

Crashes, Injuries, and Damage to ODOT Property

ODOT is self-insured in all phases of its operations, including liability for actions of ODOT employees, operation of ODOT vehicles, and operation of the State Highway system. The Risk Management Division of the Department of Administrative Services provides and administers this self-insurance program.

Liability Protection

ODOT will defend its employees from liability claims resulting from an employee's reasonable performance of the employee's duties. If an employee's actions are unreasonable, including criminal action, intentional harm, etc., the employee could be held personally responsible for those actions.

If an ODOT employee is served with a summons, complaint, subpoena, or other legal document that relates to the employee's duties or employment with ODOT, notify the Transportation Maintenance Manager and the District Manager. The District Manager will contact the Risk Management Division, and may also contact the Assistant Attorney General assigned to ODOT, to assure that ODOT responds properly to the document.

ODOT Vehicles

Each ODOT vehicle should contain an Vehicle Incident Report - Packet 3 instructions and forms, available on the ODOT Office of Employee Safety website on the ODOT Intranet, for use and guidance if an ODOT vehicle is involved in a crash or otherwise sustains damage from vandals, etc.

The Transportation Maintenance Manager or other appropriate supervisor should periodically assure that each assigned ODOT vehicle carries a packet and should assure that a new packet is placed in the vehicle after each crash.

Vehicles obtained from the Department of Administrative Services Motor Pool will contain a similar packet of instructions.

When an ODOT vehicle is involved in a crash, the Transportation Maintenance Manager, in addition to other things, must:

- At the crash site, assure that:
 - Traffic is properly routed through or around the site.
 - Medical aid, if needed, is summoned.
 - Employees in the ODOT vehicle exchange needed information with other involved parties.
 - Disabled ODOT vehicles are transported to a secure location, if not transported to a repair facility.
- Assure that the driver of the ODOT vehicle, and other involved ODOT employees, complete the required information in Vehicle Incident Report - Packet 3 and submit as required.
- Notify TOC of the incident as appropriate.

- If the crash damage amount requires that the crash be reported to the Driver and Motor Vehicle Services Division (DMV), assure that the report is properly completed and submitted.
- If an ODOT employee was injured in the crash, assure that the employee receives appropriate medical care and completes the required information as described below.
- If the crash resulted from practices that need to be changed, assure that appropriate practices are changed to improve safety.
- Assure that the damaged ODOT vehicle is repaired or take other appropriate action. Refer to instructions in the *Fleet Guidelines Manual*, available on the Support Services Branch website of the ODOT Intranet.
- Complete the information in Vehicle Incident Report - Packet 3 as required and as needed by the Safety Committee.

Also refer to discussion in the Safety section of this Guide.

Injury to an ODOT Employee

The Transportation Maintenance Manager, and other managers, must maintain current copies of:

- Employee Incident - Packet 1 for use if an employee is injured, but did not seek medical treatment from a doctor or hospital.
- Employee Injury/Illness - Packet 2 for use if an employee is injured and requires medical treatment beyond first aid.

These packets are available on the ODOT Office of Employee Safety website of the ODOT intranet.

The Transportation Maintenance Manager should also maintain current telephone numbers for medical facilities that serve or are in the maintenance area.

If a maintenance employee is injured or involved in a related incident, the Transportation Maintenance Manager, in addition to other things, must assure that:

- The situation is stabilized so that other employees or others are not still at risk of further injury.
- Traffic control is implemented, as appropriate.
- The employee and others involved receive first aid and medical attention as appropriate.
- Possible unsafe work practices are modified to improve safety at the site.
- Each injured employee completes and submits the information included in the appropriate Packet 1 or 2.
- The other information in Packet 1 or 2 is completed and submitted as required.

Also refer to the ODOT *Safety and Health Manual*, available on the Office of Employee Safety website of the ODOT intranet, and discussion in the Safety section of this Guide.

If an employee is fatally injured, refer to guidelines in the Fatalities in the Workplace document located in Annex R of the ODOT *Emergency Operations Plan*.

Damage to ODOT Property

If an ODOT building or other capital property is damaged or destroyed, report the occurrence and initiate repairs or replacement as discussed in ODOT Procedure ACC-05. If theft or vandalism occurred, also contact the appropriate law enforcement agency. Capital property may include buildings, tools and furniture with property tags, information system equipment, etc.

If an ODOT vehicle is damaged, take action as discussed above and in the *Fleet Guidelines Manual*, available on the Support Services Branch website of the ODOT intranet.

If any other ODOT property is damaged by a vehicle crash, vandalism, etc. and the party responsible for the damage is known or may become known, request that Highway Finance, Maintenance Management System (MMS) Unit establish a Claims Against Others (CAO) expenditure account (EA) to recover the costs of the repairs.