



Notice of

Public Meeting

to be held

February 19, 2015 at 12:15 p.m.

OBC Conference Room - 2nd Floor, Norbert Hill Center



Topic: Vehicle Driver Certification and Fleet Management

The Legislative Operating Committee is hosting this Public Meeting to gather feedback from the community regarding a legislative proposal that would:

- ◆ Update and amend the current vehicle driver certification requirements, including provisions regarding the granting, suspension and reinstatement of vehicle driver certification.
- ◆ Govern the use of Tribal vehicles and personal vehicles on Tribal business.
- ◆ Require most Drivers to attend training before being eligible to drive a Tribal vehicle.
- ◆ Sets out when vehicle driver certification can be suspended, including upon a motor vehicle operation *citation* involving drugs or alcohol.
- ◆ Clarify a Driver's responsibilities when involved in an accident.
- ◆ Prohibit individuals from traveling in Tribal vehicles unless on Tribal business, have permission through OBC motion to travel in a Tribal vehicle, or are being transported as part of a Tribal program or service.

All community members are invited to attend this meeting to learn more about this proposal and/or to submit comments concerning this proposal.

Public Comment Period—Open until February 26, 2015

During the Public Comment Period, all interested persons may submit written comments regarding this legislative proposal; and/or a transcript of any testimony/spoken comments made during the Public Meeting. Written comments may be submitted to the Tribal Secretary's Office or to the Legislative Reference Office in person or by U.S. mail, interoffice mail, e-mail or fax.

For more information about the public meeting process, or to obtain copies of the Public Meeting documents for this proposal, please visit www.oneida-nsn.gov/Register/PublicMeetings or contact the Legislative Reference Office (LRO), which is located on the second floor of the Norbert Hill Center, Oneida WI.

Mail: **Legislative Reference Office**
PO Box 365
Oneida, WI 54155

Phone: **(920) 869-4376 or (800) 236-2214**
E-Mail: **LOC@oneidanation.org**
Fax: **(920) 869-4040**

Chapter 330
Vehicle Driver Certification and Fleet Management

1			
2			
3			
4	330.1. Purpose and Policy	12	330.9. Suspension of Tribal Vehicle Driver Certification
5	330.2. Adoption, Amendment, Repeal	13	330.10. Drivers – Personal Vehicle Use on Tribal Business
6	330.3. Definitions	14	330.11. Suspension of Personal Vehicle Driver Certification
7	330.4. Tribal Department Responsibilities	15	330.12. Accidents
8	330.5. Tribal Vehicles - Usage	16	330.13. Vehicle Driver Certification Suspensions, Permanent Loss
9	330.6. Rental Vehicles	17	of Vehicle Driver Certification and Disciplinary Action
10	330.7. Tribal Vehicle Driver Certification	18	330.14. Reinstatement of Vehicle Driver Certification
11	330.8. Driver Responsibilities – Tribal Vehicles	19	330.15. Supervisor Responsibilities
		20	

<i>Analysis by the Legislative Reference Office</i>					
Title	Vehicle Driver Certification and Fleet Management (the Law)				
Requester	Bob Keck, Risk Management	Drafter	Lynn Franzmeier	Analyst	Tani Thurner
Reason for Request	Submitted on June 15, 2012, this proposal would replace the current Fleet Management Policy and Vehicle Driver Certification Policy with a single law. OBC Resolution #01-14-09-G set aside Chapters 300-399 of the Code of Laws as the Employment Relations Code, with the intent that all employment-related legislation eventually be organized and re-codified there. This is one such law.				
Purpose	Governs the management of Tribally-owned vehicles, and certification for Tribal employees, volunteers and officials to drive a Tribal Vehicle, or to drive a Personal Vehicle while conducting Tribal business.				
Authorized/Affected Entities	Fleet Management, Risk Management, HRD, Environmental Health & Safety Division, Department of Public Works, Automotive Department, Supervisors				
Due Process	None				
Related Legislation	Fleet Management Policy; Vehicle Driver Certification Policy; Travel and Expense Policy; OBC Vehicle Policy; Drug and Alcohol Free Workplace Policy				
Policy Mechanism	Driver certification				
Enforcement	Suspending certification, loss of use of Tribal Vehicles, disciplinary action				

Overview

This Law repeals two existing Tribal policies, but incorporates most of their provisions into one new Tribal Law that governs Tribal employees, elected and appointed officials, and volunteers in the use of Tribal Vehicles, and Personal Vehicles being used by drivers conducting Tribal business. Various changes also update and streamline the existing requirements.

For the purposes of this analysis, the term “Tribal Vehicle Certification” refers to certification to drive a Tribal Vehicle, and “Personal Vehicle Certification” refers to certification to drive a Personal Vehicle while conducting Tribal business. When the term “Personal Vehicle” is used, it refers to the use of a Personal Vehicle while conducting Tribal business.

Proposed Amendments

Vehicle Driver Certification

Currently, drivers must have Tribal Vehicle certification in order to operate a Tribal Vehicle; and Personal Vehicle certification in order to drive a Personal Vehicle on Tribal business. Both certifications require the driver to have a Wisconsin driver’s license. This Law adds that drivers must have the appropriate license within 30 days after their start date; the license must not be probationary; and an occupational license qualifies if the driver’s abstract allows the driver to operate the necessary vehicle for their job with the Tribe. [330.7-1(a) and 330.10-1(a) and the Vehicle Driver Policy, I.A.1. and I.B.1.]

41 The Law clarifies that Personal Vehicle Drivers are subject to this Law regardless of
42 whether they apply for mileage reimbursement. 330.10-3 (c)

43
44 *Training Requirements*

45 The Law adds a new requirement whereby drivers must attend driver safety training
46 every three years in order to become Tribal Vehicle certified. Drivers must complete the required
47 training within 180 days after this Law becomes effective. [330.7-1(c)]

- 48 • Training is not required for Personal Vehicle certification or for Tribal Vehicle
49 Drivers who are already governed by – and satisfy - other federal/state agency
50 requirements for driver safety training.
- 51 • Training is conducted by the Environmental Health and Safety Division (EHSD).
- 52 • Drivers will be paid their regular wage for all required training – this means
53 employees would earn their regular pay and volunteers would not be compensated
54 for attending the training. The Comprehensive Policy, 11-6(a) provides that
55 officials are eligible for a \$100 stipend for each full day of being present at a
56 training, when attendance is required by law, bylaw or resolution – and this
57 training will most likely be seen as being required by law.
- 58 • A break in employment or service of 180 days or more requires retraining.
- 59 • The Law also adds that supervisors may refer Drivers to EHSD or another
60 appropriate agency or training source for additional driver training. [330.15-3(a)]

