

## VEHICLE ACCIDENT - PASSENGER INJURY REVIEW PROCEDURE AND APPEAL PROCESS

### Accident Review -

Purpose of the Review: To determine if the accident was preventable or non-preventable; to make recommendations on possible discipline of operator and to make recommendations for prevention of future similar accidents.

The Review Board hearing should be held within ten (10) working days (M-F) of the accident.

The word "Operator" is used to indicate the driver of the vehicle involved in accident – this includes all CTA employees. "Board" will be used in reference to the Accident Review Board. "Chairperson" will indicate the Accident Review Board Chairperson.

### Accident Review Board Members:

1. Director/Coordinator of Department of Operator
2. Operator's Supervisor (if applicable)
3. Fixed Route Supervisor
4. Special Route Supervisor
5. One Peer Employee
6. Safety Supervisor
7. CTA Accident Investigator

The Safety Supervisor will act as Chairperson of the Review Board.

Other CTA personnel may sit on the Review Board as required or requested by the Chairperson. In the absence of the Operator's Department Director, one of the other two Department heads may sit in. Other CTA personnel may be substituted as needed for quorum of Review Board so that it may be convened in a timely manner. Four members will constitute a quorum of the Board.

The operator being reviewed will be given the opportunity to be present during the review and in some cases will be required to be present. This will be determined by the Chairperson. The operator will always be made aware of the review date.

It is the responsibility of the Review Board Chairperson to ensure that all information pertinent to the accident investigation be available for the review. This includes but is not limited to accident reports, investigator's reports, insurance adjuster's reports, vehicle repair estimates and/or information on bodily injury.

If the employee is present during the review he/she will be excused during the discussion of the Board for their findings. The operator will be notified of the Board's decision by letter. The Safety Supervisor will provide to the Administrative/Marketing Coordinator the decision of the Board in writing within three (3) working days of the decision so that notification can be sent to the operator. All letters must contain the phrase "Final disciplinary decision is pending completion of the accident investigation and claim settlement". The letter will be signed by the Safety and Training Supervisor before mailing. Copies of the letter will be placed in the accident file and personnel file. Should the accident be determined to be preventable, it is the responsibility of the Safety Supervisor to complete the necessary forms to discontinue the Safety Incentive Pay if applicable.

## Appeal Hearing:

### Management Review Board – (Appeal Board Members)

1. Executive Director
2. Director of Admin & Finance
3. Maintenance Director or Coordinator
4. Director of Operations

The Operator has the right to appeal the decision of the Accident Review Board by following these steps:

1. The Operator will have seven (7) working days (M – F), beginning three (3) days following postmark of notification letter, to notify the Executive Director in writing that he/she desires to appeal the Review Board's decision. If the notice for appeal is not filed within this time the decision of the Review Board is final.
2. The Operator will request from the Administrative/Marketing Coordinator a "Request for Appeal of Accident Review" form at the front desk in main lobby. This form should be completed and returned to her/him so that she/he may date stamp the form and give to the Executive Director.
3. The Executive Director will notify the Management Review Board of the date, time and location of the appeal hearing within seven (7) working days (M – F) after the request is received.
4. It is not mandatory that the Operator be present during an appeal, however, the Operator has the option to request to be present. The Management Review Board has the authority to have the Operator present and call any other members of the Accident Review Board necessary.
5. If the presence of the Operator is required the Supervisor will ensure that the Operator is available to attend.
6. The Executive Director will serve as Chairman of the Board and should have all necessary documents available for the review.

The Operator will be notified in writing within three (3) working days of the Management Review Board's decision. This letter will require the signature of the Executive Director.

The Management Review Board reserves the right to overturn the Accident Review Board's decision of all accident reviews with or without request for appeal hearing.

The decision of the Management Review Board will be final as to determinations of accident preventability and recommendations for prevention of future accidents. However, appeal by the Operator/employee of any disciplinary action resulting from the recommendation of the Accident Review Board or decision of the Management Review Board is governed by subsection V of this of the Discipline/Resignation section of this handbook.