

MINUTES
City Vehicle Accident Review Board
August 7th, 2012
City Council Conference Room
Wayne Gilley City Hall
1:30 pm

The meeting was called to order by Chairman Wright at 1:30 pm.

1. Roll Call

MEMBERS PRESENT: Rusty Wright, Chairman
Dennis Bothell, Equipment Maintenance
Candy Brown, Safety & Risk Manager
Carl Dentler, Public Works Safety & Risk Officer

MEMBERS ABSENT: None

OTHERS PRESENT: Tiffani Burk, HR
Darrin Hall, Neighborhood Services
Leon McGahee, Cemetery
Ray Quiroga, SWC

Excused* Unexcused**

2. Minutes:

A. Approval of minutes of July 3rd, 2012

Motion by Bothell with second by Dentler to approve the minutes of July 3rd, 2012. AYES: All NAYS: None Motion carried.

3. Old Business:

A. R.C. Cathey-SWC (5/8/12)-Appeal

Mr. Cathey was present. Mr. Cathey said that on that accident he did not feel he deserved 3 points. He didn't come to the original board meeting for this accident because he didn't think he would get 3 points. He said he doesn't drive commercial that often. He said he thought he deserved some points but not three. He was with Virgil Todd and he has been a ground guide for about 17 years. He was filling in for Phil and he didn't know the route. He was just going the way they were telling him to go. Virgil told him the way to go and then jumped out of the truck and the other guy jumped out of the truck. So he looked in his mirrors and he remembered a black vehicle on one side and police unit on the other side, there might have been 3 or 4 vehicles being on the sides. There might have been 2 on each side. He started backing down and he can see everything but he doesn't see his ground guides. He passed the black vehicle and he saw the police car, as he passed it he started cutting his wheel, the

mirror didn't show the second police car and his wheel turned and hit the fender of the second police car. His ground guide then came and told him that he hit it good. He feels that the ground guides should have been up there where he could see them. He feels like they were both 2 experienced ground guides and they know their jobs and they should have been up there showing him where to go and not go. He said he has only been in this department for about a year. The next day Virgil was walking beside the truck backing him up and he feels he should have been doing that the day before. He thinks if he would have told them where he wanted them to be, they would not have liked it because they have been doing their job for many years and he is new. They wouldn't have wanted him to tell them what to do. They also have been working with another driver that has been doing this for 7 or 8 years and they were not used to him. He said he listened to the way they told him to go and he did. But since he didn't know the route he would have went around the police station if they wouldn't have told him the way to go. He believes the ground men should be retrained because they get set in their ways and lax. He believes it should not all fall on the driver. At Waste Water, the guides backed them up and didn't just walk off; they stayed in the mirror where you could see them at all times. That doesn't happen at SWC. Dennis Bothell asked him about the safety meetings. When they have their meetings, aren't they told to keep their ground guides in their mirrors at all times and if you lose sight of your ground guides, you are supposed to stop? Mr. Cathey said most of their meetings are based toward the operators but he doesn't recall. After the accident he said they made that clear to him. Mr. Cathey said he was focused on the vehicles and did not see the ground men. Motion by Bothell with second by Dentler to table this appeal. Ayes: All Nays: None Motion Carried The Board requests that Virgil Todd appear at the next meeting.

B. Steven Tucker-Streets (5/9/12)-Tabled

Mr. Tucker was present. Mr. Tucker was informed by the Board that because he was already disciplined for this incident, the Board was not going to issue any points but if he wished to discuss the incident he could. Mr. Tucker said he just wanted to put the whole thing behind him and didn't wish to discuss it any further. The Board did not rule on this accident because the employee had already been disciplined.

4. New Business:

A. Laverne Aitson-SWC (7/2/12)

Mr. Aitson was not present. Mr. Aitson and John Thomas were loading carts into the back of the pickup. When they were finished they noticed that the back window glass of the pickup was shattered. Motion by Bothell with second by Wright to rule this as a Chargeable Damage Incident with one (1) point assessed. AYES: All NAYS: None Motion carried.

