

High Risk Drivers

Dear NETS Members,

February 16, 2011

Fred Choy (Genentech) submitted a question concerning high risk drivers. Please see the full question below.

Responses follow Fred's question.

Please contact me if you have any questions or suggestions.

My thanks to those of you who contributed responses.

Jack Hanley
NETS
Executive Director
jhanley@trafficsafety.org

Question

What do companies do if one has too many infractions (above set points) on their MVR reports? Are they sent to a defensive driving course, given additional web-based training, or something else?

Also, for employees who have a DUI, do most companies require employees attend a specialized DUI course? If so, what types of courses are they sent to?

Thank you.

Fred Choy

Genentech

choy.fred@gene.com

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	Responses	<p>What do most companies do if one has too many infractions (above set points) on their MVR reports?</p> <p>Are they sent to a defensive driving course, given an additional web based training, or something else?</p>	<p>Also, for employees who have a DUI, do most companies require employees attend a specialized DUI course?</p> <p>If so, what types of courses are they sent to?</p>
1	Anonymous	Drivers who accumulate a high number of infractions are reviewed by a committee consisting of legal, HR, and Safety. Most of the time a driver with a high number of infractions or single major infractions (ex. DUI) has their company driving privileges suspended/revoked – which could possibly lead to termination if no other job responsibilities (that do not include driving) can be found.	
2	Anonymous	Within ...we do not have any global requirements as regards actions to take for "at-risk" drivers. Some businesses units have, however, implemented various approaches to address both pre-employment screening and monitoring of driving records during employment.	
3	Amgen <i>Scott Thompson</i> <i>sothomps@amgen.com</i>	Identified High Risk Drivers (Risk Level 3: 8 or more points in 12 months; 12 or more points in 24 months; 15 or more points in 36 months) are required to attend a 1 day Behind the Wheel hands on driver training course. Additional web-based training is also required depending on infraction.	Requires same Behind the Wheel training described above.
4	AstraZeneca <i>Mary Rose</i> <i>mary.rose@astrazeneca.com</i>	High risk drivers are identified by a point score comprised of collision, motor vehicle and driver safety policy infractions recorded over the past 36 months. When a driver's point score escalates them to high risk, policy requires review by the HR partner, the driver's management team, SH&E as well as Legal. When the high risk notification is issued, HR will initiate an investigation of other	

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		<p>areas of that employee’s performance -- call logs, expense reports, performance reviews, etc.</p> <p>We have found that when a driver escalates to high risk that activity is a symptom of a broader performance problem which is often already known by the individual’s management team and/or HR. In those cases, the high risk score then acts as the “trigger” that ultimately results in the employee being separated from the company. But, if the employee has an otherwise unblemished performance record, the team (HR/Management/SH&E/Legal) will discuss the events that caused that individual to escalate to high risk and what the consequences will be.</p> <p>Our policy dictates that the team can decide to administer a Final Written Warning or they can choose to separate the individual from the company. A Final Written Warning (FWW) means that the employee can only achieve the lowest level performance ranking, their bonus will be impacted, they cannot post for other jobs (lateral transfers or promotions) and they are disqualified from any special incentive awards for the next 12 months. Additionally, individuals who are issued an FWW are required to undergo behind-the-wheel training.</p>	
5	<p>Cephalon Jonathan Kamanns jkamanns@cephalon.com</p>	<ol style="list-style-type: none"> 1. At a minimum, we utilize MVR points and collision events for weighting risk. 2. Each MVR or collision event triggers an e-learning event 3. We utilize a 4-level weighting system (0-3); and look at 12, 24 and 36-month periods <ol style="list-style-type: none"> a. Level Three = 8 or more points in 12-months, 12 or more points in 24-months, 15 or more points in 36 months, suspension for more than 30-days in the past 6-months, 2 or more license suspensions in 36-months, a DUI citation or conviction in last 36-months, level II twice in last 36-months, gross or willful negligence. 4. Level 3 requires supplemental driver safety training within 15-days of notification, behind-the-wheel training at employee’s expense within 30-days of notification; employee must provide a copy of their MVR quarterly for 1-year. We also recommend that the employee creates a presentation on their driving history and presents it to their peers at a district meeting or similar event. 	<p>DUI/DWI (Citation or Conviction and includes ‘implied consent’)</p> <ol style="list-style-type: none"> 1. Immediate Level 3 2. If reported per policy requirements, the driver’s license is not suspended and it’s the first offense: 3. Enroll in a

