

**AN ADMINISTRATIVE REGULATION REPLACING
THE SAFETY POLICY STATED IN AR 09-01 AMENDED**

Section 1. Purpose

I am very excited and pleased to deploy this amended policy to assist department heads in holding their employees accountable. The compelling public interest of safety demands such a policy and its associated strenuous schedule of discipline. The previous AR has already had a tremendous, measurable impact on reduced accident frequency, serving to illuminate the benefits of placing a compelling public interest above the private interest and behavior of a few accident-prone individuals.

It is a widely recognized phenomenon that supervisors tend to fall into a pattern of "management by friendship" whereby employees are not held accountable for infractions or poor behavior; especially when it comes to safety. This issue has been confirmed to be a problem in the City of Hobbs and thus creates a dangerous practice of tolerance of employee behavior that can cause property damage, injuries and preventable loss of life. Safety is a serious matter! We do not do ourselves, nor the taxpayer, any favors by overlooking preventable accidents and associated poor employee behavior.

Supervisor eligibility for any annual salary increase shall be influenced by the previous year's accident history/trend in their respective department.

Section 2. Policy

Reporting/Investigation

Every incident involving equipment/property damage/loss or injuries shall be reported to the City Manager's Office and Human Resources department within 24 hours. The affected department head shall personally investigate and make a written report and finding of "incident preventability" at the earliest possible date. *For those departments subject to a collective bargaining agreement, the appropriate union may have input regarding "incident preventability" and "progressive discipline". This process shall not be a part of the grievance process.* **Failure to report/ determine shall expose the affected department head to suspension.**

Incidents Deemed Preventible shall be subject to the provisions described below, subject to the due process provisions contained in the City Personnel Rules and/or applicable labor agreements. *The issue of "incident preventability" and "progressive discipline" may be subject to the appropriate contractual grievance process.*

***Incident \$0 - \$500 in cost to the taxpayers - written reprimand**

* Incident greater than \$500 but less than \$1000 in cost to the taxpayers-
minimum 8-hour suspension without pay

* Incident exceeding \$1,000 in City cost - minimum 24-hour suspension without pay.

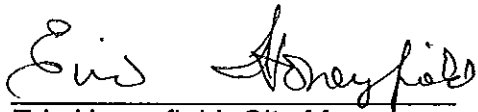
* The dollar amount is a general guideline only and will largely be conditioned on the affected employee's previous safety record.

Subsequent incidents from the same employee shall result in discipline progressively more severe, to include termination in order to minimize exposure of other employees to dangerous behavior.

Particularly egregious incidents - disciplinary levels listed above are absolute minimums and cases involving gross employee-negligence, i.e. fighting on-duty, recklessness, incidents while texting on a cell phone, etc. will likely result in termination on the first offense.

Under no circumstances shall any preventable incident be purged or otherwise concealed from an employee's personnel file, to ensure the permanent integrity and accuracy of the employee-record.

Taxpayer-cost for preventable incidents shall be charged against the budget item for travel in the affected department.


Eric Honeyfield, City Manager

8.15.11
Date

I acknowledge that I was provided a copy of and read this policy:

Employee

Date