

The employee may re-apply for company driving privileges after one year of suspension. Application should be made to the VP & Owner . If approved, the employee's driving status will change from suspension to probation. However, reinstatement of driving privileges by the VP & General Manager does not constitute an offer by the company for any "Driver" position. Normal job posting procedures will still have to be followed.

## **IX. ACCIDENT REPORTING**

### **1. Post Accident:**

a) Regardless of the severity of the vehicular accident, **CALL THE POLICE**. Even if there are no serious injuries, a police report is required to file a claim. The vehicles involved in the accident should remain where they are, unless they interfere with traffic. When the police arrive, make sure you tell the investigating officer(s) exactly what happened, to the best of your ability. If you do not know certain facts, tell that to the officer. Do not speculate, guess or misstate any of the facts. Make sure statements made by other persons involved in the accident are accurate as well.

b) **Call Owner. Call Project Manager. Leave Voice-mail and/or discuss.**

c) **Take pictures of the vehicles if there is visible damage.**

However, you should in no way interfere with the on-going police investigation. If you cannot take pictures at the scene of the accident, take them as soon as possible after the accident. Email the pictures as soon as possible to the Owner AND Project Manager.

d) An employee involved in a work-related accident resulting in a lost time injury, or injury requiring medical attention to themselves, or another employee will be required to provide a Drug and Alcohol Test. In the event an employee is so seriously injured that he/she cannot provide a specimen at the time of the accident, the employee must provide necessary authorization to the Company to obtain medical records or other documents that may be necessary in an attempt to determine whether controlled substances or alcohol were present in the employee's system at the time of the accident that would indicate that he/she was in violation of the provisions of this policy.

e) Any employee operating a Company owned and insured vehicle, a Company Vehicle that requires a CDL Class A or Class B license to operate, whether during business hours or after business hours, who is involved in a vehicular accident that requires any of the following:

- Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
- Who receives a citation within 8 hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
  - Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
  - One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Type of accident involved	Citation issued to the CMV driver	Test must be performed by employer
Human fatality	Yes	Yes
	No	Yes
Bodily injury with immediate medical treatment away from the scene	Yes	Yes
	No	No
Disabling damage to any motor vehicle requiring tow away	Yes	Yes
	No	No

f) As soon as practicable following an accident involving a company motor vehicle operating on a public road in commerce, each employee shall be tested for alcohol (within 8 hours) and controlled substances (within 32 hours) for each of its surviving drivers.

g) When an employer receives an alcohol test result of 0.04 or higher alcohol concentration, the employer must immediately remove the employee involved from any safety-sensitive functions. Do not wait to receive written verification confirming the test results.

h) When the motor carrier receives an employee's alcohol test result showing an alcohol concentration of 0.02 to 0.039, the employer must immediately remove the employee from any safety-sensitive functions until the start of the employee's next regularly scheduled duty period; but not less than 24 hours following the administration of the test.

i) Refusal to submit to drug and alcohol testing as described in this policy will be considered a positive test and a violation of this policy.

#### A. Accident Reporting

1. Supervisor Notification - the "Driver" is required to notify Pagoda's Owner and Project Manager of any "Accident" as soon as is practical.

In addition, employees are responsible for reporting "Serious Accidents" to the Owner ;

2. Company Vehicles - The "Driver" must complete the EHD Accident Reporting Kit supplied with the vehicle and contact the Owner as soon as possible;

Non-Company Vehicles - The "Driver" will call his/her personal automobile insurance carrier;

Daily Rental Vehicles - The "Driver" will notify the rental company.

#### B. Accident Reporting Kits

Every "Company Vehicle" is required to have an *EHD Accident Reporting Kit* in the glove box. This kit will be used by the driver to record accident facts as soon after the accident as is reasonably feasible.

The "Driver" should give the completed *EHD Accident Reporting Kit* to Barry Spayd, Pagoda's Owner.

### C. Accident Investigation

#### 1. Completing the Accident Investigation Report Form

The Foreman is responsible for completing the *Accident Investigation Report* (see Appendix C) for all "Accidents".

This report should be completed as soon after the accident as is reasonably feasible.

To complete the report, the Foreman will:

- a. observe the accident scene and damaged vehicle(s) (if possible);
- b. obtain a copy of the police report, if available;
- c. review the completed *EHD Accident Reporting Kit* obtained from the "Driver"; and
- d. interview the "Driver".

#### 2. Determining Accident Preventability

The Safety Committee will make a determination as to the preventability of the "Accident", and record this determination in the applicable section of the *Accident Investigation Report Form*.

The Guide To Accident Preventability (Appendix D) may be used by the Safety Committee to assist in making the determination.

#### 3. Accident Investigation Review

The Safety Committee is responsible for reviewing the completed *Accident Investigation Report Form* and initiating any actions to prevent the reoccurrence of similar accidents by this "Driver".

## X. OTHER REPORTING RESPONSIBILITIES OF DRIVERS

### A. Supervisor Notification

"Drivers" are required to notify their immediate supervisor immediately of:

1. Any illness, injury, physical condition or use of medication that may impair or affect their ability to safely drive a "Motor Vehicle"; or
2. The suspension, revocation or administrative restriction of his/her operator's license. If this occurs, the "Driver" must also immediately discontinue use of the "Motor Vehicle".

**FAILURE TO REPORT UNDER THE PROVISION OF SECTION IX AND X IS A VIOLATION THAT COULD RESULT IN DISCIPLINARY ACTION, UP TO AND INCLUDING DISMISSAL.**

## XI. TRAINING

All "Drivers" are required to complete initial safe driving training.

In addition, other topics and materials will be provided by the Safety Committee for periodic safe driving training.

Employees are encouraged to contact the Safety Committee for any specific training needs.

It is the Safety Committee's responsibility to see that all driver training is documented. Documentation should include the course name, date completed, and driver's name and identification.