

Coca-Cola Enterprises Inc.

Worker's Compensation/Third Party Vehicle Accident Investigation Review Process



Third Party Vehicle Accident Investigation/Review Process

Purpose

To determine the facts of a Worker's Compensation and or Third Party Auto accident/incident and follow the required process.

Scope

Branch Management/Supervision, Incident Review Committees, and all CCE employees, including those that operate a motor vehicle for company business purposes.

Guidelines

Worker's Compensation and Vehicle accidents must be reported, investigated, and reviewed as outlined in the Company Fleet Policy and Incident Review Process.

General

An accident investigation and review process is a search for facts in an effort to correct employee/driver behaviors and identify improvement opportunities. As management/supervision for CCE, you must not only determine what happened but why it happened, and most importantly, how your employees can avoid similar accidents. Environmental, road, and vehicle conditions as well as human behaviors must all be considered. The success of the investigation and review process depends on the manager's/supervisor's ability to obtain the facts without prejudice and without trying to support preconceived notions.

CCE's ultimate goal in investigation and review is to prevent future accidents.

The following processes and guidelines are meant to help managers/supervisors perform the investigative part of their jobs and the Incident Review Committee make recommendations for improvement as well as to ensure company policies are being followed. It is essential that reports be as complete as possible.

Investigation Process

Management Responsibility

All accidents must be reported to Sedgwick within 48 hours and all applicable post accident drug screens are to be performed (per CBA and or DOT).

When an employee calls to report an accident, the manager/supervisor must:

- Make sure the employee is not injured and is out of harms way
- Determine if the employee requires immediate medical attention and provide the employee with the means to receive medical attention (call an ambulance if necessary).
- Ensure the employee completes the on-scene report form entirely (vehicle).
- Notify IAT (if necessary)
- Report to the scene to do an on-site investigation if the accident involves any of the following:
 - Injury
 - Rear-end type accident
 - Accidents occurring in an intersection
 - Multiple vehicles
 - Roll-overs
 - Accidents involving any type of public transportation (Busses, school busses, transport vans, taxi cabs, etc.)
 - Any spill or hazardous material release
 - CCE driver is cited
 - Fatality
- When arriving at the scene, the manager/supervisor will:
 - Check on the condition of the CCE employee/driver and others involved
 - Secure our vehicle and its contents
 - Photograph the scene
 - Gather information for the report/investigation
 - Sketch the scene
 - Secure witness statements

- DOT reportable accidents (U.S. only):
Please note that DOT reportable accidents apply only when a commercially licensed driver is involved in an accident **WHILE** operating a commercial vehicle, and the accident meets any one (or combination) of the following criteria:
 - A fatality
 - An injury requiring immediate medical attention away from the scene
 - Any vehicle involved is towed away from the scene
 - CCE driver is citedThe CCE driver must be taken to a CCE contracted medical provider for a DOT drug screen. MU Safety Specialist must be notified immediately in the event an accident meets DOT reporting criteria.

- Investigate the incident and complete the on-line investigation form within 24 hours of the email notification.

Employee Responsibility

- Call ambulance or Police if needed.
- Report all accidents immediately to a manager or supervisor.
- Protect scene of the accident by placing warning devices if needed
- Complete accident report form entirely (gather all required information from the other party involved)
- Obtain witness statements and contact information (When available)
- Do not discuss responsibility or agree to pay for anything.
- Be courteous, but do not sign anything or discuss details of the accident with anyone except the Police and or company representative. You may exchange basic information with the other driver(s).
- Do not speak with any member of the media.

