Occupational Driving Safety Programs: The Missing Link in Most Safety and Health Management Systems

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Our Driving Concern, Employer Traffic Safety Program

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Objectives

• Understand the work-related transportation issues that underline the need for employers to establish safety programs for all employees who drive.

• Review employer liability and policies that can reduce risk exposure and protect employees.

• Learn about best practices and resources for employers and insureds to avoid human and property losses.
What were you doing on November 7, 2000?

Most of us can’t remember.
That was the last day without a death on Texas roadways.
It’s dangerous out there!

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Deaths from Crashes, TX</th>
</tr>
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<tbody>
<tr>
<td>2011</td>
<td>3067</td>
</tr>
<tr>
<td>2012</td>
<td>3417</td>
</tr>
<tr>
<td>2013</td>
<td>3407</td>
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<td>2014</td>
<td>3536</td>
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<td>2015</td>
<td>3531</td>
</tr>
<tr>
<td>2016</td>
<td>3712</td>
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Source: National Highway Traffic Safety Administration
Focus on Transportation

• Transportation incidents are the leading cause of work-related fatal injuries.

• A variety of industries and occupations require employees to drive or be exposed to hazards associated with driving.

• Roadways and work zones are likely the most dangerous part of their work environment.
Texas Statistics

- Transportation incidents were involved in 45% (238 out of 527) of fatal occupational injuries in Texas in 2015

Source: U.S. Department of Labor, Bureau of Labor Statistics
Fatal Occupational Injuries due to Transportation Incidents, TX, 2015

- Roadway collision with another vehicle: 112
- Other roadway incidents: 67
- Pedestrian vehicular incidents: 28
- Nonroadway incidents: 14
- Aircraft incidents: 10
- Rail vehicle incidents: 5
- Water vehicle incidents: 1
- Other transportation: 1

Source: U.S. Department of Labor, Bureau of Labor Statistics
Occupation

• Nearly half (45%) of the Texas employees who died were not motor vehicle operators

Source: U.S. Department of Labor, Bureau of Labor Statistics
### Fatal Occupational Injuries, TX, 2015

<table>
<thead>
<tr>
<th>Select Occupations</th>
<th>Number of Transportation Incidents</th>
</tr>
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<tbody>
<tr>
<td>Management</td>
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<tr>
<td>Architecture and Engineering</td>
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<tr>
<td>Healthcare Practitioners and Technical</td>
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<tr>
<td>Protective Services</td>
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<tr>
<td>Building and grounds cleaning and maintenance</td>
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<tr>
<td>Sales</td>
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<tr>
<td>Farming, Fishing and Forestry</td>
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<tr>
<td>Construction and Extraction</td>
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<tr>
<td>Installation, Maintenance, and Repair</td>
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<td>Production</td>
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<tr>
<td>Transportation and Material Moving</td>
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</tr>
<tr>
<td>Military</td>
<td>6</td>
</tr>
</tbody>
</table>

Source: U.S. Department of Labor, Bureau of Labor Statistics
Fatal Occupational Injuries in State and Local Governments, TX, 2015

- Fatal Injuries Involving Other Events
- Fatal Injuries Involving Transportation Incidents

State Government: 7
Local Government: 14

13

14
Employers Limiting Their Risk

DWC encourages employers to

- implement effective accident prevention plans that address driving and vehicular hazards,
- implement and enforce written safety programs and policies for working in and around motor vehicles, and
- review and improve the occupational driving safety program on an annual basis or whenever changes occur.
Employer Considerations

The Roadway Workplace

- Consider the vehicle and road as part of the workplace.

The Driver

- Recognize that driver behavior, skills, and physical conditions affect driving.

The Vehicle

- Ensure proper vehicle maintenance and operations.

