clear of personal belongings and clutter. At the end of your run take all of your personal belongings with you.

#### P. LAYOVER PERIODS

Do not leave your bus unattended when laying over between trips unless you need to use the restroom, are taking a designated meal break or are following a supervisor's instructions. If your layover is going to exceed 5 minutes, state law requires that diesel powered engines be shut down. Gasoline and CNG powered buses are exempt from this rule.

Should adequate layover time exist, you may use the excess time to stretch and/or visit away from your bus. Before exiting, set the AVL to "Driver Off" (menu / Driver Off). This will disable the automatic passenger counter. When you are ready to depart, set the AVL to "Driver On" (menu / Driver on) and the automatic passenger counter will resume operation.

When leaving your bus unattended during scheduled layovers, the following guidelines must be met:

1. Place the vehicle in neutral gear and apply the parking brake. Set the AVL to "Out of Service" (menu / Out of Service). Follow the engine shut down and vehicle securing procedures that apply to your assigned vehicle. Be sure to advise passengers remaining on the bus how to exit should the need arise. If you are taking a designated meal break and/or the bus will remain out of service for an extended period of time, make sure that all passengers exit the bus and that the doors are closed before you leave.



2. Secure all transfers in the route pouch and place it in a secure location out of sight of passengers.
3. Upon returning to your bus from a scheduled meal break, notify the on-duty Supervisor by radio that you are now "10-8" (in service).

#### Q. SCHEDULED TIME POINTS

Under no circumstances are you to depart from a time point before the scheduled time. All time points are published on the public timetables.

#### R. TRIP COMPLETION

All trips are to be completed whenever possible, including the last trip of the night. Trips are not to be cut short or rerouted without proper authorization. If mechanical problems, road construction or other situation require a routing revision or schedule alteration, refer to the Missed Trips section of Standard Procedures.

Missed Trip Report Form: Any time you miss an entire trip or a portion of a trip during your run, you must fill out a "Missed Trip Report Form." If you miss an entire trip, fill out the form as required. When you miss a portion of a trip, note the percentage of the trip missed. (25%, 50%, etc.)

#### S. AVAIL SYSTEM, HEADSIGNS AND FAREBOXES

The Avail Automatic Vehicle Locator System (AVL) is integrated with the head signs and fare box. It will update your fare box and head sign for each trip of your run. In the event of a malfunction of the Avail system, it will be necessary to update your head sign and fare box manually.

Bus head signs and side signs are to display current route information until the last designated bus stop prior to the terminal point is reached, at which time they are to be changed to reflect the upcoming route. Head signs and side signs of buses arriving at the Transit Mall or any other terminal point are to display route information pertaining to the upcoming route, or "Not in Service" if applicable.

Fare boxes are to be updated upon arrival at a terminal point.

#### T. FEIGNING ILLNESS

Employees who feign illness in order to use paid sick leave, for any reason, or to avoid working as assigned, will be subject to disciplinary action in accordance with Personnel Rules and Regulations.

#### U. INTERIOR LIGHTS

Interior lights are to be on at all times while coach is in service. Contact the Field Supervisor if interior lights are malfunctioning.

#### V. FAREBOX OPERATION

The Avail System will update your fare box automatically after you log in with your driver I.D. number and run number. Tally each rider according to their type (Adult cash, transfer, etc.).

When a fare box has a malfunction, notify the on-duty Supervisor of the situation. Write the defect on the Radio / Fare box / Video report form and turn it in either at the end of your run or when the bus is exchanged.

If the fare box will not accept money, do not collect money by hand. Allow fare paying passengers to ride free, but do not issue them a transfer. Ask them to kindly pay their fare on the next bus and they will receive a transfer at that time. Notify a supervisor immediately.

## W. OUTSIDE EMPLOYMENT

No employee of the City shall follow any other calling or occupation or engage in any business, unless the City Manager and the Department Head find that such outside employment or business will not tend to impair the efficiency of such employee and will not be incompatible with his/her position with the City. You must submit a written request to the Department Head for approval to work for any other employer while working for the City. If you do work for an employer other than the City in any given week, you must turn in a fully completed Outside Employment timecard along with your City of Santa Rosa timecard for the week in question. All hours worked shall be in compliance with the D.O.T. Hours of Service rules. A copy of the City Policy on outside employment is located in the back of this book.

## X. DRESS CODE FOR PASSENGERS

Passengers riding on our system shall not have bare feet, and are required to wear clothing on upper and lower parts of the body.

## Y. PATRONS MAKING COMPLAINTS

You may encounter patrons wishing to make a complaint. If a patron wishes to make a complaint, give them the appropriate number or a "TELL US!" card. If they insist on speaking to someone in person, advise them to call 543-3333.

## Z. VIDEO SURVEILLANCE SYSTEM

In order to better provide for the safety and security of CityBus Operators and passengers, buses are equipped with an on-board video surveillance system. Operators must not, under any circumstances, intentionally adjust the positioning or obstruct the view of any camera. If you suspect that a camera needs adjusting, notify a supervisor immediately.

Video surveillance system recordings will be reviewed for specific purposes such as resolving Operator and/or passenger complaints, confirming a supervisor's observations in the field, and statistical reporting of passenger ridership activity to state and federal agencies. It is not intended that Field Supervisors and/or other management personnel randomly review surveillance tapes on a regular basis.

Should inappropriate behavior on the part of any CityBus employee be observed or heard during review of any surveillance recording, the employee may be subject to disciplinary action, consistent with the Personnel Rules and Regulations of the City of Santa Rosa.

## AA. BICYCLES ON BUSES

All buses are equipped with front bicycle racks that can accommodate 2 or 3 bicycles. Bicycles are also allowed to be carried onboard a bus when interior space allows, regardless of the exterior bike rack being full or not. A passenger may request to bring their bicycle inside the bus and we will attempt to accommodate that request on a space-available basis.

Key points to remember are:

1. Bicycles are only allowed inside the bus if space allows it. Other passengers, especially elderly or otherwise mobility impaired, shall not be required to relocate for the sake of making room for a bicycle.
2. Passengers who bring their bicycles on the bus must do so without the aid of the driver. Drivers are not required to load the personal belongings of any passenger.
3. Passengers who bring their bicycles on the bus are expected to stand in the mobility device securement area, holding their bicycle and the stanchion.
4. A passenger on the bus with a bicycle shall leave the bus if a disabled individual needs to board the bus and use the securement area. The displaced bicyclist may use the rack if available, or be offered a transfer if the rack is not available.

This policy provides access to bicyclists who may not be able to mount their bicycles on the front racks provided due to physical impairment. It will also allow us to accommodate bicycles that may not otherwise fit the conventional rack. Regardless of the type of bicycle accommodated, it cannot protrude into the aisle or otherwise impede the movement of other passengers in the aisle.

## VIII. STANDARD PROCEDURES

### A. BIDDING OF WORK ASSIGNMENTS

**Quarterly Bid:** The bidding of rosters for full-time Bus Operators shall be conducted every three (3) months. The bidding process shall be conducted within a period of seven (7) consecutive weekdays, exclusive of Saturdays, Sundays and fixed holidays. The bid shall usually be conducted during the first two (2) weeks of the month prior to the month in which the new bid is to be implemented.

A schedule indicating the deadline by which each Operator is to submit their request will be made available to all eligible Operators. Operators who are scheduled to bid in the A.M. must submit their bids by no later than noon on their designated day. Operators scheduled to bid in the P.M. must do so by no later than 9:00 P.M. on their designated day. Any Operator who is unable to deliver their bid in person during their scheduled bidding period may have their bid delivered by other means or submit it ahead of time. Operators should prioritize their selections numerically as noted on the Operators Bid Request Form. Operators should be careful to select a sufficient number of choices to ensure that Operators with higher seniority within their bidding period will not claim all of their selections.

Operators who do not submit their bids by their posted deadline may still participate in the bidding process. Bids submitted in this manner will be administered after the bids of all other Operators who were scheduled to bid in the same bidding period.

All bids must be submitted to a Transit Supervisor or designated alternate on an official Operators Bid Request Form. Bids tendered by any other means will not be accepted. Upon receipt of each form, the Transit Supervisor shall sign the form and note on it the time that it was submitted.

The progress of the bid may be monitored on the Master Bid List, which will be posted on the Drivers Lounge notice board. This list will be updated by 5:10 A.M. and 12:20 P.M. daily for the duration of the bidding period. Each full-time, permanent Bus Operator, in descending order of seniority, shall select a roster from among those remaining following the selection by employees of greater seniority. The information describing available assignments shall include runs and/or runs in addition to days off. Operators who are on vacation during the bidding process are required to submit their bids in advance. Operators who are absent on industrial leave or with an extended illness shall submit a proxy bid, which will be denoted on the posted Master Bid List with a corresponding driver seniority number. Operators who submit a proxy bid shall, upon returning to work with a medical release, occupy an open assignment until their name and assignment can be routinely included on the next-to-be-published Bus Operators Work Schedule, at which time they shall be assigned their bid roster.

A proxy assignment may be selected by an Operator of lesser seniority with the understanding that they may be working the assignment for only a portion of the bid period should the senior Operator who holds claim to the proxy assignment return to work. Operators may select no more than one (1) proxy assignment in addition to their regular bid assignment selection(s). It is the responsibility of Operators on vacation that fill a proxy assignment to ascertain whether their assignment has been changed due to the return to work of the proxy Operator before their return to work after their vacation is over.

**Limited Re-Bid:** If during the first forty-five (45) days following the implementation of a quarterly bid one or more Operators leave the classification of Full-time Bus Operator, a limited re-bid will be conducted among those Operators of lesser seniority. Only vacated rosters will be available for selection during such limited re-bids.

**Service Change Bid:** In the event a planned service change which affects the bidding of rosters does not coincide with the normal bid schedule, Operators will be advised a minimum of two (2) weeks prior to the service change and a new bid shall be conducted in the same manner as a Quarterly Bid. Regular bidding of

assignments will resume on the normal schedule following this Service Change Bid.

**Service Change Limited Re-Bid:** In the event of a minor service changes that result in changes to the reporting time and / or off duty time of a roster, or changes the days off from the original bid, the Operator of that roster will have the option of asking for a limited re-bid.

**Union Review of New Bid Schedules:** Upon conclusion of each of the bids and re-bids as detailed above, a Field Supervisor shall prepare a Bus Operator Work Schedule reflecting the bid results. This work schedule shall be provided to a union representative for review twenty-four (24) hours in advance of issuing the work schedule to the unit. Any errors shall be brought to the Field Supervisor's attention within the 24-hour review period for resolution prior to issuing the schedule to the unit. No grievances may be filed for bid related issues raised subsequent to the review period.

## B. OVERTIME

Two overtime lists, one Partial-run List and one Full-run List, shall be maintained to allow for overtime work to be offered equally among those employees desiring to work overtime. Employees shall request that their name be added to each overtime list at the time of each Quarterly Bid. Employees will be called for overtime work from the top of these lists. The City will record the date the employee is called and whether or not the employee accepted the overtime work. Overtime assignments shall not be offered more than twelve days prior to the date of the assignment. The following matrix is to be followed when offers of overtime are made:

Lead Time	0 - 2	2 - 4	4 - 6	6 - 8	8+
Less than 90 minutes	NR	NR	NR	NR	NR
1.5 hrs to 3 hrs	NR	FS#	FS#	FS*	FS*
3+ hrs	NR	FS#	FS#	FS*	FS*
24+ hrs	NR	FS#	FS#	FS*	FS*

\*Name reverts to bottom of the list

#Name maintains place on list

"NR" No restrictions as to how assignment is filled

**PS - Partial-run List.** This single list contains the names of all permanent full time and permanent part-time Operators who wish to be offered additional work on days when they are already working. Refusal of any piece of work offered will result in the employee's name rotating to the bottom of this list. Upon exhausting this list, all assignments still needing to be covered may be done so following "Emergency" guidelines.

**FS - Full-run List.** A separate list will be maintained for each day off, and each permanent full time Operator will declare her/his desire to work one or both of their days off. At the time of implementation of each new bid period, Operators who select the same day off as in the preceding bid period shall maintain their position on the list for that day. Operators who select a different day off shall be end-tailed into the list for that day, in order of seniority. Refusal or acceptance of overtime assignments that pay 6 hours or more will result in the employee's name rotating to the bottom of that day's list. Employees covered by any of the following situations will be contacted, but will maintain their place on the list should they refuse the assignment:

- On sick leave on the day immediately preceding the assignment
- On vacation leave on either of the days immediately adjacent to the assignment.

Employees who are on leave of absence (with or without pay) or disciplinary suspension shall not be called to work overtime.

The Overtime Lists shall be maintained in the Dispatch Office, viewable by Operators.

Overtime will be paid at the rate of time and one-half for all hours worked over forty hours per week. Notwithstanding the emergency guidelines, distribution of overtime will follow the priority matrix:

PRIORITY 1 - Overtime will be offered to Full-time employees on the Full Shift List.

PRIORITY 2 - Overtime will be offered to PPT employees who are not scheduled on that day for other assignments.

PRIORITY 3 - Overtime will be offered through the partial overtime list.

#### C. VACATION SCHEDULING

##### 1. ANNUAL VACATION BIDDING:

The vacation bid for the following calendar year for Full-time Operators will be conducted during the first two weeks of each December, in order of seniority. For bidding purposes, vacation days and floating holidays shall be treated alike.