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			<p>program that discusses the impact of driving while impaired</p> <ul style="list-style-type: none"> a. Most states offer an ARD (Accelerated Rehabilitative Disposition) – type course <p>4. All requirements for level III</p> <p>5. Loss of driver’s license is revocation of company vehicle driving privileges and may result in termination based on inability to perform the job function</p>
6	<p>Ecolab <i>Ryan Rebman</i> <i>ryan.rebman@ecolab.com</i></p>	<p>Ecolab maintains a driver profile for each associate driver. This profile includes a summary of driving events and associated risk scores. The sum of these event risk scores determines the driver’s risk classification.</p> <p>Ecolab monitors three kinds of events to create the driver profile:</p>	

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1. Violation Events – a driver being cited (ticketed) for a vehicle or driving-related violation by a law enforcement agency, excluding parking tickets (4 - 12 points depending on infraction)
2. Loss Events – collision and or injury losses (6 points for preventable crashes)
3. Public Feedback Events – verified 1-800 calls concerning decaled service vehicles only (2 points)

Risk Classification

A risk score is assigned to each event according to its relative severity. The driver's total risk score for all events that occurred in the most recent 24 months (regardless of hire date) determines the driver's current risk classification. Risk classifications are set according to the following table:

Risk Classification	Safe Driver	Risk Level 1	Risk Level 2	Risk Level 3
24-month total risk score	0 points	1 to 6 Points	7 to 11 Points	12 or More points

Risk Classification Actions:

The minimum corrective action requirements are listed below.

Entering Risk Level One

1. Driver is required to complete a remedial assignment.

Entering Risk Level Two

1. Driver is required to complete a remedial assignment.

Entering Risk Level Three

Driver may be required to:

1. Complete a remedial assignment.
2. Complete a safe driving ride along and review of their current routing with their manager. The ride along activity must be documented on the Ride along Checklist or equivalent. The manager must ride along with the driver as soon as possible, but within 30 calendar days of the notification.
3. Complete a driver safety training class. The associate may be required to attend an 8-hour

