

TOWN OF TRUCKEE INJURY AND ILLNESS PREVENTION PROGRAM

REASON FOR INVESTIGATION

The Grand Jury, as an advocate for the public, has concerns about the Town of Truckee's employee safety program.

The mission statement for the Town of Truckee's Injury and Illness Prevention (IIP) Program states:

“Our essential mission is to provide the highest level of public service to the community. Our employees bring dedication and talent to their work and represent the finest in public service. The Town cares for this most important resource and is committed to supporting employees by investing in the tools, training, and environment needed to fulfill their potential. A key ingredient of that investment is the provision of safe workplaces for the Town's diverse work force. The Town shall lead the community by example, demonstrating the strongest commitment to the protection and safety of its employees.”

BACKGROUND

California Senate Bill (SB) 198 mandates that employers be accountable for the occupational safety and health of their employees. SB 198 was passed and chaptered into the Insurance and Labor Code on October 2, 1989. Beginning July 1, 1991, Labor Code Section 6400 requires every employer to provide “a safe and healthful workplace for his/her employees.” The California Code of Regulations (CCR) requires every California employer to have an effective injury and illness prevention program in writing that must be in accord with Title 8 CCR Section 3203 of the General Industry Safety Orders. The required elements within the regulation provide specific criteria by which Cal-OSHA will evaluate the program. “The regulation contains the elements in a format that requires the designation of a responsible person (or persons) and a system for: (1) communicating with employees on matters concerning safety and health; (2) identifying and evaluating workplace hazards; (3) implement procedures for injury/illness investigation; (4) mitigating hazards; (5) training employees; and (6) maintaining records.”

PROCEDURE FOLLOWED

The Assistant to the Town Manager and the Administrative Services Director of the Town of Truckee were interviewed. The IIP Program Manual, records and files for Truckee, were reviewed. Senate Bill 198 and Title 8 were reviewed.

FINDINGS

1. The Town of Truckee, incorporated in March 1993, is the largest of the three incorporated municipalities in Nevada County. In September 2001, the Town of Truckee established its own police department, thus significantly increasing its employee base.
2. Truckee's IIP Program was developed in 1996 three years after incorporation, and has not been updated as of this report. Truckee is working on updating its IIP Program manual with an expected completion date of mid 2003.
3. The grand jury was told that the Town Manager, who is the IIP Program Administrator, has identified employee safety as a priority.
4. The IIP Program Administrator appointed the Assistant to the Town Manager to the position of Town Safety Officer. These safety duties comprise one of several significant functional areas of responsibility assigned to the Assistant to the Town's Manager.
5. The Safety Officer has participated in off-site training programs to become familiar with the role and responsibilities in this area. However, when asked, the Safety Officer was unable to identify the legislation that sets forth the requirements for employee safety/training programs and the respective record-keeping requirements.
6. The Safety Officer is responsible for planning, coordinating, and ensuring that training is provided to the Town employees. The Administrative Services Director (combined risk manager/personnel director) is responsible for overseeing and managing the Town's general liability and worker's compensation risks/costs. The Administrative Services Director (ASD) also oversees new employee safety orientations, personnel files, and instructs department managers and supervisors in the proper evaluation of employee performance.
7. While Truckee at one time had a safety committee, the committee has fallen into disuse. Staff interviewed could not say with certainty when that committee ceased to function, nor could they state the reason why. Staff was unable to identify which persons or positions previously were assigned to participate in that committee.
8. Of all of the factors used in an employee's performance evaluation, adherence to safety carries the most weight. Supervisors are also evaluated on meeting their responsibilities for ensuring employees are properly trained in the safe performance of their work.
9. The Safety Officer, who has been with the Town for about 18 months, was unaware that safety is a factor in performance evaluations, although he has been expected to perform evaluations of his own staff during that period.
10. The ASD stated that the Public Agency Risk Sharing Authority of California (PARSAC) issues an annual safety inspection report. The report is sent to the Town Manager. The

information in the report has not been shared with the Safety Officer. The Safety Officer was unaware that such a report existed.