B. R.C. Cathey-SWC (7/10/12)

Mr. Cathey was present. Safety Rep. Ray Quiroga was also present. Mr. Cathey presented the Board with pictures and written statements from Kevin McRae, Thomas Perry & Ronald Holmes. The statements were basically saying that they had problems with unit 8223. Mr. Cathey requested that Mr. Ray Quiroga be present. Mr. Cathey said he came in that morning and he was in the parking lot. He ran into his foreman Shane before he clocked in. Shane told him they were putting Jackie Hunter with him and you are going to take 8223 and run the Park Lane route. He said he didn't want to drive that old truck. He said he just heard on the radio yesterday that Kevin McRae took into the shop twice. Shane said they kicked it back out and you don't have a choice you have to drive it. He went ahead and got into the truck. Jackie knows that route but from a semi. While they were going Jackie was writing streets down. Mr. Cathey said he knew that the back camera was not working. It did show the hopper. The day before when Kevin was driving it, the arm was messing up and it was leaking hydraulic fluid. After they got have way through the route, it started acting up and wouldn't pack. Then you would have to hit the button several times to get it to pack. (extract, retract-over and over again) On that particular address, he was one house from the corner where there was another container. He picked up the container and dumped it and started trying to pack it by hitting the buttons. Then preceded to the next container and he saw a lady waving and saying can I have my container back. He still had the container in the claw. He stopped and looked in his mirrors and put the truck in reverse and started backing up. The lady was still waving and pointing to the back of the truck. He stopped and got out and walked to the back of the truck and saw that he had backed into another lady's car. He asked if they were ok and they were fine. Then Jackie got out. They didn't even know that they had hit anything. They didn't hear her horn. He believes that it could have happened to anybody because the camera did not work. He said they still have trucks that the rear camera does not work but now they are putting guys in there with them to get out of the truck when they are backing up. He showed pictures of a vehicle parked close behind the trucks. You can't see them in the mirrors. He said it could have prevented if his camera was working. He said even if it would have been him by himself and he would have gotten out of the truck and walked back there to see if anyone was back there, by the time he walked back to get into the truck someone could pull up behind him and he wouldn't know it. A friend of Mr. Cathey's (the owner of the body shop) said the lady told him that she pulled up behind him and put her car in park because she was having trouble with her transmission. So she didn't have time to put in reverse to get out of his way. He is not saying it was her fault. But he doesn't believe it was totally his fault. He thinks it was preventable and the camera and mirrors were a crucial part of the accident. The maintenance shop kicked the truck out a couple of days before. The week prior to this he was riding shot gun on this truck with a guy and when he brought it in, he was complaining about all the things that were wrong with the truck. Shane told him at the end of the day to fill out a work order and put down everything that is wrong with that truck. Mr. Cathey presented the statements from fellow workers about this truck.

He feels that this truck shouldn't have been used. Ray Quiroga said that R.C. dragged that car 30 feet or better, He believes that R. C. didn't know he hit a car or he would have stopped immediately. Candy Brown asked why are we having drivers take trucks that are not safe. Ray said there are several trucks that are down. They work with what they have. Guys are already doing 2 routes. Mr. Cathey said the next day things were fixed on the truck. Rusty Wright asked how long had they been out on that day. R. C. said they had been out for about 1 ½ or 2 hours. Rusty asked him if he did a safety check on the truck that morning. He said yes but it was common knowledge that the camera was not working. R. C. said when things are not going smooth; it is easy to get preoccupied. He said he is not saying that he is not guilty. He said he shouldn't have to tell the other person to get out and check to see if there was anything behind him but he was preoccupied also. He had to write down the route. Ray talked to the grandkids that were in the car. He said the ages were about 9, 12 and 14. He asked them how close was the car to the truck and they said about 3 feet. Ray said R. C. is not denying that he hit this car. He is saying that there were certain circumstances that contributed. He looked at the definitions of Chargeable and Preventable. Preventable states that the driver may not be the primary cause of the collision. They are hoping for preventable. R. C. said his job is on the line and he believes that this was preventable. He said his mind wasn't on that, it was trying to get things to work so they could get on with the job. Dennis asked how hard is it to stop and get out and roll the cart back to where it goes. R. C. said no one does that. Now we have people riding in the trucks that the cameras are not working so they can get out and look behind them. Ray said he pulled trip tickets out for this truck. This camera was broken for a while. He had a trip ticket from 6/22 and 6/25 and it wasn't working then. R. C. said it was fixed the very next day. Dennis said the cameras can work one day and the next day they won't work. They can fix them and they work for 3 days and then break again. Kevin McRae drove that truck the day before. Ray said nobody wants to take that truck. Ray said they didn't require a copy of the work order when they turned it in. Now they require that they get the yellow copy of the work order. Dennis said if there is something unsafe then you don't operate it. You have the right to refuse to drive anything that is unsafe. R.C. said he was told by Shane to drive that truck. R. C. said he checks his truck out in the morning and puts fluids in the vehicle and he hadn't been filling out his trip ticket until the end of the day. He has been told to not do it that way. He should always fill it out as soon as he did the check. Ray said they just brought the pre trip tickets back a few months ago. They had not been doing them for a while. R. C. said Shane knew that the camera was not working. Ray said he wanted to say that if the camera was working that there wouldn't have been an accident.