61
62 *Driving Records*

63 Currently, for Tribal Vehicle Certification, a driver must not have been convicted, within the
64 past three years, of various driving violations listed within the Vehicle Driver Certification
65 Policy. This Law no longer lists specific driving violations – instead, for both Tribal and
66 Personal Vehicle Certification, the driver must pass a driving record check by HRD to verify the
67 Driver has not been cited for, or convicted of, a violation which would make the Driver ineligible
68 under this Law. [330.7-1(b) and 330.10-1(b)] The Law adds that:

- 69 • **Tribal Vehicle certification only** - if a driver is at least 50% at fault in an accident
70 involving the Tribal Vehicle - and vehicle damage, property damage or personal injury,
71 then his or her Tribal Vehicle certification must be suspended. [330.12-7]
- 72 • **Both Tribal and Personal Vehicle certification** - Any person cited for a motor vehicle
73 operation offense involving drugs or alcohol will be ineligible to be certified for three
74 years after the conviction date, or until the citation is dismissed. [330.13-5]

75
76 *Insurance Requirements*

77 Currently, only Tribal Vehicle drivers are required to authorize HRD to check their driving
78 records. This Law also requires Personal Vehicle drivers to authorize checks as well, and adds
79 that the Tribe reserves the right to check – or allow insurance carriers to check - driving records
80 of a Driver at any time. [330.7-1(b), 330.7-3, and 330.10-1(b)]

81
82 *New Eligibility Reporting Requirements*

83 The Law changes the current requirements relating to information a driver is required to report:

	Current Policies	Proposed Law [330.8-1, 330.9-1 and 330.11-1]
--	-------------------------	--

What to report:	Any <u>convictions</u> affecting their eligibility to be certified.	<ul style="list-style-type: none"> • <u>Citations</u> for driving infractions involving drugs or alcohol • Driving privileges suspended or reinstated by the state or a regulatory agency
When to report:	Within 5 working days	Immediately
Reporting to:	HRD	The driver’s supervisor and HRD
This applies to:	Tribal Vehicle Drivers	Tribal and Personal Vehicle Drivers

84
85 The Law also now requires Personal Vehicle Certified drivers to immediately notify HRD if their
86 insurance coverage is cancelled or lapses, whereby HRD must immediately remove the driver
87 from the list of certified drivers and notify the Driver’s supervisor (if an employee or volunteer)
88 or Tribal entity (if an official). [330.10-2 (b)(1)]
89
90

Accident Reporting

	Tribal Vehicle Drivers [330.12-2]	Personal Vehicle Drivers [330.12-6]
What must be reported to law enforcement:	Accidents or damage to <u>Tribal Vehicles</u> that resulted in: <ul style="list-style-type: none"> • Death • injury requiring medical intervention • damage to property not belonging to the Driver/ Tribe • The Tribal Vehicle being disabled or towed. 	All accidents
What must be reported to the Tribe:	Must <u>immediately</u> report all accidents or damage involving the vehicle to his/her Supervisor, Fleet <u>and</u> Risk Management, <u>and</u> provide Fleet Management and Risk Management with a completed incident report within 24 hours	Must report all accidents to their Supervisor (or HRD if no Supervisor) and Risk Management within 24 hours

91
92 The Law also adds that:
93

- Both Tribal and Personal Vehicle Drivers must follow any additional accident reporting requirements for vehicles regulated by a state or federal agency. [330.12-3]
- If a Supervisor is aware of an accident and reporting requirements are not followed, the Supervisor’s own certification may be suspended.[330.12-5]
- If the Tribe’s Travel and Expense Policy has more restrictive requirements regarding accident reporting, the provisions of that Policy shall apply. [330.12-1]

94
95
96
97
98
99

Rental Vehicles

100
101 New provisions are added to address rental vehicles, which are considered Tribal
102 Vehicles for the purpose of this Law. Drivers must be Tribal Vehicle driver certified; cars must
103 be rented in accordance with the Tribe’s Travel and Expense Policy; and the maximum collision
104 damage waiver offered by rental companies must be purchased. [330.6]
105

Nonbusiness miles

106
107 Tribal Vehicles still cannot be used for personal use or non-business miles. There is no
108 longer an exception for unexpected medical emergencies, but a new exception is added:
109 personal/non-business use is permitted “as authorized by the Business Committee Vehicle
110 Policy¹. [330.5-4(a)] The OBC Vehicle Policy, in turn, only permits personal use in one situation

¹ As approved on August 17, 1990 and amended by the OBC.

111 - the Tribal Chair may use the Tribal Vehicle for commuting to and from Tribal headquarters.
 112 [III.E. and III.F.] This provision was added to eliminate conflict between this Law and the OBC
 113 Vehicle Policy. To create more exceptions, the OBC Vehicle Policy would have to be amended.

114 This Law instead only permits three categories of people to be passengers in a Tribal
 115 Vehicle:

- 116 • Employees, officials and volunteers on Tribal business.
- 117 • Individuals who receive permission, through OBC motion, to travel in a Tribal Vehicle.
- 118 • Individuals being transported as part of a Tribal program or service. [330.5-3]

119

120

Drug and Alcohol Use

121 Currently, the policies prohibit employees from using a Tribal Vehicle while under the
 122 influence of alcohol or drugs. The Law instead prohibits use of a Tribal Vehicle by an individual
 123 under the influence of alcohol, illegal drugs, or prescription or over the counter medicine used in
 124 an unauthorized or unlawful manner. [330.5-7(a)]

125

126

Suspension of Certification

127 Both types of certification can be suspended for any violation of this Law. The Law adds
 128 that regardless of whether certification is suspended, drivers who violate this Law may also be
 129 subject to further disciplinary action [330.13-7, 330.9-1 and 330.11-1]

130 The Law adds that certification can be suspended for knowingly driving a Tribal Vehicle
 131 without being certified – this looks like it is intended to apply to persons who already have their
 132 certification suspended, but who drive anyway. [330.9-1(f)]

Length of Suspension [330.13 and 330.3-1(j)]	
*“Workday” is defined as “a regularly scheduled workday or service day for a Driver, regardless of whether the day falls on a weekday or weekend.”	
First suspension	At least 5 workdays
Second suspension	At least 10 workdays
Third Suspension	At least 15 workdays
Fourth or more	3 years

133

134 The Law also adds that a break in employment/service of 180 days or more will clear the
 135 Driver’s record of any prior suspensions. [330.13-4] This means that no matter how many prior
 136 suspensions a driver had, the next suspension would be treated as a first offense.

