



## **Safety Policy with Corrective Action**

Including:

Defensive Driving Policy

Drug and Alcohol Policy

Driver Log Policy

Vehicle Maintenance Policy

# INTRODUCTION

Genesis Worldwide (also referred to in the document as “the Company”) requires all of its contractors and employees to comply with Federal, State, and Local laws that apply to the Motor Carrier Industry.

Highway safety is a serious matter that affects everyone. Thousands of people die each year in truck-related accidents. Often, these accidents can be blamed on poorly maintained equipment, unqualified drivers, alcohol or drug abuse, or drivers who remain on the road far beyond their ability to stay alert. This guide is meant to make you more knowledgeable about safety and to remind you of the importance of implementing safe habits.

The information contained in the manual is a summary of the D.O.T requirements. This summary is meant to be used in conjunction with the D.O.T Safety Manual provided by Genesis to all its contractors and employees.

# **SAFETY POLICY**

The efficiency of any operation can be measured directly by its ability to control loss. Accidents resulting in personal injury, damage to property and equipment represents needless suffering and waste. It is the responsibility of management of this Company to assure the safest condition and equipment for all employees. The Company Policy on safety is:

1. The safety of the employees, the public and the operations is paramount. Every effort will be made to eliminate hazards and reduce the possibility of accidents and injuries.
2. Safety will be given priority over expediency and shortcuts.
3. The company, its' managers, employees and owner/operators will comply with all safety laws and regulations.
4. No passengers or ride-along are permitted while under dispatch.

Every manager, employee and owner/operator will be expected to demonstrate attitudes and actions which reflect this policy for their own safety and for the safety of others.

## **Genesis Worldwide Defensive Driving Policy**

Genesis is strongly committed to a sound and thorough defensive driving policy.

- Those principles include emphasis on the following elements:
  - Good vision
  - Attentiveness
  - Sober judgment
  - Quick reaction
- Our Policy will be implemented as follows:
  - Initial training of new hires within 3 months of their beginning work dates
  - Periodic performance checks by the Safety Director
- Retraining of drivers will include the following specific courses:
  - Defensive driving
  - Hours of Service
  - Vehicle inspections
  - CSA scoring
  - Accident procedures and reporting

Note: Any such retraining will occur every six months, or as deemed appropriate by management.

While there are no regulatory requirements that mandate the existence of a defensive policy, it makes excellent business sense to have such a policy in place. Underlying the policy is our corporation strong commitment to safety on the highways.

While operating Company vehicles, drivers should always drive in the safest and most professional manner possible. The likelihood of accidents will be minimized, and a positive image for the Company will be promoted in the eyes of the general public. Specifically, our drivers must operate Company vehicles in accordance with all provisions of part 392- Driving of Motor Vehicles of the Federal Motor Carrier Safety Regulations (FMCSR).

Many factors impact the operation of vehicles on the roadways. They include:

- Light levels
- Weather
- Pavement condition
- Traffic conditions
- Mechanical condition
- Operator condition

A successful defensive driver exhibits five main qualities: extensive knowledge, alertness, good judgment, foresight, and driving skill.

The core concepts of defensive driving are:

- Recognize the hazard
- Understand the defense/reaction
- Act in time

If these principles are followed carefully, the result will be improved safety on the highways, and a resulting positive image for our company.

## **Defensive Driving Procedures**

### **Intersections**

Getting into and out of intersections without an accident is a mark of a good defensive driver. Besides your own skill level, intersections also demand anticipation of the action of the other drivers and taking appropriate evasive action as required.

### **Backing**

Backing is an extremely hazardous maneuver. If you are backing with the assistance of a guide, the ultimate responsibility for the safety of the backing maneuver remains with you as the driver.

### **Front-End Collisions**

The primary way to avoid front-end collisions is by maintaining a safe and adequate following distance. You should be prepared for possible obstructions on the roadway, either in plain sight or hidden by curves or the crests of hills. A special situation occurs at night, when speed should be kept to a level that will allow you to stop within the distance illuminated by the headlights of your vehicle.

### **Rear- End Collisions**

As a driver, you risk being struck from behind if you do not maintain an adequate margin of safety in your own following distance. If enough space is not allowed in front of your vehicle, chances go way up that somebody can (and will) impact you from the rear.

### **Passing**

Failure to pass safely indicated faulty judgment on your part as a defensive driver, and failure to consider one or more of the factors that need to be checked:

- Is there enough room ahead?
- Is there adequate space to move back into your lane of traffic after passing?

- Have you signaled your intentions?

### **Being Passed**

As a driver, you must be aware of the actions of other drivers, and give way if another driver begins to sideswipe you or to cut you off. A good defensive driver will avoid problems with this kind of accident situation.

### **Encroaching on Other Traffic Lanes**

Observant defensive drivers will not usually get trapped when other drivers change lanes abruptly. In the same manner, entrapment in merging traffic can be successfully avoided by a good defensive driver with a little preplanning and willingness to yield. Blind spots are not valid excuses for this kind of accident—allowances must be made in areas of limited sight distance.

### **Railroad Grade Crossings**

Driving across railroad crossings, or in areas where there are rail vehicles of some sort, demands special care. Careful observance of the traffic situation is your best defense.

