

COPY

CITY OF UNION GAP, WASHINGTON

RESOLUTION NO. 735

A **RESOLUTION** providing for the adoption of Washington State Transit Insurance Pool's (WSTIP) "Minimum Best Practices Recommendations" and implementing the same for the City of Union Gap's Transit Service.

WHEREAS, the City Council has authorized the Mayor to sign a contract with T.C. Transportation Services, LLC for the provision of transit services within the City of Union Gap;

WHEREAS, the City Council has passed an Ordinance providing that the City enter into an interlocal agreement with WSTIP for participation in its insurance pool to insure the City's transit service;

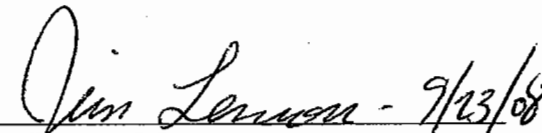
WHEREAS, to be a participant in the WSTIP insurance pool, the City must adhere to certain minimum best practice standards adopted by the WSTIP;

WHEREAS, it is the desire of the City Council that the City adopt and follow the minimum best practice standards that WSTIP has set and the City's transit service contractor, T.C. Transportation Services, LLC, also adopt and adhere to those minimum best practice standards;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNION GAP, WASHINGTON, HEREBY RESOLVES as follows:

The City of Union Gap adopts and will follow the "Minimum Best Practices Recommendations" set forth by the WSTIP, a copy of which is attached hereto as Attachment A and incorporated herein by this reference. Further, the City of Union Gap also requires its contractor T.C. Transportation Services, LLC, to adopt and adhere to the same. The contract between the City and T.C. Transportation Services, LLC shall contain a provision requiring T.C. Transportation Services, LLC to do so.

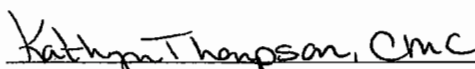
PASSED this 22nd day of September 2008.



Jim Lemon, Mayor

ATTEST:

APPROVED AS TO FORM:



Kathryn Thompson, CMC, City Clerk



Robert F. Noe, City Attorney

MINIMUM BEST PRACTICES RECOMMENDATIONS

I. SENIOR LEADERSHIP

1. Through effective leadership, senior management (General Manager/Executive Director) shall promote an environment where safety, wellness, and concern for employee-well being are of the highest priority on-going leadership training for senior management is recommended in the areas of employee relations, team building, motivation and communication skills.
2. The General Manager/Executive Director (GM/ED) or appointed senior management shall attend at least 3 safety committee meetings per year for the purpose of reviewing the transit agency's overall safety results and activities. Loss control and safety officers shall have authority to report directly to GM/ED with safety concerns.
3. Safety of the employees and customers should be mentioned in the overall agency's mission statement and signed by either the GM/ED or Board Chairman. The agency's Mission statement should be included in the personnel policy/employee handbooks and posted in a conspicuous place.
4. Safety responsibilities for management and supervisors shall be written and included in job descriptions whenever possible. Authority to meet safety expectations of the agency shall be delegated to all employees.
5. Losses, injuries, and potential hazards shall be monitored and reported to the GM/ED on a quarterly or at a minimum annual basis. The GM/ED and senior management shall be briefed of reportable worker injuries/accidents.

II. ACCIDENT PREVENTION PROGRAM

1. Transit system shall have a comprehensive up-to-date accident prevention/safety program (APP). The APP shall be reviewed and updated at least once every 2 years for compliance with all state and federal regulations, and to address hazards. The Program shall contain the following standards and provide training and equipment to address risk as necessary:
 - a. Hazard Communications - Worker Right to Know
 - b. Fall protection
 - c. Bloodborne pathogens
 - d. First aid

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- e. Respirator protection
 - f. Forklift protection
 - g. Hearing conservation
 - h. Confined space
 - i. Lock-out – tag-out
 - j. Eye protection
2. The Safety Committee or appointees shall conduct inspections on a scheduled basis to target safety problems relating to facilities, vehicles and equipment. Written inspection forms shall be used. Items requiring correction shall be tracked until completed.
 3. Safety committee meetings shall be conducted in accordance with WISHA guidelines (WAC 296-24-045).
 4. Guidelines shall be developed to review all accidents in accordance with WISHA guidelines. Prevention of future accidents shall be a primary objective of this review.