137

138

Reinstatement of Certification

139 The Law adds that when certification is suspended for 30 days or less, it is automatically
 140 reinstated when the suspension expires. Suspensions of 31 days or longer end after the
 141 suspension ends and the reason for the ineligibility expires - the individual must request
 142 reinstatement, submit written proof of insurance, and receive HRD approval in order to be
 143 reinstated. However, if it is the individual’s fourth suspension or due to a conviction of motor
 144 vehicle operation citation involving drugs or alcohol, then HRD, Fleet Management and Risk
 145 Management must give unanimous approval for reinstatement. [330.14-2]

146 However, notwithstanding any regular suspension or reinstatement; HRD, Fleet
 147 Management and Risk Management can unanimously agree to suspend a driver’s certification or
 148 extend a suspension based on the best interests of the Tribe. [330.13-6]

149

150

Suspended Certification Affecting Job Duties

151 Where an employee’s certification is suspended and it affects his/her ability to perform
 152 job duties, the supervisor no longer has sole discretion on how to address the matter – instead,

153 the employee is now responsible for requesting, in writing, that the supervisor and an HRD
 154 representative jointly determine available options - i.e. accommodation in the employee's home
 155 department, unpaid leave, termination, etc. The Law also adds that this is only an option if the
 156 employee's certification is suspended for more than five days. [330.9-2]

157 Currently, a supervisor may accommodate an employee by removing the driving
 158 requirement from the employee's job description. This language was specifically excluded from
 159 the new Law with the intent is that this would no longer be an option that could be exercised.

160

161 *New Authorities, Responsibilities, Requirements*

162 The Law also adds new authorities and responsibilities for various parties:

- 163 • **Personal Vehicle drivers** must maintain and provide updated proof of insurance; and
 164 immediately notify HRD if their insurance is cancelled/lapses. [330.10-2(b)]
- 165 • **Tribal Vehicle drivers** are now responsible for:
 - 166 ○ Ensuring Tribal Vehicle use rules are followed when the vehicle is under his/her
 167 control, following all traffic laws, respecting property, being courteous, using good
 168 judgment, and keeping the interior of the vehicle in good/clean condition. [330.5-7
 169 and 330.5-10]
 - 170 ○ Safely stopping the vehicle when using various electronic devices and reading
 171 materials, except for for authorized emergency vehicle communication and on-board
 172 computers used for navigation/communication. [330.8-2(d)]
 - 173 ○ Providing proof to Fleet Management of any necessary consent to use a non-
 174 permanently-assigned Tribal Vehicle. [330.5-1(c) and (d)]
 - 175 ○ Complying with any alcohol and drug testing requirements under the Tribe's Drug
 176 and Alcohol-Free Workplace Policy. [330.12-2(c)]
- 177 • **Supervisors:**
 - 178 ○ must ensure that drivers have the appropriate training; and that their insurance
 179 information is on file with HRD; and
 - 180 ○ must investigate all infractions of this Law of which they become aware; and
 181 implement disciplinary action against employees who violate this Law. [330.15-1]
 - 182 ○ may refer drivers to the Employee Assistance Program in accordance with
 183 "applicable" Tribal policies/procedures. [330.15-3(b).]
- 184 • **HRD:** The Law codifies duties already being performed by HRD; including:
 - 185 ○ performing driving record checks/reviews and approving certifications.
 - 186 ○ notifying supervisors or Tribal entities of the certification status of their employees
 187 and volunteers. [330.4-5]
 - 188 ○ The Law now also requires HRD to notify individuals during the hiring process, in
 189 writing, if they are ineligible to become vehicle driver certified. [330.10-4]
- 190 • Before issuing a Tribal Vehicle, **Fleet Management** must now confirm that the driver is
 191 properly certified and has consent; and must require proof that any other individuals are
 192 eligible to ride in a Tribal Vehicle. [330.5-1]
- 193 • **Risk Management** must provide insurance cards in Tribal Vehicles. [330.4-4(b)]
- 194 • **Fleet Management and Risk Management** are jointly responsible for accident
 195 investigations, determining fault in an accident if law enforcement hasn't done so; making
 196 recommendations as to when certification should be suspended; and participating in
 197 situations related to approval of driver certifications. [330.4-2, 330.4-4(e) and 330.12-4]

198

199 *Specific Certification/Driving/Training/Licensing Requirements*

200 Rules governing more specific licensing requirements were deleted, as these are addressed in
201 other Tribal driving policies. The Law adds that Tribal Vehicle drivers are subject to all
202 specialized requirements necessary to comply with the rules of specific departments and/or state
203 or federal regulatory agencies. [330.5-12]

204 Departments are no longer required to create SOPs to minimize risk exposure, but may still
205 require stricter driving and certification requirements. These must now be approved by both Fleet
206 Management and HRD. [330.7-2] The Law adds that those with a Commercial Driver License
207 may be restricted to only operating Tribal Vehicles within the state of Wisconsin. [330.7-1(a)(1)]
208

209 *Other Changes*

- 210 • Tribal Vehicles may be equipped with GPS systems to monitor vehicle use. Fleet
211 Management is responsible for installation/removal. [330.4-2(e) and 330.5-11]
- 212 • Currently, all drivers and passengers in Tribal Vehicles must comply with the Wisconsin
213 seat belt law. The Law instead requires all drivers and passengers in both Tribal and
214 Personal Vehicles to wear seat belts at all times. [330.10-5 and 330.5-7(d)]
- 215 • One Stop, instead of DPW fuel pumps, must generally be used for Tribal Vehicles.
216 [330.5-7(c)]
- 217 • New provisions address Personal Vehicle mileage reimbursement. [330.10-3]
- 218 • Hitchhikers are still not permitted in Tribal Vehicles, but there is no longer an emergency
219 exception for assisting disabled motorists. The Law is still silent as to Personal Vehicles.
220 Trailer hitches are no longer specifically prohibited on Tribal Vehicles. Tribal logos are
221 now required to be placed on all Tribal Vehicles. Tribal entities can no longer request an
222 exception. Personal Vehicle Drivers are prohibited from using their vehicles for personal
223 gain of any kind, just as Tribal Vehicle Drivers are. [330.10-3(b) and 330.5-5]
- 224 • Tribal entities are no longer required to drive at least 14,000 miles/year in order to have
225 their own designated vehicle. Instead, Fleet Management determines the minimum
226 mileage necessary for a designated vehicle. [330.5-2]

