

SECTION 3: HUMAN RESOURCES	POLICY: 3.37
POLICY: FIELD STAFF DRIVING ELIGIBILITY & VEHICLE OPERATION	PAGE: 1 OF: 6

PURPOSE:

- To establish requirements for employees who operate motor vehicles in the performance of their job duties, including travel to patient residences and other locations associated with patient care and company operations.
- To promote safe and lawful driving practices and ensure that employees who drive as part of their job maintain appropriate driving qualifications throughout their employment.
- To define requirements regarding driver licensing, driving records, reportable incidents, prohibited driving-related conduct, verification of driving status, and employee disclosure obligations.

SCOPE:

This policy applies to employees who:

- Are required to drive as an essential function of their position;
- Drive to or between patient residences as part of their job duties;
- Operate a personal or company vehicle in connection with HHC business;
- May be assigned duties requiring lawful operation of a motor vehicle; and/or
- Otherwise occupy a position for which maintaining driving eligibility is a job requirement.

HHC may establish additional driving requirements for specific positions based on job duties, insurance requirements, contractual requirements, or applicable law.

POLICY:

- Employees whose positions require driving must maintain a valid, current, and unencumbered driver's license appropriate for the driving duties associated with their position.
- Employees must remain legally authorized to operate a motor vehicle as required by their position and must comply with all applicable federal, state, and local motor vehicle laws.
- Maintaining driving eligibility is an ongoing condition of employment for positions requiring driving. It is not sufficient for an employee to possess a valid driver's license at the time of hire or annual certification.
- Employees must promptly disclose any event that may affect their legal ability, qualification, or eligibility to drive in connection with their employment.

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- For positions in which driving is an essential job function, an employee's inability to maintain legally sufficient driving privileges may affect the employee's ability to perform the position.
- HHC is not required to terminate an employee solely because the employee reports a driving-related incident. HHC will evaluate applicable circumstances, job requirements, insurance requirements, safety considerations, and applicable law in determining an appropriate employment response.
- Employees subject to this policy are responsible for reviewing, understanding, and complying with all policy elements, reporting and disclosure requirements.
 - Employees subject to this policy shall acknowledge their understanding upon hire and complete the **Driver License, Driving Record & Disclosure Acknowledgment and Certification** at least annually and whenever otherwise required by HHC.
 - The annual acknowledgment confirms the employee's understanding of their continuing obligations under this policy.
 - Signing the annual acknowledgment does not replace the employee's ongoing obligation to report a qualifying incident within seventy-two (72) hours.
 - Questions concerning whether a driving-related matter must be reported should be directed to Human Resources or Compliance. When in doubt, employees should disclose the matter.

PROCEDURE: VALID AND UNENCUMBERED DRIVER'S LICENSE

- Employees subject to this policy must maintain a driver's license that is:
 - Valid and current;
 - Appropriate for the vehicle and driving duties required;
 - Not suspended or revoked;
 - Not canceled or disqualified;
 - Not subject to restrictions that prevent the employee from performing required driving duties; and
 - Otherwise legally sufficient for the employee to perform required driving duties.
- An employee must not represent to HHC that they are legally authorized to drive when their driving privileges have been suspended, revoked, restricted, canceled, disqualified, or otherwise materially limited.

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PROCEDURE: REQUIRED DISCLOSURE & REPORTING

- Employees must disclose to HHC any driving-related incident or change in driving status that may affect their ability to legally or safely perform required driving duties.
- Reportable matters include, but are not limited to:
 1. Arrests or charges involving driving under the influence of alcohol or drugs, including DUI, DWI, or equivalent offenses;
 2. Traffic citations or moving violations that may affect driving eligibility.
 3. Criminal or traffic convictions related to the operation of a motor vehicle;
 4. Driver's license suspensions, revocations, cancellations, restrictions, disqualifications, or other loss or limitation of driving privileges;
 5. Notices that a driver's license or driving privileges may be suspended, revoked, restricted, canceled, or otherwise affected;
 6. Pending or active criminal or traffic cases that may affect driving eligibility or the employee's ability to perform required job duties;
 7. Negligent homicide or a similar offense arising from the operation of a motor vehicle;
 8. Use of a motor vehicle in the commission of a felony;
 9. Aggravated assault involving a motor vehicle;
 10. Reckless driving;
 11. Hit-and-run offenses;
 12. Multiple moving violations or other violations that may affect driving eligibility;
 13. Major traffic violations;
 14. Motor vehicle accidents involving personal injury or property damage, including preventable accidents; and
 15. Any other event or circumstance that may reasonably affect the employee's legal ability or qualification to operate a motor vehicle in connection with employment.
- **Disclosure is required** regardless of whether the matter has resulted in a conviction.
 - Employees must disclose matters that are pending, active, unresolved, or otherwise not yet adjudicated.
 - Employees are not permitted to wait until a court case is resolved or a conviction occurs before making a required disclosure.
- A reportable incident or change in driving status must be disclosed to HHC within **seventy-two (72) hours** of the employee becoming aware of the incident or change.