Immediately upon the completion of the Full-time Operator Vacation Bid, the bid for Permanent Part-time Operators will be conducted in seniority order, determined by date of hire. If Permanent Part-time Operators have the same hire date, seniority shall be determined by age with the oldest having seniority.

Vacation requests are to be submitted in writing to a Transit Field Supervisor. Upon receipt of each request the Field Supervisor shall update the vacation calendar displayed in the Drivers Room notice board. Failure to submit a written vacation request shall be construed as a desire on the Operator's part not to take part in the bidding process until a later date.

When considering any vacation request, an attempt will be made to schedule days off as requested by the employee. In no event, however, is there a requirement to grant vacation time off to more than six (6) Operators on the same calendar day.

The calendar displaying allocated vacation time shall be displayed in the Drivers Room for the entire year and updated as necessary.

##### 2. REGULAR VACATION REQUESTS:

After completion of the annual vacation bid further requests for vacation time shall be made in writing no less than seven (7) days prior to the requested vacation day(s). Approval or denial of all requests shall be confirmed in writing.

An emergency request for vacation that does not meet any of the above requirements will be considered by the Department Head or his designee on a case by case basis, with due regard for the employee and particular regard for the need of the service.

##### 3. VACATION CANCELLATIONS:

Requests to cancel previously approved vacation days must meet the following criteria. Failure to comply shall result in denial of the cancellation requests.

a. Where the maximum number of Operators has approved vacation requests on file for that date(s), cancellation request must be made in writing no less than twelve (12) days prior to the date the vacation was to be taken. In this event, a notice shall be displayed in the Drivers Room showing the vacated dates. Operators shall have four (4) days to submit a written request for the vacated date(s) to be allocated to them. The vacated date(s) will be allocated to the Operator highest in seniority.

b. Where fewer than the maximum number of Operators have approved vacation request on file for that date(s), cancellation request must be made in writing no less than ten (10) days prior to the date the vacation was to be taken.

#### 4. PERMANENT PART-TIME BUS OPERATOR VACATION HOURS:

Upon taking of approved vacation time, a 0.75 P.P.T. Operator shall have the option of requesting compensation equal to one of the following:

- Eight (8) hours per day
- Six (6) hours per day

Upon taking of approved vacation time, a 0.95 P.P.T. Operator shall have the option of requesting compensation equal to one of the following:

- Eight (8) hours per day
- 7 and ½ (7.5) hours per day

#### D. REPORTING SICK

All Operators must call when reporting sick for duty: 543-3922. If there is no answer, select the option to leave a voice message for the ON-DUTY SUPERVISOR. A.M. run Operators must give a minimum of ninety minutes notice prior to the time that they are scheduled to report to work. P.M. run Operators must give a minimum of three hours notice prior to the time that they are scheduled to report to work.

In all cases of absenteeism, a supervisor will make a determination whether the facts call for a charge against sick leave, vacation time or a pay deduction. All attendance records shall be reviewed in order to evaluate absence and/or tardiness frequencies. In cases of continued unsatisfactory attendance or punctuality, employees may be subject to discipline and/or be placed on an Attendance Management Program.

#### E. COURT / DEPOSITION APPEARANCES BY BUS OPERATORS

Court and/or deposition appearances by Permanent Bus Operators on City related business will be addressed as follows:

1. The Operator shall be required to give as much advance notice as possible of the scheduled date of appearance.
2. PPT Operators shall not be scheduled to work on that day. FT Operators may be scheduled to work part of their assigned run if practical.
3. Full time Operators will be compensated for any missed portion their regular assignment that may be required to allow them to attend court/deposition business. PPT Operators shall be compensated for the actual time that he/she is involved in court/deposition business.
4. The Operator shall notify the on-duty supervisor as soon as possible after learning that the court/deposition appearance has been canceled or cut short in order for them to be considered for additional "relief" work on that day.
5. Any mandated jury duty appearances shall be compensated in accordance with the Unit 8 M.O.U. article titled "Jury Duty – Court Appearances".

#### F. RADIO PROCEDURES

All transit radios are equipped with two channels, TRANSIT 1 and TRANSIT 2. All normal communications are to take place on TRANSIT 1. TRANSIT 2 is for emergencies and discreet communications that are not for the general public to hear. Operators are only to use TRANSIT 2 when directed by a supervisor. Do not switch to TRANSIT 2 unless you are directed to do so.

Radio communications must be done in a professional manner. Communications should be brief and relate to transit operational issues only. Only items that directly impact service should be reported on the radio. Many things (graffiti, minor vandalism, tree branches) can be reported on the proper form without using the radio.



In an emergency situation where the presence of Police or Fire personnel is required, use the following phrase to draw the attention of Supervisory staff: "On Duty Supervisor, Route, emergency traffic." Once that message is acknowledged your transmission will be given priority.

When communicating by radio, please keep the following points in mind:

1. To transmit, press button on handset, wait two seconds, then speak. Failure to wait 2 seconds means your first couple of words may not be heard by the receiving party.
2. Always start your transmission by identifying the requested party first (generally other route number or Supervisor), then your route number.
3. Stay close to a bus radio at all times possible while you are standing outside the bus at time-points and respond to all radio traffic intended for you.
4. Always sign on at the start of your run and sign off at the completion of your run using the designated numerical description of your assigned run. If your run begins and/or ends at the MSCN North, you must sign on and/or off while you are physically in the MSCN yard.
5. All radio transmissions may be heard by passengers and customers. Always be professional in your use of the radio.

Radio contact is not required to confirm a transfer. You may call a route and request a standby for transfers if:

1. You have transfers for other routes and you are running late.
2. You do not make a scheduled connection with the needed route, but you know you will arrive at the transfer point within 2 minutes of the scheduled departure time of the needed route.
3. If the person who is transferring is using a mobility device to let the driver of the intended route prepare for the boarding.

Other suggestions:

1. Ask passengers needing information that you cannot provide (on-street locations or other routes) to call 543-3333 or contact the on duty TSR. We will be glad to assist them.
2. Dead animals: If the animal is not presenting a hazard to traffic or people, take note of the location and report it to the Operations Office by phone when you have time.

#### G. RUN TRADES

This procedure is to accommodate special one-time situations that arise within a bid period, but do not otherwise affect the overall integrity of the bid.

Any Operator wishing to trade their regular allocated day(s) off (as per roster sheet in effect at the time) with another Operator must follow the procedures outlined. Failure to do so could result in an unexcused absence charge against the scheduled Operator, regardless of any unauthorized arrangements that may have been made.

The following procedures must be followed regarding run trades:

1. A written request, containing full details of the proposed trade, and signed by both of the Operators involved, must be submitted to a Field Supervisor for approval prior to the requested trade dates. Such approval will be given (where appropriate) in writing to both of the Operators involved.
2. Supervisors will not broker or assist with trades.
3. For full-time Bus Operators, any runs traded must be for the exact same amount of hours.



4. For permanent part-time Bus Operators, any runs traded must not result in overtime.
5. Any such trade must be fully completed within the space of one scheduled workweek (i.e. Sunday through Saturday). Any proposed trade covering more than one scheduled workweek will not be approved under any circumstances.
6. Any trades made between Operators regarding routes driven on any given day must be made for the complete run only.
7. All timecards are to be completed and are to reflect the actual hours worked by each Operator in any given week.

#### H. LOST AND FOUND ITEMS LEFT ON BUS

It is imperative that we make every endeavor to return items found on our buses to their rightful owners. In order to meet this goal, the following steps must be taken:

1. As soon as practical, affix a tag to the object identifying the Operator ID #, route #, date and bus # on which the item was found. A supply of these tags is to be kept in all driver pouches. Remember, if you find it, it's your responsibility to tag it.
2. Notify Transit Base or the on-duty supervisor immediately by radio if the item appears to be of value (wallets, jewelry, etc.) or inappropriate to be kept in an Operators possession (firearms, drugs, alcohol, etc.). A Transit Field Supervisor shall turn in these items over to the Santa Rosa Police Department as soon as possible.
3. Store items small enough to be safely kept within the driver's compartment on the bus throughout the entire day. Should a bus exchange be made during the course of your run, DO NOT leave the found item on the bus that is returning to the MSCN yard. Give items too large to be safely kept on the bus to the on-duty Transit Service Representative or supervisor for storage. Always advise your relief driver of the existence of the item(s) at a change of run.
4. Upon returning to the MSCN at the end of the day, turn in all unclaimed items to the on-duty supervisor.
5. DO NOT ACCEPT RESPONSIBILITY FOR ITEMS LEFT AT BUS STOPS. If advised of the existence of such an item, notify a supervisor.

#### I. MISSED TRIPS

Trips, or parts of trips, may be missed due to mechanical problems, road construction or other unusual situations. Keep the on-duty Supervisor advised of your status with regards to running late or your ability to stay on route. Under the direction of the on-duty Supervisor, you may be required to drop all or a portion of your trip. Fill out the proper "Missed Trip Report" and turn it in at the end of your run.

#### J. UNIFORMS/CITY ISSUED EQUIPMENT

City issued uniforms are to be worn at all times while on duty.

All city issued equipment, including uniforms, ticket punches, SOP binders, keys, etc. are to be returned upon termination of employment.

#### K. INTRANET ACCESS

Employees wishing to have access to the City's Intranet may do so on their own time using the computer station provided in the Transit Operations Building Operators Lounge. All use of the computers in the City network must follow the City of Santa Rosa Technology Use Policy. A copy of the policy is provided at the back of this book.

**IX. TRAINING****A. NEW EMPLOYEE TRAINING (TRAINEE CLASSIFICATION)**

The objective of the CityBus Operator Training Program is to develop professional Operators by providing a curriculum designed to equip them with the knowledge, skills and tools needed to meet all federal, State and local requirements and to provide safe, courteous and efficient service to all CityBus patrons.

The training period for new employees (hereinafter referred to as “trainees”) will not exceed 90 days. Trainees will not be assigned to drive unaccompanied by another CityBus employee for more than 45 days of their training period. Trainees deemed to be fully competent prior to the conclusion of the 90-day period shall advance to the first step of the Bus Operator’s salary schedule.

**B. LINE TRAINING**

Trainees will receive line training, where they will drive in revenue service with another experienced Operator present. Trainees must demonstrate competency and knowledge of the entire system before transitioning Bus Operator Status. Operators who perform the line trainer function must have a minimum of 2080 hours experience and cannot be probationary. Operators acting as line trainers shall receive a pay premium as described in the Unit 8 M.O.U.

**C. ON-GOING TRAINING**

On-going training will be provided to aid in the continuing professional development of CityBus Operators by enhancing their safety and service related skills. This training will count toward D.M.V. mandated training requirements. Employees who fail to obtain the required minimum of eight hours per year of safety training will be evaluated as follows:

1. An Operator who has missed too many monthly safety meetings and cannot achieve the minimum 8 hours per year required by the DMV for the validity of their DL-260, Verification of Transit Training certificate, shall meet with the Training Supervisor to determine the training needs of that employee.
2. The Training Supervisor will review attendance records to determine if the employee was scheduled for work or could otherwise not attend the Safety and Training Meetings. If the employee could not attend the meetings due to service needs, a make-up training session will be offered.
3. Employees who had the opportunity to attend the Safety and Training meetings but simply failed to meet the minimum requirement of 8 hours of training will have their DL-260’s invalidated. Operators who are no longer qualified to operate a transit bus may be terminated.

**X. SAFE DRIVING AWARDS**

CityBus is an active participant in the National Safety Council (NSC) Safe Driving Award Program. In order to gain entry into this prestigious program a detailed history of each eligible driver’s past driving record must be submitted to the NSC. Drivers who have worked as commercial drivers prior to their employment with CityBus could conceivably be eligible for back dated awards should they be able to furnish proof of a good driving record. A preventable accident in a person’s driving history does not necessarily preclude that person from receiving an award.

If you wish to have your driving history prior to employment with the City of Santa Rosa taken into consideration in determining these awards, contact your previous employer and request that they furnish you with a copy of your driving record while in their employ. Submit these records to the Transit Superintendent, where they will be added to our own records on the initial application form. You should also notify the office of your intention to request these records so that the initial application is not submitted to NSC until all necessary data is received by the City.