### **Oncoming Traffic**

A defensive driver will avoid a collision with an oncoming vehicle at all costs. Even if the vehicle enters your lane of traffic, an accident can be avoided with some evasive maneuvers.

### **Turning**

Turning, like passing, is a dangerous maneuver, and demands special care and an observant eye from you as a defensive driver. You should be aware of other vehicles in your path, and of the complete

### **Pedestrians**

As a sensible defensive driver, always assume that if there is a pedestrian (or small vehicle of some sort) involved in a situation, slowing down is your best defense. Be certain to give people and small vehicles the benefit of the doubt.

### **Extreme Weather & Road Conditions**

Bad weather and other road hazards place special stress upon any defensive driver. The best rule in any kind of bad weather or extreme road condition is get off the road safely and as soon as possible. If you absolutely must continue, slowing way down and increasing following distance are your best defenses, along with increased awareness. All Company drivers will be educated on the dangers of, and the Company's expectations for, driving in the following extreme weather and road conditions.

A company expectation that applies to all of the situations described below is that you (as a driver) are required to contact your immediate supervisor or night dispatch in the event a delay caused by weather or other road conditions will affect pick up or delivery schedules.

### **Fog**

Genesis drivers will receive safety training in fundamental fog-driving techniques. Fog reduces available visibility and impairs distance perception, making it perhaps the most dangerous type of extreme weather condition.

It is Company policy that whenever possible, drivers are to avoid driving in foggy conditions. Pull off the road and park safely until such time as the fog dissipates or is burned off, if at all possible.

If you cannot safely pull off the road, follow these procedures:

- You should never assume the depth or thickness of any fog. Fog can range from a momentary blurring of the windshield to being several miles thick.

- Slow your vehicle's speed. Reduction in speed should be done gradually in order to avoid becoming a hazard for other motorists. Determining a correct and safe speed depends on the thickness of the fog and is left to your best judgment.
- Use low-beam headlights only when driving in fog. Low-beams serve two purposes. They help you see the immediate roadway and also allow other motorists to see your vehicle.
- Avoid the use of high-beam headlights while driving in fog. The water particles that make up fog will reflect more light back at you than onto the roadway when high-beams are used, and will further reduce visibility for you.
- Make use of windshield wipers and the defroster when driving in fog. Driving in foggy conditions will cause a constant fine mist of water to develop on the vehicle's windshield. Reducing visibility in the process. Using the windshield wipers and defroster will alleviate this condition.
- Avoid passing other vehicles while driving in fog.
- Avoid stopping on any roadway while driving in foggy conditions unless absolutely necessary. If you must stop, use the emergency or breakdown lane, activate your emergency flashers, and turn off the headlights.

### **Rain**

Genesis drivers will receive training in fundamental safety procedures for driving in rainy conditions. Rain causes roadways to become slippery, especially when it first begins. Roadways become covered with a thin layer of oil and other residues. When rain mixes with this layer, it results in an extremely slippery and dangerous road surface. This condition remains until additional rain can break down and wash away the oily mixture from the pavement. This process can take anywhere from a few minutes to several hours, depending on the severity of the rain.

Water on the road surface can also create a potential hazard of hydroplaning. Hydroplaning happens when a thin layer of water separates the vehicle's tires from the road surface. When a vehicle is hydroplaning, it is literally riding on water. When the tires ride on water, they lose all traction and create an extremely dangerous situation. The faster a vehicle travels on standing water, the greater the chance of hydroplaning. Reducing speed is the best and safest way to avoid hydroplaning.

Rain also reduces visibility and since rain presents various hazards, drivers are expected to adhere to the follow procedures when driving in rainy conditions.

- You should slow the vehicle's speed to avoid hydroplaning. Reduction in speed should be done gradually in order to avoid becoming a hazard for other motorists. Determining the correct and safe speed depends on how heavy the rain is and will be left to your best judgment.
- You are expected to increase your following distance from other motorists. Since rain causes the road surface to become slippery, you need to allow for greater stopping distance if the need to stop arises.
- You should make use of windshield wipers and the defroster when driving in rain. Driving in rainy conditions will cause a constant film of water to develop on the vehicle's windshield, reducing visibility in the process. Using the windshield wipers and defroster will alleviate this condition.
- You should avoid passing other vehicles while driving in the rain. In addition, you are encouraged to follow other vehicles at a safe distance since vehicles traveling ahead will throw water off the pavement and leave "tracks". Driving in these tracks will give you the best possible traction under rainy conditions.

### **Snow**

Genesis drivers will receive training in fundamentals safety procedures for driving in snowy conditions. Snow can present a variety of dangerous conditions and the following procedures have been developed as a defensive driving policy:

- Light powdery snow presents few problems since it is quickly blown off the road surface. However, if there is enough of this type of snow to cover the roadway, it will form a slick, smother surface. You should reduce speed and increase following distance. Determining the correct speed and safe following distance will be left to your best judgment.