III. WORKERS COMPENSATION

1. A policy with the following minimum procedures shall be followed for all worker's compensation events:
 - a) Employees and their supervisors shall be required to complete an accident report within 24 hours following the notification of the accident/injury.
 - b) Contact shall be made with medical provider (in writing or verbally) as soon as practicable to obtain information on extent of injury, ability to return to work, and transitional duty authorization.
 - c) Employees restricted from work (off duty) shall be contacted every 2 weeks by immediate supervisor or authorized representative to check on their condition, and to offer encouragement and support for successful return to work.
2. A return to work program (RTW) shall be in place to provide transitional duty options for injured employees:
 - a) Supervisors shall be trained on the benefits of RTW and how to utilize transitional duty workers.
 - b) Physician authorization for transitional duty shall be obtained as soon and whenever possible.
 - c) Transitional duty job descriptions shall be provided for physician authorization.
3. The safety committee shall conduct a loss control review of employee accidents with prevention of future accidents as a goal.

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IV. EMPLOYMENT PRACTICES

1. An employee handbook containing employee policies and procedures shall be provided to all employees at orientation/time of hire, and updated as needed.
2. A safety orientation shall be conducted for each new employee before they start work to address potentially hazardous conditions, personal protective equipment, location of first aid supplies, emergency procedures and other relevant information.
3. New employees will be required to attend an orientation within the first 6 weeks of hire covering subjects such as the following:
 - a) Workers compensation procedures.
 - b) Accident/incident reporting procedures
 - c) Employee handbook contents
4. Training in the following areas for all employees shall be conducted and a management policy of "no tolerance" set forth: Racial and other types of discrimination, sexual harassment, hostile environment, and disrespectful behavior. Supervisors and management shall receive training and updates as needed in these areas:
 - Employee complaint procedures and confidentiality practices
 - Discrimination law and complaint processes
 - Discipline and termination procedures
 - FMLA law and application procedures
 - ADA law
 - General supervisory techniques (employee counseling, performance review, etc.)
5. All planned employee terminations shall be reviewed by legal counsel prior to final action. WSTIP shall also be advised of final termination action(s).
6. A wellness program shall be promoted to employees to encourage healthful behavior such as exercise, good nutrition, and outdoor activity.

V. OPERATOR TRAINING

1. New operators will receive documented training in these areas:

At a minimum Classroom training topics will include following:

- General orientation of role of operator
- Philosophy of transit agency
- Coworker relations (no tolerance policy for discrimination, sexual harassment/misconduct, disrespectful behavior)
- Passenger relations skills, policies
- Child and youth passenger procedures (school services)
- Operator policies, expectations
- Safety program policies

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Defensive driving skills
Fare policies (if applicable)
Radio procedures
Accident/emergency procedures, reporting
Pre- and post-trip inspections
Coach and route qualification procedures
Wheelchair securement procedures
Security

On the road training will include the following:

Vehicle operation details
Defensive driving
Maneuvering
Backing procedures
Route qualification-training

2. Documented refresher training will be conducted in the following areas not less than every 2 years:
 - Defensive driving and bus maneuvering skills
 - Wheelchair securement and safe lifting procedures
3. Other training shall be conducted as needed and at the recommendation of the safety committee.

VI. MECHANIC TRAINING

Initial schedule of documented mechanic training shall be established. At a minimum training shall be provided every 5-years to mechanics in these areas:

Electrical systems
Tune up procedures
Air brake maintenance
Air conditioning, refrigerant handling (EPA requirements)
Fuel injection systems
Warranty repairs including documentation of
Documentation of repairs, parts, equipment, and failures
Special equipment such as wheelchair lifts, fareboxes
Vehicle operation skills
First aid certification
Coworker relations (no tolerance policy for discrimination, sexual harassment/misconduct, disrespectful behavior)

VII. DISPATCH ISSUES

A written security program that includes the following elements shall be developed and maintained; and training provided to dispatch, operators, and maintenance staff:

- a) Procedures for handling communications between vehicle operators, dispatchers, mechanics, and management.