In order to receive a Safe Driving Award from the National Safety Council, an Operator must:

1. Have one year of driving without any preventable accidents.
2. Be absent from work more than 30 days during the year.

XI. PROCEDURE FOR LOADING AND DISCHARGING PASSENGERS USING A MOBILITY DEVICE  
(WHEELCHAIRS AND THEIR VARIANTS)

A. GENERAL RULES TO FOLLOW

Regardless of the type of equipment used to transport mobility device passengers, there are several universal rules that must be followed:

1. All mobility devices (wheelchairs and their variants) must be secured inside the bus using the securing devices provided. Mobility devices will be accommodated on a first come first serve basis and only if stowage space is available. **ALL MOBILITY DEVICES CARRIED SHALL BE SECURED IN THE STOWAGE AREA!**
2. All of the available securing devices must be used in securing a mobility device.
3. The passengers who use mobility devices do not have to secure their bodies. However, Bus Operators shall offer the available seat belt and shoulder harness.
4. The Operator will administer the use of the seat belt and shoulder harness if the passenger wishes to use it. The passengers are not required to use the lap and shoulder belts.
5. Passengers using three wheeled or otherwise unstable mobility devices shall be offered an available regular seat. They are not required to accept, but the offer must be made.
6. If your securing devices are not properly working or broken, do not deny service. Inform the passenger of the conditions present and they may decide if they still want to ride the bus. Notify a supervisor immediately of this situation.
7. If you are transporting a passenger who is using a mobility device, and the securing belts are not functioning properly, adjust your driving accordingly. Use greater following distance, make gentler stops and take corners and turns slowly.
8. If a mobility device patron is unable to deposit the fare in the fare box, you may assist if the fare is readily accessible. **DRIVERS ARE NOT REQUIRED TO GO INTO PERSONAL BELONGINGS OF PATRONS IN SEARCH OF FARE.**
9. We expect patrons using mobility devices to load themselves onto the bus ramp. However, if assistance is requested of you, you shall do so up to and including exiting the bus to assist mobility devices onto the lift ramp. You should notify a Field Supervisor if you encounter a mobility device patron whom you feel needs training assistance.
10. The presence of an assistant shall not relieve you of the responsibility for making sure the mobility device is properly loaded and secured.
11. Should you come upon a passenger with a mobility device and there is no stowage space available on the bus, you shall stop and explain the situation to the person and tell them approximately how long before another bus will come by. **NOTIFY A FIELD SUPERVISOR OF THE SITUATION.** Provide a brief description of the passenger who has been passed up.
12. Our A.D.A. Policy requires that we must transport all mobility device-using patrons that cannot be accommodated on the last scheduled trip of the day. You must advise the on-duty Supervisor if this occurs.
13. Announce arrival at all transfer points or any stop upon request of an individual with a disability.

## B. LOADING MOBILITY DEVICES

All ramps and securing devices shall be used and operated in accordance with the manufacturer's instructions and specifications. If you are unclear on the proper operation of any loading or securing devices, see a Field Supervisor immediately.

1. Advise passengers on the bus that a passenger in a mobility device is about to board. People sitting in the foldable seats may have to be relocated to accommodate the loading process. Mobility device passengers should board the bus ahead of other passengers waiting for the bus.
2. Kneel the bus and deploy the ramp to sidewalk level. Mobility device passengers may board forward or backward at their discretion. If another mobility device passenger is already on board, advise the mobility device patron who wants to get on the bus. This may help them decide which way they want to board.
3. Ask the patron if you may assist them in maneuvering the mobility device down the aisle to the stowage position.
4. Secure the mobility device with the securing devices provided. Regardless of whether your help is accepted in maneuvering the mobility device to the stowage area you shall accompany the mobility device down the aisle, make sure that ALL securing devices are properly attached, and check to make sure the mobility device brakes, if so equipped, are set.
5. Ask the passenger if they would like to use the lap belt and, if necessary, assist in fastening the belt. This is also a good time to ask where the passenger wants to be discharged, as many of these patrons cannot ring the bell. If a patron is using a three-wheeled mobility device or a device that otherwise lacks stability, advise them that they may use a regular seat if they are able to do so.

## DISCHARGING

1. Kneel the bus and deploy the ramp out to the sidewalk.
2. While releasing the securing devices from the mobility device, ask the patron if you may assist them in maneuvering down the aisle.
3. Once the mobility device is clear of the stowage area, retract all securing belts fully and stow them properly.
4. After the mobility device is clear of the ramp, make sure the door area is clear of pedestrians and stow the ramp.

## SPECIAL NOTE:

The ramp on the low floor buses may be used in several situations, including:

- Loading folding shopping carts full of groceries.
- Baby strollers.
- People with limited mobility who wish to enter or exit via the ramp.
- Anyone who requests to use it for boarding or discharging.

## CAUTION:

THE RAMP SHOULD BE USED IN CONJUNCTION WITH A SIDEWALK OR SIMILAR ELEVATED SURFACE. DEPLOYING THE RAMP TO STREET LEVEL MAKES A STEEP ANGLE FOR ENTRY AND EXIT. A MOBILITY DEVICE MAY TIP OVER UNDER THIS CONDITION. USE EXTREME CAUTION AND RENDER APPROPRIATE ASSISTANCE IN THIS CIRCUMSTANCE.

**WHEEL CHAIR PASSENGERS ACCOMPANIED BY A CANINE COMPANION SERVICE ANIMAL:**

In most cases a person using a mobility device who has a service animal with them does not require additional assistance. However, if necessary, the Bus Operator shall assist with the boarding of the animal, including taking the leash and guiding the animal in or out of the bus. Always assist based on the customer's request. Never assume control of the animal without the passenger's direction or request.

**XII. COMPLAINT PROCEDURE TRANSIT OPERATIONS**

The following procedures shall be utilized when complaints are received regarding transit operations.

**A. GENERAL PROCEDURE**

When a complaint is received by telephone, mail, or in person, the complaint shall be assigned a number and recorded in a logbook. The complainant's name, address, and phone number will be kept confidential. All references to the complaint shall be by the assigned number.

If the complaining party will not supply a name and either an address or telephone number, the complaint will be deemed "incomplete" and will not be logged or pursued with an employee.

A copy of all complete complaints logged in shall be kept in a central complaint file.

Complete complaints shall be investigated by a Field Supervisor to determine validity. Field Supervisors shall review all pertaining information and resources, including video if necessary. If the Field Supervisor determines the complaint to be invalid during the initial investigation, the complaint shall be deposited in the central complaint file. No further action will be taken.

If the Field Supervisor needs further information from the employee involved in order to make a determination, a copy of the complaint shall be given to the employee with a "Complaint Action Response Form". The "Complaint Action Response Form" must be given to the employee within 3 days of receiving the complaint. The employee must write their response and return it to a Field Supervisor within 2 working days. Final disposition on the complaint shall be determined at that time. All complaints shall be determined to be valid, not valid or undetermined.

If the Field Supervisor determines that the complaint has no merit, the Field Supervisor shall note that on the "Complaint Action Response Form" and present it to the Operator as an invalid complaint for informational purposes only. Complaints determined to be not valid shall not be placed in the employee's department file. Complaints determined as either valid or undermined shall be placed in the employees department file.

Complaints shall be removed from the Operator's department file after one year without a similar occurrence, and after a period of no more than two years in other circumstances, at which time, or before, the complaint shall be placed in a designated central complaint file.

Any complaint determined to be valid may have disciplinary consequences. Therefore, all inquiries to employees regarding complaints are regarded as investigations. Any employee who is the subject of a complaint is entitled to have a Union Shop Steward present during investigations.

## XIII. CITYBUS POLICY ON AMERICANS WITH DISABILITIES ACT (ADA)

## DEPARTMENT OF TRANSPORTATION

## DISABILITY LAW GUIDANCE

## General

## What is a “wheelchair”?

Section 37.3 of the DOT regulations implementing the Americans with Disabilities Act of 1990 (ADA) (49 CFR Parts 27, 37, and 38) defines a “wheelchair” as a mobility aid belonging to any class of three- or more-wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.

## Is an electric scooter a wheelchair?

Yes, provided that the electric scooter meets the definition of “wheelchair” in Section 37.3 of the DOT ADA regulations.

Some wheelchairs weigh more than 600 pounds when occupied, and the design load of the lifts on our vehicles is 800 pounds. Is a transportation operator required to carry these “overweight” wheelchairs?

Yes. Transportation operators must carry a wheelchair and occupant if the lift and vehicle can physically accommodate them. If a lift has the minimum design load of 600 pounds, there is no requirement for an agency to transport a heavier occupied device. However, if the vehicle lift has a design load of 800 pounds, the agency would need to transport an 800-pound wheelchair/passenger combination, but not a combination exceeding 800 pounds. An operator may deny transportation if carrying the wheelchair and its occupant would be inconsistent with legitimate safety requirements, as when, for example, the wheelchair is so large it would block an aisle or would interfere with the safe evacuation of passengers in an emergency.

## Is a transportation operator required to procure vehicles with lifts that have a design load of more than 600 pounds?

No. 49 CFR Part 38 continues to require that lifts have a minimum design load of 600 pounds and that the lift platform accommodate a wheelchair measuring 30 inches by 48 inches. However, if a transportation operator procures vehicles with lifts that have a design load of more than 600 pounds, or the platform and vehicle will accommodate a wheelchair that exceeds the dimension of 30 inches by 48 inches, the operator must carry the wheelchair and its occupant.\*

## Are transportation operators required to retrofit their vehicles to accommodate larger and heavier wheelchairs?

No. 49 CFR Part 38 continues to require that lifts have a minimum design load of 600 pounds and the lift platform accommodates a wheelchair measuring 30 inches by 48 inches.

The National Highway Traffic Safety Administration’s (NHTSA) motor vehicle safety regulations require that a wheelchair lift be tested to withstand a 600-pound load. If the manufacturer states that the design load is 800 pounds, can the transportation operator limit actual use to 600 pounds for safety reasons?

No. The NHTSA safety standards and the DOT ADA regulations were designed to complement each other. The manufacturer’s design load represents the amount of weight that the lift is capable of supporting. The 600-pound test required under NHTSA’s Federal Motor Vehicle Safety Standards (FMVSS) represents the minimum design load specified under 49 CFR Part 38. FMVSS does not limit the capacity of the lift.

If the lift manufacturer specifies that wheelchairs must face away from the vehicle when using the lift, are transportation operators required to permit passengers to board facing the vehicle?

Yes. 49 CFR Part 38 specifies that a lift must permit both inboard and outboard facing of wheelchair users. A lift that requires passengers to face a specific direction does not comply with the regulations.



What kinds of services must transportation personnel provide?

Because safe and nondiscriminatory transportation is the responsibility of the transportation operator, Section 37.173 of the DOT ADA regulations requires operators to train their personnel to properly assist and treat individuals with disabilities with sensitivity, and to operate vehicles and equipment safely. This includes training personnel to use the accessibility equipment and to accommodate the different types of wheelchairs.

Attendant-type services (e.g., manually lifting or transferring passengers to seats and carrying personal baggage or suitcases (except where provided to nondisabled passengers)) are not required. However, assistance with boarding and disembarking, including pushing a manual wheelchair up a particularly steep ramp, is required.

Does a wheelchair need brakes in order to use the transportation service?

No. The DOT ADA regulations' definition of a wheelchair does not include a requirement for brakes or any other equipment. A transportation operator may not deny transportation to a wheelchair user because the device does not have brakes or the user does not choose to set the brakes.

Can an operator refuse to carry a person with a disability, especially a person using an electric scooter that meets the definition of a "wheelchair," because of higher insurance rates or liability concerns?

No. Section 37.5(g) of the DOT ADA regulations prohibits an operator from denying service to an individual with a disability because its insurance company conditions coverage or rates on the absence of individuals with disabilities or persons who use wheelchairs.

Can an operator require a person to transfer from a wheelchair to a vehicle seat?

No. Section 37.165(e) of the DOT ADA regulations allows persons who use wheelchairs to transfer to a vehicle seat, if one is available. Such a move is the rider's decision and the operator cannot force a rider to transfer to a vehicle seat, although the operator can suggest a transfer in a non-coercive way.

## Securement

May a transit operator require that wheelchairs be secured in buses and vans?

Yes, if the transit operator has established such a policy, and the vehicle is required to be equipped with a securement system by 49 CFR Part 38. Section 37.165(c)(3) of the DOT ADA regulations allows a transit operator to establish a policy that requires all riders to have their wheelchairs secured while aboard a transit bus or van. Therefore, the operator may decline to provide service to a rider who refuses to allow his or her wheelchair to be secured.

Alternatively, transit operators may adopt a policy that allows wheelchairs to ride unsecured. If the rider wishes his or her wheelchair to be secured, however, the operator's personnel must provide the requested assistance.

The regulations do not require that rail vehicles be equipped with securement devices; if securement devices are nonetheless provided, their use is optional and at the rider's discretion.

What kinds of securement equipment must be provided in buses and vans?

Section 38.23(d) of the DOT ADA regulations requires all ADA-compliant buses and vans to have a two-part securement system, one to secure the wheelchair, and a seat belt and shoulder harness for the wheelchair user. Section 38.23(a) requires vehicles over 22 feet in length to have enough securement locations and devices to secure two wheelchairs, while vehicles 22 feet and under must be able to accommodate at least one wheelchair.

May a transit operator deny boarding to a rider whose wheelchair is difficult to secure?

No. If the transit operator has a policy that requires securement, or if a rider asks that the wheelchair be secured, Section 37.165(f) of the DOT ADA regulations requires transit personnel to use their best efforts to secure the device. Section 37.165(d) states that transit operators cannot refuse to accommodate a wheelchair



because the device cannot be secured to the driver's satisfaction. Given the diversity of wheelchairs, transit operators should consult with the owner of the wheelchair to determine the best means of securement.

Does a wheelchair user have to use the seat belt and shoulder harness?

Under the broad nondiscrimination provisions in Section 37.5 of the DOT ADA regulations, a transit operator is not permitted to mandate the use by wheelchair users of seat belts and shoulder harnesses, unless the operator mandates the use of these devices by all passengers, including those sitting in vehicle seats. For example, on fixed route buses, if none of the other passengers are required to wear shoulder belts then neither can the person in the mobility device be required to do so.

