Policy 2509

From Human Resources

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PERSONNEL POLICY MANUAL
MoDOT Personnel Policy Title: Driving Privileges **Policy Number**: 2509 **Chapter Title**: Employee Conduct **Effective Date**: July 1, 2009 **Supersedes Policy Number**: 2509 **Dated**: January 1, 2009
Approved By: Micki Knudsen, Human Resources Director (Signature on file)

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POLICY STATEMENT

The department is committed to the safe operation of department vehicles used in the course of work activities and, has established procedures to be followed when employees are required to drive a department vehicle.

DEFINITIONS

Driving Privileges: Having the appropriate license and driving status as required by the State of Missouri Department of Revenue, to lawfully operate department vehicles.

Restrictions: Conditions put on driving privileges including, but not limited to, certified ignition interlock devices.

Interim Period: The period of time granted from the date driving privileges have been lost or restrictions are imposed on driving privileges for an employee to reinstate driving privileges or to remove restrictions from driving privileges.

Certified Ignition Interlock Device: A breath-analyzing device that must show a negative reading for vehicle start-up.

PROVISIONS / REQUIREMENTS

1. All employees required to operate department vehicles must have a valid operator's license or commercial driver's license and, where required, the necessary endorsements. (See Personnel Policy 0510, "Commercial Driver's License.") Failure to report the loss of driving privileges or any restrictions on driving privileges and unlawfully operating department vehicles will result in disciplinary action, which could include termination. An employee whose job responsibilities include driving a department vehicle must immediately report the restriction of a certified ignition interlock device requirement to his/her supervisor. Failure to do so may result in discipline, up to and including termination.

2. Employees covered under this personnel policy who have lost their driving privileges, or have changes to driving privileges, must inform their supervisor immediately and must provide the effective date for the loss of or change in driving privileges. At the discretion of the District Engineer or Division Leader/State Engineer, employees may have up to a 90 calendar day interim period from the day they lose or have restrictions imposed on their driving privileges to reinstate driving privileges or to remove restrictions from their driving privileges. Employees shall provide documentation to their supervisor of the specific efforts they have made to reinstate their driving privileges or to remove restrictions from their driving privileges. Driving privileges will be verified through the Missouri Department of Revenue for validity, and the record from the Missouri Department of Revenue will be the basis for the official driving status.

3. Employees will not be allowed to operate department vehicles until they have obtained the necessary driving privileges or have removed restrictions from their driving privileges. The following action will be taken during this interim period the employee is attempting to secure the necessary driving privileges:

A. Employees whose jobs require frequent use of a department vehicle to perform their job duties will not be permitted to work if they have lost their driving privileges or if they have restrictions on their driving privileges that prevent them from driving a department vehicle in accordance with the provisions of Personnel Policy 0504, “Vehicle Usage and Liability.” Employees may remain on the payroll by using accrued vacation or compensatory time, or may instead request and may be granted a leave of absence without pay special conditions to cover this time period, at the discretion of the Division Leader/District Engineer.

B. Employees whose jobs require driving a department vehicle, but for whom other arrangements can reasonably be made to carry out these driving responsibilities, may be allowed to remain on the job if they have temporarily lost their driving privileges or have restrictions on their driving privileges.

4. Failure to secure driving privileges or to remove restrictions from their driving privileges by the end of the interim period will subject the employee to termination if the job requires frequent driving of a department vehicle to perform their job duties. An employee in a job that requires a CDL will not be allowed to remain on the job if the employee’s driving privilege does not include the operation of a commercial motor vehicle. Employees who secure driving privileges subject to restrictions on use, including but not limited to, a certified ignition interlock device requirement may be deemed to not have maintained driving privileges and may be subject to discipline, up to and including termination. A lesser disciplinary action may be appropriate for those employees where frequent use of a department vehicle to perform their job duties is not required and the use of another driver does not create a serious impact on productivity or the efficiency of the work unit's operations.

If a vacancy exists that does not require frequent use of a department vehicle to perform job duties and the employee meets the qualifications for the vacant job, he or she may apply for and be considered for the vacancy, along with other qualified applicants. The department has no obligation to create a position or give preferential treatment to accommodate employees who have lost their driving privileges.

5. Employees who have lost driving privileges for a second or subsequent time are subject to discipline, up to and including termination.

6. At the discretion of the District Engineer or Division Leader/State Engineer, an employee who has been released from the department for failure to maintain driving privileges may be eligible for re-employment once he/she has secured the driving privileges required for the position for which he/she has applied.

CROSS REFERENCES

Personnel Policy 0504, "Vehicle Usage and Liability"

Personnel Policy 0510, “Commercial Driver’s License”

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