



Personal Auto Usage for Agency Business Policy & Attestation

STATEMENT OF POLICY

CFS Self Directed Supports (also referred to as CFS-SDS) defines the terms and conditions associated with employees driving their own vehicles for work purposes. This policy applies to all CFS-SDS employees using their vehicles for work. CFS-SDS' primary goal is to ensure the safety of those we support, and of our employees who drive for work purposes, and/or transport participants to and from the necessary locations within the community.

DEFINITIONS

The following definition applies to this policy:

- Work-related driving is operating a motor vehicle in the course of your work, including driving to and from offices for meetings, participant's homes, and other locations to support the participant in the community. It may also include other driving as designated by your supervisor. Work-related driving does not include commuting from your home to your primary workplace.
- Participant and/or his/her designee(s) and Workforce Coordinator.

DRIVER ELIGIBILITY AND REQUIREMENTS

1. Applicants who will be charged with driving as a condition of their employment will be required to:
 - a. provide a copy of their current driver's license; AND
 - b. complete the NYS MV-15GC form authorizing CFS Self Directed Supports "*authorized parties/designee*" to request the applicant's motor vehicle record, for New York State license holders; OR
-for applicants with a license issued outside of NYS, the applicant has submitted a Driving Abstract every six (6) months from the issuing State's Department of Motor Vehicles
2. Upon receipt of motor vehicle records, agency "*authorized parties/designee*" will report to Chief Program Office (CPO) and Workforce Coordinator:
 - a. if the applicant has a clean driving record and can be hired and approved for work-related driving; OR
 - b. if any infractions, suspensions or revocations of licenses were identified in the applicant's motor vehicle records. A determination will be made if the applicant can;
 - i. be hired with work-related driving approval; or
 - ii. be hired without work-related driving approval; or



- iii. will not hire
taking into consideration agency policies.
3. If a determination is made to allow the applicant to move forward with the hiring process, the agency's "*authorized parties/designee*" will contact the Workforce Coordinator to make them aware of the final determination of employment.
4. If the applicant is hired but does not need to drive, the supervisor/COS must put in writing to the agency's "*authorized parties/designee*" that they will proceed with the hiring and the applicant will not drive as part of their job description.
5. The applicant's personnel record will reflect their driving status.
6. As the agency is part of NYS License Event and Notification system, during the course of employment, agency's "*authorized parties/designee*" will be notified of any change in Motor Vehicle Records and driving eligibility.
7. If notification from NYS License Event and Notification system (LENS) OR for applicants with a license issued outside of NYS, the Driving Abstract from the issuing State's Department of Motor Vehicles reports changes to an employee's driver's license, the agency designee will follow the Driving Records protocol stated below.

DRIVER EXPECTATIONS AND RESPONSIBILITIES

1. Personal vehicles must be registered, insured and inspected annually as required by law.
2. CFS-SDS strongly recommends that you notify your insurance carrier that you will be using your personal vehicle for business purposes.
3. All Employee Drivers and CFS-SDS participants are expected to follow all the rules and laws of the road including but not limited to: using seatbelts at all times while driving, abiding by no use of handheld devices while driving and no use of drugs or alcohol while driving. Employee drivers should not be taking any drugs or medication that may cause drowsiness or sleepiness which may impair abilities.
4. Accidents must be reported to the Fleet and Facility Compliance Director immediately or after care is given if any injuries or suspected injuries occur and after the police are called. Accident forms will be required to be completed.
5. Tickets, license suspension or revocations must be reported to the Human Resources Coordinator immediately.
6. No personal business should be combined (example: conducting personal banking while transporting or on agency business).
7. Drivers other than approved agency employees are prohibited (family members, friends etc.) from driving CFS-SDS participants.
8. The employee's liability insurance is primary. The employee will share that limit with the agency until it is exhausted. Awards beyond the employees limit against the agency would be payable by the agency's auto policy, but it would only respond on behalf of the agency, and not on behalf of the employee.
9. The employees are responsible for their own physical damage deductibles, if any.
10. The interior of personal autos must be clean and free from physical hazards including child seats, food products, toys, tools, etc.



11. Disclaimer for staff and parents: CFS is not responsible for any recourse if family of a CFS-SDS participant allows self-hired staff to drive family vehicles.

DRIVING PROTOCOL

Personal driving records are a reflection of overall driving habits, and directly affect insurance costs. Driving is the responsibility of the employee and concern of CFS Self Directed Supports.

When the agency's "*authorized parties/designee*" receives notification from NYS LENS, OR as a result of review of the employees Driving Abstract, in regard to an unfavorable infraction or violation, an employee's driving privileges/eligibility can result in the loss of eligibility to drive or termination of employment.

CFS Self Directed Supports has determined the following method of evaluation criteria will be used for all applicants and current employee Driver's.

- One or more Type "A" Violations in the past 3 years (as defined below)
- Three or more accidents in the last 3 years regardless of fault
- Three or more "B" violations in the past three years
- Any combination of accidents and type "B" violations which equal 4 or more in the last 3 years

Type "A" Violations:

- Driving While Intoxicated
- Driving while under the influence of Drugs
- Negligent Homicide arising out of the use of a Motor Vehicle (gross negligence)
- Operating a vehicle while license suspended or revoked
- Aggravated Assault with a motor Vehicle
- Using a Motor Vehicle for a commission of a felony
- Reckless driving
- Permitting an unlicensed person to drive
- Racing or speed contest
- Hit and Run (Bodily Injury or Property Damage)

Type "B" Violations:

- All Moving Violations not listed in "A" violations

Upon notification from NYS LENS or review of employee's motor vehicle record, if the employee does not meet the evaluation criteria or their licensed has been suspended or revoked, the agency's "*authorized parties/designee*" will report it to the Chief Program Officer (CPO) and Workforce Coordinator.

Based on the motor vehicle record the following can happen:

- If an employee's driver's license is suspended, the employee will be notified and the employee's supervisor/COS will be notified. In that notification, the supervisor/COS



will determine if the employee can continue working without driving. If the determination is made that the employee can continue to work, the supervisor/COS will put it in writing to the agency's "*authorized parties/designee*", and the employee will be given two weeks to have the suspension overturned. If after two weeks it is not overturned, a further determination to continue employment will be made. Any determination made will be reflected as a change in driver status in the employee's personnel file.

- If an employee's driver's license is revoked, the employee will be notified, and the employee's supervisor/COS will be notified. In that notification, the supervisor/COS will determine if the employee can continue working without driving. If the determination is made that the employee can continue to work, the employee's personnel file will reflect the change in driver status.
- If it is determined that the employee must drive in their position and their license is suspended after two weeks or is revoked, the employee will be terminated from the agency and will not be able to work in any other capacity for the agency.
- If the employee does not meet the evaluation criteria in regard to driving, the employee will be notified and the employee's supervisor/COS will be notified. In that notification, the supervisor/COS will determine if the employee can continue to work without driving. If the determination is made that the employee can continue to work, the employee's personnel file will reflect the change in driver status.
- If it is determined that the employee must drive in their position and they have not met the evaluation criteria for driving, the employee will be terminated from the agency and will not be able to work in any capacity for the agency.

By signing below, I acknowledge and agree that as an employee of CFS Self Directed Supports Inc., using my personal vehicle to drive a client indemnifies and holds CFS Self Directed Supports Inc. harmless in the event of any willful violation of traffic rules, negligence, accident, injury, or damage that may occur during transportation. This agreement releases CFS Self Directed Supports Inc., its employees, agents, and representatives from any liability or claims arising from the use of the employee's personal vehicle for client transportation.

Employee's Signature

Date

Supervisor's Signature

Date