- Heavier, slushy snow can affect vehicle control. If snow becomes hard packed it can cause an ice hazard on the road surface. Again, you should reduce speed and increase following distance. Determining the correct speed and safe following distance will be left to your best judgment.
- All slow maneuvers such as starting out, steering, backing, and turning should be done smoothly and with extreme care to minimize skids and slides
- Falling or blowing snow can greatly reduce visibility. In addition, falling and blowing snow can make it hard to see the road, road marking, road signs, and off ramps. If you must continue in snowy conditions, reduce speed and increasing following distance are the best techniques a driver can use to maintain vehicle control.
- As with driving in foggy conditions, the use of high beam headlights while driving in showy conditions should be avoided at all times. The high-beam “shooting: light will reflect off falling and blowing snow and reflect back at you, further reducing visibility.
- Company drivers will also be educated on the dangers of “snow hypnosis”. Snow hypnosis occurs when a driver is traveling directly into heavy snow and begins to focus on the falling snow instead of the road ahead. This can cause a hypnotic-like effect on the driver. The danger of snow hypnosis is especially prevalent at night.
- In extreme conditions, chains may be necessary.

### **Ice**

Drivers will receive training in fundamental safety procedures for driving on icy roads. All Genesis drivers need to be aware of changes in road surface conditions that may affect the vehicle’s traction. To help our drivers, the company has developed the following procedures for driving on icy roads for this defensive driving policy:

- As with all extreme weather conditions, if you must continue, the safest techniques to employ are to reduce speed and increase you following distance. Of these tows, increasing following distance is by far the most important. Depending on the temperature and road conditions, stopping distance (distance needed to come to a complete stop) on icy roads can increase four to ten times versus stopping from the same speed on a dry road.
- Genesis drivers will be educated on the dangers of “black ice”. Black Ice forms when temperatures drop rapidly and any moisture on the road surface freezes into a smooth, almost transparent layer of ice. What makes black ice particularly dangerous is that you may not realize you are on it until it’s too late. Determining the correct speed and safe following distance will be left to your best judgment.
- Bridges and overpasses are other areas to which you should give special attention. Ice will tend to form first on bridges and overpasses because cold air circulates both above and below these structures causing the temperature to drop more rapidly than on normal roads. Any moisture on the road surface of a bridge or overpass will freeze quicker and harder than elsewhere on the road. Extreme caution and a reduction in speed should be used by all Company drivers while traveling over bridges and overpasses.

### **Night Driving**

Drivers will receive training in fundamental safe driving techniques for driving at night and need to be aware of the potential hazards driving at night present. These hazards include fatigue, reduced visibility, poor lighting, other (impaired) motorists, and animals on the road. The Company has developed procedures for defensive driving at night. Fatigue is perhaps the most dangerous hazard of driving at night and nothing we do at Genesis is worth anyone getting hurt. Fatigue dramatically reduces driver’s reaction time and perception.

Drivers must be aware of the warning signs of fatigue, which include:

- Your eyes close or go out of focus by themselves.
- You can’t stop yawning.
- You are experiencing trouble keeping you head up.
- You experience short-term memory loss. For example, you can’t remember the last several miles you have driven.
- Your thoughts wander or you begin to daydream.

- You start drifting into other lanes of traffic, tailgate, or miss traffic signs.
- You experience an inability to maintain a constant rate of speed.
- You must jerk the steering wheel hard to correct a drift and get back into your lane.

If you experience any of these signs, it's time to get off the road as soon as safely possible and get some rest.

Reduced visibility is a hazard of driving at night. At night, visual acuity (degree of perception) and peripheral vision (side vision) are reduced, and the eyes may have difficulty adjusting from light and darkness. These factors all contribute to reduced visibility while driving at night. The best and safest techniques to counteract these night driving hazards are to reduce your speed and increase your following distance. Poor lighting on the open highway or on rural roads is another hazard that drivers must be made aware of. At night, with more difficult to see and avoid. You should reduce speed and use extra caution when traveling on poorly lit or unfamiliar roads.

- Impaired motorists (drunk drivers) are a hazard to everyone on the road. Company drivers should be especially cautious when driving between the hours of 12 midnight and 3:00A.M. (Typical bar and tavern closing times). Drivers should be wary of motorists driving in an erratic manner including weaving in and out of traffic lanes, having difficulty maintaining a constant rate of speed, or braking suddenly. If you suspect that you are sharing the road with an impaired motorist, reduce your speed let the motorist pass, and increase the following distance.
- Animals on the road present another kind of hazard while driving at night. Company drivers are to be especially alert when driving on roadways lined by woods or tall grass. Animals, especially deer, can jump out in front of an oncoming vehicle with little or no warning. The best techniques to avoid collisions with animals are to not "out drive" your headlights and to reduce speed. If a collision with an animal is unavoidable, you should drive "through" the animal. This will help prevent a jackknife or rollover type accident.

### **Road Construction**

Genesis realizes that chances are good that from time to time our drivers will be faced with having to drive on roadways that are being repaired or under construction. Road construction presents several hazards. Our drivers are expected to approach road construction work zones the same way they would any other adverse driving situation and follow these procedures:

- Reduce speed and maintain a safe following distance.
- Drive at or under all special or reduced posted speed limits while traveling through road construction work zones. Safe following distance will be left to your best judgment.
- Be constantly aware of your immediate surroundings, anticipate the possible actions of other motorists, and expect sudden stops.
- Watch for construction workers or vehicles crossing the roadway.
- Use the lane furthest from a construction zone when possible.
- Avoid sudden lane changes and use headlights and four-way flashers when traveling through construction zones.