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		<p>course that includes behind the wheel instruction and/or participate in a one-on-one ride along with our driver safety vendor.</p> <p>Additional Event after entering Risk Level 3 or Critical Event A driver who has an additional event after entering Risk Level 3 faces disciplinary actions that may include loss of company vehicle privileges or termination</p> <p>The Driver Safety Review Committee reviews each of these cases with input from the supervisor to determine the appropriate corrective/disciplinary action. It is within Ecolab's discretion to determine if an associate's driving record warrants continued use of a company vehicle and/or continued employment.</p> <p>DUI/DWI Question - we do not send drivers to specialized DUI/DWI classes - DWI/DUI carries a 12 point violation and immediately makes you a RL3 driver.</p>									
7	<p>Eli Lilly Beth Stamer <i>stamer_beth_a@lilly.com</i></p>	<p>We use a vendor to manage our driver risk profiles (MVR, Accident, and training history data) and use a 4 tier scheme (Zero Points, Level A, Level B and Level C). When a driver has an increase in risk rating, they are assigned an on-line CEI training program that addresses their issue. When a driver's risk rating increases to Level C, they are required to complete a one day BTW training course through our approved Driver Training vendor. We have a robust DUI process, which includes the completion of a one day, individual instruction BTW class. Our Driving Training vendor sends an instructor to our driver for this class. This class is required even is the state requires a different DUI training intervention. The following chat summarizes our Fleet Safety Training interventions.</p> <p>Fleet Safety Training Chart</p> <table border="1" data-bbox="533 1019 1719 1320"> <thead> <tr> <th data-bbox="533 1019 1060 1101">Fleet Safety Training</th> <th data-bbox="1060 1019 1719 1101">Required Actions</th> </tr> </thead> <tbody> <tr> <td data-bbox="533 1101 1060 1214">New Driver Fleet Safety Training</td> <td data-bbox="1060 1101 1719 1214"> <ul style="list-style-type: none"> ·Driver completes all assigned on-line safety training prior to delivery of a Fleet Vehicle ·Drivers complete New Driver BTW training as assigned </td> </tr> <tr> <td data-bbox="533 1214 1060 1287">On-going Fleet Safety Training Risk Levels 0, A and B</td> <td data-bbox="1060 1214 1719 1287">·Driver completes all assigned Fleet Safety Interventions</td> </tr> <tr> <td data-bbox="533 1287 1060 1320">Risk Level C and/or Critical Event</td> <td data-bbox="1060 1287 1719 1320">·Driver completes all assigned on-line safety training</td> </tr> </tbody> </table>	Fleet Safety Training	Required Actions	New Driver Fleet Safety Training	<ul style="list-style-type: none"> ·Driver completes all assigned on-line safety training prior to delivery of a Fleet Vehicle ·Drivers complete New Driver BTW training as assigned 	On-going Fleet Safety Training Risk Levels 0, A and B	·Driver completes all assigned Fleet Safety Interventions	Risk Level C and/or Critical Event	·Driver completes all assigned on-line safety training	
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		<ul style="list-style-type: none"> ·Charged or ticked with DUI/DWI ·Fleeing the scene of an accident ·Use of a company provided vehicle or a personal vehicle on company business in violation of any criminal law. ·Committing a driving-related felony, homicide, or manslaughter ·Falsifying collision / incident facts ·Operating a company vehicle without a valid driver's license ·Failure to report an accident ·Allowing an unauthorized person to drive a company vehicle ·Transporting a firearm in the company vehicle 	<ul style="list-style-type: none"> ·Management works with HR to initiate appropriate disciplinary action which may include revoking driver privileges and/or separation from the company ·Driver completes remedial Behind-the-Wheel Fleet Safety Training ·Driver pays a Fleet Safety Training fee for the class; Driver's cost center is charged a Fleet Safety Training Fee for the class ·Driver may be required to reimburse the Company for a loss occurring as a result of a critical event. ·Spouses/Registered Domestic partners are no longer authorized to drive the company provided vehicle 	
8	<p>Johnson & Johnson Sandy Lee Slee3@its.jnj.com</p>	<p>>> J&J and its affiliates must establish a process to ensure that these drivers receive appropriate training and coaching that will improve their driving skills, attitudes and behavior. The process must include:</p> <ul style="list-style-type: none"> - A notification process to inform the driver that he/she is identified in the Major Driving Events classification; - Follow-up action steps, including behind-the-wheel training or other relevant training and designated activities, such as commentary drives or high risk driver module, to be discussed and agreed upon with the driver and his/her manager and/or HR representative (within 90 days of notification is recommended). - A review and compliance tracking process involving the driver and his/her manager and/or HR representative. <p>The primary objective of the follow-up actions must be to reduce risk and motivate the employees to improve their driving skills and modify their driving attitudes and behaviors and is not intended to be punitive in nature.</p> <p>A driver who (a) has not been involved in any Major Driving Event within a consecutive 12-month period after notification of his/her identification in the Major Driving Events classification, or within a specified timeframe as defined in an alternative classification system that has been implemented</p>	<p>Follow-up actions vary by country. In the US, we require 1:1 BTW training. Also, the driver [who receives a DUI citation or is convicted of a DUI/DWI] undergoes an assessment with the EAP and Occupational Health professional. Driver may not drive the company vehicle without clearance.</p>	

