



# **Miller Truck Lines, LLC Independent Contractor Policy Manual**

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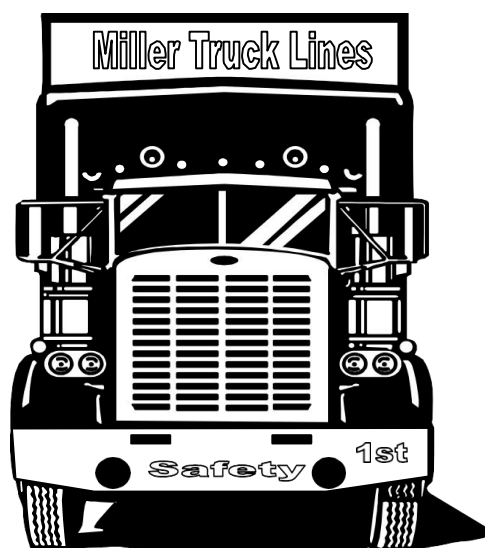
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# **General Principles of Business**

Miller Truck Lines, LLC, “The Company,” expects its drivers to conduct business according to the highest ethical standards of conduct. As such you are expected to devote your best efforts to the interest of the company.

## **The Company’s Standards for Business**

### **1. Customer Service:**

- If we do not meet our customers’ expectations, another company will.
- The Company will deliver the highest levels of customer service and will be the # 1 priority of our drivers.

### **2. Safety:**

- The Company is committed to protecting the Health and Welfare of our drivers, our assets, customers, and the public.

### **3. Quality:**

- We are committed to delivering excellence to every customer, every time.

### **4. Continuous Improvement:**

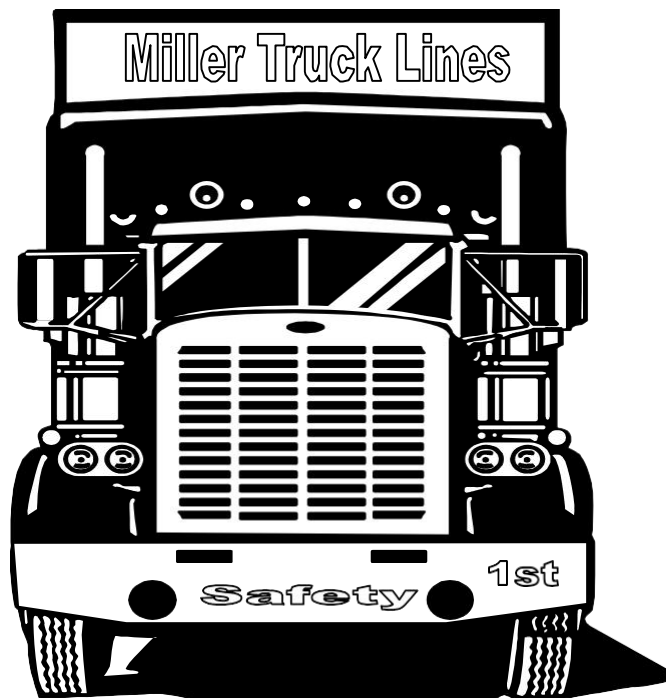
- We will embrace change to stay ahead of our competition and satisfy our customers’ expectations. If something is not working, we will fix it.

The Company will continue to build a culture of performance and accountability and expect *drivers* to apply these standards.

The Company has put in place policies and procedures that support a productive and rewarding work environment. Respect for the policies and procedures are critical for driver’s morale, productivity, and company success. We ask that drivers acknowledge and abide by these policies. This Policy Manual has been prepared and is being provided to you to familiarize you with The Company so that you will have a thorough understanding of what is expected of you as an independent contractor. The Manual is intended to supplement and expand upon the terms and obligations contained in your Independent Contractor Agreement signed with the Company. Nothing contained in this Manual is intended to impact on your independent contractor status with the Company. The Company is not to be considered, in any way, your employer. However, as an authorized motor carrier, we are obligated by DOT regulations to ensure that all drivers operating under our authority and insurance, including leased contractors, are complying with the multitude of regulations that affect interstate motor carrier services. This Manual is intended to assist you in understanding these regulations as well as your contractual obligations under your Lease Agreement. It does not dictate how or when you do your job as a professional truck driver, and you remain free to choose your own routes of travel and to control the manner and means in which the work is performed, subject of course to compliance with all governmental regulations and contractual requirements.