### **Road Hazards**

Company drivers should be aware of the potential danger of encountering various types of road hazards including:

- Soft shoulders or severe pavement drop-offs that can cause rollover type accidents.
- Road debris such as tire recaps, metal or lumber can cause severe damage to tires, tire rims, electrical systems, and break lines. You should be aware of the road ahead to identify potential road debris early and take sage and appropriate avoidance maneuvers.

### **Underpasses**

Hitting a bridge, underpass, or viaduct is a danger you should be constantly aware of. This type of accident, often referred to as "topping" at trailer, is always preventable. Genesis drivers need to be aware that the posted height of an underpass is not always accurate.



Re-paving and packed snow can reduce the clearance of an overpass enough to cause a problem. In addition, an empty trailer will ride higher than when it is loaded. You should make thorough trip plans. When in doubt of the clearance of an underpass, you should get out of your vehicle and make a visual inspection or find an alternate route.

### **Fixed Objects & Special Intersections**

A good defensive driver will observe items in the area around the vehicle that might cause problems. Checking to be certain there is adequate clearance is the primary thing to watch. In the areas of driveways, alleyways or plant entrances, the effective defensive driver will analyze the situation carefully, slow down, sound a warning when appropriate, and be ready to yield to the other driver involved.

### **Physical & Mental Condition**

The Company expects its drivers to manage their physical and mental condition well. That especially means keeping a positive attitude when behind the wheel, and taking good care of their physical health. Fatigue is an especially dangerous factor to be aware of.

### **Personal Appearance**

If there is a Company dress code, follow it carefully. Wear uniforms if provided. Be certain they are clean and pressed. Personal cleanliness is also important.

### **Following Distance**

Tailgating is probably the single most common complaint lodged by the general driving public against truck drivers. Some specific following distance guidelines include:

- A three (3) second interval at speeds up to 40 mph
- A four (4) second interval at speeds up to 44 mph
- Adding extra time in bad weather or poor road conditions
- Adding extra following distance if you are being tailgated

### **Driving Speed**

You should drive consistent with posted speed limits, with due regard given to existing traffic, weather and highway conditions. Never overdrive your headlights at night. That means you should be able to stop safely in the distance you can see clearly in your headlights.

### **Right of Way**

As a defensive driver, you should never attempt to exercise the right of way principal. Let the other driver go first. Keep to the right except to pass, or when getting into position to turn left. In town, when you enter a main thoroughfare from a side street, alley, driveway or a highway ramp, make a full stop at any crosswalk, then another full stop before actually moving into traffic.

### **Meeting Other Vehicles**

Keep to the right when meeting other vehicles on the roadway. If a vehicle approaches on your side of the road, slow down and pull to the right as far as you safely can. If you have to take this kind of evasive action, and have actually gone off the highway onto the shoulder, be certain you slow the vehicle down sufficiently before you attempt to come back into the highway. Never pull to the left to avoid an oncoming vehicle.

When merging onto a highway Genesis drivers are expected to:

- Signal early.
- Be patient and watch for an opening.
- Build speed and merge smoothly.

- Check Mirrors constantly

When exiting a highway Genesis are expected to:

- Signal and change into the right-hand lane early and safely.
- Signal intentions to exit early.
- Check mirrors constantly.
- Reduce speed and exit.

### **Curves & Turns**

The biggest thing to remember in successfully negotiation curves and turns is to slow down. In doing so, you will be able to make any necessary adjustments in steering, breaking, etc. as required.

**Genesis WORLDWIDE BELIVES IN SAFETY OVER PRIORITY. IT IS A GROUP EFFORT TO MAKE OUR HIGHWAYS SAFE. PLEASE DO YOUR PART.**

## **Drug & Alcohol Policy For Genesis Worldwide**

In 1988, Congress enacted the Drug Free Workplace Act to require federal contractors to establish and maintain a work environment that is free from the effects of drug use and abuse. Federal Regulations 49 CFR Part 40 (§382) present the general terms of this program and its guidelines. We agree with that goal and believe that Genesis has the responsibility to its employees and those who use or come in contact with its products/services, to ensure a safe and productive work environment. To satisfy these responsibilities, it is the policy of Genesis and a condition of employment that an employee be present and able to perform their job free from the effects of alcohol, narcotics, depressants, stimulants, hallucinogens and cannabis or any other substances, which can impair job performance.

### **Our Commitment**

We recognize that drug and alcohol abuse may be a sign of chemical dependency and that substance abuse can be successfully treated with professional help.

**Genesis provides** an Employee Assistance Program (EAP) through [SapList.Com](http://SapList.Com) for employees to deal with substance abuse and other personal problems that can affect work performance. Our commitment is to help employees remain productive members of our team. In certain circumstances, the company may insist upon a mandatory referral to our EAP as a condition of continued employment. No employee will be disciplined or discriminated against simply for seeking help.

