



City of Biddeford
Personnel Committee
May 20, 2026 at 3:00 PM
City Hall Council Chambers & Teams

Join:

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Meeting ID: 266 452 027 139 830

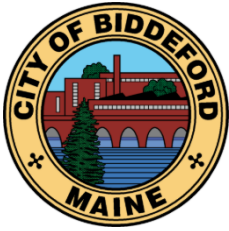
Passcode: QJ2ST2G5

Dial in by phone

+1 872-242-8054

Phone conference ID: 701 923 641#

1. Call to Order
2. Approval of Minutes
 - 2.a Personnel Committee Meeting Minutes 3.24.26
3. Discussion
 - 3.a Planning and Economic Development Re-organization
 - 3.b City Employee Driving Safety Policy
4. Other Business
5. Adjourn



PERSONNEL COMMITTEE MEETING

March 24, 2026

4:35 PM

Meeting Minutes

ITEM 1 Call to Order

Committee Chair and Councilor Patricia Boston called the meeting to order at 4:35 pm with Councilor Roger Beaupre, Councilor Abby Woods and Councilor Dylan Doughty present. Also present were City Manager, Truc Dever; Human Resources Director, Diana Depaolo; Safety & Training Coordinator, Daniel Hammond; Human Resources Deputy Director, Kara Simmons, Human Resources Admin Assistant, Sarah Hulbert; and Gerry Matherne, Finance Director. Several other employees were present.

ITEM 2 Approval of Minutes

Councilor Boston made a motion to approve the minutes from 3.2.2026. Councilor Beaupre seconded the motion. The motion was approved unanimously.

ITEM 3 Discussion

3.a Clerk Department Operations

Diana DePaolo informed the Committee that the City Clerk's end date will be April 10, 2026. She emphasized that because the work of the City Clerk, specifically regarding elections, Council meetings, and minutes—is strictly outlined in the City Charter, a plan is necessary to ensure the continuous fulfillment of these legal mandates. City Manager, Truc and Diana proposed a short-term solution involving the splitting of Clerk duties among current qualified staff, including an in-house employee to lead office supervision and another to manage election work, video reviews, and state-required attestations.

Conversation regarding the restructuring was extensive and included questions regarding the Charter-mandated requirements for running elections and whether the Secretary of State provides transition support. The committee discussed the necessity of defining the role based on the City's specific Charter needs rather than current personnel and asked for the current position to be compared to the structure of neighboring municipalities. Further discussion focused on the City Manager's authority to intermittently move qualified individuals into these roles and the approval of stipends, funded by the vacant Clerk position.

The committee also addressed the potential staffing gap created by these moves, considering the use of current or additional temporary employees to maintain the clerk's office capacity.

Councilors agreed that the interim plan to split Charter duties and provide stipends was necessary to maintain operations under the City Manager's oversight. There will be formal action taken by the City Manager to discuss this with the Council. Regarding a long-term solution, the Committee determined that more information is required to ensure the role meets all Charter and City needs. The City Manager and the Director of Human Resources will research how the Clerk's office operates in other municipalities and continue consultations with the City Attorney. The City Manager will agendize the matter for a formal Council motion upon their findings.

3.b

Payroll & AP Specialist

Diana DePaolo brought forth the discussion around the Finance Department and it’s structure, a conversation that has continued over the years. She shared that Gerry (present at the meeting) who has been with the City for a little over a year has been able to take the opportunity to look at the department to streamline systems and positions to make sense of the City’s needs.

With the introduction of Paylocity some significant pieces within the department have been moved to the system. HR has also taken over some things from the Payroll Specialist that make sense with their scope rather than sharing duties between departments.

When looking at the Payroll Specialist position Gerry has decided that, due to the changes and streamlining, the position could absorb the duties of the AP position which is currently posted. The individual in this role has the bandwidth to take on these duties and the knowledge.

When looking at combining these roles HR found that they are comparable positions at level 13. The proposal would be to keep the position within that level. This would just be a realigning of position duties and a change in title.

The Committee pointed out that this is essentially getting rid of one full-time position that has already been budgeted and agreed with the decision. The Committee asked the Finance Director, Gerry for her thoughts. She shared that this makes sense for her department and is a sustainable position in the future. Councilor Boston moved the decision to motion; seconded by Councilor Beaupre the motion was approved unanimously.

3.c

City Attorney

The Committee asked for an update on the City Attorney agenda item from the last meeting. The decision was made at the last meeting not to rush into the decision of whether to hire a City Attorney without more information. The City Manager was looking for recommendations on how to proceed as the City completed the budget cycle. The Committee agreed that status quo should be maintained while information was collected in FY27 to make a more educated decision. During 2027 the Committee has asked that data be collected around what legal services are being used and the number of hours billed. This will hopefully quantify the services and allow for informed decision making in FY28.

**ITEM 4
N/A**

Other Business

ITEM 5

Adjourn

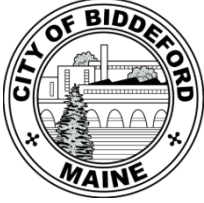
Councilor Boston made a motion to adjourn at 5:25PM. The motion was seconded by Councilor Beaupre.