227 **Miscellaneous**

228
229 The definition of employee is updated to reflect a standardized definition used in other recent
230 legislation. [330.3-1(c)] Minor changes bring the Law into compliance with the Drug and
231 Alcohol Free Workplace Policy. [330.5-8(a)] Section 330.2 was added and revised to ensure the
232 new Law complies with the Legislative Procedures Act (LPA); and this Law can only be
233 amended by the OBC pursuant to the LPA. [330.2-2]

234 A public meeting was held on April 25, 2014. The comments received during the public
235 meeting and public comment period have been reviewed and any changes based on those
236 comments have been incorporated into this draft.
237

238 **Considerations**

- 239 • The Law does not identify whether or how any disciplinary or suspension actions could be
240 appealed.
- 241 • The Law is intended to apply not only to employees, but also to elected and appointed
242 officials and volunteers, but some provisions do not consistently reflect this:
 - 243 ○ 330.10-4 states that “During the hiring process, individuals who are ineligible to be
244 vehicle driver certified shall be notified of their ineligibility in writing by [HRD].
245 Drivers who become ineligible to be vehicle driver certified after being hired shall be
246 notified of their ineligibility by their Supervisor and in writing by [HRD].” There is
247 no hiring process for officials or volunteers, and they do not have supervisors.

- 248 ○ 330.9-2 sets out how an employee whose vehicle driver certification is suspended can
 249 request a meeting with HRD and their supervisor to determine what options are
 250 available to them if the suspension affects their ability to perform their duties, but
 251 there is no similar provision for officials and volunteers.
- 252 ○ 330.15-1(i) requires supervisors to implement disciplinary action against Drivers who
 253 violate this Law, in accordance with the Personnel Policies. However, those do not
 254 apply to officials or volunteers, and again, they may not have supervisors.
- 255 ○ 330.12-2(c) requires Tribal Vehicle drivers to comply with any alcohol/drug testing
 256 requirements under the Tribe's Drug and Alcohol Free Workplace Policy (DAFWP).
 257 However, that Policy specifically only applies to employees, and not to officials, and
 258 it appears it would not apply for volunteers. Under the DAFWP [section 8-3],
 259 employees involved in a work-related accident are required to immediately undergo
 260 drug and alcohol testing and cannot refuse to submit to any post-accident testing
 261 requested by certified drug and alcohol technicians, police, or Employee Health
 262 Nursing. In short, this requirement would not extend to officials or volunteers.
- 263 ● 330.5-7(a) strictly prohibits Tribal Vehicle Drivers from being under the influence of alcohol,
 264 illegal drugs, or prescription or over-the-counter medicine used in an unauthorized or
 265 unlawful manner. 330.5-3 authorizes some persons who are not employees, officials or
 266 volunteers, to ride in Tribal Vehicles, in some situations. However, are no similar provisions
 267 governing Personal Vehicles. This is a policy call.

Chapter 330

Vehicle Driver Certification and Fleet Management

330.1. Purpose and Policy

330.1-1. The purposes of this Law are to:

- 276 (a) establish standards that certify employees, officials and volunteers to drive a Tribal
 277 vehicle or drive a personal vehicle on Tribal business; and
 278 (b) control the use of all Tribal vehicles.

330.1-2. It is the policy of the Tribe to:

- 280 (a) minimize the Tribe's liability when physical damage to vehicles and/or property
 281 damage occurs as a result of vehicle accidents; and
 282 (b) improve the efficiency and effectiveness of the use of Tribal vehicles.

330.2. Adoption, Amendment, Repeal

330.2-1. This Law was adopted by the Oneida Business Committee by Resolution _____.

330.2-2. This Law may be amended by the Oneida Business Committee pursuant to the
 procedures set out in the Legislative Procedures Act.

330.2-3. Should a provision of this Law or the application thereof to any person or
 circumstances be held as invalid, such invalidity shall not affect other provisions of this Law
 which are considered to have legal force without the invalid portions.

330.2-4. In the event of a conflict between a provision of this Law and a provision of another
 law, the provisions of this Law shall control. Provided that, this Law repeals the following:

- 293 (a) BC-09-09-98-A (Resolution Adopting Amended Vehicle Driver Certification Policy)
 294 (b) BC-09-24-97-E (Resolution Adopting Vehicle Fleet Management Policy)

295 330.2-5. This Law is adopted under authority of the Constitution of the Oneida Tribe of Indians
296 of Wisconsin.

297

298 **330.3. Definitions**

299 330.3-1. This section shall govern the definitions of words and phrases used within this Law.
300 All words not defined herein shall be used in their ordinary and everyday sense.

301 (a) “Business miles” means miles driven in a vehicle by an individual in order to conduct
302 Tribal business.

303 (b) “Drivers” means employees, officials and volunteers who are vehicle driver certified
304 to operate a Tribal vehicle or a personal vehicle on Tribal business.

305 (c) “Employee” means an individual who is employed by the Tribe and is subject to the
306 direction and control of the Tribe with respect to the material details of the work
307 performed, or who has the status of an employee under the usual common law rules
308 applicable to determining the employer-employee relationship. “Employee” includes, but
309 is not limited to, an individual employed by any program or enterprise of the Tribe and
310 political appointees, but does not include elected or appointed officials, or individuals
311 employed by a Tribally Chartered Corporation. For purposes of this Law, individuals
312 employed under an employment contract as a limited term employee are employees of
313 the Tribe, not consultants.

314 (d) “Non-business miles” means miles driven in a Tribal vehicle that are not business-
315 related, including commuting.

316 (e) “Official” means anyone who is serving on the Oneida Business Committee or the
317 Tribe’s Judiciary, and any other person who is elected or appointed to a Tribal board,
318 committee or commission created by the Oneida Business Committee or Oneida General
319 Tribal Council.

320 (f) “Tribal” or “Tribe” means the Oneida Tribe of Indians of Wisconsin.

321 (g) “Tribal entity” means a Tribal department, enterprise, program, board, committee or
322 commission.

323 (h) “Tribal vehicle” means all vehicles owned or leased by the Tribe.

324 (i) “Volunteer” means a person who provides a service to the Tribe without receiving
325 pay.

326 (j) “Workday” means a regularly scheduled workday or service day for a Driver,
327 regardless of whether the day falls on a weekday or weekend.