### **Employee Responsibility**

The employee is responsible for following all of our work and safety rules, and for observing the standards of behavior and employer, co-workers, and customers have the right to expect from you. In addition, if you believe you may have a problem with drugs or alcohol, you are responsible for seeking assistance, whether from or through the company or any other resource, before a drug or alcohol problem adversely affects your work performance or results in a violation of this policy. The time to seek help is BEFORE you are in "trouble", NOT AFTER. If a professional assessment is made that you have a problem with Drugs or Alcohol, your continued employment may be conditioned upon:

- Entering into and completing a treatment program approved by the company.
- Signing and living up to a last chance performance agreement.
- Undergoing a Follow-up Testing Program at companies' discretion.

**Scope of Our Policy**

This Policy and each of its rules apply whenever an employee is on or in Company Property, surrounding grounds and parking lots, leased or rented space. Company time (including breaks and meal periods), in any vehicle used on Company business, and in other circumstances (such as on customer premises or at business/sales functions) we believe may adversely affect our operations, safety, reputation or the administration of this policy.

**Our Drug and Alcohol Rules**

The following rules are extremely important and an employee who violates any one of them will be subject to disciplinary action, up to and including termination.

1. Alcohol An employee may not possess, use, transfer, offer, or be under the influence of any intoxicating liquor while at work or on company business. This rule prohibits using any alcohol prior to reporting to work, during breaks or meal periods, or in conjunction with any Company activity, except social or business events where a Corporate Officer has authorized the moderate consumption of Alcoholic Beverages.
2. An employee will be removed from a Safety Sensitive Position for 24 hours if your BA is more than .02 and less than .04. A Breath Test over .04 is a DOT Violation, and a referral will be required to a Substance Abuse Professional before being released back to a safety sensitive position.
3. Drugs an Employee may not possess, use, transfer, offer, share, attempt to sell or obtain, manufacture, or be under the influence of any drug or similar substance and also may not have any drugs of similar substances present in the body. Thus, an employee who tests positive for any illegal-drug violates this rule. This rule also pertains to prescription drugs being taken without doctor’s authorization.
4. Drug Paraphernalia and Alcohol Containers an Employee may not possess any Drug Paraphernalia or Alcohol Containers.
5. Prescriptions/Over-the-counter Medications It is the employee’s responsibility to check the potential effects of prescribed drugs and over-the counter medications with your doctor or pharmacists before starting work, and to immediately let your supervisor know when such use makes it unsafe for you to report to work or do your job.
6. Adulterants any substance that is used for the purpose of manipulating a drug test by adding to the specimen or ingesting.

**Pre-Employment Testing**

All safety sensitive employees are required to pass a DOT pre-employment urine drug test before being hired.

**Random Testing Program**

The Random-testing program is implemented by a third party and/or a computerized selection process throughout the year. The Third-Party Administrator (TPA) combines the drivers from our company with drivers from other companies. The TPA selects 4 times per year and notifies the DER, Designated Employee Representative. The DER can notify the driver within the selection period. When the driver is notified, they must test ASAP. The Federal Motor Carrier Safety Administration does not allow testing delays due to convenience or movement of freight. (FMCSA).

**Mandatory Post Accident Testing.**

Post-accident drug and/or alcohol testing will be at supervisor or company request, or as Defined in 49 CFR Part 40. See Chart

Type of accident involved	Citation issued to the CMV driver?	Test must be Performed.
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	(Class A or B)	
i. Human Fatality	Yes No	Yes Yes
ii. Bodily injury with immediate medical treatment away from scene.	Yes No	Yes No
iii. Disabling damage to any motor vehicle requiring tow away.	Yes No	Yes No

### **Reasonable Suspicion Testing or Reasonable Cause**

At least one supervisor will be trained in accordance to 49 CFR 382.603 of the Federal Register to make these observations of Work Performance, Behavior, and Physical Indicators.

- Observable Symptoms or Unusual Behavior.
- The odor or smell of alcohol or drugs on the employee's breath or clothes or in an area (such as in a vehicle, office, work area, or restroom) immediately controlled or occupied by the employee.
- Alcohol, alcohol containers, illegal drugs or drug paraphernalia in the employee's possession or in an area controlled or occupied by the employee (vehicle, office, desk restroom.);
- Unexplained or significant deterioration in job performance.
- Unexplained significant changes in behavior (e.g., abusive behavior, repeated disregard of safety rules or procedures, insubordination, etc.);
- Evidence that the employee may have tampered with a previous drug test.
- Criminal citations, arrests or convictions involving drugs and alcohol.
- Unexplained absenteeism or tardiness
- Employee admissions regarding drug or alcohol use;
- Any involvement in any work-related accident or near misses.
- Any type of paraphernalia discovers on your person or company property

### **Fit for Duty**

The company could require a fit for duty exam by a certified Medical Practitioner; this exam can be administered along with drug and alcohol screen to determine if employee is fit for duty. This could be requested in addition to the DOT medical card certificate.

### **Duty to Cooperate**

An employee who fails to cooperate in the administration of this policy generally will be terminated and is in violation of §49 CFR Part 40. This includes such things as:

- Refusing to consent to testing, to submit a sample, or to sign required forms.
- Refusing to cooperate in any way (for example, refusing to courteously and candidly cooperate in any interview or investigation, including any form of truthfulness, misrepresentation or misleading statements or omissions.);
- Any form of dishonesty in the investigation or testing process.