Personnel Committee Members:

- Councilor Patricia Boston, Chair
- Councilor Roger Beaupre

Councilor Abigail Woods
Councilor Dylan Doughty

March 24, 2026, minutes taken by: K. Simmons, Deputy Director of Human Resources



Personnel Committee

Meeting Date: May 20, 2026
Meeting Time: 3:00 PM
Agenda Item No: 3.a
Item Description: Planning and Economic Development Re-organization
Submitted By: Truc Dever, City Manager

Key Terms:

Executive Summary:

Pursuant to the City Charter, the City Manager has the authority to reorganize or restructure departments and department heads. However, recent amendments to the role of the Personnel Committee in the Council Rules provides under Rule 5(h)(2)(d) that the Personnel Committee responsibilities include "reviewing proposals for new positions, reclassifications and significant organizational structure changes to assess policy, workforce, and fiscal implications.

It is the City Manager's proposal that the Planning and Economic Development Department be divided into a separate Planning Department and an Economic Development Department, with two distinct department heads overseeing the operation of each department. Attachment 1 illustrates the current organizational structure for the department, while Attachment 2 illustrates the proposed structure with corresponding staff within each department.

There have been multiple discussions with staff and Council this year regarding the inherent conflict in roles and objectives when a City Planner reports directly to an Economic Development Director. Separation of these functions into two departments will ensure compliance and the integrity of the planning and development process.

Detailed Review:

Funding Source:

Separation of departments will require realignment of the City Planner at a Director-level salary scale. This has been communicated to the consultant conducting the compensation and classification study.

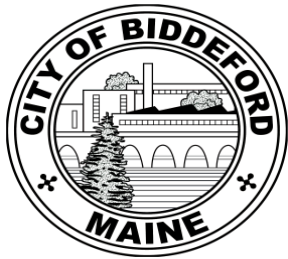
Staff Recommendation:

Staff recommends the Personnel Committee reviews and provides input on the proposed separation of the Planning and Economic Development functions of the department.

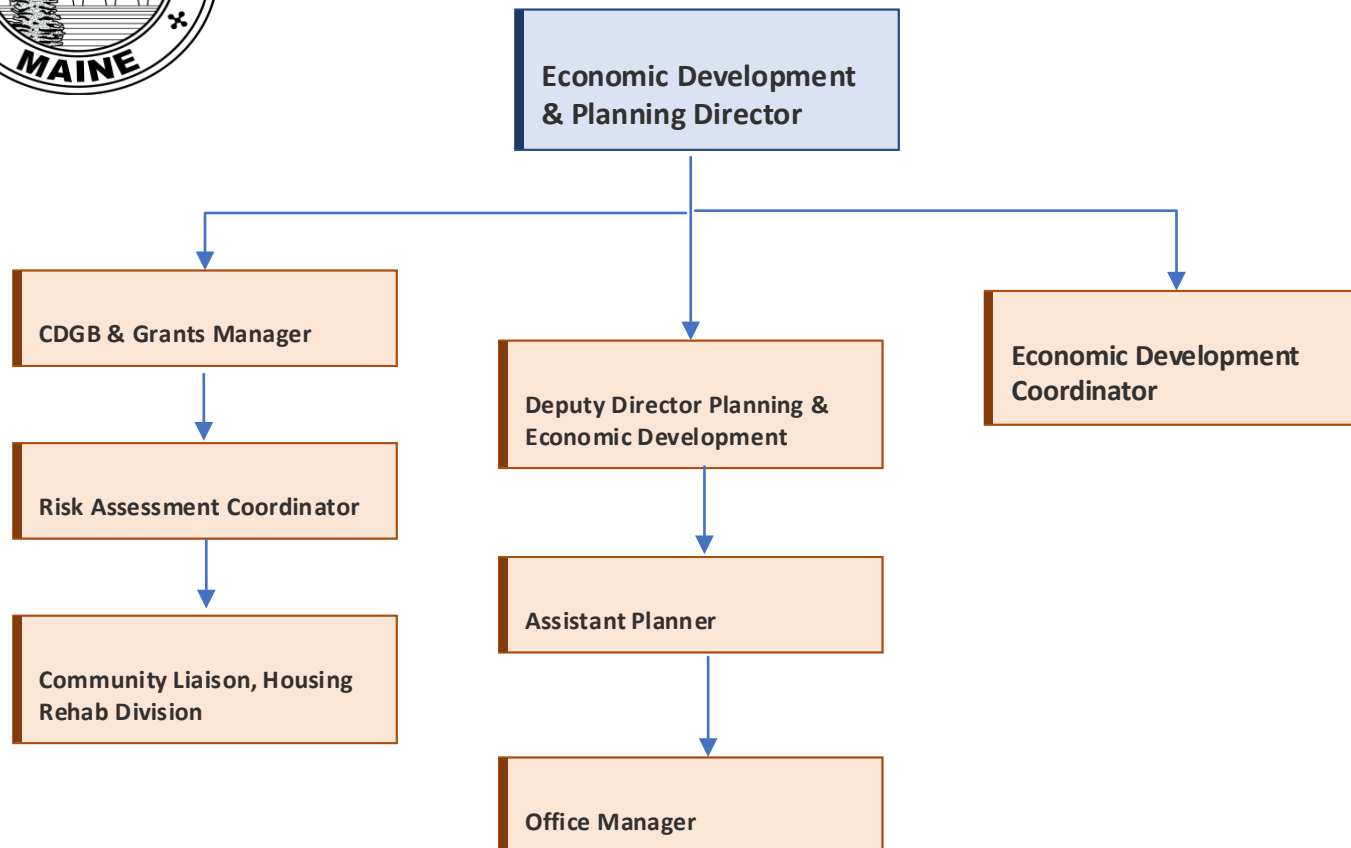
Next Steps:

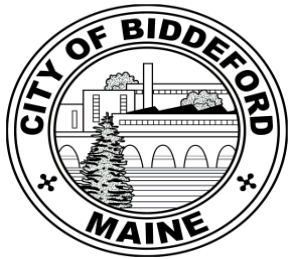
Attachments:

- 1. Att 1-2026 EcoDev - Org Chart
- 2. Att 2-2027 Proposed EcoDev 2- Org Chart

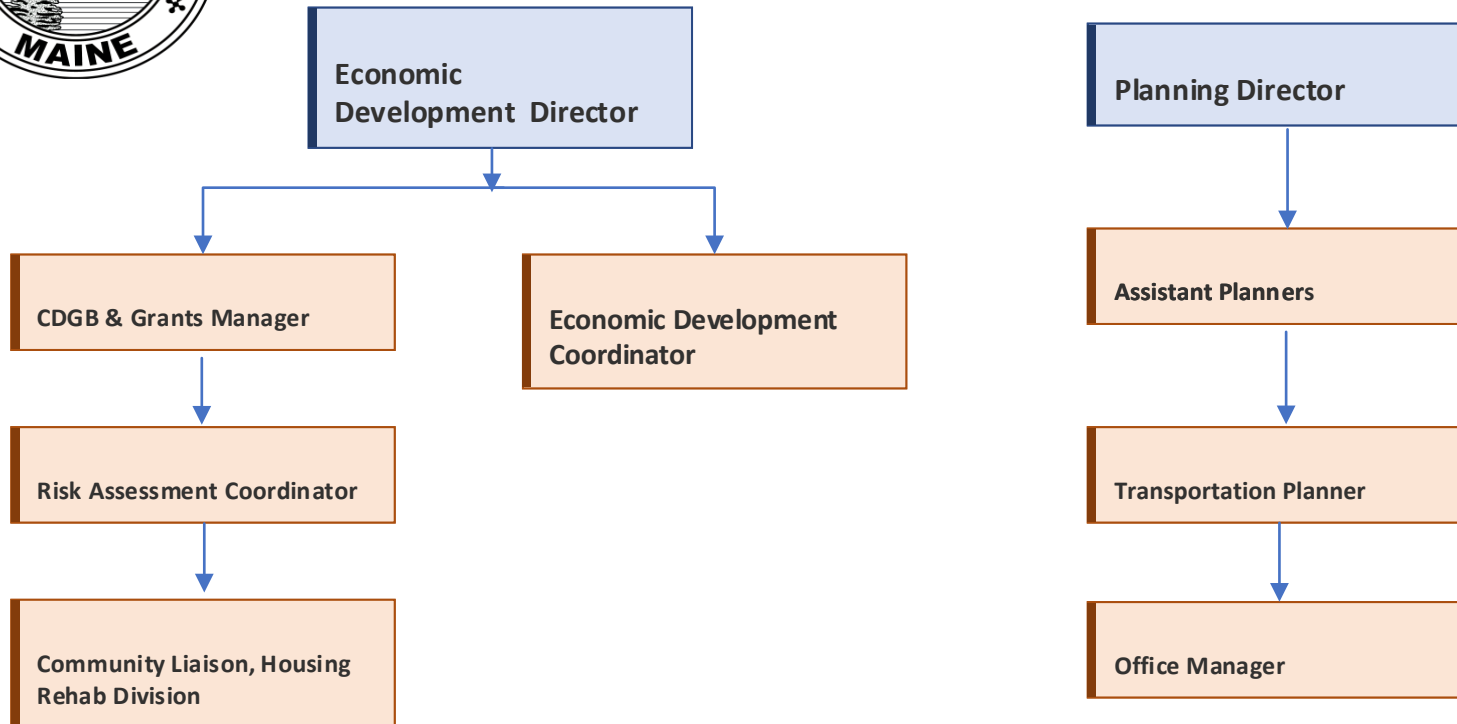


2026 Economic Development & Planning Organizational Chart





Proposed 2027 Economic Development & Planning Organizational Chart





Personnel Committee

Meeting Date: May 20, 2026
Meeting Time: 3:00 PM
Agenda Item No: 3.b
Item Description: City Employee Driving Safety Policy
Submitted By: Daniel Hammond, Safety & Training Coordinator

Key Terms:

Motor Vehicle Record (MVR) - an official document detailing an individual's driving history, including license status, traffic violations, accidents, and other driving-related information.