The Environment

- Acknowledge that conditions outside the vehicle affect travel.
Examples of Employer Increased Liability

Jury and Judge Awards • Out-of-court Settlements

- Ohio Technology Company – $21.6 Million
- Alabama Trucking Company – $18 million
- Arkansas Lumber Distributor – $16.1 Million
- Georgia Paper Company – $5.2 Million
In Texas in 2012: **The Coca-Cola company paid $24 million** ($14 million in compensatory and $10 Million in punitive damages) to **woman injured by a Coca-Cola sales employee driving a company car and using a hands-free device.**
Employer Liability

In 2010, a Cable One technician drove his work truck into a stopped vehicle at 71 mph, killing a mother and a grandmother.

The technician admitted, “I was texting before the accident.” Cable One settled the case for a confidential amount. The driver was criminally prosecuted.
In 2010, an insurance carrier agreed to pay $5 million to the widow of one of two bicyclists killed by driver Sharon King. The other death was settled for $2.5 million. King was driving a company car.

Although the company argued that she was not working when the accident occurred, the company’s insurance company concluded that it might nevertheless be found liable and decided to settle the case.
Employer Liability

Tiburzi v. Holmes Transport (Missouri, Aug 2009) – an $18 million verdict for the plaintiff who sustained serious brain injury after being struck by an 18-wheel truck that was driven by an employee of the defendant.

The judge found that at the time of the crash, the truck driver was checking messages on his phone.
Bustos v. Leiva et al – (Florida, 2001) – a $21 million verdict, where an elderly woman was struck by a truck driven by an employee of lumber giant Dyke Industries.

The employee’s cell phone records proved that he had been using his phone at the time the crash occurred. The case was subsequently settled for $16.2 million.
Employer Liability

Roberts v. Smith Barney, Inc. (Pennsylvania, 2003) – a $500,000 settlement, a stockbroker employed by Salomon Smith Barney was driving to a non-business event when he struck and killed a 24 year-old motorcyclist. The stockbroker was on personal time, in a personal vehicle and using a personal cell phone, but admitted that he had been making “cold calls,” a common practice at the firm.
CRASHES COST EMPLOYERS WHENEVER THEY OCCUR

Lost Work Days

1,628 MILLION Total

1,473m due to off-the-job crashes
155k due to on-the-job crashes

tdi Safety@Work Division of Workers' Compensation
NATIONAL SAFETY COUNCIL® Texas Chapter
RECOMMENDED POLICIES

Hiring/Qualifications
Training/Observation
Reporting Incidents
Seat Belt Use, Distracted, Impaired, Aggressive and Fatigued Driving
Driver Policies and Safety Programs

An effective driving accident prevention plan should:

• Specify qualifications for employees driving on the job.

• Include policy statements related to the various elements of the plan.
Driver Policies and Safety Programs

Considerations for qualified drivers include:

• Valid driver license
• Minimum number of moving violation convictions on driving record
• Driving skills assessment
Driver Policies and Safety Programs

Specify qualifications for both commercial and non-commercial drivers in employment policies.
Motor Vehicle Record Checks

• Review driver license status, driving records of employees operating motor vehicles as part of their job.

• Check driver motor vehicle records at pre-hire and after to assess employee driving behavior.
Driver Assessment

Options to assess driving skills include:

• Pre-hire driver screening tests

• In-vehicle monitoring systems

• Driver observation

• Shadowing with drivers familiar with specialized motor vehicle operations

• Third-party evaluators
Driver Attitudes

• What forms our values?
• How do you get an attitude?
• What behaviors show up on the road?
Reporting Incidents

• Develop policies for reporting any incident that
  – results in injury or illness, even medical only;
  – results in property damage; and
  – could have caused injury, illness or damage.

• Assign responsibilities for
  – recordkeeping and incident investigation;
  – corrective actions to prevent future incidents; and
  – evaluation of corrective actions for effectiveness.
Applicable Laws

Employers should ensure that their programs and policies comply with applicable federal, state, and local regulations.
DRIVER BEHAVIOR HAS A DIRECT EFFECT ON EMPLOYER CRASH COSTS

- SPEEDING: $8.4 BILLION
- DISTRACTED DRIVING: $8.2 BILLION
- ALCOHOL: $6 BILLION
- NOT WEARING SEAT BELT: $4.9 BILLION
Seat Belts

Lack of Seat Belt Use Costs U.S. Employers $5 Billion; Drives Up Medical Bills
Distracted Driving

The cost of distracted driving crashes is high - not just in lives, but in the millions of dollars paid out by drivers’ employers in liability cases.