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		<p>by the J&J affiliate where the driver is employed, <u>and</u> (b) who has met the required follow-up actions, will be removed from the Major Driving Events classification.</p> <p>Disciplinary Actions</p> <p>Each organization's management must identify the disciplinary actions to be taken to address the driver who is involved in a <u>new</u> Major Driving Event within the 12-month period after notification of his/her identification in the Major Driving Events Classification, or during a timeframe defined in any alternative classification system put into place by the J&J affiliate where he/she is employed.</p>										
9	<p>Land O'Lakes Don Schultz dwschultz@landolakes.com</p>	<p>LOL policy is an in-house MVR Evaluation. We use this before we hire a driver and then annually when the MVR is done. I have attached our LOL Evaluation point system. If the driver reaches or exceeds the 12 points they cannot drive a CMV for LOL. Vehicles less than 10,001# like pickups, SUV, cars that are assigned to the driver lose their vehicle when they reach 12 points.</p> <p style="text-align: center;"><u>Land O'Lakes, Inc. MVR EVALUATION</u></p> <p>Name of Driver _____</p> <p>Location _____</p> <p>Date _____</p> <p>CANNOT HAVE 12 OR MORE POINTS WITHIN THE PRECEDING THREE YEARS</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 15%;">Actual Points</th> <th style="width: 15%;">Penalty Points</th> <th style="width: 70%;">Descriptions</th> </tr> </thead> <tbody> <tr> <td></td> <td style="text-align: center;">12</td> <td>License Suspension (Violations or administrative suspensions such as failure to pay fine, improper equipment, tags, or improper vehicle registrations should be considered "non-moving" violations and would not affect this point system)</td> </tr> <tr> <td></td> <td style="text-align: center;">12</td> <td>Driving while intoxicated (DWI) or driving under the influence (DUI)</td> </tr> </tbody> </table>	Actual Points	Penalty Points	Descriptions		12	License Suspension (Violations or administrative suspensions such as failure to pay fine, improper equipment, tags, or improper vehicle registrations should be considered "non-moving" violations and would not affect this point system)		12	Driving while intoxicated (DWI) or driving under the influence (DUI)	
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			12	Major violations, i.e., reckless driving, endangering the lives of others, racing, hit & run, etc.	
			06	Speeding 15 miles per hour or above the posted speed limit, passing a stopped school bus, chargeable accidents of any kind,	
			06	Seat Belt Violation involving CMV (Commencing after June 1, 2009)	
			03	All other moving violations including Cellular/Mobile Electronic device, following too close, improper lane change, failure to obey traffic control device, speeding violation between 7-14 miles over posted speed limit.	
			03	Seat Belt Violation involving Personal Vehicle (Commencing after June 1, 2009)	
		<p>_____ TOTAL POINTS</p> <p>All drivers, new hires and renewals, are evaluated using the <u>Land O'Lakes, Inc/Winfield Solutions MVR Evaluation</u>. New hire drivers will not be employed if the MVR evaluation is equal to or exceeds 12 points. Drivers currently employed by Land O'Lakes, Inc. will be evaluated using the <u>Land O'Lakes, Inc/Winfield Solutions. MVR Evaluation</u>. Drivers found to have 12 or more points will not be eligible to drive a commercial motor vehicle or Company Assigned Vehicle for Land O'Lakes, Inc.</p> <p>Drivers Signature: _____</p>			
<p>Manager to file this form at location DO NOT send it to RAIR or Verifications, Inc.</p>					
10	Liberty Mutual Dave Melton david.melton@libertymutual.com	Employers should establish specific MVR criteria that all employees who drive on company business must meet. They should publish and distribute policies and procedures that describe the criteria and apply the policy consistently across all employee groups.			
		ANSI Z15.1, <u>Safe Practices for Motor Vehicle Operations</u> , is an important reference that includes information on designing effective driver selection criteria. NETS is a member of the committee that wrote the			

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Standard. It is available from the American Society of Safety Engineers. <http://www.asse.org/>

The American Transportation Research Institute (ATRI) has published a report entitled, Predicting Truck Crash Involvement: Developing a Commercial Driver Behavior-Based Model and Recommended Countermeasures. A one page description of that report is attached. Although the report is based upon research completed on commercial vehicle operations, it has strong relevance to all fleets. The message is simple: drivers who are cited for risky driving behaviors are at much greater risk for future crashes.