Transit operators may establish a policy that requires the seat belt and shoulder harness to be used by all riders, including those who use wheelchairs as well as those who use vehicle seats, if seat belts and shoulder harnesses are provided at all seating locations. In some cases, state law could require an operator to adopt such a policy.

When developing seat-belt-use policies, it must be stressed that Section 38.23(d)(7) prohibits the use of the seat belt and shoulder harness in lieu of securing the wheelchair itself. If the passenger's wheelchair cannot be secured, or cannot be secured adequately to the satisfaction of both passenger and transit personnel, the seat belt and shoulder harness must not be used.

Many state seat belt laws also contain provisions exempting certain types of vehicles (such as buses and taxis) from compliance, as well as exceptions for persons who cannot use a seat belt for medical reasons. Any seat-belt-use policy established by a transit operator should reflect such provisions.

The DOT regulations in 49 CFR §37.165(b) require transit agencies to transport all "common wheelchairs" in their vehicles. Section 37.3 defines a "common wheelchair" as a three or four-wheeled mobility device that does not exceed 30 inches in width and 48 inches in length measured two inches above the ground, and does not weigh more than 600 pounds when occupied. If a mobility device meets the physical specifications of a common wheelchair as defined by the DOT's ADA regulations, it must be transported.

Section 38.23(d) requires all ADA-compliant vehicles to be equipped with securement devices capable of accommodating all common wheelchairs and mobility aids, as well as a separate seatbelt and shoulder harness for use by wheelchair users. When a wheelchair is secured in accordance with manufacturer's instructions, the securement system must limit the movement of an occupied wheelchair to no more than 2 inches in any direction under normal vehicle operating conditions. The regulations do not mandate the installation of a specific type of securement device; any device, however, must meet the performance standards outlined in Part 38 of the regulations.

While a transit agency may adopt a mandatory securement policy, it cannot deny transportation to a wheelchair or its user on the grounds that the device cannot be secured or restrained satisfactorily by the vehicle's securement system (§37.165(d)). Transit personnel are to use their best efforts to secure any mobility device that meets the regulatory definition of a common wheelchair.

Under §37.173 transportation providers are required to train all employees to proficiency as appropriate under the ADA. This includes training personnel to secure different types of common wheelchairs, as well as to treat individuals with disabilities with respect and courtesy. The regulations do not require a specific course of training or dictate how often training must occur, however, every employee of a transportation provider who is involved with service to persons with disabilities must have been trained so that he or she knows what needs to be done to provide the service in the right way.

§37.165 Lift and securement use.

(a) This section applies to public and private entities.

(b) All common wheelchairs and their users shall be transported in the entity's vehicles or other conveyances. The entity is not required to permit wheelchairs to ride in places other than designated securement locations in the vehicle, where such locations exist.

(c)(1) For vehicles complying with part 38 of this title, the entity shall use the securement system to secure wheelchairs as provided in that Part. (2) For other vehicles transporting individuals who use wheelchairs, the entity shall provide and use a securement system to ensure that the wheelchair remains within the securement area. (3) The entity may require that an individual permit his or her wheelchair to be secured.

(d) The entity may not deny transportation to a wheelchair or its user on the ground that the device cannot be secured or restrained satisfactorily by the vehicles securement system.

(e) The entity may recommend to a user of a wheelchair that the individual transfer to a vehicle seat. The entity may not require the individual to transfer.

(f) Where necessary or upon request, the entity's personnel shall assist individuals with disabilities with the use of securement systems, ramps and lifts. If it is necessary for the personnel to leave their seats to provide this assistance, they shall do so.

(g) The entity shall permit individuals with disabilities who do not use wheelchairs, including standees, to use a vehicle's lift or ramp to enter the vehicle. Provided, that an entity is not required to permit such individuals to use lift Model 141 manufactured by EEC, Inc. If the entity chooses not to allow such individuals to use such a lift, it shall clearly notify consumers of this fact by signage on the exterior of the vehicle (adjacent to and of equivalent size with the accessibility symbol).

#### XIV. OTHER POLICIES/PROCEDURES

##### A. DRUG-FREE WORKPLACE ACT CERTIFICATION FOR A PUBLIC OR PRIVATE ENTITY

1. The CITY OF SANTA ROSA certifies that it will provide a drug-free workplace by:

a) Publishing a statement notifying employees that unlawfully manufacturing, distributing, dispensing, possessing or using a controlled substance in the Recipient's workplace are prohibited and specifying the actions that will be taken against employees for violation of such prohibition.

b) Establishing a drug-free awareness program to inform employees about:

1. The dangers of drug abuse in the workplace;

2. The Recipient's policy of maintaining a drug-free workplace;

3. Any drug counseling, rehabilitation, and employee assistance programs that are available; and

4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c.) Making it a requirement that each employee to be engaged in the performance of the grant or cooperative agreement be given a copy of the statement required by paragraph "a".

d) Notifying the employee in the statement required by paragraph "a" that, as a condition of employment under the grant or cooperative agreement, the employee shall:

1. Abide by the terms of the statement; and

2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such a conviction.

e) Notifying the Federal-sponsoring agency within ten days after receiving notice under subparagraph d-2, from an employee or otherwise receiving actual notice of such conviction.

## B. DRUG AND ALCOHOL TESTING

### INTENT

It is the intention of this policy to ensure the absence of substance abuse and its effects in the workplace by encouraging employees to confront and acknowledge any substance abuse problems in the knowledge that if they do so their employment will not be jeopardized merely by that act. This policy reiterates the City's expectation that employees be able to perform their duties safely and efficiently in the interests of other employees, the public and themselves. The presence and/or use of drugs and alcohol on the job is inconsistent with this expectation.

The City has a voluntary Employee Assistance Program (EAP) for its employees. One of the purposes of EAP is to assist employees who voluntarily seek help for alcohol or drug problems. Employees should contact EAP directly, or their supervisors, Risk Management or Human Resources for additional information.

### PURPOSE

- To provide a drug and alcohol free workplace in accordance with the Drug Free Workplace Act of 1988 and the City of Santa Rosa Personnel Rules and Regulations.
- To assure the safe and efficient delivery of services to the public.
- To contribute to a safe work environment.
- To represent the City in a professional manner.

### DEFINITION

- Impairment- the emotional or physical inability of an employee to safely and effectively perform his or her job.
- Reasonable suspicion- a belief based on objective facts and physical indicators, sufficient to lead a reasonable, prudent person to believe that an employee is currently under the influence of, or in possession of, drugs or alcohol.

### POLICY

This policy is applicable to all employees.

- Employees shall not report for duty if they are impaired due to their use of drugs or alcohol.
- Employees shall not use alcohol or impairing drugs during the assigned workday/shift (including meal periods and breaks).
- An employee who is off duty and is called back to work, shall decline the assignment if the employee believes that he or she is impaired due to his or her use, while off duty, of alcohol or drugs.
- Manufacture, possession, use, sale or distribution of illegal drugs in the workplace is prohibited. Sale or distribution of any impairing drug in the workplace is also prohibited.
- Possession, use, and sale of opened containers of alcohol is prohibited in the workplace. Possession of alcoholic beverages in City vehicles is also prohibited.
- Upon reasonable suspicion that an employee cannot safely or effectively perform the duties of the job, the employee shall submit to a fitness for duty exam. Refusal to report for the fitness for duty exam. Refusal to report for the fitness for duty exam or to submit to any alcohol or drug testing recommended by the City's medical authority shall be considered insubordination and subject the employee to appropriate discipline.

- Upon reasonable suspicion by two (2) or more supervisors, the City shall have the right to search City owned property, vehicles, desks, closets and lockers, to the extent allowed by law including a search warrant, for alcohol or drugs when the employee and/or the employee's union representative is present. If the employee has a personal lock on the locker, the employee shall remove it. Searches of Peace Officers covered by the California Public Safety Officer's Procedural Bill of Rights Act will be conducted in accordance with the provisions of the Act.
- Employees must notify their supervisor of any criminal drug statute connection for a violation occurring in the workplace no later than five days after such a connection.
- Employees who violate this policy are subject to discipline up to and including discharge.
- Exceptions to this policy may be made based on business necessity or legal requirements to transport alcohol or narcotics in City vehicles.

## C. ANTI-HARASSMENT AND DISCRIMINATION POLICY

### PURPOSE:

This policy is adopted for the purpose of providing a harassment and discrimination free work environment for all City employees and for resolving disputes between City employees arising out of harassment in the work place. This policy is not intended to create a right of action or entitlement to damages or any expansion of legal remedies now provided by either state or federal law.

### POLICY:

The City is committed to providing a work environment that is free of harassment and discrimination. In keeping with this commitment, the City maintains a strict policy prohibiting all forms of unlawful harassment or discrimination, including sexual harassment and harassment based on race; color; religion; national origin; age; gender; sexual orientation; gender identity, characteristics or expression; disability or any other characteristic protected by state or federal law. Any person who commits such a violation may be subject to personal liability as well as discipline by the City.

This policy applies to all employees and agents, including supervisors and non-supervisory employees. This policy prohibits such discrimination or harassment of employees by vendors, independent contractors, and others doing business with the City.

### Discrimination:

It is the City's policy to employ, retain, promote, terminate, and otherwise treat all employees and job applicants on the basis of merit, qualifications and competence. This policy shall be applied without regard to any qualified individual's race; color; religion; national origin; age; gender; sexual orientation; gender identity, characteristics or expression; disability or any other characteristic protected by state or federal law. This policy against discrimination applies to all phases of the employment relationship, including recruitment, testing, hiring, upgrading, promotion, demotion, transfer, layoff, termination, rates of pay, benefits and selection for training.

### Harassment:

- This policy prohibits unlawful harassment in any form based on race; color; religion; national origin; age; gender; sexual orientation; gender identity, characteristics or expression; disability or any other characteristic protected by state or federal law, including, but not limited to any of the following:
- Verbal Conduct, such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments.
- Physical Conduct, such as assault, blocking normal movement or interference with work activities.
-

- Visual Conduct, such as derogatory or sexually oriented posters, cartoons, drawings or gestures.
- Use of Computers, including the Internet and the e-mail system, to transmit, communicate or receive email or other information that is sexually-suggestive, pornographic or derogatory.
- Threats and Demands to submit to sexual requests in order to keep your job or avoid some other loss, and offers of job benefits in return for sexual favors.

#### Retaliation:

No employee shall be retaliated against for filing a valid complaint, for assisting in an investigation of such complaints, bringing inappropriate conduct to the City's attention, for preventing unlawful practices, or for participating in an investigation, proceeding, or hearing conducted by the Department of Fair Employment and Housing, the Fair Employment and Housing Commission, or the Equal Employment Opportunity Commission.

Any retaliation shall be immediately reported as set forth below.

#### REPORTS OF VIOLATION OF POLICY:

Any employee who believes he or she has been harassed or discriminated against by a co-worker, supervisor or agent of the City of Santa Rosa should promptly report the facts of the incident or incidents and the names of the individuals involved to his or her supervisor, or in the alternative, to the Human Resources Department. It is the responsibility of each employee to immediately report any violation or suspected violation of this policy to one or more of the individuals identified above.

Supervisors should immediately report any incidents of harassment or discrimination to the Human Resources Department. The Human Resources Department will review all such claims and recommend appropriate corrective action, including disciplinary action when it is warranted. Employees should feel free to report valid claims without fear of retaliation of any kind.

#### Complaint Procedure:

##### Informal Complaint Procedure.

Prompt, appropriate, direct action must be taken to stop incidents of harassment or discrimination. An employee is encouraged to tell the offending individual that the offensive behavior is unwelcome, offensive or inappropriate. If the offended employee is reluctant to make such a statement to the offending individual and/or the offending conduct continues, the offended employee shall inform a supervisor, manager, or the Human Resources Department of the incident or incidents. Supervisors shall immediately advise and consult with Human Resources Department when an informal complaint has been received. If the offended individual or alleged offending individual is not satisfied with the resolution of the matter, then a formal written complaint must be filed by one of them.

##### Formal Complaint Procedure.

Employees who file a formal written complaint shall follow the formal complaint procedure set out below:

A formal written complaint shall be filed with the Director of Human Resources who shall then contact the appropriate department head. The department head and the Director of Human Resources shall then determine the scope of the investigation. Any corrective action taken shall be determined by the appropriate department head in consultation with the Director of Human Resources.

A formal written complaint shall be a signed account of what occurred, including a description of the incident(s) and the names of all persons who were present. The formal complaint shall be filed promptly but in no event later than one (1) year after the alleged incident.

If the formal complaint is against the Director of Human Resources, then it shall be filed with a Deputy City Manager who shall then determine the scope of the investigation.

If the formal complaint is against a department head, then the Director of Human Resources and the Deputy City Manager shall determine the scope of the investigation.

When the Director of Human Resources and the department head (or in those cases where by necessity, the Deputy City Manager) have completed the investigation, they shall inform the offended individual and offending individual of the conclusion reached as a result of the investigation.

Any disciplinary action taken as a result of the investigation shall be in accordance with Personnel Rule 7. Due to the privacy rights of the offending employee, the offended individual shall not be advised of the specific discipline imposed.

#### Right of Appeal:

The findings of the investigation may be appealed to the City Manager by the offended individual by requesting a hearing before the City Manager. A request for such hearing shall be made in writing to the Department of Human Resources within ten (10) working days from the date of the receipt of the decision.