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- b) A program for emergency radio communications that codes different Levels of disturbances.
- c) Training of vehicle operators, mechanics, and dispatchers regarding conflict resolution, self-protection and how to handle emergencies.

VIII. ACCIDENT INVESTIGATION AND REPORTING PROCEDURES

1. Written accident procedures including the following shall be maintained at all times:
 - a) Accident/incident report forms will be completed by both employee/operator and supervisor immediately in all instances of property damage, bodily injury or possible damage or injury.
 - b) Supervisor will respond to the scene as necessary and conduct an investigation.
 - c) A central contact will be responsible for reporting accidents to WSTIP, monitoring loss issues and coordinating inter-agency communications.
 - d) Accidents shall be reported to WSTIP within 24 hours of notice.
2. Supervisors, operators and staff will be trained in accident procedures. Supervisors will receive in-depth accident investigation training and follow appropriate investigation procedures at all times.

IX. ACCIDENT REVIEW COMMITTEE

All accidents shall be reviewed for preventability using National Safety Counsel (NSC) or other similar standards.

- a. Employees will be held accountable for preventable accidents.
- b. Safety committee will be notified of all preventable accidents for possible development of loss control solutions, training needs. Additionally all significant accidents will be reviewed by top management.

X. VEHICLE INSPECTIONS

1. Operators shall conduct pre-trip vehicle inspections and their written inspection forms turned in to appropriate personnel. Walk-through inspections at the end of each shift are recommended.

XI. PREVENTIVE MAINTENANCE

1. A vehicle preventive maintenance program shall be followed in accordance with manufacturers' guidelines. The maintenance program shall utilize a written tracking and scheduling system to ensure regular maintenance, quality control, and to monitor equipment failure, road calls history of each vehicle, etc.
2. Evaluation of the maintenance and repair program will be conducted every 3 years in order to ensure compliance with federal and state requirements.

XII. EMERGENCY MANAGEMENT

A written emergency management plan anticipating possible emergencies shall be developed. Employees shall be provided with initial and refresher training including simulation exercises if appropriate. The plan

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may address earthquake, flood, forest fire, bomb threat and other emergencies. Each agency should plan in accordance with terrain, geography, weather patterns, and demographics of the area in which the agency operates.

XIII. PREMISES LIABILITY

1. A system shall be in place to receive and act on operator/maintenance staff input regarding route service and bus stop locations. Safety committee (or other appropriate committee) shall be advised of operator concerns for review, recommendations and monitoring.
2. Permits or written authorization shall be obtained from appropriate governing bodies (city, county, state) for each signed bus stop location. If permits or authorizations are not normally offered by the appropriate governing body, a letter advising them of planned action shall be sent and retained in agency files. Access permits shall be obtained when stops are placed on private property.

XIV. OTHER ISSUES

1. Paratransit services may be curb-to-curb or door-to-door. If door-to-door services are offered, physical site reviews should be conducted in advance of first pickup to ensure workable safe conditions and reasonable access consistent to ADA issues and concerns.
2. All operators shall be trained in safe lifting and wheelchair maneuvering as needed in order to prevent operator and passenger injury. Operators shall receive training and information regarding various disabilities.
3. If vanpool services are offered the agency will participate in the WSTIP Vanpool Committee and follow WSTIP Vanpool Standards.
4. All agency contracts are required to contain the following:
 - a. Indemnification and hold harmless clause(s) protecting the agency
 - b. Adequate insurance requirements for general and auto liability and other appropriate coverages
 - c. Transit agency named as additional insured on a primary basis on contractor/vendor's liability policy
 - d. Requirement that additional insured endorsement (form CG2010 – B), and certificates be provided by contractor/vendor prior to commencement of contract
 - e. Renewal insurance certificates will be obtained as needed.