Below is an example of a minimum MVR criteria. Criteria should be developed in consultation with the organization's HR experts.

Type of Driving	Assigned a company vehicle for full time use	Uses a company pool vehicle	Light truck drivers regular use	Regular Use of Rental Vehicle	Personal Vehicle Use on company business
# of moving violations allowed in past 3 years	2	2	2	3	3
# of crashes allowed in past 3 years	2	2	2	2	2
Felony use of Motor Vehicle, Evading an Officer Regardless of time elapsed since the offense	No	No	No	No	No

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		Max. # of moving violations and crashes combined past 3 years	3	3	3	3	3	
		One DUI over 5 years old allowed	No	Yes	No	Yes*	Yes*	
		Multiple DUI regardless of time elapsed	No	No	No	No	No	
		Personal use agreement Required	Yes	Yes	Yes	No	No	
		*May allow one current DUI, less than 5 years, at written discretion of Executive Management.						
11	Merck Bob Holman robert_holman@merck.com	At Merck we have established an event based system to review driving performance. With the exception of "Egregious" events, all motor vehicle infractions and all collisions are considered a single event. We found it far too difficult to rationalize infractions with a point scale. For example, how do you determine points for a "seat belt" infraction that was actually a reduction from a speeding citation? Does the employee who does not go to court and just pay the ticket wind up with more points for speeding than the employee who was cited for speeding, but plea bargained to a seat belt infraction. In addition, there are literally thousands of violation codes, and many times it becomes difficult, if not impossible to differentiate the meaning of the citation from one state to the next. We then have a progressive scale of events for which we provide general guidance on remediation for example;						At present we do not require completion of a Company designed course for DUI citations/convictions - but there will be documented warnings issued if the employee is retained.

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		<p>1-2 events may result in a coaching session</p> <p>3-4 events may lead to a coaching memo</p> <p>5 or more events may lead to a written warning, final written warning or termination, based upon facts. We may also impose financial penalties such as bonus reductions based upon performance.</p> <p>Before remediation is taken, we require managers to complete fact finding, was the seat belt violation really a seat belt violation or a speeding ticket? What was the speed? Did the employee promptly report the CITATION per policy - even before the final court decision?</p> <p>In regard to Egregious Events, these are handled immediately, and include citations for DUI, Reckless Driving, Leaving the Scene of an accident, Suspensions, Revocations, etc. Fact finding is immediately initiated and completed. Failure to report an egregious event immediately may lead to termination, even before final adjudication of the case by the courts. The Company has advised employees via our fleet policy that failure to notify can result in termination. This is important as some events, such as a DUI may lead to temporary suspensions or restrictions in some states, before the case is ever tried.</p>	
12	<p>Pfizer Theresa Snow theresa.l.snow@pfizer.com</p>	<p>We require additional on line training which is associated with the risk(s) at hand. Additionally there is discipline administered depending on the gravity of the issue – anywhere from a written coaching session to termination.</p>	
13	<p>Roche Diagnostics Don Pearson donald.pearson@roche.com</p>	<p>A High Risk Driver in our world is called “Unacceptable”</p> <ul style="list-style-type: none"> ▪ In-house employees whose job requires them to routinely operate Company Vehicles and whose records fall into the Unacceptable Category may be terminated. ▪ Foreign nationals whose records fall into the Unacceptable Category must rent a vehicle under his/her own name. ▪ Field employees whose records fall into the Unacceptable category will incur these consequences. <ul style="list-style-type: none"> ○ Employee will immediately forfeit his/her Company Vehicle. ○ Employee is required to complete (within 60 days) a State, National Safety Council, or other Company approved defensive driving course, at his/her own expense. ○ Car Allowance payments will be made to the employee, retroactive to the date the Company Vehicle was forfeited, when all of the following have been submitting to the Fleet Department. 	