The offending individual may appeal the findings to the City Manager in instances where he/she does not have a right to file a grievance under the Personnel Rules; otherwise, the offending individual shall file a grievance.

If you have any questions concerning this policy, please feel free to contact the Human Resources Department.

### D. AVOIDING VIOLENCE IN THE WORKPLACE

#### PURPOSE:

To address conduct in the workplace which is threatening or violent, from an external or internal source.

#### POLICY

A violent act or a threat of a violent act is inappropriate in the workplace.

A violent act or a threat of a violent act against City employees shall not be tolerated.

It is the responsibility of all employees to notify a supervisor immediately of any violent act or a threat of a violent act against themselves or any other City employee that occurs in the workplace or that is directly associated with their employment with the City of Santa Rosa. Employees shall inform a supervisor of these acts immediately, or as soon as practical. Retaliation or the threat of retaliation against a person who reports such an incident will not be tolerated.

City employees shall not possess, at a City worksite or on City property, including employee parking lots, unless there is a work-related purpose and approval has been obtained from the employee's Department Head:

1. Firearms
2. Explosives/Ammunition
3. Fixed blade knives
4. Folding knives with blades over three and one-half inches
5. Illegal weapons such as defined in Section 12020 of the California Penal Code (Addendum 1)

Supervisors and employees shall fully cooperate in any administrative or criminal investigation into a violent act or a threat of a violent act occurring in the workplace. The investigation shall be conducted within existing policy and laws.

Supervisors shall take appropriate disciplinary action, up to and including termination, against any employee who violates this policy. An employee accused of violating this policy shall be entitled to receive all the applicable rights, privileges, and protections afforded to City employees.



## DEFINITIONS

A Violent Act is an aggressive physical behavior or force exerted for the apparent purpose of violating, damaging, or abusing others or damaging property.

A Threat of a Violent Act is a verbal expression or physical action that conveys an intent to commit a violent act.

The Incident Team is a team of representatives from Human Resources, City Attorney's Office, Risk Management, Police and the affected department. Their responsibility is to commit the resources and personnel necessary to address a violent act or the threat of a violent act brought to their attention by a Department Head who determines incident team involvement is necessary to resolve or prevent a security or safety problem.

Workplace is any location where there is an on-duty City employee.

## PROCEDURE

### A Violent Act or Threat of a Violent Act

#### Employee Responsibilities

An employee who is in immediate apparent danger of a violent act or who has just been victimized by a violent act, or another employee who witnesses a violent act or the threat of a violent act shall, whenever possible:

Place themselves in a safe location.

Call the Police Department at 9 911 from a City telephone or 911 from any other telephone and request the immediate response of a police officer. Be prepared to inform the police dispatcher of the circumstances and the exact location of where an officer is needed.

Inform a supervisor or manager of the circumstances.

Refer media inquiries to the Department Head or the Community Affairs Coordinator.

Cooperate fully in any administrative or criminal investigation which shall be conducted within existing policy and laws.

#### Supervisor/Manager Responsibilities

A supervisor/manager informed of an imminent or actual violent act, or the threat of a violent act, shall, whenever possible, ensure the immediate safety of the employee, shall call the Police Department at 9 911 from a City telephone or 911 from any other telephone, if it has not been done, and notify the Department Head and the Human Resources Director.

The Department Head shall determine the appropriateness of notifying the Incident Team.

If appropriate, the supervisor/manager shall have the involved individuals wait in separate rooms or locations until the police take control.

The Incident Team may be notified by calling Human Resources, informing them that the Incident Team is needed and providing a call back number. The Incident Team may make recommendations or take such action as they deem appropriate.

Refer media inquiries to the Department Head or the Human Resources Director.

#### Future Violence

Employees who have reason to believe they, or another City employee, may be victimized by a violent act sometime in the future, at the workplace or as a direct result of their employment with the City of Santa Rosa, shall notify their supervisor immediately so appropriate action may be taken. The supervisor shall inform the



Department Head.

Employees who have a signed restraining order, temporary or permanent, against an individual due to a potential of violence, who would be in violation of the order by coming near them while at work, shall immediately supply a copy of the signed order to their supervisor or Department Head. The employee shall also supply a copy of the signed order and proof of service to the Santa Rosa Police Department.

#### Incident Team Responsibilities

Determine the immediate response needs and provide direction to the department by gathering and assessing the facts of the incident;

Determine what continuing support systems are needed and oversee post-incident activities until final resolution has been achieved; and

Conduct a post-incident review and use the review to evaluate this policy and procedure.

#### Addendum 1

##### California Penal Code

‘12020. Manufacture, Importation, Sale, or Possession of Disguised Firearms or Other Deadly Weapons Prohibited; Carrying Concealed Weapons Prohibited; Exceptions.

(a) Any person in this state who manufactures or causes to be manufactured, imports into the state, keeps for sale, or offers or exposes for sale, or who gives, lends, or possesses any cane gun or wallet gun, and [1] undetectable firearm, any firearm which is not immediately recognizable as a firearm, any camouflaging firearm container, any ammunition which contains or consists of any flèche dart, any bullet containing or carrying an explosive agent, any ballistic knife, any multiburst trigger activator, any nunchaku, any short-barreled shotgun, any short-barreled rifle, any metal knuckles, any belt buckle knife, any leaded cane, any zip gun, any shuriken, any unconventional pistol, any lipstick case knife, any cane sword, any shobi-zue, any air gauge knife, any writing pen knife, or any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sandclub, sap, or sandbag, or who carries concealed upon his or her person any explosive substance, other than fixed ammunition or who carries concealed upon his or her person any dirk or dagger [2] shall be punishable by imprisonment in a county jail not exceeding one year or in the state prison.

#### E. FTA DRUG AND ALCOHOL TESTING POLICY

##### 1. PURPOSE

1.1. To provide for a work environment free of drugs and alcohol among employees performing safety sensitive driving and driving-related functions and to ensure City compliance with federal regulations.

##### 2. REFERENCES

2.1 United States Department of Transportation regulations, “Procedures for Transportation Workplace Drug and Alcohol Testing Programs” 49 CFR Part 40.

2.2 United States Department of Transportation, Federal Motor Carrier Safety Administration regulations, “Controlled Substances and Alcohol Use and Testing” 49 CFR Parts 382, et al.

2.3 United States Department of Transportation, Federal Transit Administration regulations, “Prevention of Alcohol Misuses and Prohibited Drug Use in Transit Operations” 49 CFR Part 655 .

2.4 Federal Drug Free Workplace Act of 1988.

2.5 City of Santa Rosa “Drugs and Alcohol in the Workplace” policy.

2.6 US DOT, FTA regulations, “§ 40.197 What happens when an employer receives a report of a dilute specimen?” 49 CFR Part 197

### 3. APPLICABILITY

3.1 The operation of vehicles requiring a Commercial Drivers License is a safety sensitive function and employees performing this function are covered by this policy and the Federal Motor Carrier Safety Administration (FMCSA) regulations. These employees are referred to in this policy as FMCSA employees.

3.2 Operating, controlling the dispatch or movement of, or maintaining Transit revenue service vehicles are safety sensitive functions and employees performing these functions are covered by this policy and the Federal Transit Administration (FTA) regulations. These employees are referred to in this policy as FTA employees. If an employee is covered by the FTA regulations, they are not under FMCSA as well.

3.3 A listing of positions which are covered by this policy will be maintained by the Human Resources Department and are listed in Attachment A to this policy.

3.3.1 Separate lists of positions will be maintained based upon the position's coverage under either the Federal Motor Carrier Safety Administration (FMCSA) or the Federal Transit Administration (FTA)

3.3.1.1 Individual positions covered under both the FMCSA and the FTA will be listed on both lists.

3.3.2 The provisions of this program also apply to contractors providing safety sensitive services, including maintenance and repair of transit vehicles consistent with a specific understanding or arrangement that reflects an on-going relationship between the parties.

3.4 Employees covered by this policy are also covered by the City "Drugs and Alcohol in the Workplace" policy and its provisions which may be more restrictive than the Department of Transportation requirements.

3.5 The standards of discipline in this policy are City Policy, as allowed by the DOT regulations.

### 4. DEFINITIONS

4.1 ILLEGAL DRUGS as used in this policy refers to drugs specifically prohibited by the Department of Transportation, currently cocaine, PCP, amphetamines, marijuana and opiates.

4.2 ALCOHOL CONCENTRATION means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath. Alcohol limits in this policy are expressions of Alcohol Concentration.

4.3 ACCIDENT is an incident in which a person has died or is treated at a medical facility, or when one or more vehicles incur disabling damage as a result of the incident.

4.4 SAFETY SENSITIVE FUNCTIONS are those activities described in 3.1. and 3.2.

4.5 DISABLING DAMAGE means damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs, including damage to motor vehicles that could have been driven, but would have been further damaged if so driven. Excluded is damage which can be remedied temporarily at the scene of the accident without special tools or parts; tire disablement without other damage even if no spare tire is available; headlamp or taillight damage; or damage to turn signals, horn or windshield wipers which makes them inoperative.

4.6 SUBSTANCE ABUSE PROFESSIONAL (SAP) is a person who evaluates employees who have violated a DOT drug and alcohol program regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare. An SAP must be a licensed physician (Doctor of Medicine or Osteopathy); or a licensed or certified social worker; or a licensed or certified psychologist; or a licensed or certified employee assistance professional; or an alcohol and drug abuse counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC) or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC). Additionally, there are specific knowledge, training, examination, and continuing education requirements that SAPs must satisfy.

#### 4.7 COVERED EMPLOYEE

4.7.1 Federal Motor Carrier Safety Administration (FMCSA): A person who operates (i.e., drives) a Commercial Motor Vehicle (CMV) weighing 26,001 pounds or greater, or is designed to transport 16 or more occupants (to include the driver); or is of any size and is used in the transport of hazardous materials that require the vehicle to be placarded.

4.7.2 Federal Transit Administration (FTA): A person who performs a revenue vehicle operation; revenue vehicle and equipment maintenance; revenue vehicle control or dispatch; Commercial Drivers License non-revenue vehicle operation; or armed security duties.

#### 5. POLICY

5.1 Participation in all aspects of this policy by covered employees is a requirement of employment with the City.

5.2 ILLEGAL DRUG PROHIBITION: The use of illegal drugs by covered employees is prohibited at all times.

5.3 ALCOHOL PROHIBITION: The use of alcohol by covered employees is prohibited as follows:

5.3.1 Four (4) hours prior to performing a safety sensitive function;

5.3.2 While performing a safety sensitive function; and

5.3.3 Up to eight (8) hours following an accident or until an employee undergoes a post-accident alcohol test, whichever occurs first.

5.4 TESTING: Covered employees shall be subject to testing for drugs and alcohol under the following situations:

5.4.1 PRE-EMPLOYMENT TESTING: Before a covered employee or applicant performs a safety-sensitive function for the first time, the employee must take a pre-employment drug test with a verified negative result.

5.4.2 REASONABLE SUSPICION TESTING shall be conducted when reasonable suspicion exists to believe the employee has violated the prohibitions in 5.2 and 5.3.

5.4.2.1 The determination that reasonable suspicion exists to require the driver to undergo a drug or alcohol test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the driver.

5.4.2.2 A supervisor or other city official who is trained in detecting the signs and symptoms of drug use and alcohol misuse must make the required observations.

5.4.2.3 Reasonable suspicion testing for alcohol misuse shall only be performed 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.

5.4.3 RANDOM TESTING shall be conducted among the pool of safety-sensitive positions on dates that are reasonably spread among the year and at all days and hours during which service is in operation.

5.4.3.1 Random testing will be unannounced and immediate.

5.4.3.2 Each employee will have an equal chance of being tested each time selections are made from the pool of covered employees.

5.4.3.3 Random testing for misuse of alcohol will be conducted at a rate not less than 10 percent per year among all covered safety-sensitive employees.

5.4.3.4 A covered employee may be randomly tested for all prohibited drugs defined in 4.1. at any time while on duty.

5.4.3.5 A covered employee may be randomly tested for alcohol misuse at any time while on duty; just before the employee is to perform safety-sensitive functions; or just after the employee has ceased performing such functions.

5.4.3.6 Safety-sensitive employees covered under the FMCSA will have random covered positions.

5.4.3.7 Safety-sensitive employees covered under the Federal Transportation Administration (FTA) will have random drug testing conducted at an annual rate not less than 25 percent of covered positions.

5.4.3.8 Testing rates may be changed in accordance with Department of Transportation regulations.

5.4.3.9 A covered employee who is not performing safety sensitive duties for a period exceeding 90 days may be removed from the Random Testing pool. An employee removed from the Random Testing pool must complete a pre-employment test under section 5.4.1 with a verified negative result prior to returning to safety sensitive duties.

5.4.4 POST-ACCIDENT TESTING of covered employees shall be conducted in the following situations:

5.4.4.1 All covered employees who were performing safety sensitive functions with respect to the operation of a vehicle involved in an accident if the accident involves the loss of life; or

5.4.4.2 FMCSA covered employees who receive a citation for a moving traffic violation arising from the accident, if the accident involved bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or one or more vehicles incurs disabling damage requiring the vehicle to be transported away from the scene by a tow truck or other vehicle. Employees who receive a citation within 8 hours of the accident shall be tested for drugs and alcohol. Employees who receive a citation after 8 hours but within 32 hours of the accident shall be tested for drugs only; or

5.4.4.3 FTA covered employees who are operating a revenue service vehicle or a vehicle used in ancillary service involved in an accident unless the City management representative determines, using the best information at the time of the decision, that the covered employee's performance can be completely discounted as a contributing factor to the accident; or

5.4.4.4 Post-accident alcohol tests for all covered employees shall be conducted within 8 hours of the accident. Post-accident drug tests shall be conducted within 32 hours of the accident.