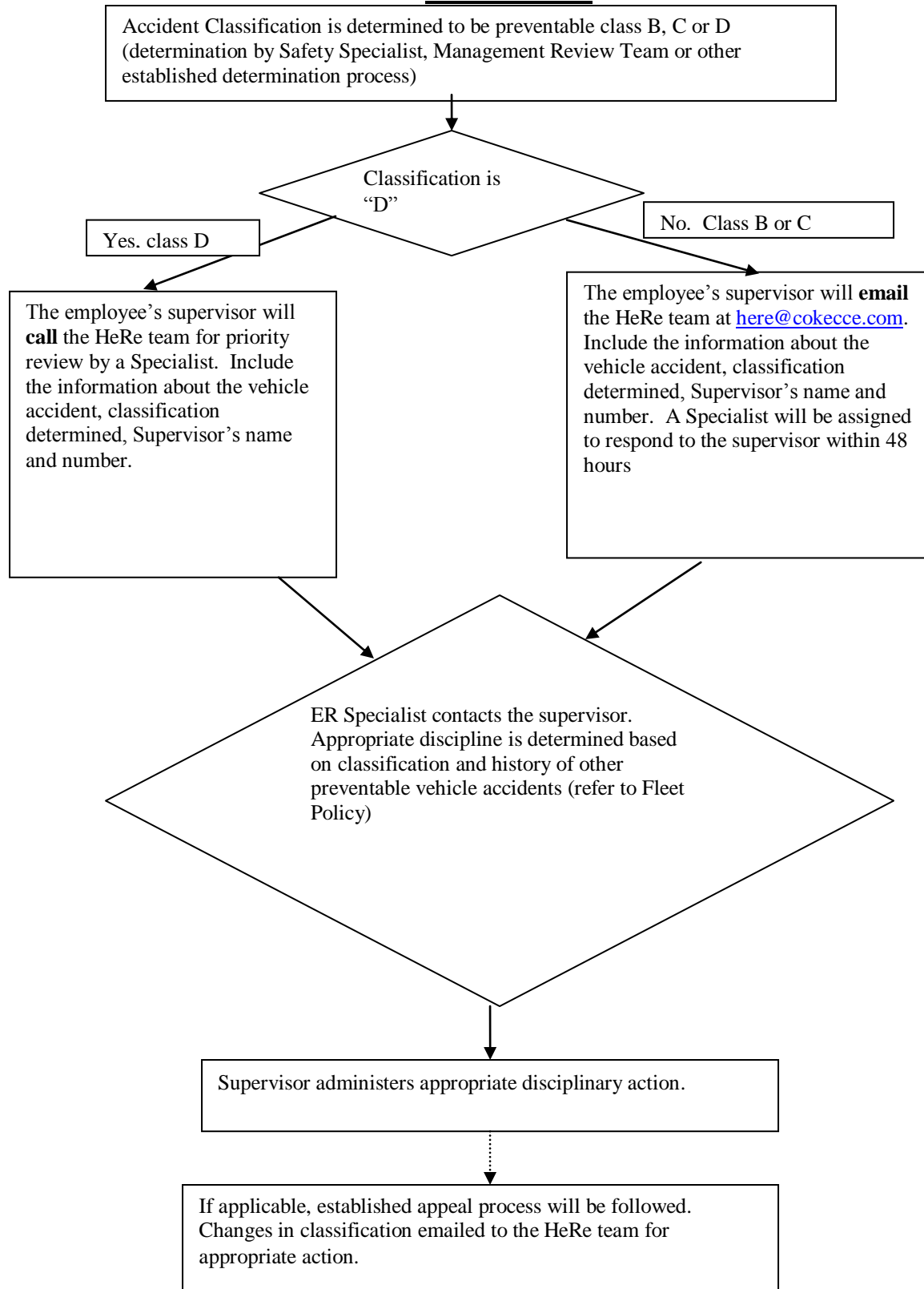
Review Process

Management Responsibility

- Facility manager is responsible to ensure that the facility has a fully functioning Incident Review Committee (IRC), comprised of the following:
 - Committee Chairperson (preferably the facility manager or designee)
 - Delivery supervisor
 - Fleet representative (Where possible)
 - HR Business Partner
 - Safety Representative
 - Hourly employee (union representation)
 - Employee involved in incident
 - Admin (Recorder)

- Ensure accidents are reviewed within seven days of the incident occurrence.
- Ensure meetings are held with the full committee in attendance.
- Assist with employee follow up when needed.
- Ensure Fleet Policy guidelines are being followed. (Vehicle)
- Notify HeRe team (When applicable, see process flow)

Process Flow



Committee Responsibility

- Meet on a weekly basis or as needed to ensure all incidents are reviewed within a one week time period from the date of the incident (or as outlined in local CBA).
- Commit to full participation.
- Remain objective and base decisions on facts only.
- Determine preventability as per guidelines.
- Recommend employee follow up activities that promote self improvement and address employee behavior.
- Ensure recommended follow up is being completed within 48 hours of assignment.
- Document all review activities.