Motion by Bothell with second by Dentler to rule this as a Chargeable Collision with three (3) points assessed. AYES: Bothell, Dentler & Wright NAYS: Brown Motion carried.

C. Thomas Perry-SWC (7/3/12)

Mr. Perry was not present. Mr. Perry was dumping carts in Sneed Acres when he received a call from the office saying a mailbox was hit at 231 NW Northwood Pl. When they went back the mailbox was on the ground next to the cart. The report states that he could not see the mailbox because the cart was placed up against it and the mailbox is also covered with hedges

Motion by Bothell with second by Wright to rule this as a Chargeable Damage Incident with one (1) points assessed. AYES: All NAYS: None Motion carried.

D. Albert Ozuna-Streets (7/19/12)

Mr. Ozuna was not present. Mr. Ozuna was operating the street sweeper when he was hit from behind by another vehicle. That vehicle left the scene of the accident. Motion by Dentler with second by Wright to rule this as a Non-Preventable Collision on with zero (0) points assessed. AYES: All NAYS: None Motion carried.

E. Chris Devine-Drainage (7/12/12)

Mr. Devine was present. Mr. Devine was down in a ditch clearing out trees. The dozer was in the bottom knocking them down and he was pulling them out. He had two 25' trees and he was dragging them up when one got caught up in a tree limb and it swung up and hit the window of the backhoe and broke it. He said they were short handed that day and they were doing their best with the employees that they had. Motion by Bothell with second by Wright to rule this as a Non-Preventable Collision on with zero (0) points assessed. AYES: All NAYS: None Motion carried.

F. James Lovingier-Equip. Maint (7/13/12)

Mr. Lovingier was present. Mr. Lovingier said he, Butch and Mitchell was up at the car wash making some repairs. The electric car was in the way so he went to move it. If he moved it forward it would have been under the scaffolding for the forklift, which was not a good idea so he backed it up. As he was backing it up, it slid in the mud and hooked the fender on a metal I-beam that was sticking up. Motion by Wright with second by Dentler to rule this as a Chargeable Collision with two (2) points assessed. AYES: All NAYS: None Motion carried.

G. James Biscaino-Sewer Constr. (6/25/12)

Mr. Biscaino was not present. Mr. Biscaino was stopped waiting on traffic to start moving again and a car rear-ended him. Motion by Wright with second by Bothell to rule this as Non-Preventable with zero (0) points assessed. AYES: All NAYS: None Motion carried.

H. Brandon Williams-Animal Welfare (7/30/12)

Mr. Williams was present. Mr. Williams said he had been speaking with a person about a dog, when he was leaving he backed up and ran over a gas meter. He was in the alley behind 1318 ½ NW Williams. There were 2 gas meters, one on each side of the road. The fire Department had to be called out because the gas meter started leaking. Motion by Bothell with second by Dentler to rule this as a Chargeable Collision with two (2) points assessed. AYES: All NAYS: None Motion carried.

I. Leon Perry-Library (7/9/12)

Mr. Perry was present. Safety Rep Darrin Hall was also present. Mr. Perry said he was coming from the branch in Wyatt Acres in the library van. The light was changing to yellow so he was changing lanes to make the light. The lady in front of him did not go and he hit her Cadillac from behind. Motion by Bothell with second by Wright to rule this as a Chargeable Collision with three (3) points assessed. AYES: All NAYS: None Motion carried.

J. Anthony Wills-Park Maint. (7/26/12)

Mr. Wills was present. Safety Rep Leon McGahee was also present. Mr. Wills said he was at Stevens Park, he continued to mow a little longer than he usually does before his scheduled break. He became drowsy, veered off course and bumped a tree. He said it was a tractor mower with a brush hog. He was going forward and hit the tree in front of him. He said he woke up and there it was. Motion by Bothell with second by Wright to rule this as a Chargeable Collision with two (2) points assessed. AYES: All NAYS: None Motion carried.

5. Consider any other injuries reported: None

6. Communication/Discussion: Dennis Bothell wanted it to be known that the Board is ok with the new changes to the policy (3-12). The Policy (3-12) is getting changed to add the verbiage about receiving discipline before the Board meets on an accident. *Added Language:* No employee shall be administered discipline for a collision/damage incident before the incident is reviewed by the Vehicle Accident Review Board. No employee shall be administered discipline twice for a collision/damage i.e., where the employee was reprimanded prior to the board review.
7. Adjournment: Motion by Wright with second by Brown to adjourn meeting at 4:30 pm.