DEAD MAN TALKING
Hang up and drive. End of conversation.

Cell phones and safe driving don’t mix. Motorists who talk on the phone while driving are four times more likely to be involved in a crash.
Impaired Driving

YOUR DESIGNATED DRIVER
If you drink and drive, we’ll give you a ride. To jail.

Driving while intoxicated in Texas can cost you up to $17,000 in fines, attorney fees and other charges. You also can land in jail and lose your driver license.
Aggressive Driving

DON’T BE A SPEED DEMON
Slow down, or you could go down in flames.

Nearly 40% of all Texas traffic deaths are speed-related. Adjust your speed to match driving conditions, like heavy traffic, bad weather or poor visibility.
Fatigued Driving

NOT YOUR DREAM CAR
Feeling drowsy? Park and rest, or rest in peace.

Drowsy drivers are four times more likely to be involved in a crash or near crash. Take regular breaks when you drive – about every 100 miles or two hours during long trips.
BEST PRACTICES AND RESOURCES TO STRENGTHEN RISK MANAGEMENT PROGRAMS
BEST PRACTICE: Dallas ISD

Dallas ISD Risk Management structure their Driver Safety Program, including a cell phone use policy prohibiting the use of cell phones, both hand-held and hands-free, while driving a district vehicle.

In 2016, the Dallas ISD had the lowest costs in 4 years and lower at fault incidents than the previous year.

“A driver with safe driving habits on the job will also be a driver with safe driving habits while off the job”.
BEST PRACTICE: City of Corpus Christi

The City of Corpus Christi, Over 3100 employees
Auto Liability Claims

<table>
<thead>
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<th></th>
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<td>30</td>
</tr>
<tr>
<td>Amount</td>
<td>$163,986</td>
<td>$33,690</td>
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</tbody>
</table>

- Auto Liability claims decreased **28%**
- Paid $ claims decreased **57%**
- Vehicle collisions decreased **7%**
BEST PRACTICE: City of Arlington

Following several employees attendance at an Our Driving Concern Train the Trainer workshop, the **City of Arlington** developed a Drivers' Safety employee portal to provide resources for departments and employees with regard to driver safety.

Through the traffic safety efforts implemented, the City **reduced the number of auto liability incidents by 13%** reducing its claim costs by 36% from fiscal year 2015 to fiscal year 2016.
BEST PRACTICE: City of Waco

City of Waco, Over the past few years Traffic Safety has increasingly become a greater part of the city-wide education process for City employees and the benefits are obvious as trends indicate their driving related incidents are decreasing.
BEST PRACTICE: City of Sugarland

83% decrease in crash-related costs and 31% decrease in crash related claims in fiscal year 2014, and no crash related fatalities.
BEST PRACTICE: Spectra Energy

Spectra Energy is experiencing a **50% reduction in preventable vehicle incidents since the implementation.**

BEST PRACTICE: Nalco Champion

Their efforts have resulted in a **13% reduction in total vehicle incidents** in Q1 2015 compared to the same period in 2014.
BEST PRACTICE: MedStar Energy

Through aggressive traffic safety campaigns, training, and face to face coaching, MedStar, in Ft. Worth, continues to recognize a **steady decline in the number and severity of collisions**.

Additionally, individual **unsafe behaviors continue to trend downward**.
BEST PRACTICE: Buffalo Gap Instrumentation & Electrical Co. Inc.

Developed a distracted driving behavior based program. Employees **attend over 100 hours of safety training per year** and are **encouraged to bring family members to training as well as share materials and knowledge with their family and friends.**

Many safety training sessions are open to **other contractors** and the public at no extra cost.
BEST PRACTICE: City of San Antonio

12,000 employees and a vehicle fleet pool upwards of 5,144. Traffic safety education is essential and a top priority. Established a zero preventable safety initiatives in incidents and injuries.