- Refusing to test again at a time of the company's choosing whenever any test results in a finding of a dilute sample or reasonable suspicion.
- Failure to accept the referral, to enter into and complete an approved treatment program, or to sign or adhere to the commitments in the Last Chance Performance Agreement.

#### **EMPLOYEE ACKNOWLEDGEMENT AND CONSENT TO TESTING**

1. I voluntarily agree to provide a sample of my urine for testing and to submit to any related physical or other examination when I have been requested to do so.
2. I authorize the release of the test result (and any other relevant medical information) to the company for its use evaluation and suitability for continued employment. I also release the company from all liability arising out of or connected with the testing.
3. I understand that if I refuse to submit to the testing, to give a requested sample(s), to authorize release of the results to the company, and/or if the test results indicate that I do not meet the Company's standards, I may be terminated.
4. I understand that any attempt to switch, adulterate or in any way tamper with the requested sample(s) or to otherwise manipulate the testing process will result in termination of employment. I also understand that if my test results are dilute on the second testing, I may be terminated.
5. I understand that Safety is the designated person to answer all driver questions about this material.

### **Driver Paper Log Process**

- (1) Driver's logs must be turned in weekly (Please be sure the truck and driver numbers are listed clearly on each log.) They should be turned in weekly.
- (2) All drivers must make sure that the following are marked as "on duty" status when completing their logs:
  - a. Fuel stops with location
  - b. DOT roadside inspection with location
  - c. Random drug screen time
  - d. In and out gate times and location
- (3) The logs and log check sheet form can be emailed to your safety contact. Please make sure that you are sending the front and the back of the log and that each driver is filling out the back DVIR correctly.
- (4) Upon receipt of the mail packs, the safety department will go through all items sent and verify everything included in the pack and log everything in as being sent back to safety.
- (5) Logs included in the mail packs will be checked on the log check sheet, if included, the terminal will be notified via email of any discrepancies. (see attached form)
- (6) Any driver that does not turn in logs, will potentially be subject to penalties including (but not limited to), suspension of fuel card privileges and payroll.
- (7) Logs will be entered into the system and Safety will run a new updated log report and email to the terminal.

- (8) The log violation reports will be run after each set of driver logs have been entered and checked for violations. If any driver reports come back with violations a report will be emailed along with copies of the logs that need to be corrected to the terminal for the driver to re-write and send back to Safety.
- (9) All appropriate corrections must be made and turned in within 15 days of the email sent, via regular mail to the safety department.
- (10) Any driver, who does not have his/her corrections in from the previous week could potentially be subject to penalties including (but not limited to) suspension of fuel card privileges and payroll.

## Driver Electronic Logging Process

Genesis has the following requirements regarding Hours of Service (ELDs). Genesis drivers are expected to look over and sign their logs every day. Failure to sign logs could result in fuel card being turned off making you not eligible for dispatch.

- Verify every day that you are **logged in** to your truck in the app
- Logs must be signed **every** day
- All **fuel purchases, loads, unloads, PTI's, random drug tests** have to be logged as on duty
- **All roadside inspections** have to be logged as on duty and times match.
- A 30-minute rest break must be taken and logged as off duty or sleeper, and flagged as "break" for each 8-hours that you work in a day
- **Shipping information** and **trailer information** must be entered in for every log
- Unassigned driving events – have to be accepted any time they come up on the app screen, unassigned driving events are not allowed per FMCSA Regulations
- Remove your truck number at the end of your shift and log back into your truck before each shift.

## Personal Conveyance

A driver may record time operating a CMV for personal conveyance (PC) as off-duty status only when the driver is relieved from work and all responsibility for performing work. Below are the times that PC is acceptable:

- Time spent traveling to lodging or to restaurants/entertainment facilities and back to the lodging facilities
- Moving the CMV to the nearest safe parking spot to continue required off duty time
- Commuting from the last location where on-duty status activity occurred to the driver's permanent resident and back to the last on-duty location
- Personal Conveyance cannot be used for advancing the load or enhancing operational readiness

## Yard Move

A driver may record time operating a CMV for a yard move as on-duty status when you're moving your truck, but you're not really "driving". This status does not cut into your available drive time. The times you can change your status to on duty yard move are:

- If you are moving in the port or the terminal yard to hook to trailers
- Picking up a load and you need to get a bit closer to the loading dock

## Corrective Action for Log Violators

Logs will be monitored for Hours of Service Violations  
Roadside inspections will be monitored for log violations

### Hours of Service Violations

Genesis policy, no driver can receive more that 2 of the same violations in a 30-day period for the following:

- 11 Hour Violation
- 14 Hour Violation
- 30-minute rest break violation

#### (1) First offense:

- A warning letter will be sent to the driver clarifying the hours of service regulations for the violation populated on his/her log.
- For a roadside with a log violation, a warning letter and a copy of the hours of service exam will be sent to the driver, and hours of service training will be required to be performed. The driver will complete and return the HOS quiz along with all other roadside paper to be checked. The hours of service exam will then be filed with the roadside inspection as well as the driver's personal file.