328

329 **330.4. Tribal Department Responsibilities**

330 330.4-1. *Department of Public Works.* The Department of Public Works shall maintain a Fleet
331 Management and an Automotive Department to assist with the implementation of the provisions
332 of this Law.

333 330.4-2. *Fleet Management.* Fleet Management shall:

334 (a) Purchase, manage and monitor the use of Tribal vehicles including the removal of
335 unsafe vehicles from the fleet;

336 (b) Obtain estimates of and schedule Tribal vehicle repairs when necessary;

337 (c) Participate in accident investigations;

338 (d) Participate in situations requiring approval of Driver certifications; and

339 (e) Install or remove global positioning system monitors on Tribal vehicles.

340 330.4-3. *Automotive Department.* The Automotive Department shall service and maintain
341 Tribal vehicles according to factory recommendations, or the maintenance schedule established
342 by the Automotive Department, whichever is stricter. Any vehicle deemed unsafe by the
343 Automotive Department shall be reported to Fleet Management.

344 330.4-4. *Risk Management*. Risk Management shall:

- 345 (a) Secure and maintain insurance coverage for all Tribal vehicles;
- 346 (b) Provide auto insurance identification cards in every Tribal vehicle;
- 347 (c) Process all vehicle claims and information submitted to them;
- 348 (d) Submit claims to the insurance company;
- 349 (e) Participate in accident investigations; and
- 350 (f) Participate in situations requiring approval of Driver certifications.

351 330.4-5. *Human Resources Department*. The Human Resources Department shall:

- 352 (a) Maintain the list of Drivers and provide the list to Fleet Management and the Central
- 353 Accounting Department on a regular basis;
- 354 (b) Perform driving record checks and approve or deny vehicle driver certification based
- 355 on the review of an individual's driving record;
- 356 (c) Notify supervisors of the vehicle driver certification status of his or her employees or
- 357 volunteers;
- 358 (d) Assist supervisors with the administration of vehicle driver certification suspensions;
- 359 (e) Request proof of insurance on personal vehicles driven on Tribal business;
- 360 (f) Participate in accident investigations;
- 361 (g) Approve vehicle driver certifications; and
- 362 (h) Maintain documentation of all required driver training and regulatory compliance.

363 330.4-6 *Environmental Health & Safety Division*. The Environmental Health & Safety Division
364 shall provide Driver safety training as included herein, and provide the Human Resources
365 Department with the names of Drivers who have completed training after each training session.
366

367 **330.5. Tribal Vehicles - Usage**

368 330.5-1. Drivers that do not have access to a permanently assigned Tribal vehicle may request to
369 use a Tribal vehicle to conduct Tribal business by submitting a request to Fleet Management.

- 370 (a) Whenever possible, requests shall be made to Fleet Management at least one (1)
- 371 week in advance. Fleet Management may cancel reservations that are not fulfilled in a
- 372 timely manner and may combine vehicle use for travel to the same destination.
- 373 (b) Fleet Management shall confirm a Driver is vehicle driver certified before approving
- 374 the use of a Tribal vehicle.
- 375 (c) An official or volunteer shall provide proof to Fleet Management that he or she has
- 376 the consent of his or her Tribal entity to use a Tribal vehicle.
- 377 (d) An employee shall provide proof to Fleet Management that he or she has the consent
- 378 of his or her Supervisor before using a Tribal vehicle.
- 379 (e) Upon receiving proof that a Driver has the required consent to use a Tribal vehicle
- 380 and any other individuals are eligible to travel in a Tribal vehicle, Fleet Management
- 381 shall determine whether a Tribal vehicle is available.

382 330.5-2. In order to have a Tribal vehicle permanently assigned to a Tribal entity, the entity shall
383 drive a minimum number of miles annually, as determined by Fleet Management. Exceptions to
384 the mileage criteria may be granted upon request by a Tribal entity and with written approval
385 from Fleet Management.

386 330.5-3. The following individuals may travel in a Tribal vehicle:

- 387 (a) Employees, officials or volunteers who are on Tribal business.
- 388 (b) Individuals who receive permission, through Oneida Business Committee motion, to
- 389 travel in a Tribal vehicle. The Oneida Business Committee may request input from Fleet
- 390 Management before making a determination on these requests.
- 391 (c) Individuals being transported as part of a Tribal program or service.

392 330.5-4. Tribal vehicles shall be used for business miles. When away from the work site, a
393 Tribal vehicle may also be used for incidental purposes, such as travel to and from lodging and
394 meal sites. Tribal vehicles shall not be used for any of the following:

395 (a) Personal use or non-business miles, except as authorized under the Business
396 Committee Vehicle Policy, as approved on August 17, 1990 and amended by the Oneida
397 Business Committee.

398 (b) Vacation.

399 (c) Towing cargo for personal reasons.

400 (d) Hauling loads that could structurally damage the vehicle.

401 (e) Delivering goods or services for personal gain, or operating private pools where the
402 riders pay the driver.

403 (f) Transporting hitchhikers.

404 (g) Jump starting vehicles, other than Tribal vehicles.

405 330.5-5. Tribal logos shall be placed on all Tribal vehicles.

406 330.5-6. A radar detection device shall not be installed or used in a Tribal vehicle.

407 330.5-7. *General.* A Driver of a Tribal vehicle shall ensure the following rules regarding the use
408 of a Tribal vehicle are followed when the Tribal vehicle is under his or her control.

409 (a) A Driver of a Tribal vehicle shall not be under the influence of alcohol; illegal drugs;
410 or prescription or over-the-counter medicine used in an unauthorized or unlawful manner.

411 (b) There is no smoking allowed in Tribal vehicles.

412 (c) Oneida One Stops shall be used for fueling Tribal vehicles, unless the Tribal vehicle
413 needs fuel before it can be taken to an Oneida One Stop.

414 (d) All Drivers of and passengers in Tribal vehicles shall wear seat belts at all times.

415 330.5-8. Modifications to Tribal vehicles for personal reasons shall not be permitted.
416 Modifications to Tribal vehicles for operating purposes may be allowed only with the approval
417 of Fleet Management.

418 330.5-9. A Tribal entity shall regularly schedule service work, maintenance work and safety
419 checks with the Automotive Department for any Tribal vehicle assigned to the entity.

420 330.5-10. A Driver of a Tribal vehicle shall follow all traffic laws, respect property, be
421 courteous and use good judgment. Vehicle interiors should be kept in good condition, clean and
422 free of debris.

423 330.5-11. The Tribe may equip Tribal vehicles with Global Positioning Systems (GPS) to
424 monitor vehicle usage.

