

## Pre- and Post-Employment Driving Checks

### I. Purpose

To identify those positions that involve driving a city vehicle or a personally owned vehicle (POV) while engaged in city business, identify when a pre-employment driving check is required, and identify standards and methodologies for conducting such checks. This information will be contained in the job description.

### II. Policy

All employees who are authorized to drive a City vehicle or to drive their own vehicle on City business, must have a current and valid Washington State Driver's License and maintain a safe driving record as defined in Section IV of this policy. The policy's provisions do not preclude departments from adopting additional standards as necessary.

### III. Rating System

Two categories for positions required to drive while engaged in city business have been established, based on essential job functions, as follows:

**CATEGORY ONE:** Driving a city vehicle is mandatory and a part of the essential job function, i.e. the vehicle itself is a part of task completion. Examples would be the operation of a street sweeper or fire engine. As a general rule, POVs are not authorized for these functions. Frequent operators of these vehicles will require training and may require special certification for the specific vehicle to be driven or the conditions under which they are operated. Employees in this category must drive a City vehicle to perform their essential job functions more than 40% of the time.

**CATEGORY TWO:** Driving a vehicle in the course of city employment is required for transportation only. Neither the driving nor the vehicle is a part of the essential job function. Examples would be attending off-site meetings or conferences, or running errands on behalf of the city. POVs are usually authorized for these functions. Employee may drive a City or personal vehicle to run routine errands, attend meetings, etc. between 5% and 40% of the time.

A difference in screening standards for these two categories is justified based on the difference in skill level and judgment required. Category one drivers operate these vehicles under a range of circumstances more difficult and exacting than the routine operation of a POV. Further, they are perceived as professional drivers, and therefore held to a higher standard of care and diligence in the eyes of the public.

#### IV. Screening Standards

**CATEGORY ONE:** Anyone with any of the following is not acceptable as a Category 1 driver and will be limited regarding the use of City vehicles for category two positions:

- a. Conviction of vehicular homicide or vehicular assault within the past ten years.
- b. Conviction of the any of the following moving criminal traffic violations in the past 36 months, or any three in the past five years. Those criminal traffic violations are:
  - Driving under the influence of alcohol/drugs
  - Hit and Run Attended
  - Hit and Run Unattended
  - Negligent Driving
  - Physical Control
  - Racing
  - Reckless driving/speeding contact
  - Driving while license is suspended/revoked
  - False accident report
  - Vehicular Homicide
  - Vehicular Assault
  - Eluding a peace office
- c. Conviction of two or more moving traffic violations (infractions or crimes) and/or at-fault accidents within the past year
- d. Conviction of three or more moving traffic violations (infractions or crimes) and/or at-fault accidents within the past two years
- e. Conviction of four or more moving traffic violations (infractions or crimes) and/or at-fault accidents within the past three years
- f. A driving record that, based on the totality of information available, may indicate a pattern of on-going irresponsible driving. As a part of this evaluation, non-moving violations and information other than the official state driving record may be considered. Recent incidents and violations will be accorded greater significance than those occurring four or more years ago will.

Applicants for category one positions who fail to meet the aforementioned standards are eligible to reapply at such time that these driving record requirements are satisfied.

**CATEGORY TWO:** Applicants applying for category two driving positions, and who would be disqualified for category one positions, will be required to utilize their POV or alternate methods of transportation for city business. These requirements will remain in effect until the driving requirements are satisfied.

## V. Non-Driving Positions

For those positions that do not normally require driving a city vehicle or driving while engaged in city business, no driver's check will be conducted.

## VI. Follow-up Screening

Employees hired into category one positions for other than the Police or Fire Departments will have their driving record checked annually by the Human Resources Department. Employees hired into category two positions will incur a driver's check at three-year intervals. The Human Resources Department will be responsible for ensuring such driver's checks are conducted as required.

Employees in category one or category two positions are required to notify their supervisor upon being charged or cited for any traffic violation, moving or non-moving, received while driving on duty and engaged in City business. Failure to do so may result in disciplinary action up to and including termination. If a Category One employee is convicted on one of the offenses as outlined in Section IV(a) after employment, they must report the conviction to their supervisor immediately. Once the conviction is reported, an evaluation will be made to determine if that employee is still eligible to drive a city vehicle. If an employee is found to be ineligible to drive a City vehicle, an employee may be reassigned or discharged. In such cases, the employee will be notified of his/her reassignment or discharge in writing.

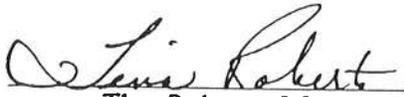
If an employee is reassigned or discharged due to his/her ineligibility to meet the driving requirements for his/her position, the employee may appeal the decision. If the employee is a member of a collective bargaining unit, he/she must initiate the appeal through his/her bargaining unit's normal grievance procedure, including grievance arbitration. If an employee is not a member of a bargaining unit, he/she may appeal the decision directly to his/her department director. In those cases, employees wishing to appeal should prepare a written request for reconsideration letter to the department director within 5 working days of receiving notice of reassignment or discharge. The letter should be sent directly to the department director with copies to the employee's supervisor and to the Human Resources Director. The request should include pertinent and specific information about why the decision should be reconsidered. The department director will notify the employee in writing of his/her decision within 10 working days of receipt of the letter.

If the employee is dissatisfied with the decision of the department director, he/she may appeal the decision to the Mayor. In such cases, the employee may either forward his/her initial request for reconsideration letter or prepare a second request for reconsideration letter to the Mayor, including a copy of the department director's decision. The request must be received within 5 working days of receipt of the department director's decision. Copies should also be sent to the employee's supervisor, his/her department director and to the Human Resources Director. The Mayor will review the request and the department director's decision and will notify the employee of his/her decision within 10 working days of receipt of the letter. The Mayor's decision will be considered final and binding.

VII. Application for Employment

Misrepresentation or falsification of requested driving history information on the application for employment is grounds for termination. The pre-screening of applicant's driving records does not eliminate the requirement of the applicant to present and maintain any certifications required for the position they are applying for or currently occupy (e.g. CDL).

Approved:

  
Tina Roberts, Mayor

  
Date