#### (2) Second Offense:

- Driver will be put on final notice and a letter will be sent to the driver, along with a notice that it is required for the driver to complete onsite HOS training. The driver will sit in a training session and will not be able to work the day of training. The training includes a training video on Hours

of Service and a 2<sup>nd</sup> version of the hours of service exam. Certification certificate will be filed in driver's personal file.

- b) For a roadside with a log violation, driver will be put on final notice and a letter will be sent to the driver, along with a notice that it is required for the driver to complete onsite HOS training. The driver will sit in a training session and will not be able to work the day of training. The training includes a training video on Hours of Service and a 2<sup>nd</sup> version of the hours of service exam. The training certificate will be filed with the roadside inspection as well as the driver's personal file.

(3) **Third Offense:**

If the driver still shows disregard for following DOT regulations, Genesis may terminate the lease with the owner/operator. This applies to daily log violations and roadside inspection log violations.

## **Vehicle Maintenance Policy**

Genesis in accordance with the **FMCSR Part 396** requires all Owner Operators or Fleet Owners who own, operate or otherwise control Commercial Motor Vehicles (CMV) which are leased to and/or operated under the authority of Genesis, to adhere to the below Maintenance Policy

Under the below policy and as required **by FMCSR Part 393**, If at any time Genesis has not received the required documents, the Operator of the Commercial Motor Vehicle shall be placed on **SAFETY HOLD** until such time as the Commercial Motor Vehicle, Operator, Driver, or Owner is brought into compliance. While on **SAFETY HOLD** you are not allowed to be dispatched. **If you are placed OUT-OF-SERVICE you may NOT operate your CMV under the authority of Genesis until all violations have been corrected and all proof of repairs have been submitted to Genesis and approved.**

**SAFETY HOLD-** Required paperwork such as Monthly Maintenance Reports or Logs that have not been received in accordance to the requirements and regulations of the FMCSA.

**OUT-OF SERVICE** - Issues related to your driver's license, physical, equipment, or serious safety issues prohibit the carrier from allowing the equipment or operator to move on a public thoroughfare.

### **REQUIRED REPORTS AND DOCUMENTS**

**1. DAILY VEHICLE INSPECTION REPORTS (DVIR)**

This must be filled out each day you drive. It is to be completed at your last change of duty status for the day. The time recorded on the DVIR must match the last On-Duty time recorded and at the time you recorded your Post Trip Inspection. Anytime you have any repairs done to your equipment it must be listed on your DVIR and the repairman (person that repaired the defect) must sign your DVIR. Time spent involved in obtaining assistance for repairs or if you performed the repairs must be recorded on line 4 (On-Duty Not-Driving) Exact time/location must be logged accordingly.

**2. MONTHLY SERVICE AND MAINTENANCE RECORDS**



Every calendar month, the driver or owner of the equipment must furnish a record of repairs, lubrication and tire repair or replacement performed for the preceding 30 days. Owner Operators, drivers, or fleet owners are to record the date of each repair and a description of the repair. The completed reports must be submitted to Genesis by the 10<sup>th</sup> of the following month. Owners are also required to provide Genesis with the preventative maintenance schedules/intervals for their equipment. Genesis uses the manufactures Preventative Maintenance schedule for the vehicles leased on. If a manufactures preventative maintenance schedule is not available, Genesis requires that oil changes, lube, and tire rotation are done at a minimum of every three months

The following items **MUST** be provided on the Monthly Maintenance Report for the Monthly Maintenance Report to be accepted and considered valid.

- Owners name and period reported
- Tractor number as assigned by Genesis
- VIN # and license plate number
- Itemized listing of ALL repairs or services completed during the reporting period
- Copies of receipts for all parts and labor used to complete the repairs or service

Drivers who have a Roadside Inspection, which yielded non-out-of-service violations, are required to repair all violations. These repairs and proof of repairs must be listed on the monthly maintenance report.

Genesis will review each Monthly Maintenance Report submitted to verify all repairs and services listed. If a discrepancy is found the Owner will be responsible to re-submit a corrected Monthly Maintenance Record within 5 days.

### **3. ROADSIDE INSPECTIONS**

#### **REPORTING OF ROADSIDE INSPECTIONS AND VIOLATIONS**

1. All drivers are required to contact the Safety Department within 24 hours when you have received a roadside Inspection or Citation from any local, state or federal enforcement officer. OUT OF SERVICE VIOLATIONS MUST BE REPORTED IMMEDIATELY.
2. Drivers are required under FMCSR PART 396.9 (d) (1) to submit the inspection report or copy of the citation to the Safety Department within 24 hours of the occurrence along with a copy of their log and DVIR. In accordance with FMCSR PART 396.9 (d) (1) and (2). The Safety Department is required to review the inspection or citation, certify the repairs have been completed, and sign and return to the state agency which issued the inspection.
3. If the Safety Department receives a non-compliance notification from the issuing agency, and Genesis internal records do not reflect the report of inspection or citation from the driver, the driver will be found in NON-COMPLIANCE and subject to corrective action and possible termination of the lease in accordance with the independent contractor corrective action policy.