# Human Resources

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## **Voluntary Termination**

**Notice:**

If, after consideration, you decide to terminate your contract, you are requested to provide The Company with written notice when practicable.

## **Involuntary Termination**

**Policy:**

Any driver whose conduct, actions or performance violates or conflicts with The Company policies may be terminated immediately and without prior written or oral warning for this or any other offense.

## **Violence in the Workplace**

**Zero Tolerance:**

The Company has a “zero tolerance for violence” policy. If you display any violence in the workplace or threaten violence in the workplace, your contract is subject to immediate termination for cause. The Company defines “violence” to include physically harming another person, shoving, pushing, intimidation, coercion, brandishing weapons, and threats or talk of violence.

## **Sexual Harassment**

Sexual harassment is a form of misconduct that undermines the contract relationship and will not be tolerated. No employees or drivers, either male or female, should be subjected verbally or physically to unsolicited and unwelcome sexual overtures or conduct.

**Definition:** Sexual harassment is unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly (or implicitly) a term or condition of your contract.
- Submission to or rejection of such conduct by you is used as the basis for work decisions affecting you; or
- Such conduct has purpose or effect or unreasonably interferes with your work performance or creating an intimidating, hostile or offensive working environment.

**Complaint Procedure:**

If you experience or witness sexual harassment in the workplace, report it immediately to your Driver Manager. If your Driver Manager is the person who is harassing you, you may approach any other member of The Company’s Management. All allegations of sexual harassment will be quickly investigated. When the investigation is completed, you will be informed of the outcome of that investigation.

## **The Company Hotline**

**THE COMPANY HOTLINE – 918-447-2103.** This mailbox was designed to provide an avenue to leave an anonymous message regarding an issue pertaining to The Company. All messages will be reviewed and investigated using proper human relation methods. For a return call, simply leave contact information and a company representative will return the call as soon as possible. All messages and information are confidential and will not be retransmitted.

## **Grounds For Immediate Contract Termination**

The following examples of grounds for immediate contract termination are representative, but not all inclusive, of the types of activities that may result in your immediate dismissal:

- Breach of trust or dishonesty
- A felony conviction
- Willful violation of an established policy or rule
- Falsification of records
- Falsification of expense reports
- Conviction of a misdemeanor offense with connection to your position
- Theft or the unauthorized possession of, or the use of, property belonging to any other person, whether driver, visitor, or customer of The Company.
- Possession of weapons on the premises
- Threats or acts of violence against other employees, drivers, and/or customers, vendors, or suppliers.
- Unauthorized possession, use or copying of any records that are the property of The Company
- Defacing or other willful destruction of any supplies, equipment, or property of The Company
- Failure to call or directly contact your Driver Manager when you are late for a pickup or drop-off or to give dates you are planning not to work.
- Fighting or serious breach of acceptable behavior
- Violation of The Company's Alcohol and Drug Policy
- Mistreatment of, or excessive complaints from customers
- Drivers involved in any accident / incident are subject to contract termination at any time at the discretion of the Safety Director or Management.