Non-owned vehicle – any vehicle not owned by the City of Biddeford (such as rented, leased and employee owned vehicles)

Executive Summary:

On 7.11.25, the City's Insurance provider, Travelers Insurance, provided the City with six risk control recommendations. Three of the six recommendations related to vehicles and driving safety. In response to the recommendations, the City of Biddeford Driving Safety Policy has been developed. The policy draft is being presented to the Personnel Committee for their review and consideration.

Detailed Review:

On 7.11.25, Travelers Insurance provided the City of Biddeford with six risk control recommendations. Three of the six recommendations focused on different aspects of driving and vehicle safety and include the evaluation of motor vehicle records, improvement to our fleet safety program and a corrective action policy for company drivers. Rather than developing three standalone policies to address the recommendations individually, the City of Biddeford Driving Safety Policy has been developed to address all three of the recommendations within a single policy.

The policy was developed by Safety & Training Coordinator, Daniel Hammond. Resources

specific to the risk control recommendations were provided by Travelers and were used to craft the policy. Individual city departments were also consulted, and copies of their existing driving-related policies were reviewed.

The Driving Safety Policy is intended to be applied to all City employees to increase driving safety across the city. As such, policy drafts have been shared with the City's Safety Committee for ongoing review, comment and improvement. This allowed many concerns to be expressed and addressed in updated drafts of the policy. Having reached the 10th draft, the Safety Committee would now like to have the policy reviewed and considered by the Personnel Committee.

Once the Driving Safety Policy is approved by the Personnel Committee, it will also need to be shared with the Fire, Police and Public Works unions for their review, feedback and approval. Once approved by all stakeholders, the policy can be incorporated into the Human Resources Policies, Procedures and Benefits Manual. Before this takes place, however, time will be needed to develop appropriate documents, spreadsheets, staff training resources and detailed procedures required to support the policy and ensure it can be implemented smoothly from the day it takes effect.

Funding Source:

Required funding: \$1575/ year to be taken from 21111 General Administration/ Operating Supplies line item.

MVR check = \$7.00 per person

225 employees are estimated to require annual MVR checks. (This does not include Police Department employees as the Police Department is able to run MRC checks on their employees at no charge.)

Staff Recommendation:

Staff recommends the Personnel Committee approves the Driving Safety Policy and determine appropriate date for policy effective date.

Next Steps:

If approved by the Personnel Committee, this internal policy will be implemented and training will be provided to applicable staff.

Attachments:

1. Att 1-Driving Policy Draft 10
2. Att 2-Travelers Risk Control Recommendations 7.11.25

City of Biddeford Driving Safety Policy

Vehicle operations can create a substantial risk for the City of Biddeford. To reduce vehicle risk, only drivers with safe driving records are permitted to operate vehicles on City business.

The driving policy below is applicable to all City of Biddeford employees who operate vehicles to conduct any type of business for the City.

- All drivers must have a valid driver's license with the proper class and appropriate endorsements for the vehicle(s) they are operating.
- Drivers must not drive if their license has been suspended or revoked.
- Driver's Motor Vehicle Records (MVRs) will be evaluated annually to determine their eligibility to drive while employed by the City of Biddeford.
- Drivers must complete driver orientation and vehicle-specific safety training.
- Drivers must follow the standard operating procedures developed for the vehicle they are operating.
- Drivers are expected to operate vehicles in accordance with all applicable traffic laws and with due regard for the safety of others. This includes, but is not limited to, obeying all posted speed limits, driving at a speed that is safe and appropriate for current conditions, keeping a safe following distance, and ensuring all occupants of the vehicle are wearing a seatbelt.
- Drivers must focus their attention on driving and avoid distractions while operating a vehicle. The use of handheld mobile devices is prohibited while driving except if the phone is mounted inside the vehicle and can be operated using voice commands. Further exceptions may be made for first responder personnel to operate personally assigned or vehicle specific communication devices.
- Drivers must be physically and mentally capable of safely operating a vehicle. Impaired driving, in all forms, including from controlled substances, alcohol, fatigue or from prescription or over the counter drugs, is prohibited.
- Passengers may only be transported if they have been authorized/approved by a supervisor.
- Drivers are required to report all accidents, moving violations and license suspensions to their supervisor immediately. Supervisors must then pass this information on to their Department Head and the Human Resources Department.
- Drivers are required to notify their supervisor if they have a medical condition that may impact their ability to safely operate a vehicle. This may include current medical issues where the licensing authority has placed a restriction on the driver's license or where a person is taking medication that would impair their ability to safely operate a vehicle.
- Drivers who are involved in preventable accidents, moving violations or other violations of City policy may be subject to corrective and/or disciplinary action(s) up to, and including, dismissal.
- All fines, defense costs and other legal penalties arising out of ticketed offenses are the responsibility of the driver.