425 330.5-12. *Specialized Requirements.* Drivers of Tribal vehicles are subject to all specialized
426 requirements necessary to comply with specific departmental rules regarding age, experience,
427 training, licensing, additional provisions and/or specialized requirements and rules imposed by
428 state or federal regulatory agencies.

429

430 **330.6. Rental Vehicles**

431 330.6-1. Rental vehicles are considered Tribal vehicles for the purpose of this Law. All
432 provisions of this Law apply to rental vehicle usage. Cars shall be rented in accordance with the
433 Tribe's Travel and Expense Policy and Drivers of rental vehicles shall be vehicle driver certified
434 according to the terms and conditions of this Law.

435 330.6-2. Every vehicle rental shall include the purchase of the maximum collision damage
436 waiver offered by rental companies.

437

438 **330.7. Tribal Vehicle Driver Certification**

439 330.7-1. Drivers shall be vehicle driver certified by the Human Resources Department before
440 operating a Tribal vehicle. In order to be vehicle driver certified to operate a Tribal vehicle,
441 Drivers shall:

442 (a) Hold a valid, non-probationary Wisconsin driver license and provide proof of such
443 license, including any commercial endorsement(s), to the Human Resources Department.

444 (1) Drivers with commercial driver licenses may be restricted to only operating
445 Tribal vehicles within the state of Wisconsin.

446 (2) An occupational license is a valid, non-probationary driver license if the
447 driver's abstract for the occupational license allows the Driver to operate Tribal
448 vehicles for his or her job with the Tribe.

449 (3) Individuals with a driver license from a state other than Wisconsin shall
450 obtain a Wisconsin driver license within thirty (30) days after their first day of
451 actual employment or service and provide a copy to the Human Resources
452 Department.

453 (b) Pass a driving record check to verify the Driver has not received a citation or been
454 convicted of a violation which would make the Driver ineligible under this Law.

455 (1) The individual shall have his or her driving record checked by the Human
456 Resources Department prior to his or her hire date. An individual with a driver
457 license from a state other than Wisconsin shall have his or her driving record
458 checked based on that state's license.

459 (2) The individual shall authorize the Human Resources Department to check his
460 or her driving record. Any individual who refuses to allow his or her driving
461 record to be checked shall not be vehicle driver certified to operate a Tribal
462 vehicle.

463 (3) State Department of Motor Vehicle reports shall be used to determine
464 whether an individual passes the driving record check.

465 (4) Tribal insurance carriers or agents may check an individual's driving record.
466 This review shall be deemed to be a review by the Tribe.

467 (c) Complete all driver training requirements imposed by the Tribe or an individual
468 Tribal entity or by any federal or state agency regulations.

469 (1) Drivers of Tribal vehicles who are not governed by federal or state agency
470 regulations for driver safety training shall complete driver safety training, as
471 required by the Environmental Health & Safety Division, every three (3) years.

472 (A) The training program shall be administered, scheduled, rescheduled
473 and documented by the Environmental Health & Safety Division.

474 (B) A Driver who has not completed the required training requirements
475 within (180) days of the effective date of this Law shall be prohibited from
476 driving a Tribal vehicle until he or she completes the required training.

477 (C) A break in employment or service of one hundred eighty (180) days
478 or greater requires retraining. Drivers shall be paid their regular wage by
479 their home department for all required training.

480 (2) Drivers of Tribal vehicles who are governed by federal or state agency
481 regulations or requirements shall:

482 (A) complete all required driver safety training according to the
483 applicable regulations before being certified to operate a Tribal vehicle to
484 which the regulations apply.

485 (B) be in compliance with all regulatory requirements pertaining to drugs
486 and alcohol.

487 330.7-2. A Tribal entity may require stricter driving certification procedures that do not conflict
488 with these standards. Such procedures shall be submitted to Fleet Management and the Human
489 Resources Department for review and approval.

490 330.7-3. The Tribe reserves the right to check driving records of a Driver at any time. The Tribe
491 also reserves the right to allow insurance carriers to check driving records at any time.
492

493 **330.8. Driver Responsibilities – Tribal Vehicles**

494 330.8-1. Drivers shall notify the Human Resources Department, in writing, immediately upon:

- 495 (a) Issuance of a driving citation involving drugs or alcohol.
- 496 (b) Any suspension of driving privileges by any State or regulatory agency.
- 497 (c) Reinstatement of driving privileges by any State or regulatory agency, if applicable.

498 330.8-2. When a Driver uses a Tribal vehicle, he or she shall:

- 499 (a) Complete a vehicle mileage log. Vehicle mileage logs are found in each Tribal
500 vehicle.
- 501 (b) Notify Fleet Management immediately of any problem(s) with a Tribal vehicle that
502 may be a safety or mechanical hazard, or of any incidents that result in the inability of a
503 Tribal vehicle to complete a trip.
- 504 (c) Be personally responsible for all traffic citation costs, parking ticket costs or any
505 similar expense related to vehicle use.
- 506 (d) Safely stop the vehicle when using devices such as cell phones, whether for talking
507 or texting; notebook or laptop computers; books or book applications; newspapers or
508 magazines; and two-way radios. This does not include authorized emergency vehicle
509 communication equipment or on-board computers used for communication or navigation.
- 510 (e) Abide by all provisions contained in this Law.
511

512 **330.9. Suspension of Tribal Vehicle Driver Certification**

513 330.9-1. A Driver shall have his or her Tribal vehicle driver certification suspended and shall be
514 prohibited from driving a Tribal vehicle upon any of the following:

- 515 (a) Refusing to allow the Tribe or an insurance carrier check his or her driving record.
- 516 (b) Failing to advise his or her Supervisor, or the Human Resources Department if the
517 Driver does not have a Supervisor, of a driver license suspension or of receiving a motor
518 vehicle operation citation involving drugs or alcohol.
- 519 (c) Failing to complete any applicable driver training requirements.
- 520 (d) Receiving a motor vehicle operation citation for an offense involving drugs or
521 alcohol.
- 522 (e) Having his or her driver license suspended by the State.
- 523 (f) Knowingly driving a Tribal vehicle without being certified under the provisions of
524 this Law.
- 525 (g) Violating any other provision of this Law.