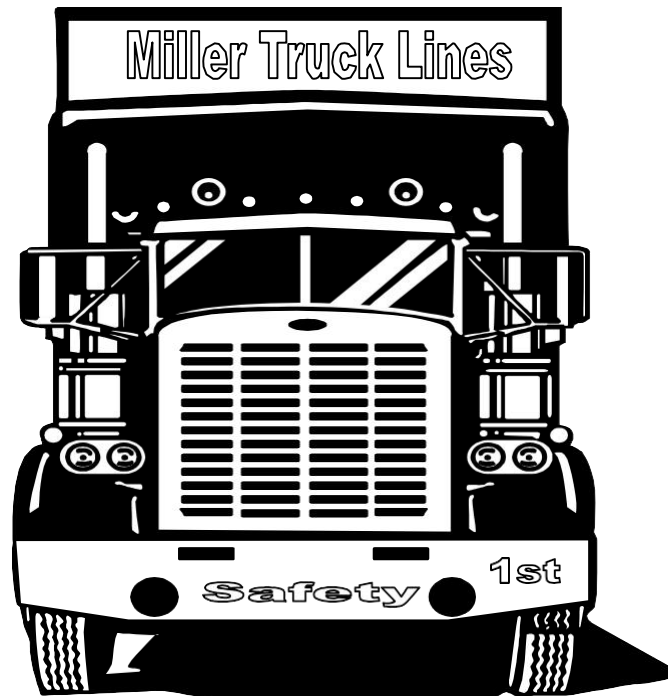
The above list is neither exhaustive nor intended to be comprehensive, and it does not change the relationship between the driver and the Company.

## **Final Settlement**

To have any remaining balance in the Escrow Fund returned following termination of your contract, you must first comply with all the specific obligations set forth in your Agreement and make payments to The Company for all escrow items.

# Recruiting

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## **Job Criteria**

**The condition of your contract depends on your good standing with all Federal, State, Local and Company rules and regulations.**

### **QUALIFICATION REQUIREMENTS:**

- Be 22 years or older.
- Maintain a clean and neat appearance.
- No more than (2) moving violations in the last (3) three years.
- If you are contracted with (2) two moving violations and receive a (3) third before you drop one off your MVR, contract is subject to termination.
- No more than (1) one preventable accident in the last 3 years.
- No drug or alcohol-related driving charges in the last 10 years. (DUI/DWI)
- Have a valid CDL and applicable endorsements issued by the state of residence (License must not expire within 30 days).
- You must possess a valid Social Security card.
- Be able to pass D.O.T. physical (including drug screen) given by MTL doctor.
- Experience: (2) Two years OTR or a MTL approved truck driving school plus (6) six months OTR experience (All experience must be verifiable).
- Be capable of performing designated job duties. (See Job Duties & Descriptions)
- Complete The Company Orientation.
- Be able to read, write and understand English.
- Not currently on probation/parole.
- Must not be addicted to, use, sell, deal or transport-controlled substances of any kind and/or alcohol of any kind.
- Must provide (10) ten-year history complete with address and telephone number. Every attempt will be made to verify work history.
- The Safety Director reviews felony convictions.
- Every driver applicant must pass a complete Department of Transportation physical performed by a company-approved doctor and a drug screen performed by a company approved technician. Results must be obtained before a driver applicant is allowed to go to work. Per the Department of Transportation, a company-approved doctor will perform a bi-annual or annual physical.



## **Driver Job Duties**

In general terms the major requirements of a professional driver are listed below in terms of physical demands and working conditions.

- **Standing** – Will be required to be on their feet for periods of time up to (3) three to (4) four hours.
- **Walking** – In most cases, walking would be required for short periods of time.
- **Sitting** – Prolonged periods of sitting are required, ranging from seated position of driving to relaxed position of waiting.
- **Lifting** – Occasional heavy lifting. Overhead lifting to a maximum of 80 to 100 pounds (Tarps). Frequent lifting is required of weights that range from 30 to 60 pounds, while simultaneously moving the body.
- **Carrying** – Weights will coincide as described in lifting. There will be occasions when these weights will have to be carried from place to place in the loading-unloading procedure.
- **Pushing/Pulling** – There will be frequent occasions where the driver will be required to push/pull from moderate to maximum efforts. This is mostly restricted to tarping and moving cargo.
- **Climbing** – Drivers will be required to have adequate body balance to climb onto, around, and over the cargo in securing it.
- **Kneeling** – Drivers will be required to place the body in low to the ground positions to perform certain functions such as checking tire pressures, trailer brakes, and other inspection duties.
- **Bending** – Mostly the same duties as kneeling. Repeated bending at the waist and lifting at the same time is required for loading and unloading duties.
- **Crawling** – These activities are in conjunction with the above items.
- **Reaching/Twisting** – These activities are also in conjunction with the above items.
- **Wrist/Hands** – As earlier stated the duties of a professional driver are very physical which requires free movement of the wrist and hands.
- **Coordination** – It is necessary that each driver has average to excellent coordination.
- **Hearing** – Each driver must be able to comply with federal regulations for hearing, and to possess adequate hearing capabilities to converse with others. It is also necessary to be able to detect surrounding sounds as to one's immediate safety.
- **Vision** – All drivers must maintain prescribed vision in accordance with Federal Regulations and as set forth in The Company pre-placement medical/physical guide.