Exceptions to this policy are made, as appropriate, for drivers of authorized emergency vehicles who must comply with Maine's [Title 29-A, Subsection 2054](#), NFPA 1002 and DOL BLS [12-179 Chapter 7: Minimum Driver Training Requirements for Fire Apparatus](#).

Non-owned vehicles

Vehicles not owned by the City of Biddeford (non-owned vehicles) are often used by employees to carry out city business. Examples of non-owned vehicles include rented and leased vehicles and employee-owned vehicles used for business purposes. When these vehicles are used to transport clients, other business partners, or for general business needs, drivers must ensure that these vehicles are operated safely.

- Employees operating non-owned vehicles on behalf of the City must comply with the rules and procedures listed in the driving policy above and are subject to the City's driver evaluation and qualification procedures. This includes meeting standards to ensure that all drivers have a valid driver's license and acceptable driving record.
- Non-owned vehicle drivers must complete applicable driver-related orientation and training as is required of owned vehicle drivers.
- Non-owned vehicles must always be kept in safe operating condition.
- All applicable vehicle laws and regulations must be followed, including maintaining appropriate registration, inspection and insurance, obeying speed limits, wearing seatbelts and avoiding distracted driving.
- The City does not provide primary liability coverage for the use of personal vehicles for City business. Any costs arising from damage incurred while a non-owned vehicle is being operated for City business will be the responsibility of the vehicle's owner, the driver and/or their personal insurance company/policy.

Driving Safety Procedures

Driving History Check

Applicants must complete a background check authorization form as part of the on-boarding process. The Human Resources Department will obtain and review Motor Vehicle Records (MVRs) for new drivers at the time of hire or when transitioning into a driving position. The Human Resources Department will then obtain and review MVRs annually thereafter or more frequently if required as part of a performance management plan.

Driver Evaluations and Qualification Standards

Prospective employees must have a record that is CLEAR or ACCEPTABLE to be hired for positions requiring driving. Current drivers must have an MVR record that is CLEAR, ACCEPTABLE, or BORDERLINE. Department Heads may restrict the driving privileges of individuals with BORDERLINE MVRs or require drivers to receive additional training or monitoring. Drivers with POOR MVRs will be suspended from driving on City business.

Minor Moving Violations (past 3 years)	Preventable Accidents (past 3 years)			
	0	1	2	3+
0	Clear	Acceptable	Borderline	Poor
1	Acceptable	Acceptable	Borderline	Poor
2	Acceptable	Borderline	Poor	Poor
3	Borderline	Poor	Poor	Poor
4+	Poor	Poor	Poor	Poor
Major Violations (Past 3 years)	Poor	Poor	Poor	Poor

Major driving violations

Serious offenses that pose significant risks to public safety and demonstrate willful or wanton disregard for the safety of people or property. Major driving violations can lead to severe legal consequences, including fines, license suspension, and even jail time.

Major violations include but are not limited to:

- Leaving the scene of an accident (hit and run)
- Fleeing or eluding law enforcement
- Driving under the influence of drugs or alcohol
- Excessive speed (>20mph over the limit)
- Reckless or negligent driving
- Felony, homicide or manslaughter involving the use of a motor vehicle
- License suspension or revocation resulting from an accident or moving violations

Minor driving violations

Less serious offenses that typically result in fines or points on a driving record, rather than criminal charges or jail time.

Minor violations include but are not limited to:

- Speeding <20mph over the limit
- Failure to obey sign
- Failure to yield
- Failure to signal
- Illegal turn

Non-moving driving violations

Infractions related to a vehicle's condition or legal status, not the act of driving itself.

Non-moving violations generally include:

- Parking violations
- Motor vehicle equipment violations
- Failure to have a valid operator's license available where one exists
- Paperwork issues (such as registration)

Non-moving violations are typically not included when evaluating MVRs.

Preventable accident

Any accident in which the employee failed to exercise every reasonable precaution to prevent the accident.

Driver Experience

For City owned vehicles that can be operated with a Class-C license (such as cars, SUVs, pickups and other small vehicles), drivers must have at least one year of previous verifiable experience operating a similar vehicle.

For large vehicles, commercial vehicles and specialized operations (i.e., towing, passenger transportation, combination vehicles, oversized/overweight vehicles and cargo, hazardous materials and bulk tank trailers), drivers must have at least two years of previous verifiable experience operating a similar vehicle.

Vehicle Operations and Driver Training

The City of Biddeford utilizes a variety of different vehicles to conduct business. Each vehicle is to be operated in accordance with standard operating procedures developed by the department responsible for the vehicle. Employees are to be oriented to the standard operating procedures for the vehicles they are operating during driver training at their time of hire, when they transfer into a position that requires driving or when they are required to operate a new type of vehicle.

