



## ADMINISTRATIVE DIRECTIVE

<b>DEPARTMENTAL SAFETY PROGRAMS AND DISCIPLINARY GUIDELINES INFRACTIONS OF SAFETY VIOLATIONS</b>	NUMBER	PAGE
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	EFFECTIVE DATE <b>February 1, 2016</b>	

### I. PURPOSE

To provide for departmental safety programs and guidelines for the implementation of discipline when a city employee violates a safety practice or procedure. Each department shall develop its specific safety program. Central Safety Services (CSS) shall review these programs prior to implementation. The Department Director is responsible for program implementation, administration and enforcement. Meetings will be held quarterly with the Central Safety Manager and department Safety Coordinators to review these programs.

Each department and/or major division shall appoint a designated individual as their "Safety Coordinator". This person shall be responsible for the day-to-day implementation and enforcement of the safety program. The Safety Coordinator shall report to the Department Director or designee.

### II. DEFINITIONS

- A. **COMPETENT PERSON** – one who is capable of identifying existing and predicting hazards in the surroundings, or working conditions which are unsanitary, hazardous or dangerous to the employee, and who has authorization to take prompt corrective measures to eliminate them.
- B. **PROJECT** – any construction, rehabilitation or maintenance activity subject to the City of Tucson safety standards and/or state or federal safety laws, standards and regulations.
- C. **VIOLATION** – for purposes of this directive, an intentional or non-intentional infraction of an approved policy, procedure or work practice.
- D. **VERBAL WARNING** – an admonition to an employee which is documented by a supervisory log entry that a practice or procedure utilized is unacceptable and prohibited due to safety concerns. The log must be retained in accordance with standards set forth in the Records Retention and Disposition Schedule for Arizona Municipalities.
- E. **WRITTEN WARNING** – a formal memorandum to the employee concerning an unacceptable practice or procedure. A copy of the memorandum is retained in the employee's personnel file.

**NOTE:** Any of the above are "actions" supporting progressive discipline should additional violations or infractions occur. The employee should be requested to sign or initial any written action. A refusal to acknowledge the action shall be noted.



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III. **POLICY**

This policy shall apply to all employees, supervisors and management personnel of the City of Tucson. The Tucson Police Department and Tucson Fire Department will be excluded from the application of this Administrative Directive (AD), based on the existence of current internal review procedures that replicate the processes outlined in this AD. Safety violations by employees of the City of Tucson will ordinarily be subject to progressive discipline. This policy shall not preclude termination for single infractions when warranted by the circumstances.

A "Competent Person" for the project shall be present at the commencement of the project and will then be available throughout the entire project. This individual shall be identified by name to all employees working on the project, with their available contact number(s) and name posted at the work site. The Competent Person shall visit the work site(s) at least once per 8 hour work day.

IV. **ACTIONS REQUIRED – WHEN SAFETY VIOLATIONS CAUSE OR HAVE THE POTENTIAL TO CAUSE INJURY, LOSS OF LIFE OR PROPERTY DAMAGE.**

A. **IMMEDIATE ACTIONS**

Regardless of the severity of violation or unsafe condition the employee responsible for the crew performance **SHALL**:

1. **STOP** employee unsafe act/condition. Provide coaching and advice concerning proper procedures, etc.
2. **WARN** employee that supervision will be notified and there may be further discipline.
3. **NOTE** incident in logbook or on work sheets and review incident with immediate supervisor before the end of the day.

B. **SUPERVISION'S ACTIONS**

The supervisor shall confer with the Safety Coordinator to **determine if further investigation will be recommended**. The Supervisor and Safety Coordinator will then, within 5 workdays, document the incident for the Division Administrator recommending closure or further investigation.



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**C. ADMINISTRATOR'S/DIRECTOR'S ACTIONS**

1. If further investigation and/or discipline is required, the Administrator/Director will arrange for a Board of Inquiry (See Central Safety Services Directive No. S-006 for composition and responsibilities) within 30 days of incident. A Board of Inquiry will also be convened for Level 1, 2, and 3 violations described in Section V following. The employee is to be notified when a Serious Action Review Committee is also convened.
2. Any disciplinary recommendation made by a Board of Inquiry shall go to the Department Director who shall make the final disciplinary decision, in accordance with the guidelines set forth in Section V following. Any discipline should be administered within 90 days of the incident.
3. An **Executive Summary Report** (see attachment) of the entire proceedings shall be sent to the City Manager, Risk Manager and CSS Supervisor. This document shall be completed and delivered within five (5) working days of the close of the investigation or the administration of discipline as appropriate.