The City has recognized reductions in DUI/DWIs (2% reduction) and Suspended licensed drivers (3% reduction).
Curriculum

• Our Driving Concern: Making a Difference (Overview)
• Distracted Driving
• Impaired Driving
• Aggressive Driving/Speeding
• Passenger Restraint
• Drowsy Driving/Fatigue
Training and Employee Engagement
Webinars and eLearning

E-learning

New! E-learning Modules

Now you can learn traffic safety anytime, anywhere. Our new eLearning modules are scheduled for release in early 2017. The first module is here!

These interactive five-minute lessons are fully compatible with your mobile device.

- Distracted Driving Module
Safety Coach Cards

• Portable
• In or out of an office
• Quick & easy
• Capture every 2 minutes

• Aggressive Driving/Speeding
• Basics
• Distracted Driving
• Drowsy Driving
• Impaired Driving
• Passenger Restraint
• Trucks
Our Driving Concern Program

- Newsletters
- Webinars
- Training & Presentations
- Safety Coach Cards
- On-line Learning
- Posters, handouts, etc.
- Health & Safety Fair support

- Power Point Presentations
- Partnerships with Statewide Organizations, community groups, coalitions, etc.
- Conference Speaking
Occupational Driving Safety Program

Checklist

Table 1 - Occupational Driving Safety Program Elements

- The Roadway Workplace
  - Supervisors shall ensure that all employees are aware of the importance of workplace safety.
  - The workplace shall be free from hazards that could contribute to workplace accidents.
  - The workplace shall be equipped with adequate lighting and ventilation.
  - The workplace shall be clean and organized.

- The Driver
  - The supervisor shall ensure that all employees are aware of the importance of driver safety.
  - The supervisor shall ensure that all employees are trained in the safe operation of vehicles.
  - The supervisor shall ensure that all employees are aware of the importance of maintaining vehicles.

- The Vehicle
  - The supervisor shall ensure that all vehicles are properly maintained.
  - The supervisor shall ensure that all vehicles are equipped with necessary safety equipment.
  - The supervisor shall ensure that all vehicles are operated in a safe manner.

- The Environment
  - The supervisor shall ensure that all employees are aware of the importance of environmental safety.
  - The supervisor shall ensure that all employees are trained in the safe disposal of hazardous materials.
  - The supervisor shall ensure that all employees are aware of the importance of maintaining a safe workplace.

Checklist

- Company Name: [Company Name]
- Worksite Address: [Worksite Address]
- Supervisor: [Supervisor Name]
- Date/Time: [Date/Time]
- Inspector: [Inspector Name]

The Roadway Workplace

- Are all employees trained in the safe operation of vehicles?
- Are all employees aware of the importance of workplace safety?
- Are all employees aware of the importance of maintaining vehicles?
- Are all employees aware of the importance of environmental safety?

The Driver

- Are all employees trained in the safe operation of vehicles?
- Are all employees aware of the importance of maintaining vehicles?
- Are all employees aware of the importance of environmental safety?

The Vehicle

- Are all vehicles properly maintained?
- Are all vehicles equipped with necessary safety equipment?
- Are all vehicles operated in a safe manner?

The Environment

- Are all employees trained in the safe disposal of hazardous materials?
- Are all employees aware of the importance of maintaining a safe workplace?
Occupational Driving Safety Resources

The Roadway Workplace

Driver Policies and Safety Programs

- Company Safety Belt Policy Sample (FMCSA)
- Corporate Safety Belt Statement Sample (FMCSA)
- Defensive Driving Policy Sample (NSC)
- Distraction-Free Driving Policy Sample (NSC)
- Driver Policy Sample (TWC)
- Driving and Using Cell Phones English/Spanish (DWC)
- Drug and Alcohol Policy Sample (TWC)
- Drug-Free Workplace Sample Policy (TWC)
- Drug-Free Workplace Resource Guide English/Spanish (DWC)
- Highway Safety Program in the Workplace English/Spanish (DWC)
- Motor Vehicle Safety Program Fact Sheet (NIOSH)
- Occupational Driving Safety Program Review Checklist English version / Spanish version (DWC)
- Sober Driving Policy Sample (NSC)
- Uninsurable Drives: Policy and Work Separation Issues (TWC)
- Work-Related Roadway Crashes: Prevention Strategies for Employers (NIOSH)
- Work-Related Roadway Crashes: Challenges and Opportunities for Prevention (NIOSH)
Drive Employees...