11. Employees train their peers. However, no formal “training of the trainers” takes place.
12. First Aid and CPR training is offered to all employees.
13. All new employees are given a safety orientation. A signed acknowledgment of the completion of orientation and receipt of a copy of the safety manual is placed in the employee’s personnel file. The Safety Officer was unaware that these procedures are in place and could not recall receiving a safety orientation upon hire, due to the volume of information disseminated during new employee orientation.
14. Title 8 CCR Section 3203 of the General Industry Safety Orders defines record keeping requirements for safety and health training.
15. The Safety Officer was unable to confirm if supervisors in the departments adhere to the record keeping requirements.
16. Worker Compensation claims history was not available.
17. As set forth in the IIP Program, department personnel are required to conduct quarterly safety meetings. Safety meetings for public works employees are conducted weekly in the “field.” Supervisors take attendance, but no make-up sessions are provided for those who miss the training. Periodic safety meetings for animal control staff have just begun. Facilities maintenance staff receives monthly instruction. Office and professional staff receive no regular or periodic safety training. The Safety Officer has not conducted any training sessions for his own staff.
18. No safety incentives or recognition programs are in place. Employees are not provided quarterly or annual reports on their department’s safety record.
19. Truckee has a variety of safety brochures for distribution to employees. However, the brochures have not been distributed and there is no system in place to make them available to the employees.
20. Recently, while performing an inspection, a building inspector was seriously injured in a fall from a roof.

CONCLUSIONS

The original IIP Program appears to be a minimal response to meet state requirements following the incorporation of the Town of Truckee in 1993. Given the Town’s growth and the addition of a police department, an effective and comprehensive safety program is

critical. Management has not demonstrated a strong commitment to all aspects of their IIP Program. The loss of the safety committee and the lack of sharing safety information could spell trouble for an agency that has experienced few serious employee injuries thanks more to luck than to adequate planning and prevention. The recent resignation of the ASD, who better understood the effects of employee safety on the Town's bottom line, as well as its employee resources, further threatens the success of the safety program.

Revisions to the IIP Program Manual are critical and need to be frequently reviewed if employee safety in the Town is to remain a priority. Assignment of the central Safety Officer duties to a key official in the Town Manager's office suggests that employee safety was taken seriously at the top. In actuality, until serious injuries occur such as the recent injuries sustained by the building inspector, the Safety Officer would find it easier to focus on other more demanding tasks and issues. Without a centralized safety committee consisting of supervisors, managers, and line personnel, the idea that safety is a priority becomes nothing more than a well-intentioned thought that bears no fruit.

There is only one employee (the Safety Officer) who has the task of ensuring the safety of the Town's staff. If only some of the employees receive training some of the time, there could be disagreement among the employees that safety matters in the performance of their duties. Safety is currently only a footnote in the new orientation process for incoming employees. This is confirmed when employees do not recall that they received a safety orientation. The acknowledgment that employees signed only certifies that the Town is meeting its legal obligations, and does not necessarily have the needed impact.

There appears to be a lack of awareness that safety is an important part of every employee's duties and performance evaluations. Additional periodic training has not been provided to reinforce the importance of familiarity with and adherence to safety standards and practices. Communication and teamwork is not shared within and across departmental lines, as well as up and down the chain of command. Town employees who are responsible for training are not receiving the appropriate training.

RECOMMENDATIONS

1. Update, publish, and distribute the revised safety program manual to all employees by the end of 2003. The following web site may serve as a guideline for updating the manual: www.dir.ca.gov/dosh/dosh_publications/iipp.html.
2. Establish a safety orientation program for new employees that is separate from the general policies, procedures, and other orientation provided upon hire.
3. Ensure that safety-training record keeping complies with Title 8 CCR Section 3203 of the General Industry Safety Orders. The Safety Officer or other designated staff must conduct periodic audits of department safety records to ensure that these requirements are met.