**V. GUIDELINES FOR ASSESSING THE SERIOUSNESS OF SAFETY VIOLATIONS AND THE LEVEL OF DISCIPLINE GENERALLY ASSOCIATED WITH THE VIOLATION.**

**LEVEL 1 Violations** - Result from property damage less than \$1,000 and/or non-serious Occupational Safety and Health Administration (OSHA) violation. Discipline is mandatory. Verbal warning to a 10-day suspension should be considered. Subsequent and/or repeated violation should result in more serious discipline up to and including termination.

**\*NOTE: REFER TO RE-TRAINING SECTION**

**LEVEL 2 Violations** - Injuries or property damage greater than or equal to \$1,000, but less than \$5,000 resulting from safety infractions or serious OSHA violation. Discipline is mandatory. Written reprimand through termination should be considered. Subsequent and/or repeated violation should result in more serious discipline up to and including termination.

**\*NOTE: REFER TO RE-TRAINING SECTION**

**LEVEL 3 Violations** - Serious injuries, death(s), injuries that result in hospitalization over 24 hours, amputations, the loss of an eye or property damage greater than or equal to \$5,000 or significant City liability exposure resulting from a safety infraction. Discipline is mandatory. A demotion through termination should be considered. Subsequent and/or repeated violation should result in more serious discipline up to and including termination.

**\*NOTE: RE-TRAINING IS MANDATORY**



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**SPECIAL CIRCUMSTANCE** - Serious violation even though no injury or property damage occurs because an employee holds valid certification or license for a particular situation or substance [e.g. asbestos, CDL (Commercial Drivers License), pesticides]. Discipline is mandatory. A written reprimand through termination should be considered. Subsequent and/or repeated violation should result in more serious discipline up to and including termination.

**\*NOTE: RE-TRAINING IS MANDATORY**

The foregoing guidelines to not preclude more severe discipline, up to and including termination, for any single or combined violations whether Level 1, 2, or 3 violation(s) when otherwise warranted by the circumstances and in accord with general City disciplinary practices.

**VI. RE-TRAINING**

If more than one violation occurs within a 90-day period and the employee has not been terminated, re-training will be initiated. This does not preclude immediate re-training for first level violations based on safety representatives or safety coordinator's recommendation.

**VII. SERIOUS ACCIDENT REVIEW COMMITTEE**

The Serious Accident Review Committee shall be convened to review **ALL** Level 3 incidents. This committee is charged with providing an unbiased review of the circumstance surrounding the event. The Committee shall review the initial investigation, make findings, and recommendations to the City Manager.


**Appendices** Executive Summary Report

**References** Administrative Directive 3.04-4, Serious Accident Review Committee

**Review Responsibility and Frequency** The Central Safety Services Section of the Risk Management Division of the Finance Department and the Director of Finance will review and revise this directive when the Annual Compensation Plan is adopted by Mayor and Council.

**Authorized**

  
\_\_\_\_\_  
City Manager

  
\_\_\_\_\_  
Date

**EXECUTIVE SUMMARY REPORT**  
**PROCEEDINGS OF DEPARTMENTAL INVESTIGATION AND**  
**RECOMMENDATIONS OF A SAFETY VIOLATION OR INFRACTION OR**  
**INCIDENT**

Department \_\_\_\_\_ Date of Incident \_\_\_\_\_

Location of Incident \_\_\_\_\_ Time of Incident \_\_\_\_\_

Employees Involved \_\_\_\_\_

Supervisor(s) of Involved Employees \_\_\_\_\_

Injuries and/or Fatalities (Names, Titles & Type of Injury)  
\_\_\_\_\_  
\_\_\_\_\_

Property Damage (Type and estimate)  
\_\_\_\_\_

Description of Incident  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Findings \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Discipline Recommended \_\_\_\_\_

Discipline Administered: Date \_\_\_\_\_ By Whom \_\_\_\_\_

Investigating Committee Members (Name[s] and Title[s])  
\_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Department Head

White: City Manager      Pink: Manager, Central Safety Services      Yellow: Department