Appeal Process

The IRC's finding of preventability will be final except where new evidence is presented on appeal by the employee. A driver wishing to appeal a decision of preventability shall file for a hearing using the Appeal Request Form and submit it to the IRC Chair within 10 calendar days of the date of the original review.

If no Request for IRC Hearing is received by the IRC Chair or HR Manager within 10 calendar days of the Notification of Finding and Recommendation memo, the IRC Chair will notify the driver that the initial determination of preventability is final.

Upon receipt of an Appeal Request Form, the IRC Chair shall notify the employee of the hearing date, time and location. The hearing must be held within seven days and during normal business hours. The requesting employee will not be entitled to overtime credit for attending.

If the employee cannot be present at the scheduled hearing due to illness or emergency, the IRC Chair or the employee's immediate supervisor shall be notified by the employee before the scheduled time of the hearing. A new hearing date will be rescheduled to accommodate the driver.

A driver electing to appear before the IRC may have union representation present during the hearing however, the driver shall make the presentation of all new evidence. The driver may also bring witnesses as necessary to testify on circumstances surrounding the accident.

An employee not wishing to appear before the IRC may submit a written statement of new evidence surrounding the vehicle accident for consideration. The driver shall submit the statement to the committee for review within 10 calendar days of the IRC's initial determination. The IRC will consider the driver's written statement in making its final decision.

In all cases involving an appeal, the IRC will notify the driver of the final outcome within 24 hours of making its decision. All IRC decisions following the appeal hearing are final.

REQUEST FOR IRC HEARING

TO: IRC CHAIR
CC: HR Business Partner

FROM: _____

Name of Employee

I wish to appear before the Vehicle Incident Review Committee to appeal the decision of preventability for my vehicle accident of _____.

Date of Accident

At this hearing, I plan to present new information or evidence about the accident for the IRC to consider.

Employee's Signature Date

NOTE: THIS REQUEST MUST BE SUBMITTED TO THE IRC CHAIR VIA YOUR IMMEDIATE SUPERVISOR OR HR MANAGER WITHIN 10 CALENDAR DAYS OF THE INITIAL REVIEW.

Guidelines For Determining Preventability* (Vehicle)

Preventable if the driver:

- Was not driving at a safe speed or failed to adjust speed for road, weather, visibility, or traffic conditions. **(Class C Violation)**
- Was not prepared to stop or take evasive action at all times. **(C)**
- Miscalculated available stopping distance or clearance of an object. **(C)**
- Failed to yield right-of-way to avoid an accident (even if CCE driver had right-of-way). **(C)**
- Was in violation of operating rules or special instructions. **(C)**
- Was in violation of any state, city, or federal regulations, laws, or ordinances. **(B)**
- Failed to keep windshield, mirrors, or side glass clean and free of debris. **(B)**
- Failed to yield to pedestrians or bicycles. **(C)**
- Failed to yield to an emergency vehicle. **(C)**
- Failed to keep mirrors properly adjusted. **(B)**
- Failed to maintain a safe speed to ensure vehicle remains on the road. **(C)**

Intersection Collisions/Collisions while turning:

Preventable if the driver:

- Failed to control speed so as to stop safely. **(C)**
- Failed to check cross traffic and wait for it to clear before entering intersection (even if CCE driver had legal right-of-way). **(C)**
- Pulled out in to oncoming traffic. **(C)**
- Failed to obey all traffic signs and signals (including electronic surveillance). **(B)**
- Attempted or executed a passing maneuver or lane change in an intersection. **(C)**
- Failed to maintain proper lane usage when making turns at intersections. **(C)**
- Failed to allow oncoming traffic to clear before making a turn. **(C)**
- Failed to yield to cross traffic at intersections. **(C)**
- Failed to signal his/her intentions at least 100' before the intersection. **(B)**