5.4.5 RETURN TO DUTY: Before an employee who has been removed from duty for a positive drug test or an alcohol test of over .04 can return to duty, a return to duty test shall be conducted with a verified negative result. A verified negative result is a drug screening that meets the thresholds described in 49 CFR Part 40, Section 40.87, or an alcohol test with a BAC of less than .02.

5.4.5.1 The SAP will require unannounced follow-up testing be conducted no less than 6 times in the first 12 months following return to work. The SAP may require additional testing following the first 12 months based on their professional judgment during the following 48 months. Additional testing following the initial 12 month period may not exceed a maximum of 48 months, for a total of 60 months/5 years.

5.4.5.2 The City will make arrangements for all tests listed in this section, including the testing of split urine samples that have tested positive for drugs. Employees shall reimburse the City for the cost of testing a split sample that tests positive for drugs.

5.4.6 A covered employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying the City or the City's representative of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed by the City to have refused to submit to testing.

5.4.7 Nothing in this policy 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.

- 5.5 Covered employees found to have violated the alcohol misuse prevention prohibitions shall be referred to a DOT-qualified substance abuse professional(SAP).
- 5.6 Covered employees who test positive for illegal drugs or refuse to submit to a test, as defined in Section 5.9, required under this policy shall be removed from performing a safety sensitive function.
- 5.6.1 Every employee who tests positive for illegal drugs or refuses to submit to a test required by this policy will be referred to a DOT-qualified SAP.
- 5.6.2 An employee who tests positive for illegal drugs or refuses to submit to a test required by this policy will be subject to disciplinary action up to and including termination of City employment, except when there is a positive result from a random test, the employee may choose to enter into a Random Testing Recovery Agreement in lieu of other proposed disciplinary action.
- 5.6.3 When a covered employee or applicant has previously failed or refused a pre- employment drug test administered under this part, the employee must provide the City proof of having successfully completed a referral, evaluation and treatment plan with a SAP as described in this policy.
- 5.7 Covered employees who have a test result returning a negative dilute specimen, as indicated by the MRO, must submit to secondary testing; a negative dilute specimen is defined by a test with a creatinine concentration of greater than 2 milligrams per deciliter, but less than or equal to 5 milligrams per deciliter, as identified in 49 CFR Part 40.197(b)(1).
- 5.7.1 Direct observation recollection testing will be required if directed by the MRO in conformance with 49 CFR Part 40.67.
- 5.7.2 The result of the re-collection will stand as final. A verified pre-employment recollection test result of anything other than negative (not dilute) will result in rescinding a conditional offer of employment by the City of Santa Rosa or the denial of a transfer into a safety-sensitive position.
- 5.8 Covered employees who have a test result showing an alcohol concentration of .02 or greater but less than .04 shall be removed from performing a safety sensitive function as follows:
- 5.8.1 Employees covered under the FTA regulations may not perform a safety- sensitive function for 8 hours unless the employee is retested with a result of an alcohol concentration of less than .02, or
- 5.8.2 If the employee is covered under the FMCSA regulations, the employee may not perform a safety-sensitive function until the start of the employee's next regularly scheduled duty period, but not less than 24 hours following administration of the test.
- 5.8.3 Under the California Vehicle Code, it is illegal to operate a commercial vehicle with a BAC over .00.
- 5.8.4 An employee who tests with an alcohol concentration of .02 or more, but less than .04, shall be subject to disciplinary action up to and including termination of City employment.
- 5.8.5 When an employee has an alcohol test with a BAC of .02 or more, but less than .04, the supervisor shall make arrangements for the employee to be taken home. The employee's pay for that day will be from the employee's leave balances.
- 5.9 Covered employees shall submit to testing required by this policy and the Department of Transportation Regulations. Refusal by the employee to submit to testing as defined in Section 5.9 will constitute a positive test.
- 5.10 REFUSAL TO SUBMIT: Any of the following actions shall constitute refusal to submit to a test:
- 5.10.1 Failure to appear for a required test within a reasonable time after being directed to do so;
- 5.10.1.1 Failure to comply with the requirement to test within a reasonable time shall not constitute a refusal only in the case of pre-employment testing.



- 5.10.2 Refusal to take a required test;
- 5.10.3 Refusal to sign Step 2 on the DOT Alcohol Testing Form;
- 5.10.4 Failure to provide a urine or breath sample;
- 5.10.5 In the case of a directly observed or monitored collection in a drug test, failure to permit the observation or monitoring of the provision of the sample;
- 5.10.6 Inability to provide sufficient quantities of breath or urine to be tested without a valid medical explanation;
- 5.10.7 An employee covered under the FMCSA regulations who does not remain available for a post accident test;
- 5.10.8 Failure to take an additional drug test the employer or collector has directed you to take in accordance with the DOT regulations;
- 5.10.9 Failure to undergo a medical examination or evaluation, as directed by the Medical Review Officer (MRO) as part of the verification process, or as directed by the City;
- 5.10.10 Failure to cooperate with any part of the testing process (for example, refusing to empty pockets when so directed by the collector, or behaving in a confrontational way that disrupts the collection process); and
- 5.10.11 Submitting a MRO verified adulterated or substituted urine sample
- 5.10.12 Failure to remain at the testing site until the testing process is complete.
  - 5.10.12.1 An employee who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test.
- 5.11 All employees covered by this policy at the time of adoption and all employees who are hired, promoted, demoted or transferred into a covered position shall receive a copy of this policy and supporting documents and participate in a training program regarding this policy, testing procedures and the consequences of the use of illegal drugs and the misuse of alcohol.
  - 5.11.1 Each employee shall, upon receipt of the policy, related documents and training, sign a statement certifying receipt of the materials and training. This receipt will be kept in the employee's personnel file.
- 5.12 The Risk Manager is designated to answer employee questions about the City's anti- drug use and alcohol misuse programs.
- 5.13 Information pertaining to a covered employees drug and alcohol testing results shall be released only when required by law, or expressly authorized or required by the Federal Department of Transportation rules. Situations where testing results may be released include when a covered employee provides specific, written consent to release the results to the covered employee, a subsequent employer, or an identified third party. Results may also be released without the employee's written consent to the Federal Secretary of Transportation, the Federal Transit Administration or Federal Highway Administration, the National Transportation Safety Board as part of an accident investigation, or as part of a lawsuit, grievance or other proceeding initiated by or on behalf of the employee and arising from the results of a drug or alcohol test administered under this policy. When the information is furnished without the employee's consent, it is City policy to notify the employee that the information has been provided to the requesting party.
- 5.14 The requirements of this policy differ from the standards in the City's "Drugs and Alcohol in the Workplace" policy. Employees covered by this policy are also covered by the "Drugs and Alcohol in the Workplace" policy. The City may take action against an employee covered by this policy for an event which is a violation of the "Drugs and Alcohol in the Workplace" policy but not of this policy.

5.15 The Risk Manager shall be responsible for annually certifying compliance with 49 CFR 655, as described in 49 CFR 655, Section 655.83. Annually, the Risk Manager will work with the City's Service Provider to verify the certifications, training and compliance of program elements.

## 6. TESTING PROCEDURES

6.1 Sample Collection and Testing shall be conducted in a manner to assure confidentiality, 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). All sample collection and testing will be conducted consistent with the procedures put forth in 49 CFR Part 40. A copy of 49 CFR Part 40 is available on the internet on the City's Risk Management site.

6.2 The drugs that will be tested for include marijuana, cocaine, opiates, amphetamines, and phencyclidine. An initial drug screen will be conducted on each specimen. For those specimens that are not negative, a confirmatory gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the amounts present are above the minimum thresholds established in 49 CFR Part 40. A copy of 49 CFR Part 40 is available on the internet on the City's Risk Management site.

6.3 Tests for alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved testing device. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test using a NHTSA approved evidential breath testing device (EBT) operated by a trained breath alcohol technician (BAT).

## ATTACHMENT A

### DEPARTMENT OF TRANSPORTATION

#### DRUG AND ALCOHOL TESTING REGULATIONS

#### LIST OF COVERED POSITIONS/CLASSIFICATIONS

#### FEDERAL TRANSIT ADMINISTRATION REGULATIONS

All positions in the following classifications are covered: Bus Operator, including trainee and part-time Rosie the Trolley Driver Transit Field Supervisor Transit Superintendent Bus Service Worker Equipment Service Worker Equipment Mechanic Equipment Service Writer Equipment Maintenance Supervisor Equipment Maintenance Superintendent Skilled Maintenance Worker assigned to the Transit Division Stores Clerks and Stores Specialists assigned to the Public Works – Field Services – Equipment Section

#### FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION REGULATIONS

All positions in the following classifications are covered: Electrician

Electrical Technician - Public Works

Traffic Signal Technician Senior Electrical Technician Senior Traffic Signal Technician

Senior Maintenance Worker - Streets Utilities Systems Operator I, II and Senior Utility System Supervisor

All positions in the following classifications and organizations are covered: Maintenance Workers and Skilled Maintenance Workers in the: Public Works Department

Utilities Department: Mechanical Services, Water Reclamation & Biosolids Reclamation Sections

Recreation and Parks Department, Parks Division: Trees & Open Space & Parks Projects Sections

Senior Maintenance Workers in the: Public Works Department

Utilities Department: Water Reclamation, Biosolids Reclamation & Geysers Recharge Operations Sections

Recreation and Parks Department, Parks Division: Trees & Open Space & Parks Projects Sections



Streets Crew Supervisor assigned to Asphalt and Hazardous Materials

HUMAN RESOURCES DEPARTMENT M E M O R A N D U M

DATE: OCTOBER 24, 2006

TO: NEW EMPLOYEES IN DOT COVERED POSITIONS

FROM: HUMAN RESOURCES DEPARTMENT

SUBJECT: NOTICE OF COVERAGE

Your new position with the City of Santa Rosa will involve the operation of a commercial vehicle, or the operation, maintenance or dispatch of a transit vehicle. Employees performing these duties are subject to regulations prohibiting the use of illegal drugs, restricting the use of alcohol and mandating drug and alcohol testing. These regulations have been issued by the federal Department of Transportation (DOT).

This memo is to inform you that you have been determined to be an employee covered by these regulations. Attached to this memo is a copy of the City of Santa Rosa policy implementing the DOT regulations. Please read the regulations.

Also attached are the procedures for alcohol testing and the collection of samples. Please review them.

You will receive training on the new policy put on by your department. The training will also cover the effects of drugs and alcohol on the body and in the workplace. It will be scheduled by your supervisor.

Every effort has been made to ensure that testing is done with sensitivity and to maintain the dignity of all employees. At the same time, the policy reinforces the position that use of illegal drugs or alcohol in a manner which impacts the ability to work will not be tolerated by the City.

Any questions you may have about the policy or testing procedures may be directed to the Human Resources Department at extension 3060.

F. COMMERCIAL DRIVER LICENSE SANCTION

GENERAL

This policy applies only to employees who are in a City position which requires a Commercial Driver License (CDL) and whose driving privilege is suspended, revoked, cancelled or disqualified by sanctions received for off duty driving offense(s).

An employee whose job requires a CDL and whose driving privilege is suspended, revoked, cancelled or disqualified by sanctions received while off duty will be terminated in the following circumstances:

- The employee is serving the initial probationary period with the City of Santa Rosa.
- The employee's sole job function is driving.
- The employee is in a department which cannot offer alternative employment and no other department offers the employee alternative employment.
- The employee fails to provide timely notification of any imposed sanction.

Other employees whose jobs require a CDL and whose driving privilege is suspended, revoked, cancelled or disqualified by sanctions received while off duty but who do not meet the above circumstances will be terminated. The employee may be offered a last chance agreement unless progressive discipline dictates otherwise. The last chance will be offered in accordance with the Guidelines below.

## ALTERNATIVE EMPLOYMENT

Each City department has unique employment requirements and different abilities to accommodate employees who temporarily cannot fulfill the essential functions of their position. Each department will implement this policy according to the City's business and operational needs. Some departments may not be able to accommodate employees.

The following guidelines apply to employees who can be accommodated in alternative employment following their CDL sanctions(s). Accommodation means that the department will either keep the employee in the same classification without requiring the employee to drive a commercial vehicle during the period of time they have lost their CDL driving privileges, or transfer the employee to a similar classification within the department which does not require driving a commercial vehicle.

If the employee's department cannot accommodate him/her, the employee could transfer to a vacant position for which they meet the transfer requirements in another department if that department has a vacancy and is willing to take the employee.

### Guidelines:

An employee whose job requires a CDL may be terminated for a CDL sanction; however, in lieu of termination, the employee may be offered a last chance agreement and alternative employment during the sanction period. This agreement will include:

- CDL related loss of seniority scheduling rights (during the time the driving privileges are suspended, revoked, cancelled or disqualified);
- A minimum of a 5% reduction in pay, a requirement to provide immediate notification (no later than start of next working day) to their department of any subsequent driving sanctions; and
- Automatic termination without recourse to the Personnel Board for a second DUI conviction.