## **Working Conditions**

Drivers will be required to work in different conditions, in various geographical locations across the nation. Drivers must be able to work indoors as well as outdoors, and in temperatures from 0 to 100 degrees Fahrenheit, plus or minus. Drivers must be able to work in dry climates as well as wet climates.

Drivers will be required to work in confined areas and from heights of trailer level to heights of 14 to 16 feet. Most duty hours of a driver will be spent working alone. They must be organized to think about simple problems and perform adequately to accomplish everyday tasks.

## **Orientation**

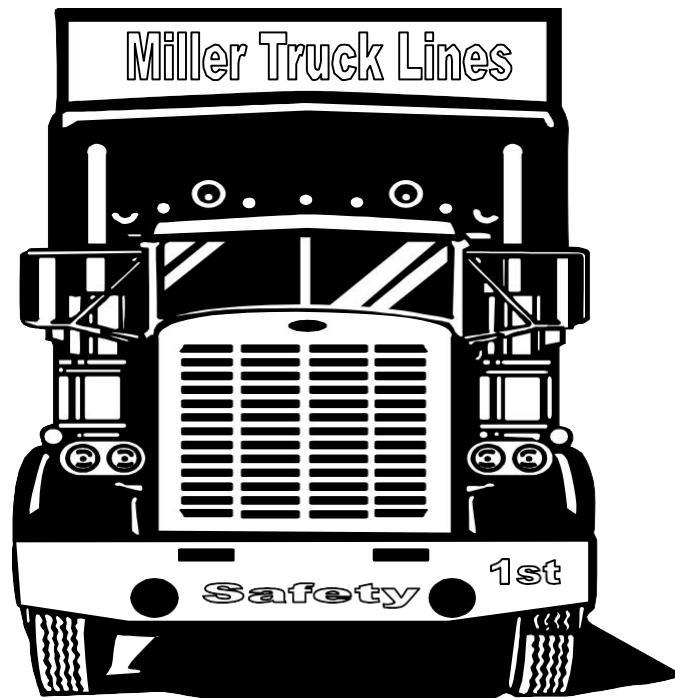
All drivers are required to attend The Company's Orientation. Orientation is conducted weekly at the Tulsa, OK terminal.

## **Re-Contract Policy**

Any driver that terminates their contract may or may not be re-instated upon review.

# Driver Personnel

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## **Work Records**

To keep work records current, notify the Personnel Department of any changes in your:

- Name and/or marital status.
- Address and/or telephone change.
- Emergency contact and/or your emergency contacts telephone number

### **Your Driving Record**

We work hand in hand with other carriers nationwide. Your work records and driving history will be kept in file. Per mandated federal laws your complete history including drug and alcohol test results will be made available upon work history inquiries.

## **Position Summary**

Drivers will project a positive image of The Company through outward appearance of self and equipment with our customers, and conduct the movement of freight in a safe, and timely manner by maintaining constant communication, advising their driver manager of any problems.

### **You and the Public**

You are expected to show every courtesy and consideration to the public. Remember that you represent The Company with whomever you come into contact. Therefore, proudly present yourself and the way you drive.