Each Department is responsible for ensuring that driver training, appropriate for the vehicles their employees operate, takes place. At a minimum, driver training must consist of:

- Driving policy review and acknowledgment
- Review of standard operating procedures for the vehicles(s) to be operated (not required for non-owned vehicles)
- Road test with an approved supervisor to demonstrate the ability to safely operate the vehicle in compliance with all applicable laws and policies (not required for non-owned vehicles)
- Position/ Department-specific training and competency demonstration, such as law enforcement vehicle operation, fire apparatus operation, snowplow operation

Documentation of driver training is to be sent to the Human Resources department and added to the employee's file.

Formal Training & Skill Development

If an employee does not possess the prior experience required to operate a vehicle, formal training and skill development may be provided during their employment to prepare them to operate the vehicle.

Formal training must:

- Be supervised by an experienced driver
- Be specific to the type of vehicle to be operated
- Orient the employee to the vehicle's safe operating procedures
- Allow the employee to learn and practice new skills necessary for safe operation
- Allow the employee to demonstrate safe operation in different settings
- May or may not require additional licensing depending on the vehicle to be operated and the employee's position

Successful completion of formal training may allow employees to operate vehicles without the one year of experience required for Class-C autos or two years of experience required for commercial vehicles.

Passengers

Individuals authorized and approved to be transported as passengers include:

- City of Biddeford Employees
- Representatives of businesses or service providers engaged in business with or for the city
- Individuals (both patients and accompanying family members) being transported by emergency services
- Individuals attending a trip with transportation provided by the city
- Any other individual approved by a Department Head

Non-owned Vehicle Insurance Verification

Drivers who regularly (at least once per week) operate a non-owned vehicle for business purposes must submit proof of insurance for their vehicle(s) to the Human Resources Department. It is the responsibility of the employee to ensure their vehicle remains insured and to provide updated policy information to the Human Resources Department whenever there is a change or renewal of their policy.

Accident Management

Employees involved in an auto incident should:

- Protect against further damage by moving to the safest possible location and using emergency lighting, reflectors or cones as appropriate
- Provide care as appropriate - Request medical assistance, if required
- Call the police
- Not assume responsibility for the accident
- Collect the names and addresses of each driver, passenger and witness, as well as the insurance company and policy number for each vehicle involved
- Document the scene by taking pictures of the vehicles involved, the damage and the surrounding area
- Only discuss the incident with police officers, their supervisor, or a representative from the City's insurance company
- Immediately report the incident to their supervisor and complete an Employee Report of Injury or Incident as soon as possible following the incident

The incident must be reported to the City's insurance company as soon as possible. Incidents and claims can be reported to the City's current insurer, Travelers, via their 24-hour claim reporting service on 1-800-238-6225.

Corrective Actions & Driver Performance Management

Violations of the City's Driving Safety policies and procedures may result in a change to a driver's MVR. Regardless of whether there is a change to a driver's MVR, employees that violate the City's Driving Safety policies may be subject to corrective action and discipline up to and including termination following the appropriate Department's Disciplinary Policy.

Examples of driving safety related violations include:

- Failure to operate a vehicle in accordance with standard operating procedures
- Having unauthorized passengers
- Moving violation convictions
- Involvement in preventable accidents
- Drug and alcohol-related violations
- Department of Transportation compliance violations

Drivers that have violated driving policies or that develop borderline records must be given notice that future violations and preventable accidents may disqualify them from operating a vehicle for

city business. Examples of corrective actions for policy violations and borderline MVRs include but are not limited to:

- Reviewing City policies and procedures
- Counseling the driver and highlighting the impact of additional violations or accidents
- Additional vehicle operation training specific to their department and the vehicles operated
- Obtaining and reviewing the driver's MVR quarterly
- Conducting periodic ride-alongs to observe driving behavior and provide feedback and coaching on safe driving techniques
- Completion of defensive driving training (resources below)
 - [Driving Dynamics | Department of Public Safety](#)
 - [Maine Defensive Driving & Traffic School | DMV.ORG](#)
 - [Maine Defensive Driving Course - Register Now | NSC](#)
 - [Defensive Driving Courses & Traffic School | DriveSafe Online®](#)

For recurring or serious violations, stronger corrective action may be warranted, including probation or prohibiting the driver from operating a vehicle.

Employees that develop a POOR MVR or are prohibited from operating a vehicle may be reassigned to job roles that do not involve driving if such roles are available. If an alternate role is not available, the employee's eligibility for continued employment will need to be evaluated.

All steps taken to evaluate driver performance and any corrective action that becomes necessary must be documented and shared with the employee's supervisor. Documentation must also be shared with the Human Resources Department.

Conditional Reinstatement of Driving Privileges

Employees placed in POOR MVR status may be considered for early reinstatement of driving privileges prior to the standard three (3) year review period when the employee demonstrates sustained improvement and completes required corrective actions.

Minimum Eligibility Criteria

The city may consider reinstatement when the employee has:

- Successfully completed an approved defensive driving course
- Maintained a violation-free driving record for a minimum of six (6) to twelve (12) months (as determined by Human Resources)
- Demonstrated a legitimate operational need to drive
- Received approval from the Department Head in consultation with Human Resources

Additionally, the employee may be required to demonstrate the performance of criteria specific to their department's vehicular standard operating procedures.