- Failed to yield to all cross traffic at uncontrolled intersections (i.e. parking lots, driveways). (C)
- Failed to check traffic on both sides (mirror scans) and to the rear, before and while making a turn. (C)
- Failed to properly position the vehicle so as not to allow another vehicle/bicyclist to pass on right side when making right turn. (B)
- Failed to yield to pedestrians/bicyclists. (C)
- Made turn from improper lane. (B)
- Made illegal u-turn. (B)
- Entered a designated exit or entrance in the wrong direction. (B)
- Turned in to a one-way street going the wrong way. (B)
- Turned into or in front of an emergency vehicle. (C)
- Failed to enter the appropriate lane 300' before making a turn. (B)
- Failed to scan the intersection left-right-left prior to entering the intersection. (C)
- After completing a turn, failed to check mirrors to see if anyone turned with the CCE driver. (B)
- Failed to pause for two seconds before accelerating from a stopped position. (C)
- Failed to keep wheels straight until making the turn. (B)
- Failed to turn into the correct lane. (C)
- Failed to scan mirrors prior to, and after each intersection. (B)
- When stopping at an intersection and or behind another vehicle, failed to position vehicle at least one car length (about 15 feet) behind either the vehicle in front or the intersection crosswalk. (B)

Vehicle Ahead Collision/Rear-Ending Other Vehicle

Preventable if the driver:

- Failed to maintain a safe following distance regardless of traffic pattern changes that occurred ahead. (C)
- Failed to anticipate abrupt or unexpected stops of other vehicles. (C)
- Failed to adjust speed to the road, visibility, or traffic conditions. (C)
- Misjudged rate of overtaking other vehicle. (C)
- Came too close to the vehicle ahead before pulling out to pass. (C)
- Failed to wait for vehicle ahead to move into the clear before proceeding from a stopped position. (C)

- Failed to drive at a safe speed that would allow stopping within the range of the vehicle's headlights. (C)
- Failed to drive at a speed that would allow stopping within the sight distance. (C)
- Was distracted while driving (i.e. using cell phone, reading a map, doing paperwork, etc.) (C)

Rear End Collision/CCE Vehicle Hit From Behind

Preventable if the driver:

- Failed to adjust speed to the road, visibility, traffic, and weather conditions. (C)
- Failed to signal intentions. (B)
- Failed to be in the proper lane of travel. (B)
- Failed to drive at a safe speed, not too slow. (C)
- Failed to properly stop or park. (B)
- Failed to be in the proper turn lane waiting to turn. (B)
- Made a sudden stop. (C)
- Pulled out in front of oncoming traffic. (C)
- Was driving at a very slow rate (i.e. looking for an address). (B)
- Failed to yield to an emergency vehicle. (C)
- Failed to ensure brake lights/tail lights were working. (B)
- Was passing slower traffic and had to make a sudden stop. (C)

Head On Collision

Preventable if the driver:

- Was not entirely in his/her lane of travel. (C)
- Failed to take evasive action when such action could be taken without additional danger. (C)
- Failed to adjust speed to road visibility, traffic, and weather conditions.(C)
- Failed to signal intentions. (B)
- Failed to be in proper lane of travel. (C)
- Failed to obey all traffic signs and signals. (B)
- Failed to control speed. (C)

- Pulled out in to oncoming traffic. (C)

Backing Collision

***In general, all backing accidents are preventable**

Preventable if the driver:

- Failed to get out of the vehicle, check path of backward travel, and recheck conditions when backing a long distance. (B)
- Depended solely on mirrors when it is necessary and practical to look back. (B)
- Failed to sound horn prior to backing and during long backs. (B)
- Depended solely on guide person while performing a backing maneuver. (B)
- Failed to ask for assistance if available. (B)
- When parallel parking, failed to allow ample front vehicle clearance. (B)
- Performed a backing maneuver at an intersection. (B)
- Performed a backing maneuver on the street, instead of proceeding to a turn around area. (B)
- Backed in to stream of traffic. (C)
- Backed up when backing was not necessary. (B)
- Backed without ensuring a clear path. (B)
- Failed to ensure the path was clear and remained clear until backing maneuver was complete. (B)
- Failed to walk around the vehicle and look under it in residential areas or anywhere children are present prior to backing the vehicle. (B)
- Failure to use or improper use of back up camera. (B)