4. Appoint staff from line, supervisor, and management levels to serve on the safety committee. Direct the committee to meet regularly to review new safety issues and safety performance, to make recommendations for improved safety, and to communicate this information to all employees. Empower the committee to develop a variety of methods for distributing safety brochures and related information to employees.
5. Strengthen safety training through a “training of the trainers” program initiated by the Safety Officer or the ASD.
6. Require department personnel to implement quarterly safety meetings, and take attendance. Evaluate department heads on the safety performance record of their staff. Schedule makeup safety meetings when appropriate.
7. Create employee safety incentive and recognition programs.

REQUIRED RESPONSES

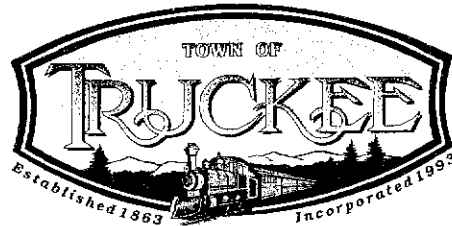
The Truckee Town Council by September 2, 2003

Town Council

Ted Owens, Mayor

John Susman, Vice Mayor

Ronald Florian, Councilmember
Craig Threshie, Councilmember
Beth Ingalls, Councilmember



J. Stupis

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Dan Boon, Chief of Police
J. Dennis Crabb, Town Attorney
Tony Lashbrook, Community Development
Dave M. Heath, CPA, Administrative Services
Patt Osborne, CMC, Town Clerk
Alex Terrazas, Assistant to the Manager
Daniel P. Wilkins, Public Works Director/Town Engineer

Judge Ersel L. Edwards
Presiding Judge
Nevada County Superior Court
201 Church Street
Nevada City, California 95959

RE: Response to Grand Jury, Town of Truckee Safety Program

Dear Judge Edwards:

This letter constitutes the response of the Town of Truckee to the Grand Jury report concerning the Town of Truckee Safety Program, transmitted to the Town on May 29, 2003. This response was reviewed and approved by the Town Council at their meeting of July 24, 2003. This response is prepared in accordance with the provisions of California Penal Code Section 933.05.

With regard to the section entitled "Findings" the Town responds as follows:

The Town agrees with Findings 1-7.

The Town disagrees with Finding 8. Safety is a factor in all employees' evaluations however, the weight it is given varies on the position, depending upon the tasks being performed and the type of supervision.

The Town agrees with Finding 9.

Finding 10 is factually inaccurate. The safety officer does receive and has received a copy of the report and had he been asked, could have provided it.

The Town agrees with Findings 11- 15.

The Town disagrees with Finding 16. Workers compensation claims are a public record and available for review under the Public Records Act procedures. It will be provided on an expedited basis if desired.

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The Town disagrees with finding 17. The Facilities Maintenance staff receives weekly, not monthly safety instruction. The Safety Officer is the Facilities Maintenance Manager and thus, carrying out training sessions for his staff.

The Town agrees with Finding 18.

The Town disagrees with Finding 19. A distribution system is now in place. Racks have been installed in the Public Works Corporation Yard and are replenished with safety brochures.

The Town agrees with finding 20.

With regard to Section entitled " *Conclusions*" the Town responds as follows:

The Town disagrees with the statements contained in this section implying that the Town does not have a strong and on- going commitment to employee safety. It is always possible to do more and to better focus the Town's resources so that an appropriate safety program is carried out. The Town understands the need to review its current program periodically to attain the goal and will do so.

With regard to the section entitled " *Recommendations*" the Town responds as follows:

The Town agrees with recommendations 1 – 7 and will implement them within the next six months.

If you have any question please contact Steve Wright, Town Manager, at your convenience.

Sincerely,



Ted Owens
Mayor

cc: Juli Dieter
Grand Jury Foreman

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