Probationary Driving Status

Employees granted early reinstatement may be placed on probationary driving status. Conditions may include, but are not limited to:

- Enhanced MVR monitoring
- Restriction to certain vehicle types
- Supervisor authorization prior to vehicle use
- Additional training requirements
- Time-limited probation period

Failure to meet probationary conditions may result in immediate re-suspension of driving privileges.

Nothing in this policy guarantees reinstatement of driving privileges. All determinations remain at the sole discretion of the City based on safety, risk management, and operational considerations.

DRAFT

Travelers Risk Control
350 Granite Street
Suite 1201
Braintree, MA 021843905

July 11, 2025

Daniel Hammond
HR - Safety & Training Coordinator
City of Biddeford
205 Main St
Biddeford, ME 04005

Dear Daniel Hammond:

I would like to thank Erika Dube, Brian Dunphe, Alisha Keezer, Tyler Stewart, Chief Fisk, Jeff Demers, Alex Beuchner, Diana DePaolo and yourself for taking the time to meet with me on May 29, 2025. I understand we now provide your Automobile Liability, General Liability - Premises / Operations, Law Enforcement Liability, Public Entity Management Liability and Employment Practices Liability coverages. The purpose of our meeting was to:

- Review the City's operations
- Identify and discuss potential exposures to loss
- Review risk management programs and policies
- Discuss recommendations and best practices
- Highlight Travelers safety resources

OBSERVATIONS AND DISCUSSIONS

Throughout the visit, it was evident that there have been notable improvements over the past couple years to policies and procedures to minimize the potential for accidents and incidents. The recommendations below are additional areas that were discussed that ought to be further enhanced or developed, with some currently being worked on now or in the near future.

RECOMMENDATIONS

The following recommendations are offered to help you in your efforts to improve your current safety program and help reduce your potential losses.

25-1 Evaluate Motor Vehicle Records

Summary:

Employees and others who operate vehicles on behalf of your organization, who have a history of unsafe driving, can present an increased risk of vehicle accidents and workplace injuries.

Action Needed:

Review the motor vehicle records (MVRs) of all drivers who operate vehicles on behalf of your organization at least annually (owned, leased or employee personal vehicles). This may include:

- Full or part-time employee drivers
- Employees who drive occasionally
- Employees who drive personal vehicles for work

Evaluate MVRs and compare them to uniform criteria to determine if employees have safe driving records, need coaching or should be removed from driving positions. See More Details for recommended MVR evaluation criteria.

Benefit:

Periodically reviewing MVRs to confirm drivers have safe driving records can help:

- Reduce the risk of vehicle accidents and workplace injuries.
- Reduce the risk of liability for accidents that involve injuries or property damage to others.
- Comply with important state and federal driver qualification requirements if your organization operates commercial vehicles.

More Detail:

Motor vehicle records should provide at least a three-year driving history. Carefully examine these records to identify drivers who have marginal or poor driving records. Those with marginal driving records should be counseled and have their MVRs monitored more frequently. Drivers who have poor driving records should not be permitted to operate vehicles on your organization's behalf. Motor vehicle records should be retained in the employee's personnel file.

Poor driving records include those with the following or similar characteristics during the past three years:

- Conviction for an alcohol and/or drug-related driving offense
- A serious moving violation, such as excessive speed, reckless or careless driving
- Any combination of three or more minor moving violations, "At Fault Accidents" or "Preventable Accidents"
- Suspension, revocation or administrative restriction
- Leaving the scene of an accident as defined by state laws
- At fault in a fatal accident
- Felony committed involving a vehicle

These criteria should be communicated to all employees.

The resource(s) below will help you with this recommendation:

- [Motor vehicle record \(MVR\) policies](#)

25-2 Fleet Safety Program Improvement**Summary:**

A fleet safety program has not been established or the current program is missing important driver and vehicle safety policies.

Action Needed:

- Develop a fleet safety program, or enhance your current program, to include important driver and vehicle policies.
- Update your program periodically to ensure it remains current.
- Ensure all employees who drive company-owned, personal, or rented vehicles for work have reviewed it and agree to follow the policies and procedures it contains.
- Reinforce your fleet safety program to ensure policies and procedures are being followed consistently throughout your organization.

Benefit:

- Educates employees about your organizations fleet safety policies and procedures.
- Promote safety throughout your organization and reduce the risk of accidents.

- Improves consistency and adherence of employees following your program.

More Detail:

Important elements of a fleet safety program include:

- Management's commitment to fleet safety
- Driver selection, qualification and performance management
- Safety rules (e.g., mobile device use, speeding, seat belt use, impaired driving, etc.)
- Vehicle use and operating procedures
- Accident response, reporting and investigation procedures
- Vehicle inspection, care and maintenance
- Safety training

Additional elements should be added based on your organizations unique operations.