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		<ul style="list-style-type: none"> ⇒ Written proof that he/she has attended and passed the defensive driving course. ⇒ A certificate of insurance showing the minimum coverage. ⇒ Car Allowance approval form for appropriate type vehicle, signed by employee and Regional Manager. <p>Employee will be placed on 60-day probation (from the time of vehicle forfeiture), during which time any category “A” driving offense or “Stand-Alone” offense listed in Section 8 will result in termination or reassignment to a position which does not require the employee drive a Company Vehicle.</p> <p style="color: blue;">Further information provided since noted above in explanation of Unacceptable driver.</p> <p>“Stand-Alone” violation consequences</p> <ul style="list-style-type: none"> ▪ In-house employees whose job requires them to routinely operate Company Vehicles who are cited for one of the five “Stand-Alone” violations may be terminated. ▪ Foreign nationals who are cited for a “Stand-Alone” violation must rent a vehicle in his/her own name. ▪ Field employees who are cited for a “Stand-Alone” violation will incur these consequences. <ul style="list-style-type: none"> ○ Employee will immediately forfeit his/her Company Vehicle. ○ Employee will immediately be placed on a 120-day probation during which time “A” or “Stand-Alone” driving offense will result in immediate termination or reassignment to a position which does not require the employee drive a Company Vehicle. ○ Employee is required to complete (within 60 days) a State, National Safety Council or other Company approved defensive driving course, at his/her own expense. ○ Employee becomes eligible to receive the Car Allowance when all of the following qualifications have been met. The allowance will be retroactive to the date of vehicle forfeiture. <ul style="list-style-type: none"> ⇒ Written proof has been submitted to the Fleet Department that he/she has attended and passed the defensive driving course. ⇒ A certificate of insurance showing the minimum coverage has been submitted to the Fleet Department. ⇒ Car Allowance approval form for appropriate type vehicle, signed by employee and Regional Manager, submitted to Fleet Department. ⇒ If the employee’s operator’s license was suspended, the allowance will be retroactive to the date the license was restored. 	
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		<p>Violation Definitions</p> <p>“A” Violations:</p> <ul style="list-style-type: none"> • Reckless or negligent driving • Fleeing or attempting to elude a police officer • Driving without a license or while license is suspended or revoked • Hit and run or failure to stop after an accident • Major speeding (25 miles per hour or more over posted limits) 	
14	Roche Diagnostics (Canada) <i>Francine Seguin</i> <i>francine.seguin@roche.com</i>	No, but for driver with more than 10 demerit points, we request a MVR report every year instead of at each car renewal.	We never had any DUI case (or none were reported), but other than stating that they would lose car privileges, there are no guidelines.
15	Union Gas <i>Kevin Wright</i> <i>KPWright@uniongas.com</i>	Spectra Energy requires that “High Risk” drivers complete one or more interventions that are based on the relative infractions seen on the driver’s MVR. This is the same approach for drivers with DUI, speeding, reckless, etc. Interventions could include commentary ride-alongs, computer based or classroom training, vendor programs, and/or fleet driving privileges suspended	
16	Valspar <i>Virginia Kodet</i> <i>vkodet@valspar.com</i>	Valspar’s program monitors both MVR and collision data. Points are assessed over a rolling three year period. We have 5 risk categories with actions taken starting at the medium risk level. Medium risk requires training that is consistent with the violation/collision type (usually online but could be classroom). High risk drivers are removed from the car program for 1 year. Extreme risk drivers will typically be terminated.	Drivers who have been charged with a DUI will be removed from the car program for one year. Most drivers that are charged with DUI do in fact lose their jobs. Valspar does

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			not require a specialized DUI training course. We also require training for all drivers that have been involved in a crash, regardless of fault.
17	Xerox Mike McAlister Michael.Mcalister@xerox.com	MVR = Too many points – Defensive driving (web based)– Student takes an assessment of skill (Web based) – Depending on results the student can be assigned from (min 6) to max of 12 modules. To be completed 3 per month. Time for single module 15 minutes.	DUI – Removal from company car program for 1 year

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