### **You and the Customer**

Without customers there is no need for drivers. If you have a difference of opinion or confrontation, please refrain from reacting. Contact dispatch and let them manage the situation.

## **Qualification Guidelines**

Companies and individuals depend on the quality and reliability of our service. To maintain the reputation of our Company, all drivers must provide excellent, reliable service to our Company, our customers, and other employees and drivers. Any failure to meet these standards is ground for concern, discipline, or discharge.

### **Grounds for Disqualification and/or Termination of Contract**

- Positive drug test or failure to comply with random drug testing.
- Three (3) moving violations within a (3) three-year period.
- Unauthorized passengers.
- False statements or omitting information on the application.
- Failing to comply with Company policies and procedures, federal state or local laws, safety rules and procedures.

- Performance, conduct, and attitude that are not in the best interest of the Company, such as inefficient, unsatisfactory, careless, or negligent performance of assigned duties or responsibilities.
- More than three preventable accidents in a (3) year period.
- Any act of dishonesty or theft from the Company, Customer or MTL employee.
- Four (4) days without reporting when in off duty status.
- Failure to report an accident immediately and properly.
- Drinking, DUI, or DWI (**Including Personal Vehicle**), use or possession of alcohol or drugs. No drinking (minimum 8 hours) before going on duty. Drivers in violation of this policy and terminated on the road are responsible for transportation home.
- Any use or possession of controlled substances.
- Intentional damage to Company equipment, or careless, negligent use of company property.
- Abandoning or leaving a trailer.
- Possession of weapons on the premises.
- Excessive log violations.
- Hitting an overhead structure.
- Insubordination
- Falsification of expense reports.

## **Safety Gear Requirements**

### **Requirements to include but not limited to the following:**

Flatbed – gloves, hard hat with chin strap, reflective vest, steel-toed boots (no flip-flops), long pants (no shorts), safety glasses (clear & wrap-around).

Van/Reefer – no flip flops

Tank – hard hat with chin strap, face shield, No-Mex suit, steel-toed boots (no flip-flops), long pants (no shorts), long sleeved shirt (see **Tank Division Personal Protective Equipment (PPE) Requirements\***)

## **Whistleblower Protection**

Whistleblower protection laws are in place to protect you from retaliation if you report commercial motor vehicle (CMV) safety violations to the Federal Motor Carrier Safety Administration (FMCSA). You are also protected if you testify before FMCSA or if you refuse to operate an unsafe vehicle, drive in conditions that may cause serious bodily injury, or violate a CMV safety law.

These Department of Labor, Occupational Safety and Health Administration (OSHA) regulations (29 CFR Part 1978) prohibit your employer from discharging, disciplining, or discriminating against you regarding pay, terms, or privileges for taking any one of the following actions:

1. Filing a complaint related to the violation of CMV safety regulation.
2. Starting a proceeding related to a violation of a CMV safety regulation.

3. Having testified in or testifying in the future in a proceeding related to a violation of a CMV safety regulation.
4. Refusing to operate a CMV due to one of the following two reasons:
  - You would have violated a federal safety or health regulation; or
  - You had a reasonable apprehension that you, or someone else, would have been seriously injured or impaired had you operated an unsafe vehicle. You asked your motor carrier company to correct the unsafe condition, but they refused.

If you make a CMV safety complaint and it results in termination of contract, or any other form of discrimination, you can file a complaint with OSHA, or you can have someone file it on your behalf.

## **Filing a complaint**

Complaints should be filed with the OSHA Area Director in the area where you live or work. You can find information online at [www.osha.gov](http://www.osha.gov).

A complaint should be filed within 180 days of when the discrimination occurred. However, there are situations where the time limit will be waived.

There are no special forms to use. Send a letter stating your situation and OSHA will provide a copy of the complaint to your motor carrier company, protecting your confidentiality if necessary.

Then OSHA will gather data and give your motor carrier company 20 days to respond to the complaint. If OSHA finds reasonable cause to believe the violation is valid, they will continue to pursue your case until the situation is resolved.