526 330.9-2. *Vehicle Driver Certification Suspensions Affecting Employment Status.* Individuals
527 who have their vehicle driver certification suspended for more than five (5) days and their ability
528 to perform their duties as an employee affected by that suspension may request, in writing, that
529 their Supervisor and a Human Resources Department representative determine what, if any,
530 options may be available to them. Options may include, but are not limited to: non-driving
531 accommodation within the home department; reassignment to a position which does not require
532 driving; a leave of absence without pay; or termination of employment.
533

534 **330.10. Drivers – Personal Vehicle Use on Tribal Business**

535 330.10-1. *Certification.* Drivers of personal vehicles on Tribal business shall be vehicle driver
536 certified by the Human Resources Department to operate a personal vehicle on Tribal business.
537 In order to be vehicle driver certified to operate a personal vehicle on Tribal business, a Driver
538 shall:

539 (a) Hold a valid, non-probationary Wisconsin driver license within thirty (30) days after
540 his or her start of employment or time of election, appointment or volunteer service.

541 (1) Drivers with a driver license from a state other than Wisconsin shall have
542 their driving record checked based on that state's license.

543 (2) An occupational license is a valid, non-probationary driver license if the
544 driver's abstract for the occupational license allows the Driver to operate vehicles
545 owned by the Driver for his or her job with the Tribe.

546 (b) Pass a driving record check by the Human Resources Department to verify the Driver
547 has not received a citation or been convicted of a violation which would make the Driver
548 ineligible under this Law. Any individual who refuses to allow his or her driving record
549 to be checked shall not be vehicle driver certified to operate a personal vehicle on Tribal
550 business.

551 330.10-2. *Insurance.* Drivers shall provide proof of the minimum insurance required by this
552 Law to the Human Resources Department.

553 (a) The minimum insurance requirements on a personal vehicle are:

554 (1) \$100,000 Per Person;

555 (2) \$300,000 Per Accident for Bodily Injury; and

556 (3) \$25,000 Property Damage.

557 (b) Drivers are responsible for maintaining updated proof of vehicle insurance and
558 providing copies to the Human Resources Department.

559 (1) A Driver shall immediately notify the Human Resources Department of any
560 cancelation or lapse in his or her insurance coverage.

561 (2) A Driver is prohibited from driving a personal vehicle on Tribal business
562 during the time he or she does not have the required minimum personal auto
563 insurance coverage. The Human Resources Department shall remove the Driver
564 from the list of certified drivers immediately upon notification by the Driver and
565 shall notify the Driver's Supervisor or Tribal entity.

566 (c) The Human Resources Department shall maintain proof of insurance on personal
567 vehicles of Drivers and may request proof of insurance from Drivers at any time.

568 330.10-3. *Mileage Reimbursement.*

569 (a) A Driver who operates a personal vehicle on Tribal business shall be reimbursed for
570 any business miles driven in his or her personal vehicle if he or she:

571 (1) Was vehicle driver certified at the time and had proof of required insurance
572 on file with the Human Resources Department.

573 (2) Had prior consent from his or her Supervisor, if an employee or volunteer.

574 (3) Had prior consent from the applicable board, committee or commission, if an
575 official.

576 (b) Drivers of personal vehicles while on Tribal business are prohibited from using their
577 vehicle for personal gain of any kind.

578 (c) All provisions of this Law apply to Drivers of personal vehicles on Tribal business
579 regardless of whether or not vehicle mileage reimbursement is submitted.

580 330.10-4. During the hiring process, individuals who are ineligible to be vehicle driver certified
581 shall be notified of their ineligibility in writing by the Human Resources Department. Drivers

582 who become ineligible to be vehicle driver certified after being hired shall be notified of their
583 ineligibility by their Supervisor and in writing by the Human Resources Department.
584 330.10-5. *Seat Belts.* All Drivers of and passengers in a personal vehicle on Tribal business
585 shall wear seat belts at all times.
586

587 **330.11. Suspension of Personal Vehicle Driver Certification**

588 330.11-1. A Driver shall have his or her personal vehicle driver certification suspended and shall
589 be prohibited from driving a personal vehicle on Tribal business upon any of the following:

- 590 (a) Refusing to allow the Tribe or an insurance carrier check his or her driving record.
- 591 (b) Not maintaining the minimum insurance requirements on his or her personal vehicle.
- 592 (c) Failing to advise his or her Supervisor, or the Human Resources Department if the
593 Driver does not have a Supervisor, of a driver license suspension or of receiving a motor
594 vehicle operation citation involving drugs or alcohol.
- 595 (d) Receiving a motor vehicle operation citation for an offense involving drugs or
596 alcohol.
- 597 (e) Having his or her driver license suspended by the State.
- 598 (f) Violating any other provision of this Law.
- 599

600 **330.12. Accidents**

601 330.12-1. This section shall apply in the event a Driver is involved in an accident while driving
602 a Tribal vehicle or a personal vehicle on Tribal business, provided that if the Tribe's Travel and
603 Expense Policy has more restrictive requirements regarding accident reporting, the provisions of
604 that Policy shall apply.

605 330.12-2. Drivers operating a Tribal vehicle shall:

- 606 (a) report all accidents or damage involving the vehicle immediately to his or her
607 Supervisor, Fleet Management and Risk Management.
- 608 (b) provide Fleet Management and Risk Management with a completed incident report
609 within twenty-four (24) hours after the accident or damage occurs.
 - 610 (1) All Tribal vehicles shall have an Auto Incident Kit which contains forms and
611 instructions for reporting any incident.
- 612 (c) comply with any alcohol and drug testing requirements under the Tribe's Drug and
613 Alcohol Free Workplace Policy.
- 614 (d) report the accident or damage to local law enforcement if the accident or damage:
 - 615 (1) results in an injury to the Driver or another person and requires medical
616 intervention by a police officer or emergency medical technician, or treatment at a
617 medical facility; or
 - 618 (2) results in death of a person; or
 - 619 (3) involves damage to property that does not belong to the Driver or the Tribe;
620 or
 - 621 (4) results in the Tribal vehicle being disabled and/or requires the Tribal vehicle
622 to be towed.

623 330.12-3. Drivers shall follow any additional accident reporting requirements for vehicles
624 regulated by a state or federal agency.

625 330.12-4. All accidents involving Tribal vehicles shall be internally investigated by the Tribe.
626 These investigations shall be coordinated and completed as necessary by Fleet Management and
627 Risk Management, and other personnel as deemed appropriate by Fleet Management and Risk
628 Management. Investigations shall be completed as soon as practicable after an accident has been
629 reported.

- 630 (a) Investigative authority includes:

631 (1) determination of fault if not determined by law enforcement.
632 (2) recommendation of whether a Driver's vehicle driver certification should be
633 suspended.