TO A COMPANY-WIDE TRAFFIC SAFETY POLICY: NO MORE Distracted DRIVING

Sample Distraction-Free Driving Policy

Use or adapt this sample text to create your company's policy about cell phone use and driving. Be sure to put your policy on company letterhead and run a final draft of your policy by your management and legal team before you give it to employees and make it official.

Company Letterhead
Distraction-Free Driving Policy (Sample)

Traffic crashes are among the leading causes of death and injuries in Texas. Because [insert COMPANY NAME] is committed to establishing and following practices that make working here safer, and because we value the safety and well-being of all employees of [insert COMPANY NAME], we are instituting a distraction-free driving policy to promote safe driving habits.

Using a cell phone while driving increases the risk of a crash by four times, and texting increases crash risk by 25 times. [insert COMPANY NAME] must refrain from using PDAs and cell phones, either handheld or hands-free, while operating a motor vehicle. [Insert COMPANY NAME] employees must not initiate or respond to phone calls, read or respond to text messages or emails while driving a passenger or commercial vehicle. [insert COMPANY NAME] employees who need to make an emergency call while on the road must first park the vehicle in a safe location.

Failure to follow company policy and refrain from talking on the phone, texting or emailing while driving on or off the job may result in [insert CONSEQUENCES WHICH YOU DEEM APPROPRIATE, SUCH AS WRITTEN WARNING, DISMISSAL, OTHER].

Motor Vehicle Safety Policy Acknowledgement

I have received a written copy of [insert COMPANY NAME]'s distraction-free driving policy, and I fully understand the terms of this policy and agree to abide by them. Sign and print your name, add today's date, and return this form to your supervisor.

Employee Signature

Date

Employee Name (printed)
Preventing work-related motor vehicle crashes

You can protect your employees and others on the road from being hurt or killed in motor vehicle crashes

This fact sheet recommends ways you can keep workers safe when driving or riding in a motor vehicle on the job. It outlines components of a successful motor vehicle safety program. It ends with a checklist that you can use to implement the recommendations.

Motor vehicle crashes are the leading cause of death among workers in the U.S. 18,716 work-related crash fatalities between 2003 and 2012.

- 12,458 deaths in single- or multiple-vehicle crashes on public roadways
- 2,942 deaths in crashes that occurred off the highway or on industrial premises
- 3,316 pedestrian worker deaths as a result of being struck by a motor vehicle

Use this fact sheet to guide you in creating a Motor Vehicle Safety Program tailored to your company.

When you create your Motor Vehicle Safety Program, give special attention to the things that you know are important to your company. For example, if your company makes deliveries, scheduling work in a way that does not cause workers to feel rushed should be a top priority. Reminders about scheduling should appear in your printed Motor Vehicle Safety Program, on signs, and in correspondence.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Centers for Disease Control and Prevention
National Institute for Occupational Safety and Health

cdc workplace safety and health
niosh

National Safety Council
Texas Chapter

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Photo: Thinkstock

Photo: Thinkstock
Role of Workers’ Compensation Insurance Companies in Texas

• As a prerequisite for writing workers’ compensation insurance in this state an insurance company must maintain or provide accident prevention facilities [Texas Labor Code §411.061(a)].
Role of Workers’ Compensation
Insurance Companies in Texas

• Required services
  – Surveys;
  – Recommendations;
  – Training Programs;
  – Consultations;
  – Analysis of accident causes;
  – Industrial hygiene; and
  – Industrial health services.
Roles in Injury and Illness Prevention

- Industry Hazards and Best Practices
- Employers and Employees
- Carrier Loss Control Personnel
- Injuries Claims Adjusters
Questions?
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