There is no obligation for the City to offer alternative employment to the employee if it would cause an undue burden on the City. If the City is able to offer alternative employment to one employee, and later a second employee needs alternative employment, the City is under no obligation to accommodate the second employee.

For employees with other major traffic sanctions which cause the loss of driving privileges, formal discipline will be imposed. The discipline will include a minimum of a 5% reduction in pay, but could also lead to the full range of formal discipline, up to and including termination.

There will be a 5% reduction in pay for the duration of the loss of driving privileges for employees who lose their CDL regardless of whether they stay in the same position or transfer to another. For employees who stay in their same position, the 5% reduction stays in effect until the employee regains their CDL. If the employee does not obtain his/her CDL as soon as it is possible, the department may terminate at that time.

For those employees who transfer to another classification, their pay will be determined by an assessment of their qualifications for the new position, but the pay will be a minimum of 5% less than their current pay. For those employees who transfer to another classification where the salary is reduced by 5% or more, the employee will not receive an additional 5% reduction in pay. When the employee regains his/her CDL, the employee may ask for a reassignment to their original position. The department has no obligation to reassign the employee.

When an employee who has transferred to another department obtains their CDL again, the employee may ask for a transfer back to their original department. They will have the status of a regular transfer applicant. The original department has no obligation to accept the transfer.

## G. MOTOR VEHICLE POLICY

### Purpose

The purpose of this policy is to present the laws, rules and policies regarding the operation of motor vehicles on City business.

### References

California Vehicle Code<sup>1</sup>

### Policy

3.1 This policy applies to all City of Santa Rosa employees driving on city business shall be subject to this policy and to their specific departmental policies on vehicle use. This includes:

3.1.1 Employees driving their personal vehicles on City business

3.1.2 Employees driving City owned vehicles, including commercial vehicles and heavy equipment

3.1.3 Employees renting vehicles while on City related business or travel

A department may make a specific exception, in writing, for any vehicle being driven by an employee conducting the department's business.

### 3.2 Licenses:

3.2.1 Any employee driving a vehicle on city business must have the appropriate valid California Drivers license in his or her immediate possession and must know and obey all applicable traffic and safety laws and City policies.

3.2.2 Employees who are required to drive as a part of their job duties and have their license suspended must inform their supervisor that they are unable to drive prior to their next scheduled work shift. If driving is an essential function of the position, the supervisor and department head will determine the continued status of the employee, taking into consideration the job duties, length of the suspension and the employee's work history. Driving without a valid license will result in disciplinary action that may include suspension and or termination from their position.

### 3.3 General Safety Rules:

3.3.1 Employees are ultimately responsible for ensuring their safety and the safety of others while driving. The following are general safety rules. Employees who violate safety rules may be subject to disciplinary action and/or be deprived of the use of a City-owned vehicle and/or the privilege of using a private vehicle for City business.

3.3.2 Safe Vehicles: Employees on-duty shall not operate any unsafe vehicle. An unsafe vehicle is one with malfunctioning brakes, parking brakes, lights, turn signals, tires, horn, wiper blades or other parts that adversely affect the ability to control the vehicle. Unsafe vehicles shall be reported to the employee's supervisor immediately, verbally and in writing. At no time shall any safety features be deactivated, except by vehicle maintenance staff while performing maintenance duties.

3.3.3 Seat belts: Seat belts shall be worn at all times by driver and all passengers in vehicle, except in vehicles not equipped with seatbelts, i.e. transit buses are not equipped with seatbelts for passengers.

3.3.4 Cell phones: Effective July 1, 2008 the state requires use of a hands free device for cell phones while operating a motor vehicle. It is strongly recommended that employees do NOT use a cell phone while driving on City business.

3.3.5 Parking and unattended vehicles: Vehicles should be parked safely, in legal parking areas. Engines are to be stopped, ignition keys removed and doors locked when parking or leaving vehicles unattended.

- 3.3.6 Backing a vehicle: The area around the parked vehicle should be inspected prior to backing the vehicle.
- 3.3.7 Discarded Items: Drivers and/or passengers shall not throw any item from a City controlled vehicle.
- 3.3.8 Tobacco Use: No use of tobacco of any kind is allowed in a city owned vehicle. This includes smoking or chewing.
- 3.3.9 Other non-auto vehicles: Motorcycles, Mopeds and Scooters as defined by the DMV are permitted while conducting City business with the appropriate license (M1) and insurance. DOT approved helmets are required at all times.

Vehicles only needing an M-2 license such as Stand-up Scooters and Segways are not approved for general use by employees. Special use of these vehicles by departments may occur with approval of Risk Management and the City Manager.

Employees shall not use privately owned aircraft in the course and scope of their employment.

3.3.10 Use of Prescription Drugs: Employees who are using prescription drugs that may impair their ability to operate mechanical equipment must notify their supervisor that they are unable to drive and are prohibited from operating a motor vehicle on City business.

#### 3.4. Use of City Owned Vehicles

3.4.1 City will check driving history for all applicants who will be driving a city vehicle as a function of their position, or who are assigned a City vehicle for their use.

3.4.2 Individuals who do not work for the City, i.e. contractors and individuals hired through employment agencies are prohibited from operating City-owned vehicles, unless they provide separate documentation of possession of automobile liability insurance to Risk Management.

3.4.3 Individuals who are not City employees may be passengers in City-owned vehicles if the vehicle is being operated by a City employee on City business.

#### 3.5 Use of Privately Owned Vehicles

3.5.1 City vehicles are available to use for City business. If, for convenience, employees desire to use their private vehicles, they must have prior written approval from their Department Head and the Risk Manager.

3.5.2 The Authorization to Use Privately-owned Vehicle on City of Santa Rosa Business form certifies that the employee's vehicle is insured (see 3.5.3) and that the vehicle is safe and equipped with safety belts. (Motorcycles and Mopeds are exempt from the seatbelt requirement) and that the individual's license is current. Motorcycle users must provide a copy of their M-1 license..

3.5.3 Private insurance must be obtained in the amount of \$100,000 per person and

\$300,000 per occurrence. It is not necessary to name the City as an additional insured. The employee's insurance coverage shall be deemed primary, and the City will not become involved in any claims settlement unless legally required.

3.5.4 A new Authorization to Use Privately-owned Vehicle on City of Santa Rosa Business form must be submitted annually, or when the employee changes insurance company. If the employee's insurance coverage is cancelled, lapses, or the amounts of coverage fall below the minimums in the City Policy the employee must notify his or her department head and must stop driving his or her private vehicle on City business.

3.5.4 City employees using their private automobiles on City business will be reimbursed at the rate determined by the City (usually the IRS rate) as established in the City's Travel and Advance Policy. Travel on motorcycles will usually be reimbursed at the rate used by the government Services Agency (GSA)

3.5.5 That reimbursement allowance covers the cost of any purchase or repair of privately-owned vehicles or insurance and any deductibles in any accident while on City business.

### 3.6 Use of Rental Cars

3.6.1 Use of Rental Cars on City-owned business is usually reserved for travel situations. If you will be renting a car, please see the City's Travel and Advance policy before you rent to determine the proper insurance coverage.

### 3.7 Vehicle Accidents

3.7.1 Employees involved in any vehicle accident while on City business (whether in a city-owned or employee-owned vehicle) shall:

1. Refrain from making any statements as to fault or liability.
2. Immediately notify the police (911, or from a cell phone use 528- 5222 to reach Santa Rosa Dispatch) and deal with any serious injury (call for an ambulance) first. Exception: when an incident occurs on City-managed property (other than a public street) and all vehicles involved are city-owned, it is not necessary to inform the police. However call for an ambulance if necessary.
3. Notify their supervisor immediately afterward
4. Notify their own insurance carrier if in a personal vehicle.

3.7.2 The supervisor shall:

1. Notify Risk Management, ext 3024. (If there is a serious injury (911 was called), do not leave message on machine – contact emergency on-call number, 707 321-9059.
2. Respond to the incident location.
3. Exception: If the accident occurs too far from the City for the Supervisor to respond, the Supervisor must ensure that the appropriate law enforcement is called.
4. Fill out the Traffic Accident/Incident Report and submit copy to Department Head and Risk Management immediately but in no event later than 24 hours.
5. If the driver of the vehicle is covered under the DOT Drug and Alcohol program, determine if a Post-Accident Drug and Alcohol test is required, and if so, arrange for the required testing.

3.7.3 Supervisor's Investigation shall include:

1. Name, classification, division and department to which employee is assigned
2. A description of the City-owned or personal equipment involved in the accident and its condition
3. A description of other vehicles involved, owners and insurance information
4. Signed statements from employee, others involved and witnesses, if available, or at a minimum, names, addresses and phone numbers of those involved and witnesses.
5. Supervisor signed statement reviewing the accident.
6. Employee's signature
7. Number of police report if available.

### 3.8 Vehicle Accident Review Procedure

3.8.1 The Vehicular Accident Review Committee (VARC) shall review all vehicular incidents. VARC members shall be a Risk Management Representative, a Department Representative (designated by the Department Head) whose employee was involved in the accident, and the Police Department's Traffic Section Supervisor or designee (optional).

3.8.2 The employee shall be notified of the meeting, and have the option to be present. In any serious accident where facts are in question the employee shall be present if possible.

3.8.3 A serious accident is one where any of the following occurs:

1. Any vehicle involved in the accident is towed from the scene
2. Anyone is injured as a result of the accident requiring medical attention beyond first aid
3. Death of an individual as a result of the accident

3.8.4 VARC shall meet when called by the Department Representative. Meeting should be held no later than 45 days following an accident, or within 10 working days of a serious accident.

3.8.5 The Committee shall review the Supervisor's investigation, related Police Report(s), if any, and other relevant information about the accident, and determine whether the accident was preventable or not. The determination will be based on the employee's actions as they relate to the Vehicle Code, laws, safe driving practices, this policy and inattention while driving.

3.8.6 The Committee shall report its findings in writing to the Employee's Department Head within 10 days of the meeting.

3.8.7 VARC meetings are not open to the public.

3.8.8 The Department Head shall carefully review the VARC's findings along with the supervisor's opinion and recommend disciplinary action if necessary. All disciplinary action shall comply with City of Santa Rosa policies and the Personnel Rules and Regulations.

## H. ROMANTIC / SEXUAL RELATIONSHIP POLICY

### PURPOSE

1.1 To establish policy to prevent a conflict of interest, or adverse impact on supervision, productivity, safety, or security when supervisors, managers, and co-workers engage in romantic/sexual relationships.

### BACKGROUND

#### 2.1 Supervisors and Managers

Supervisors and managers in the City of Santa Rosa are expected to conduct themselves in a manner which promotes the City of Santa Rosa's Basic Principles and Organizational Values. When a supervisor or manager has a romantic and/or sexual relationship with an employee over whom that supervisor or manager has the power to influence salary, promotions, assignments, economic opportunities or disciplinary matters, this type of relationship may result in overt or covert favoritism or perceptions of favoritism that adversely affect the productivity of the work unit. It can also create an environment where the supervisor can lose the respect and credibility of subordinates, thus reducing the supervisor's effectiveness. Supervisors and managers must be held accountable for issues affecting the workplace which stem from these types of relationships between employees.

#### 2.2 Co-Workers

Romantic and/or sexual relationships between co-workers, if not handled appropriately, can be divisive and cause friction in the workplace.



## SCOPE

### 3.1 Supervisors and Managers

This policy addresses romantic and/or sexual relationships between supervisors/managers and employees where the supervisor/manager may evaluate the employee's work performance, provide recommendations for merit increases, determine job assignments, provide promotional opportunities, issue discipline or provide development or economic opportunities such as training or overtime.

### 3.2 Co-Workers

This policy addresses romantic and/or sexual relationships between any two employees where it creates an adverse effect on productivity, safety, or security or involves a conflict of interest.

## POLICY

### 4.1 Supervisors and Managers

Romantic and/or sexual relationships are not allowed between a supervisor/manager and employee while the employee is subject to the supervisor's/manager's influence. The Appointing Authority (e.g., Department Head) is responsible for taking appropriate action in these situations when they occur.

4.1.1 Should a supervisor/manager develop a romantic or sexual relationship with an employee under his/her influence, it is the supervisor's/manager's responsibility to inform the Department Head of this relationship.

4.1.2 Where possible, the Department Head shall transfer the manager/supervisor from the position of influence over the other party to the relationship. If this is not feasible, other appropriate arrangements will be made.

4.1.3 One party to a relationship will not be placed under the influence of the other party to the relationship.

### 4.2 Co-Workers

When a romantic and/or sexual relationship between co-workers creates an adverse effect on productivity, safety, or security, or involves an identifiable conflict of interest that may detrimentally impact operations, the Department Head has the responsibility to correct the adverse effects and has the right to transfer one or both parties to different work units in the same department, or to recommend to the City Manager transfer of one or both parties to positions in other City departments.

4.3 The policy and procedure for the employment of relatives or domestic partners shall remain in accordance with the City of Santa Rosa Personnel Rules and Regulations, Rule 5, Section 4.