634 (b) Investigation reports shall be provided to the Driver and the Driver's Supervisor, or
635 the Human Resources Department if the Driver does not have a Supervisor, with copies
636 retained in Fleet Management and Risk Management for a minimum of three (3) years.

637 330.12-5. Non-compliance with accident reporting requirements shall result in a vehicle driver
638 certification suspension for the employee(s) involved who failed to comply. If a Supervisor is
639 aware of an accident and reporting requirements are not followed, the Supervisor is also subject
640 to a vehicle driver certification suspension.

641 330.12-6. Drivers driving a personal vehicle while on Tribal business shall report all accidents
642 to local law enforcement at the time of the accident, and to their Supervisor, or the Human
643 Resources Department if the Driver does not have a Supervisor, and Risk Management within
644 twenty-four (24) hours after the accident or damage.

645 330.12-7. If, while driving a Tribal vehicle, a Driver is determined to be, or admitted to be, more
646 than fifty percent (50%) at fault in an accident involving vehicle damage, property damage or
647 personal injury, the Driver shall have his or her vehicle driver certification suspended.
648

649 **330.13. Vehicle Driver Certification Suspensions, Permanent Loss of Vehicle Driver**
650 **Certification and Disciplinary Action**

651 330.13-1. The first time a Driver has his or her vehicle driver certification suspended, the
652 suspension shall last no less than five (5) workdays.

653 330.13-2. The second time a Driver has his or her vehicle driver certification suspended, the
654 suspension shall last no less than ten (10) workdays.

655 330.13-3. The third time a Driver has his or her vehicle driver certification suspended, the
656 suspension shall last no less than fifteen (15) workdays.

657 330.13-4. Drivers who incur more than three (3) vehicle driver certification suspensions under
658 this Law shall lose their vehicle driver certification for three (3) years, beginning with the date of
659 the incident that resulted in the most recent suspension. A break in employment or service of
660 one hundred eighty (180) days or greater shall clear the Driver's record of any vehicle driver
661 certification suspensions.

662 330.13-5. Due to the seriousness of a citation for the operation of motor vehicles involving
663 drugs or alcohol, this Law requires suspension of vehicle driver certification upon the issuance of
664 a driving citation involving drugs or alcohol and will only allow reinstatement of vehicle driver
665 certification upon the dismissal of the citation or upon three (3) years passing from the date of
666 conviction.

667 330.13-6. Notwithstanding sections 330.13-1 through 330.13-5, the Tribe reserves the right to
668 suspend a vehicle driver certification or extend a vehicle driver certification suspension upon
669 unanimous agreement between the Human Resources Department, Fleet Management and Risk
670 Management and based on the best interests of the Tribe.

671 330.13-7. Drivers who violate this Law may be subject to disciplinary action, in accordance with
672 Tribal policies and procedures, whether or not the violation results in the suspension of their
673 vehicle driver certification.
674

675 **330.14. Reinstatement of Vehicle Driver Certification**

676 330.14-1. Vehicle driver certifications that are suspended for thirty (30) days or less shall be
677 automatically reinstated upon expiration of the suspension. Vehicle driver certifications that are
678 suspended for thirty-one (31) days or more shall be reinstated in accordance with 330.14-2.

679 330.14-2. An individual whose vehicle driver certification is suspended for thirty-one (31) days
680 or more may have his or her vehicle driver certification reinstated after the following.

- 681 (a) The individual requests re-instatement of his or her vehicle driver certification after:
- 682 (1) A vehicle driver certification suspension has concluded or any citation(s) are
 - 683 dismissed or the individual is cleared of any charges alleged in a citation that
 - 684 resulted in a driving certification suspension; and
 - 685 (2) Three (3) years have passed since the individual was convicted of a motor
 - 686 vehicle operation citation involving drugs or alcohol; and
 - 687 (3) The state removes a driver license suspension; and
 - 688 (4) Written proof has been submitted to the Human Resources Department that
 - 689 the individual has any required insurance coverage; and
- 690 (b) Upon request from an individual to re-instate his or her vehicle driver certification,
- 691 the Human Resources Department shall:
- 692 (1) check the individual's driving record to ensure the individual has no
 - 693 violations on his or her driving record preventing re-instatement; and
 - 694 (2) approve the proof of insurance submitted by the individual, provided it meets
 - 695 the requirements of this Law.
- 696 (c) If the individual passes the driving record check and his or her proof of insurance is
- 697 approved, the individual's vehicle driver certification shall be reinstated upon:
- 698 (1) unanimous approval of the Human Resources Department, Fleet Management
 - 699 and Risk Management, if this was the individual's fourth (4th) suspension or the
 - 700 suspension was due to a conviction of motor vehicle operation citation involving
 - 701 drugs or alcohol; or
 - 702 (2) approval of the Human Resources Department, in all other cases.
- 703

704 **330.15. Supervisor Responsibilities**

705 330.15-1. Supervisors of Drivers who drive a Tribal vehicle or a personal vehicle on Tribal
706 business shall:

- 707 (a) Ensure those Drivers who report to them are vehicle driver certified before allowing
- 708 them to drive a Tribal vehicle or a personal vehicle on Tribal business.
- 709 (b) Ensure Drivers have the appropriate license and training certification for driving
- 710 vehicles.
- 711 (c) Ensure that Drivers have the appropriate insurance information on file with the
- 712 Human Resources Department.
- 713 (d) Ensure all accidents and damages are reported in accordance with the provisions of
- 714 this Law.
- 715 (e) Ensure that all Tribal vehicle mileage is recorded and submitted to Fleet Management
- 716 in accordance with Fleet Management's requirements. Non-compliance with turning in
- 717 mileage reports shall result in revoking department vehicles.
- 718 (f) Approve expense reports submitted for personal vehicle mileage reimbursement.
- 719 (g) Promptly investigate all infractions of this Law which they become aware of.
- 720 (h) Ensure that all direct reports abide by all provisions of this Law.
- 721 (i) Implement disciplinary action against Drivers who violate this Law, in accordance
- 722 with the Tribe's personnel policies and procedures.

723 330.15-2. It is the responsibility of Supervisors to uphold and enforce all provisions of this Law.
724 Supervisors who fail to uphold this Law may face suspension of vehicle driver certification,
725 disciplinary action and/or loss of Department vehicles.

726 330.15-3. *Referrals.* Supervisors may refer Drivers to:

- 727 (a) the Environmental Health & Safety Division or an appropriate agency or training
728 source for additional driver training; and/or
729 (b) the Employee Assistance Program in accordance with applicable Tribal policies and
730 procedures.

731

732 *End.*

733