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- Reports must be submitted to: recruiting@helmshomecare.com
- The employee may also notify Human Resources or Compliance verbally; however, notification to another employee or manager does not relieve the employee of the responsibility to ensure the matter is reported through the designated reporting channel.
- The reporting requirement is continuous throughout employment and is not limited to the employee's annual certification.
- When an employee is uncertain whether an event is reportable, the employee should disclose the event to HHC.
- **Failure to timely disclose** a reportable driving-related incident or change in driving status may result in disciplinary action, up to and including suspension and/or termination of employment.
- Failure to disclose may constitute a separate policy violation from the underlying driving-related event.
 - For example, an employee's failure to disclose a license suspension may constitute a policy violation even if the underlying event that resulted in the suspension is ultimately dismissed or otherwise resolved without conviction.
 - Providing false, intentionally incomplete, or misleading information may independently result in disciplinary action, up to and including termination.

PROCEDURE: RECORD REVIEW & PROHIBITED CONDUCT

- HHC may obtain and review an employee's driving record when legally permissible and in accordance with applicable disclosure and authorization requirements.
- HHC may conduct driving record reviews:
 - As part of the hiring or onboarding process;
 - Periodically during employment;
 - When required by an insurance carrier or other applicable requirement;
 - Following a reported driving-related incident;
 - When HHC receives information indicating that an employee's driving eligibility may have changed; or

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- When otherwise reasonably necessary to verify continued qualification for a position requiring driving.
- Employees are required to cooperate with reasonable requests for documentation necessary to verify their driving status.
- The following conduct is prohibited and may result in suspension of driving privileges, administrative leave, disciplinary action, and/or termination of employment, depending upon the circumstances:
 - Driving while under the influence of alcohol or drugs;
 - Operating a vehicle while the employee's driver's license or driving privileges are suspended, revoked, canceled, disqualified, or otherwise invalid;
 - Negligent homicide or a similar offense arising from operation of a motor vehicle;
 - Using a motor vehicle in the commission of a felony;
 - Aggravated assault involving a motor vehicle;
 - Reckless driving;
 - Hit-and-run;
 - Accumulation of multiple convictions for moving violations;
 - Three (3) or more major traffic violations; or
 - More than two (2) preventable motor vehicle accidents involving personal injury or property damage within any three-year period.
- HHC may consider additional driving-related conduct when determining whether an employee remains qualified to perform driving-related duties.

PROCEDURE: ADMINISTRATIVE LEAVE OR RESTRICTION

- Disclosure of a reportable incident does not automatically result in termination of employment.
- HHC may temporarily remove an employee from active status, patient assignments, or other duties, or place an employee on administrative leave, while a review of the incident is conducted.
- Such action may be appropriate while HHC verifies and evaluates:
 - The facts and circumstances of the incident;
 - The nature and status of any charges or legal proceedings;
 - The employee's current driving privileges;
 - Any restrictions or conditions imposed on the employee's license;
 - The employee's ability to safely and legally perform required job duties;
 - Applicable insurance requirements;

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- Patient and employee safety considerations; and
- Any other relevant circumstances.
- An employee may not drive on behalf of HHC while their driving privileges are invalid or while HHC has expressly directed the employee not to drive.
- Administrative leave or temporary removal from active status during an investigation is not, by itself, a determination that the employee engaged in misconduct or that employment will be terminated.

EMPLOYEE ACKNOWLEDGMENT

I acknowledge that I have received, read, and understand Helms Home Care's **Driving Eligibility & Vehicle Operation policy**. I understand that maintaining a valid and unencumbered driver's license is a requirement of my position.

I agree to comply with all requirements of the policy, including my ongoing obligation to disclose reportable driving-related incidents or changes in my driving status within **seventy-two (72) hours** to recruiting@helmshomecare.com.

I understand that failure to comply with the policy, including failure to timely and accurately disclose a reportable matter, may result in disciplinary action, up to and including suspension and/or termination of employment.

Employee Name: _____

Employee Signature: _____ **Date:** _____