## I. TECHNOLOGY USE POLICY

### A. Policy Statement

The purpose of this policy is to establish guidelines to protect the City's computer and communication systems; to ensure a standard level of security; to establish an understanding of privacy and accepted uses; to protect information generated by or stored on any computer or communication system; and to protect the City's investment in technology. This policy does not cover use of radio communications systems or the use of communications systems which are owned by other entities. Policies on the use of radio systems and communications systems owned by other entities shall be the responsibility of the department head of the affected department.

Computer and communication systems are business tools to be used in accordance with generally accepted business practices, current laws including, but not limited to, the California Public Records Act and consistent with the City's other policies including, but not limited to, the City's Document Retention Policy and Anti-Harassment Policy.



All computer and communication systems furnished by the City are owned by the City of Santa Rosa and all employees, contractors, consultants, and other non-employees that use this equipment are covered by this policy.

Any user who is unclear about what is or is not permissible may contact the Chief Technology Officer for clarification. If unsatisfied with an interpretation, the user may seek an opinion from the City Manager.

#### B. Definitions

1. User means any employee, contractor, consultant, or other non-employee that uses the City's computer or communication systems.
2. Computer means any product designed to input, process, or store information or data electronically.
3. Hardware means any device or product that is designed to electronically process data regardless of whether the device is central or remote in nature (i.e., mainframe computer or microcomputer related).
4. IT means the Information Technology Department.
5. Software means any system, program, application, instruction, or protocol designed to store, control, or process information.
6. Communication System means any product designed for voice or document communication such as, but not limited to, telephone, voicemail, recorder, pager, fax machine, wireless and microwave/cellular/satellite technologies.
7. Authorized means any hardware, software, including but not limited to free or shareware, system, program, product, or application that has been approved by the Information Technology Department as a valid and compatible business computer or communication system.
8. E-mail means any electronic communication and includes any attachments to the email.

#### C. Responsibilities

1. The City Attorney shall interpret licensing and copyright provisions for hardware and software, as determined necessary by the Chief Technology Officer.
2. The Chief Technology Officer in collaboration with user departments shall:
  - a. Establish and maintain administrative directives, policies, and procedures for computer and communication system security, privacy and use;
  - b. Develop and maintain, in collaboration with departments, an information technology strategic plan that will guide future investments in technology.
  - c. Approve all hardware and software for use;
  - d. Ensure compliance of copyright and licensing requirements;
  - e. Make information available to users regarding computer and communication system security, privacy, and use; and
  - f. Ensure that scheduled backups and purges of all essential data files are completed in accordance with the City's Records Retention Schedule.
3. Each department head shall ensure that users under their control observe computer and communication system administrative directives, policies, and procedures.
4. Each user shall comply with the provisions of this policy and shall take all reasonable precautions to protect from illegal copying, downloading, theft, or other abuses of City-owned hardware and software. Users shall be made aware of this policy as a part of their orientation and will be asked to sign an acknowledgement

form indicating they have read and understand the information.

D. Security

1. Each user with access to the City's computer network, voice mail, or other electronic communication system shall be assigned a unique user name and password for security purposes. While this cannot guarantee privacy, confidentiality or data security, it is an important component of the City's overall system protection. Users are responsible for all computer use under their user name and shall maintain the confidentiality of their password. Passwords must not be shared. Passwords control access to files, register a permanent record of the entries made, and are the means by which users are held accountable for their system entries. If a user suspects his/her password has been compromised, they should use the "change password" option to change it immediately or call IT Help Desk, ext. 3100, for assistance.

2. Information Technology staff may require a user to temporarily change their password for installation, diagnostic, repair, replacement, upgrade, or maintenance purposes. Once completed, the user is to immediately change it back to a unique and secure password.

3. Computers should be locked via the operating system, either manually, each time users leave their desks for any period of time, or automatically, using a password protected screen saver. Computers should be shut down at the end of each workday. This protects employees and the security of the system from someone else accessing the system using a valid username and password. Information Technology Staff may ask users to remove their screen saver passwords in order to perform installations, diagnostics, repairs, replacements, upgrades, or maintenance. Once completed, the user is to immediately change it back to a unique and secure password.

4. Users will ensure that all computer assets (computers, monitors, laptop computers, printers, etc) that are assigned to or regularly used by them are maintained and used in a manner consistent with their function and such that the possibility of damage and/or loss is minimized.

a. Computer equipment will not be removed from City premises without the prior authorization of the Chief Technology Officer or department head except for portable equipments such as laptops or smartphones assigned to the individual employee. Users will not open their PC cases to modify City Equipment.

b. Whenever possible all portable computing equipment (laptop computers, tablets or other handheld computers etc.) will be maintained under the direct supervision of the user that they are issued to. The equipment must never be left unattended in locations such as airports and hotel lobbies. When equipment must be left unsupervised, it must be made as inconspicuous as possible (i.e. do not leave the computer sitting on the seat of an unattended vehicle). Wherever practical, the computer shall be secured with the supplied security device(s). Mobile data computers do not need to be removed from Police and Fire vehicles.

c. Computers and electronic equipment, are generally delicate and shall be treated accordingly.

E. Privacy

1. No employee has a personal right to, or any rights of privacy to any information stored or created on the City's computer or telephone system including but not limited to email.

2. The City reserves the right, with Department Head approval, to enter, search, monitor, copy, or retrieve any information, including but not limited to, stored or deleted files, records, voice and text messages, faxes, internet logs, and audio from any computer or communication system without notice. Should such action be warranted, Director of Human Resources shall be notified immediately by the Department Head.

3. Information received or transmitted by any computer or communication system, whether deleted or not, may be logged, recorded, or otherwise monitored and is subject to disclosure based on the provisions of the Public Records Act and/or approval of the City Manager and City Attorney.

F. Use

1. Use of the City's computer and communication systems shall be for the purpose of delivering City services and shall be professional and businesslike in nature. Limited personal use is allowed provided that it meets the guidelines set forth herein. Computer and communication systems may not be used for any purpose or reason that may violate City policy, local, state, or federal laws, public policy, or other inappropriate purposes, including but not limited to:
  - a. Any use that violates the City's Anti-Harassment and Discrimination policies;
  - b. Sending or downloading messages or images that are threatening, derogatory, defamatory, or obscene;
  - c. Conducting non-City related business which results in private gain or advantage
  - d. Unauthorized soliciting or proselytizing others for commercial ventures, religious or political causes or other non-City business related matters.
  - e. Disrupting or threatening to disrupt the efficient operation of City network and/or connected systems (for example, sabotage or introducing a computer virus);
  - f. Overloading the efficient operation of City network and/or connected systems (for example, instant messenger, Internet radio, etc.);
  - g. Unauthorized use, monitoring, or accessing of any computer or communication system's files or activities for the purpose of idle curiosity or obtaining data or information that has no business-related purpose; and
  - h. Forging of any City computer or communication systems file, log, messages, or recording.
  - i. No union business shall be conducted by email unless authorized by the City Manager, department head, Director of Human Resources or pursuant to a labor agreement. Notwithstanding, a union official may use the system to communicate to the entire unit in order to schedule meetings, announce joint labor management decisions and communicate status of issues (such as IBN communiqué), or to communicate with City management regarding labor relations issues.
  - i. The email system shall not be used to plan for or coordinate work stoppages, slowdowns, strikes, or to incite employees or otherwise disrupt the work environment.
  - ii. The email system shall not be used for campaigning for union issues or running for office.
  - j. No use of the computer or email system shall interfere with the City's business or impair employee's performance.
2. Unauthorized installation, removal, or altering of any software/hardware may be a violation of copyright law, City policy, procedure, or administrative directive, and therefore could result in criminal prosecution and/or disciplinary action in accordance with City rules and regulations.
3. No City owned or authorized hardware or software may be borrowed, copied, or transferred without prior approval from the Chief Technology Officer or his/her designee.
4. General Use of E-Mail System:
  - a. The E-Mail System is capable of simultaneously transmitting information to "All Users" of the E-Mail System, or all E-Mail users in a building. No Employee shall send an All User or All Building E-Mail without permission from the Employee's department head. This does not preclude employees, with management approval, communicating City business matters through department-wide distribution groups within their own department.

- b. Whenever an Official or Employee possesses "confidential" information, the Official or Employee has an obligation to take all reasonable and necessary steps to protect the confidentiality of the information, and minimize the likelihood of inadvertent transmission of the confidential information to unintended recipients. If an Official or Employee has any question regarding the implementation of this section, contact the City Attorney's office.
- c. Do not attempt to disguise the origin of an E-Mail. No employee shall attempt to disguise the origin of any E-Mail, unless authorized by the Chief of Police for a criminal investigation.
- d. Do not access other Employees' E-Mail. No Official or Employee shall access another Official or Employee's E-Mail unless authorized by: (1) the other Official or Employee, or (2) the other Employee's Department Head, or (3) the City Manager.
- e. State and federal law prohibit the electronic transmission of social security numbers over the internet unless the connection is secure or the Social Security number is encrypted except under certain limited exemptions. Social Security numbers should not be transmitted unless the user has verified with the City Attorney's Office that such use is permissible.
- f. Reporting criminal activity. Any Employee who discovers potential criminal activity involving the use of any E-Mail shall immediately report the activity to the Employee's supervisor. The supervisor shall immediately report the activity to their department head, who shall report the activity to the Investigative Unit of the Police Department and the Human Resources Director.

#### 5. Bulletin Board

- a. Employees may post general employee information on the City Bulletin Board. Employees may also post information regarding events for non-profit organizations or other activities which do not result in personal gain for employees provided that such postings shall comply with all other provisions of this policy.

#### 6. Personal, Privileged and Confidential Information

- a. All employees at one time or another may receive, or have reason to access personal, privileged and/or confidential information. That information may concern other employees, City of Santa Rosa operations, other organizations and or patrons with whom we do business. This information may include information such as employee phone number, social security number, salary, benefits, address, etc
- b. You are obligated to ensure that this information remains confidential and is not disclosed, even to other City of Santa Rosa employees. This is true regardless of whether you are actively employed, on leave or your employment with the City of Santa Rosa ends (for any reason). Employees who disclose such sensitive information will be disciplined in accordance with City Rules and Regulations and/or criminal prosecution.
- c. If your employment with the City of Santa Rosa terminates, for any reason, you must promptly return to the City of Santa Rosa all confidential documents and other materials that you have. You are not permitted to retain copies of any such documents or materials.

#### G. Records Management

- 1. Routine e-mail messages and voicemail messages are not intended to be retained as public records in the ordinary course of City business. Pursuant to Government Code Section 6254(a), preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the City in the ordinary course of business are exempt from disclosure as public records, provided that the public interest in withholding those records outweighs the public interest in disclosure.
- a. In accordance with the City's Records Retention Schedule, e-mail messages, whether deleted by the user or not, and electronic voicemail messages (such as those voicemail messages received on the ShoreTel system) that have been heard by the user but not saved, and that are more than 60 days old will be electronically purged by IT. E-mail messages or electronic voicemail messages that are required to or intended to be retained for long-term storage should be placed in the appropriate subject file, either electronically or,

in the case of e-mail messages, in hard copy. Such e-mail messages and electronic voice mail messages will be subject to the City's Record Retention Schedule and may become public record unless exempt from disclosure under other applicable provisions of the Public Records Act (e.g., personnel files, attorney-client communications, deliberative process, etc.). For example, with regard to e-mail messages, documents that could constitute public records to be retained may include, but are not limited to:

- i. Complaints received from the public and responses thereto.
  - ii. Any email which is evidence of any official action taken by you as part of your job duties—i.e. granting an extension of time to perform some required task, notifying someone of deficiencies in an application or other filing, approving a change order or extra work; giving notice of a meeting or event;
  - iii. Comments received from a citizen regarding a matter that is scheduled before the Council for a public hearing where the person is unable to attend and has requested those comments be part of the record, or where Council, or other board or commission member, is required to disclose such ex parte communication.
- b. If you have any questions as to whether a document should be retained under the Public Records Act, please contact the City Attorney's Office.
2. By default, sent e-mail messages are electronically purged on the 60th day after they are sent.
  3. By default, deleted e-mail messages are electronically purged on the 7th day after they are deleted. Employees may elect to set their computers to electronically delete deleted emails when they log out of the system each day.
  4. By default, recorded voicemail messages (those received on the City's older voicemail system) are electronically deleted on the 60th day after receipt.

#### H. Violations

1. Violation of any provision in this policy will be reviewed on a case-by-case basis and may result in revocation of privileges, discipline in accordance with City Rules and Regulations and/or criminal prosecution.
2. Failure on the part of any contractor, consultant, or non-employee to comply with the provisions of this policy will constitute grounds for revocation of privileges, termination of their contract and/or criminal prosecution.

#### J. CITY OF SANTA ROSA BASIC PRINCIPLES / ORGANIZATIONAL VALUES

##### The Basic Principles

- Focus on the situation, issue or behavior, not on the person.
- Maintain the self-confidence and self-esteem of others.
- Maintain constructive relationships.
- Take initiative to make things better.
- Lead by Example.

## Organizational Values

We are committed to a creative process which develops mutual respect and pride in ourselves and the community. To this end, we value:

- Provide Quality Service
- Encouraging Accessibility, Open Communication and Participation in Decision Making
- Seeking and Celebrating Diversity
- Developing an Environment of Mutual Trust, Fairness, Sensitivity and Dignity
- Promoting Confidence in the Individual Capabilities and Cooperation Throughout the Organization; and
- Adapting to the Changing Circumstances of the Community.