The resource(s) below will help you with this recommendation:

- [Fleet Safety Program Guide](#)
- [Transportation Safety Roadmap | Travelers Insurance](#)

25-3 Contractual Liability Risk Management Program**Summary:**

Contractual agreements are needed to help protect you against claims resulting from work being performed for you by contractors and other parties, whether on-site or off-premises.

Action Needed:

- Develop a formal written contract that includes insurance requirements
- Draft your agreements with legal assistance to ensure contractual language provides you available protections and is enforceable in your jurisdiction
- Obtain Certificates of Insurance (COI) annually from all contractors or service providers to ensure their policies are currently in force

Benefit:

Contractual agreements and evidence of appropriate insurance can help limit your exposure in the event of a claim involving service providers or contractors that you engage.

More Detail:

- Indemnification Agreement - With legal counsel, develop a written contract that includes hold harmless, indemnification, and defense clauses to protect your company's interests. Additionally, have legal counsel review all contracts presented to you by third parties.
- Insurance Specifications - List insurance specifications in the contract, detailing requirements such as coverages, limits, additional insured status, written notice of cancellation clause, etc. Consult with your insurance agent for more specific guidance on required coverages and limits for the type of work to be performed.
- Certificate of Insurance - Obtain Certificates of Insurance (COIs) from all companies performing work for you before work begins and review the COIs to ensure they match the requirements of your written contract. In the event of recurring work, ask for an updated certificate annually.

The resource(s) below will help you with this recommendation:

- [Risk Transfer: Managing 3rd Party Relationships](#)

25-4 Concussion Management Program

A formal, written Concussion Management Program (CMP) should be implemented to help reduce the potentially severe injuries associated with head traumas for those participating in athletic activities and/or events. You should consult State law and/or requirements of any applicable organizing bodies for required program elements. The elements of a formal CMP should include, but should not be limited to:

1) Annual Concussion Risk training for participants, coaches, medical personnel, and any person who has a supervisory role in the athletic activity and/or event. This training should cover the following topics:

- Risks of concussions during athletic activities
- Recognition of signs and symptoms of concussions
- Potential consequences of concussions, including but not limited to, the potential long term effects of concussions and the potential effects of concussions if not treated properly
- Prevention and preparedness protocols to help address the risk of concussions
- Any other topic required by law or regulation, schools, sports leagues and organizations, or any other applicable entity that has created policies or action plans for concussions

The training should be documented and include the signatures of those attending.

2) Formal procedures to remove a participant suspected of having a concussion from play.

3) Formal procedures that require medical clearance from a qualified medical professional trained in assessing concussive risk before a participant may resume athletic activities. This medical clearance should be documented in writing and signed by the assessing medical professional.

Guidance for the elements of a formal CMP, as well as best practices and program resources, can be accessed from the Centers for Disease Control at <http://www.cdc.gov/headsup/index.html>.

25-5 Corrective Action Policy

Develop a corrective action policy to address violations of company safety policies. The corrective action program should be applied to all company drivers (including sales and distribution drivers) and leased contractors.

Examples of safety-related violations include:

- Involvement in preventable accidents
- Moving violation convictions
- Drug and alcohol-related violations
- Failure to inspect or maintain equipment
- Having unauthorized passengers
- Department of Transportation compliance violations (if regulated)

Formalized corrective action procedures will assist in preventing future violations. Without an effective corrective action process, violations are likely to continue.

Corrective action can include reviewing company policies and procedures or formal training. For reoccurring or serious violations, stronger corrective action may be warranted, including probation or

prohibiting the driver from operating a vehicle for your company. Establish written disciplinary guidelines for recurring or serious violations.

Apply this corrective action program to all employees equally and fairly and document all actions taken. Legal counsel should review your organization's corrective action policy to ensure it does not violate employment laws or collective bargaining agreements.

25-6 Law Enforcement Secondary Employment Policy

Your agency should develop and implement a policy on secondary employment to provide rules and guidance to staff who may desire to engage in additional work outside your agency. The policy should include, but is not be limited to:

- Detailing who must approve and when permission must be obtained when secondary employment is considered
- A list of restricted types of employment, if applicable
- A statement prohibiting the use of the Public Entity's/Law Enforcement Agency's equipment
- Establishing the number of total hours that can be worked for your agency combined with any secondary employment.
- Obtaining a waiver signed by the employee and his/her prospective secondary employer to eliminate/minimize liability to the your agency.
- A statement outlining when outside employment is not available for officers (e.g., those who: are on medical leave; have not completed probation/orientation period; or are on paid suspension)

A qualified attorney should develop or at least review your secondary employment policy prior to its implementation.

Completion of these recommendations can help reduce risks and mitigate losses associated with your business. Please provide details regarding actions you have taken or timeline of planned actions within 45 days, along with supporting documentation. Examples of documentation may include photographs of changes made, copies of updated programs, work orders, etc.

[View and respond to your Risk Control Recommendations](#)

We appreciate your business and the opportunity to help you reduce exposures and minimize loss. If you have questions regarding our discussions, the content of this report, or if I can be of further assistance, please contact me. Thank you for choosing Travelers.

Sincerely,

Andrea Cravenho

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