Fixed Object Collision

***In general, all fixed object accidents are preventable**

Preventable if the driver:

- Failed to judge the height and width of a building, awning, overhang, vehicle, tree/limb, or any other fixed object, etc. **(B)**
- Failed to allow proper clearance between the vehicle and parked cars, poles, buildings, or any other fixed object, etc. **(B)**
- Failed to get out and check path of travel. **(B)**
- Failure to use or improper use of back up camera **(B)**

Pedestrian Collisions

Preventable if the driver:

- Failed to reduce speed in areas of heavy pedestrian traffic such as school zones, construction zones, shopping areas, private property, etc. **(C)**
- Failed to give pedestrians the right-of-way. **(C)**
- Failed to anticipate the actions of pedestrians while driving through congested areas. **(C)**
- Was not prepared to stop. **(C)**
- Failed to walk around the vehicle and look under it in residential areas or anywhere children are present prior to backing the vehicle. **(C)**
- When starting up from an intersection, failed to view the front and sides of the vehicle to ensure pedestrian traffic is clear. **(C)**
- Failed to ensure no pedestrian was behind the vehicle before starting to back. **(C)**
- Failed to drive at a speed that would enable stopping within the range of the headlights. **(C)**
- Failed to be prepared to stop for pedestrians stepping out from between parked vehicles or from behind objects. **(C)**
- Failed to signal before moving when pedestrians are present. **(C)**

Bicyclist Collision

Preventable if the driver:

- Failed to reduce speed in areas of heavy bicycle traffic such as a bike lane, school zones, shopping areas, private property, etc. (C)
- Failed to give bicyclists the right-of-way. (C)
- Failed to anticipate the actions of bicyclists while driving through congested areas. (C)
- Was not prepared to stop. (C)
- Failed to walk around the vehicle in residential areas or anywhere bicyclists are present prior to backing the vehicle. (C)
- When starting up from an intersection, failed to view the front and sides of the vehicle to ensure bicycle traffic is clear. (C)
- Failed to ensure no bicyclist was behind the vehicle before starting to back. (C)
- Failed to drive at a speed that would enable stopping within the range of the headlights. (C)
- Failed to be prepared to stop for bicyclist coming out from between parked vehicles or from behind objects. (C)
- Failed to signal before moving when bicyclists are present. (C)

Sideswipe Collision

Preventable if the driver:

- Was not entirely in his/her lane of travel. (B)
- Failed to take evasive action when such action could be taken without additional danger. (B)
- Failed to adjust speed to road visibility, traffic, and weather conditions. (C)
- Failed to signal intentions. (B)
- Failed to be in proper lane of travel. (B)
- Failed to obey all traffic signs and signals. (B)
- Failed to control speed. (C)
- Pulled out in to oncoming traffic. (C)

Struck While Parked

Preventable if the driver:

- Parked in a handicapped space. **(B)**
- Parked in a fire lane. **(B)**
- Parked in an unsafe manner. **(B)**
- Parked in a manner that allowed for a runaway vehicle. **(C)**

Entering Stream Of Traffic Collisions

Preventable if the driver:

- Failed to signal before pulling from curb. **(B)**
- Failed to check traffic before pulling out from curb. **(C)**
- Pulled out in a manner which forced other vehicle to change speed or direction. **(C)**
- Failed to make a full stop before entering from side street, alley, or driveway. **(C)**
- Failed to make a full stop before entering traffic stream, if required. **(C)**
- Failed to yield right-of-way to approaching traffic. **(C)**
- Failed to adjust speed to road, visibility, traffic, and weather conditions. **(C)**
- Failed to obey all traffic signs and signals. **(B)**
- Failed to be in the proper lane of travel. **(C)**
- Failed to signal intentions. **(B)**
- Failed to control speed. **(C)**
- Pulled out into oncoming traffic. **(C)**
- Failed to take evasive action when such action could be taken without additional danger. **(C)**
- Was not entirely in his/her lane of travel. **(C)**
- Was not prepared to stop. **(C)**
- Failed to look back to check traffic if mirrors did not show traffic conditions. **(C)**
- Failed to continue to check traffic while pulling from curb. **(C)**
- Failed to ensure traffic was clear and remained clear until vehicle was entirely in the proper lane of travel. **(C)**