#### **OUT-OF SERVICE VIOLATIONS**

1. Genesis requires the driver of the CMV who has been placed OUT-OF-SERVICE to **immediately** contact the safety department to report the OUT-OF-SERVICE status. The Safety Department (if repairs have been completed and verified) will release the Owner/Operator to continue the operation of the CMV
2. Anytime a Commercial Motor Vehicle is placed OOS during a roadside inspection due to equipment violations the driver of the Commercial Motor Vehicle **MUST** repair and provide proof the repairs have been made **BEFORE** the CMV can be moved.
3. The Driver/Operator is required to fax to the Safety Department a copy of the roadside inspection along with any receipts BEFORE moving the CMV. These repairs are required to be listed on the Driver's DVIR and Monthly Maintenance Report for that time period.
4. Any driver who jumps an "OUT-OF-SERVICE" order will have their lease terminated immediately.

### **NON-OUT-OF-SERVICE VIOLATIONS**

1. Genesis requires notification of NON OOS roadside inspections within 24 hours of the time of inspection.
2. Anytime a Commercial Motor Vehicle is cited for NON OOS violations during a roadside inspection the items cited MUST be corrected within one week of the date of inspection.
3. In addition, the driver/operator MUST provide a copy of the roadside inspection.
4. If proof of repairs are NOT submitted to the safety department within 15 days from the time of the roadside inspection Genesis will report the Non-compliance to the state agency and review the Driver's/Operator's Lease agreement for termination.
5. Drivers are not allowed to operate their equipment while OUT-OF-SERVICE. IF the vehicle is towed, a tow receipt is required. **ANY DRIVER OR OPERATOR WHO VIOLATES AN OUT-OF SERVICE ORDER SHALL BE SUBJECT TO IMMEDIATE TERMINATION OF THE LEASE AGREEMENT.**
6. Repairs made to correct roadside inspection violations MUST be listed on the Monthly Maintenance and driver's DVIR

### **PERIODIC INSPECTIONS**

1. State Inspections – Operators, agents, fleet owners who have a CMV registered in one of the following states are required to provide the state vehicle inspection report, receipt and date of expiration to the safety department. They include Florida, Maine, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Texas, Utah, Vermont, Washington DC, and West Virginia.
2. Annual Inspections – CMVs shall have an annual inspection in accordance with FMCSA Part 396.17 Inspections are required under FMCSR to be completed annually by a certified inspector. Per 396.19 motor carriers must ensure that the individuals performing annual inspections are qualified, and the motor carrier is responsible for obtaining and maintaining evidence of the inspector's qualifications Under the FMCSR the carrier and the driver are the two parties responsible to ensure the CMV meets all the safety regulations and is roadworthy to be operated.
3. Quarterly Inspections- Operators or drivers that are put out of service for more than 2 OUT-OF-SERVICE roadside inspections in a calendar year may be subject to Quarterly or Bi-annual Inspections for that year that the two-inspections occurred.

## **CORRECTIVE ACTION FOR VIOLATIONS**

There are 5 categories that fall into Genesis and DOT safety compliance violations, that as a driver you can receive on a roadside inspection:

1. Hours of Service (HOS) – 11- and 14-hour violations, not having your log up to date, no shipping or trailer information.
2. Unsafe – speeding, lane restrictions, not wearing seat belt, using hand held mobile device, failing to obey traffic control device, following to close, radar detectors, reckless driving, improper passing and improper turning.
3. Maintenance – inoperable brakes, lights, air lines leaking, oil and grease leaks, tire treads and any other preventative maintenance that should be corrected on the tractor or trailer before the driver leaves for the day that keep anyone on the road safe.
4. Fitness – driving without a CDL, CDL expired, medical expired, medical not updated with BMV, corrected lenses not being worn, driving a CMV with more than one license, failing the English language standard
5. Accidents

**Below are the consequences that will be handed out to the driver when one of the above violations have been received on a roadside inspection.**

### **First offense:**

Any driver that is issued a roadside inspection with any of the below violations will be sent a warning letter clarifying Genesis policy on these regulations:

- Hours of Service (HOS) – HOS quiz is required
- Maintenance
- Fitness

Any Unsafe driving violations immediately be put on Final Notice. These violations include but are not limited to:

- Using a hand held mobile device
- Lane restriction
- Speeding
- Seat belt
- Reckless driving
- Following to close
- Failing to obey a traffic control device

**Second Offense:**

Any driver that is issued a roadside inspection with any of the below violations will be given a written letter stating that the driver will be on probation. The driver will sit in a training session on-site and will not be able to work for that day. The training videos will be geared toward the violation and Roadside Inspections and how to pass a level 1 inspection.

- Hours of Service (HOS) – HOS quiz will be required
- Maintenance
- Fitness

If the violation on the inspection is a maintenance violation he or she may also be required to perform quarterly or bi-annual DOT inspections for that year.

Any Unsafe driving violations will be cause for immediate termination of the Genesis lease.

**Third Offense:**

If the driver still shows disregard for the following DOT regulations, Genesis may terminate the lease with the owner/operator and driver.

- Hours of Service (HOS) – HOS quiz is required
- Maintenance
- Fitness