
EMPLOYEE DRIVING POLICY

Pathways Academy Adult Education (“PAAE” or the “School”) must ensure that risks to the School are minimized and ensure that only safe drivers are allowed to drive on School business. The Board recognizes that certain employees must drive as part of their regular job duties (e.g., teachers meeting with students). Therefore, PAAE requires that all employees who regularly drive as part of their job duties (“Driving Employees”) meet minimum standards of safety and insurance, which must be verified by the School. Driving employees must obey all traffic laws and drive safely while on School business.

PAAE complies with all laws related to employee driver programs as established by the Department of Motor Vehicles (DMV). Positions requiring driving shall state such in the job description and staff will be required to maintain a valid driver’s license and vehicle insurance. All employees must make suitable arrangements to ensure timely attendance at all appointments that are essential job functions. This policy covers all school employees and violation of the School’s policy is grounds for discipline up to and including termination.

A. Driver’s License and Insurance Coverage

1. In order to operate a personal vehicle when used to perform PAAE business, Driving Employees must have a valid driver’s license and automobile insurance meeting the minimum standards established in this policy at all times. Evidence of the Driving Employee’s driver’s license and automobile insurance certificate will be kept on file. The Driving Employee is responsible for providing an updated driver’s license and automobile insurance certificate whenever it expires or upon request. The Executive Director or designee must be notified immediately if the Driving Employee no longer has a valid driver’s license or insurance certificate. Any Driving Employee whose driver’s license or insurance certificate lapses or is cancelled or revoked for any reason, and who cannot otherwise arrange for travel as required by their position, may be terminated or placed on inactive/unpaid status until the issue is remedied.
2. PAAE requires that a Driving Employee carry the following insurance amounts and coverage:

Automobile Liability - \$100,000 per person; \$300,000 per occurrence

Property Damage - \$50,000 per occurrence

Medical Payments - \$5,000 per person

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The DMV's Employer Pull Notice (EPN) Program (CVC 1808.1) was originally established to provide employers and regulatory agencies with a means of promoting driver safety through the ongoing review of driver records. The State requires that employers enroll any driver employed for the operation of any vehicle, if the driver is required to have any of the following: • Class A license • Class B license • Class C license with Hazardous Materials Endorsement • Class C with Special Certificates, issued pursuant to CVC Section 12512, 12517, 12519, 12520, or 12523.5.

The EPN program allows the School to monitor driver records of employees that drive on the Schools behalf. An employee who drives a personal vehicle on school business only infrequently (i.e., no more than one to two days per month) will not be enrolled in the EPN program. This monitoring is in place in order to accomplish the following:

- i. Improve public safety.
 - ii. Determine if each driver has a valid driver's license.
 - iii. Reveal driving behavior.
 - iv. Help to minimize liability.
1. All Driving Employees will be enrolled in the EPN program administered by the California DMV. Under this program, the School will be able to review a Driving Employee's Motor Vehicle Record (MVR) periodically and upon notice of new violations. Every applicant for employment as a Driving Employee must provide a current original MVR as part of the employment application process. To be current, the MVR must have been issued within the preceding 30 days.
 2. Upon receipt of the MVR, Human Resources will verify that the Driving Employee's driver's license has not been suspended or revoked, the employee's traffic violation point count, and whether the employee has been convicted of any form of driving under the influence (a DUI).
 3. Under current DMV Regulations, a person will typically lose their driving privileges where a vehicle is used in the commission of a serious crime or bodily injury resulting from reckless driving. Also, under the DMV's violation point count system, a driver is deemed to be a "negligent operator" if they are assessed four (4) or more points in a twelve (12) month period, six (6) or more points in a twenty-four (24) month period, or eight (8) or more points in a thirty-six (36)

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month period. As used in this Policy, the term “moving violation” means any violation for which the DMV assesses one (1) point, and the term “Major Violation” includes any violation which carries two (2) points. A “Major Violation” includes, but is not limited to, the following violations:

- a. Attempting to Evade a Police Officer
- b. Driving with a Revoked or Suspended License
- c. Hit and Run
- d. Speeding over one hundred (100) miles per hour
- e. Reckless Driving
- f. Driving Under the Influence of Drugs or Alcohol

Abstracts of convictions and at-fault accidents are maintained by the DMV as follows:

- a. 10 years: Any driving under the influence conviction, including reckless driving entered as a “no contest” plea to a DUI charge.
- b. 7 years: Any Major Violation.
- c. 3 years: An at-fault accident or any moving violation.

Responsibilities of Human Resources

When recruiting for employees who will be considered a designated Driving Employee who operates a personal vehicle and who will be required to participate in the EPN program, Human Resources will reference the DMV EPN program information in the job posting vacancy announcement. The posting notice shall advise applicants that a current driver’s license record will be required prior to a final job offer and that the position is subject to the requirements of the EPN program.

Staff will provide notice to designated employees of enrollment in the EPN program and monitoring of driving history. Such notice will be provided to newly hired employees and distributed in the Employee Handbook.

Employee Responsibility

Driving Employees are responsible for maintaining driver's licenses and special certificates required for the performance of job duties. Employees are also responsible for promptly

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notifying their supervisor of expiration, conviction, or other DMV actions against their driver's license or certificate by no more than five (5) business days from the occurrence.

C. Revocation of Driving Privilege

1. The Human Resources Director or designee will periodically review the MVR of a Driving Employee. Any Driving Employee who is convicted of a DUI, loses their driver's license or driving privilege, or is deemed to be a "negligent operator" by the DMV, and fails to make suitable arrangements for alternative transportation to maintain meetings as an essential function of their position will immediately be placed on unpaid administrative leave.
2. If the MVR of a Driving Employee reveals any one or more of the following criteria, the Driving Employee shall not be allowed to drive on School business and must make alternative arrangements to perform any essential job functions requiring mobility.
 - a. One (1) or more Major Violations in the preceding twelve (12) months.
 - b. Any combination of moving violations, at-fault accidents or Major Violations which total four (4) points or more in the preceding twelve (12) months, six (6) or more points in the preceding twenty-four (24) months or eight (8) or more points in the preceding thirty-six (36) months.
3. Seatbelts are an essential element of our safety procedures. To emphasize seat belt awareness, one (1) seatbelt violation while on CPCS business will equate to one (1) moving violation.

Acceptable alternatives to driving include use of public transportation, walking, and biking. With the advance approval of the Executive Director or designee, the employee may be reimbursed the miles traveled using the mileage reimbursement rate, for their travel using public transportation or rideshare service where a personal vehicle is not available or alternative transportation is not feasible. Driving Employees will not be reimbursed for rental car, taxi, or rideshare expenses in the event that the employee's personal vehicle is unavailable.