Mechanical Failure Caused Collision

Preventable if the driver:

- Should have detected defect during pretrip inspection. **(C)**
- Should have detected defect during normal operation. **(B)**
- Caused defect by abusive handling/operation of the vehicle. **(C)**
- Caused defect as a result of hitting something in the road that could have been avoided. **(C)**

Weather Caused Collision

Preventable if the driver:

- Failed to control speed so as to stop safely. **(C)**
- Failed to take evasive action when such action could be taken without additional danger. **(C)**
- Failed to obey all traffic signs and signals. **(B)**
- Failed to be in the proper lane of travel. **(C)**
- Failed to drive at a speed that would enable stopping within the range of the headlights. **(C)**
- Failed to drive at a speed that would allow stopping within the sight distance. **(C)**
- Failed to maintain control of his/her vehicle regardless of road, visibility, traffic, and weather conditions. **(C)**
- Failed to make the necessary adjustments to speed for the road, visibility, traffic, and weather conditions. **(C)**

*Not an all inclusive list. Final determination of preventability to be made by the IRC.

DISCIPLINARY GUIDELINES (Worker's Compensation)

The Incident Review Committee bears the sole responsibility for and will classify each on-the-job injury or occurrence into one of the following classifications:

CLASS "A" OCCURRENCE

A Class A occurrence is an on-the-job injury resulting from an occurrence determined by the Incident Review Committee not to have involved negligence on the part of the injured employee. A Class A occurrence should not warrant disciplinary action against the employee, cause the employee to lose any safety awards, or disqualify the employee from posting for another position within the company.

CLASS "B" OCCURRENCE

A Class B occurrence in an on-the-job injury resulting from an occurrence determined by the Incident Review Committee to have been caused by the injured employee's negligent failure to **take proper precautionary measures or** follow CCE's policies governing basic safety work rules and methods, including, without limitation:

- Failure to observe posted safety rules;
- Failure to use personal protective equipment; or
- Failure to use safety devices.

A Class B occurrence also may arise in the aftermath of an on-the-job injury if the Incident Review Committee determines that the injured employee failed to follow CCE's policies and procedures for reporting and treating an on-the-job injury, including, without limitation, failure to report an injury in a timely manner, failure to follow Modified duty limitations, and failure to keep scheduled appointments with health care providers.

Involvement in a first Class B occurrence will result in non-disciplinary counseling and injury prevention training which will be documented in the employee's file. A first occurrence will not disqualify the employee from

posting for another position within the Company. However, involvement in repeated Class B occurrences by an employee will lead to progressive discipline up to and including termination, as reflected in the chart below.

Appropriate Action for Class B occurrences:

<u>First Offense</u>	<u>Second Offense</u>	<u>Third Offense</u>	<u>Fourth Offense</u>
Counseling/ Training	Training/ Written Warning	Training/ Final Written Warning	Discharge

CLASS "C" OCCURRENCE*

*Always notify the HeRe team in the event of a Class "C" occurrence

A Class C occurrence is an on-the-job injury resulting from an occurrence determined by the Incident Committee to have involved reckless or intentional disregard for CCE's policies governing basic safety work rules and methods, including, without limitation, horseplay.

Involvement in Class C occurrences by an employee will lead to progressive discipline up to and including termination, as reflected in the chart below.

Appropriate Action:

<u>First Offense</u>	<u>Second Offense</u>
Final Warning	Discharge

Combinations of Class B and C occurrences will result in appropriate discipline as determined by the Incident Review Committee. For disciplinary purposes, occurrences will "roll off" of an employee's work record twelve (12) months after the date of the occurrence **unless the employee demonstrates a continuing pattern of negligent, reckless or intentional disregard for CCE's policies governing basic safety work rules and methods.** In such cases, the Incident Review Committee reserves the right to review an employee's entire record when determining appropriate discipline.