

Policy 2509

From Human Resources

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PERSONNEL POLICY

MANUAL

MoDOT Personnel Policy Title: Loss of Driving Privileges

Policy Number: 2509 **Chapter Title:** Employee Conduct

Effective Date: January 1, 2009

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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, whose jobs require driving a department vehicle, have lost their driving privileges.

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.

Interim Period: The period of time granted from the date driving privileges have been lost that an employee has to reinstate driving privileges.

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 and/or restrictions. (See Personnel Policy 0510, "Commercial Driver's License.") Failure to report the loss of driving privileges and continuing to unlawfully operate department vehicles will result in disciplinary action, which could include dismissal.
2. Employees covered under this personnel policy who have lost their driving privileges must inform their supervisor immediately about the loss of their driving privileges and the effective date for the loss of 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 their driving privileges, to reinstate driving privileges. Employees should provide documentation to their supervisor of the specific efforts they have made to reinstate their driving privileges. Driving privileges will be verified through the Missouri Department of Revenue for validity and 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. 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 driving a department vehicle virtually every day in the performance of major job duties will not be allowed to remain on the job if they have lost their driving privileges. 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.
 - 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.
4. Failure to secure driving privileges by the end of the interim period will subject the employee to dismissal if driving a department vehicle is a primary and on-going job duty. An employee in

a job that requires a CDL will not be allowed to remain on the job if the driving privilege does not include the operation of a commercial motor vehicle. A lesser disciplinary action may be appropriate for those employees where driving a department vehicle is not a primary and on-going job duty 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 driving 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. Repeat offenders are subject to discipline up to and including dismissal.

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 REFERENCE

Personnel Policy 0510, "Commercial Driver's License"

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