

At Fault Discipline

Dear NETS Members,

May 23, 2011

Lee Wallace of PSEG submitted a question regarding at fault discipline, especially for union drivers. Lee's full question is below.

Responses follow Lee's question.

Page | 1

Thank you to those of you who provided responses.

Please contact me if you have any questions or suggestions.

Yours truly,

Jack

J. M. Hanley
Executive Director
Network of Employers for Traffic Safety
314-680-3293

Question

Do you have any information regarding discipline levied on a person following an at fault motor vehicle accident? I'm specifically looking for discipline for union personnel.

Lee Wallace
PSEG
'Lee.Wallace@pseg.com'

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	RESPONSES	AT FAULT DISCIPLINE
1	Coca-Cola Amy Lokken alokken@coca-cola.com	See accompanying attachment <i>(Worker's Compensation/Third Party Vehicle Accident Investigation Review Process)</i>
2	GE Healthcare Jeri Hall Jeri.Hall@med.ge.com	<p>GEHC Field Service is not a union environment – but for discipline we have a “Progressive Discipline Policy” – verbal warning, written warning, suspension, then termination – and not necessarily in that order depending on policy violation.</p> <p>Our accidents are investigated if business related, no matter if at fault or not at fault. During that investigation we determine if training provided (behind the wheel) was used to help make it preventable. If determined to be at fault accident and it was a blatant non-use of training provided, employee will be required to retake the one-day behind the wheel training again in addition to the discipline policy above.</p>
3	Merck Bob Holman robert_holman@merck.com	Our disciplinary action system is based upon total performance by individual driver versus Company expectations. It includes total collision history (regardless of fault), Motor Vehicle Record and compliance with Company fleet policy.
4	Roche Rocco De Taranto rocco.di_taranto@roche.com	Prior to our transferring fleet responsibilities to the west coast, we maintained a Fleet Safety Review Board. Our program was based on awareness through training and communication, driver responsibility and accountability. The FSRB was the tool for determining accountability. In the event of a crash, the elements of the crash were presented to a 5 member panel to determine preventability. In the event it was determined that the driver's actions in some way contributed to the crash, the employee had to complete a driver training program and he/she was also assessed \$250. In the event there were additional crashes in a 3 year period the assessment increased by \$250 per incident and the required improvement would involve a Defensive Driving Class or a day with a State Police office. This program was in existence for about 10 years and it seemed to work very well.

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5	<p>Roche Diagnostics (Canada) Francine Séguin francine.seguin@roche.com</p>	<p>If the driver is considered to be at fault (the fault being determined by the insurance company); the user will have to reimburse the amounts mentioned below.</p> <p>Reimbursement scheme (based on the last 12 months)</p> <ul style="list-style-type: none"> • \$250 for a first at-fault accident • \$500 for a second at-fault accident • \$750 for a third at-fault accident
6	<p>Sanofi-aventis David Hansel David.Hansel@sanofi-aventis.com</p>	<p>At sanofi-aventis, we assign points for all automobile crashes and do not determine fault. We assign 3 points if our driver hits and object or another vehicle and 2 points if another vehicle hits our vehicle. Online training based on the accident description is automatically assigned. We do not assign points or training for acts of nature or hit-while-parked.</p>
7	<p>Spectra Energy/Union Gas Kevin Wright KPWright@uniongas.com</p>	<p>In response to the question below, Spectra Energy’s EHS personnel perform a root cause investigation of all incidents. If the root cause is determined to be culpable human behaviour then Human Resources begins a separate discipline investigation along with the manager. At this point the facts of the incident are reviewed and discipline is applied in a consistent manner to similar cases. However, the use of electronic devices has been identified as a serious safety infraction; this could lead to a higher level of discipline (after investigation).</p>
8	<p>Xerox Mike McAlister Michael.Mcalister@xerox.com</p>	<p>Disciplinary actions for our union personnel are administered by management following negotiated & agreed upon “rules of conduct”. The rules of conduct spell out safety and behavior expectations for the employees and disciplinary actions if the rules are not followed. These rules normally have levels of discipline – This discipline can vary based upon infraction from a verbal warning, up to termination. Normally if the rule has lower levels of discipline, then the disciplinary steps become progressive, if the rule continues to be broken. From my understanding once an employee receives discipline for breaking a rule, this action stays on their record for 24 months.</p>

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