# Fleet Supervision

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# **General Responsibilities**

## **Communication**

Communication is the key to the continued success of The Company. **Any problems should be directed to your Driver Manager immediately.**

- The satellite should be used as the primary instrument of communication between the driver and his/her Driver Manager. Occasionally, our computer or QualCom systems will go offline for one reason or another. If your message has not been read and answered within a reasonable amount of time call your Driver Manager.
- Hours of Service Calls should be made between 8:00 a.m. - 10:00 a.m. daily.

## **The Satellite (QualCom)**

The satellite is the most efficient method of communication between the driver and The Company. QualCom should be utilized instead of the phone for communication except in emergencies. Training in the use of the QualCom units is available through the Safety Department.

**Pre-Programmed Messages are Less Expensive and should be Used Whenever Possible.** The satellite system we have installed in your truck offers benefits to drivers who utilize it. The above information is only a basics “Manual Insert” to explain the equipment we offer that will be provided during orientation.

## **When you finish unloading**

- Upon arrival at the consignee, send in Macro # 05 “Arrived At”
- Let us know you are empty, immediately. Wait until the off-loading is **complete** before reporting it with Macro # 06, The Empty Call Message.
- Bills of lading must be signed correctly and **legibly**. (Ensure receiver notes and documents any exceptions.) If the consignee notes exceptions, send Macro # 35 and call your Driver Manager immediately **before leaving the customer**. Your Driver Manager will instruct you on what to do and will connect you with the Safety Department to make a report.
- Report any problems to Safety **immediately** that could result in a claim against The Company.
- Send your bills to your appropriate terminal as soon as possible.



## **Read Your Bills and Weigh Your Load**

Please read your bills at the shipper and verify their accuracy before signing them. Compare what they say to what your dispatch says. If there are any discrepancies, get clarification from us before proceeding. The shipper may have loaded your trailer with the wrong freight. We may have made a mistake. If you catch the error before moving the load, we can fix it with potentially great savings of time and money. You are responsible for cargo once you sign for it. This makes The Company responsible.

Weigh (axle-out) your loaded equipment as close as possible to the shipper. Use a certified scale if possible. A non-certified scale is better than a no-scale at all. You need to get proof of your weight **in writing**. The shipper saying the load looks fine to them or saying you should not have a weight problem can get you in trouble. **Weigh the load and get it in writing**. If you do not, and you are fined for being overweight, **you will be liable for paying the ticket**.

## **Communicate**

Please keep your fleet supervisor informed of any problems you may encounter. If you are not getting the assistance, you feel you need, let us know. If you are not getting home in a timely manner within The Company policy, let us know.

## **Things You Need to Let Us Know**

- Let us know if there is a pre-call required.
- Let us know your anticipated off-load time. Tell us immediately of any deviation whether early or late.
- When advised to do so, let us know your loaded and empty weights.

## **Customer Service**

We have only one commodity at The Company – **Customer Service**. You, the driver, are the most important link in the Customer Service chain.

## **You and the Public**

Show every courtesy and consideration to the public. Remember that you represent The Company with whomever you come into contact. Therefore, present yourself and the way you drive proudly.

## **You and the Customer**

Without customers there is no need for drivers. If you have a difference of opinion or confrontation, please refrain from reacting. Contact dispatch and let them manage the situation (**remember, while the customer may not always be right, we will treat them like they are.**) It is the driver's responsibility to help ensure that the service we sell is exceptional. Drivers should transport freight in an efficient and timely manner.

- Notify your Driver Manager when late for a pick-up or delivery appointment.
- Comply with a customer's rules.
- The driver should have a positive attitude.

- Safety should be the driver's primary concern while operating equipment or securing a load.
- All freight should be accounted for, properly secured, loaded, and unloaded.
- Check bills of lading for correctness.
- Get a piece count and check for damage of all freight before signing for a load.
- Check bills of lading to see if tarps are required even if dispatch has marked the load as a non-tarped load on your information.
- Every driver has the responsibility to take appropriate care of his/her equipment.
- Each driver should achieve the full potential of his or her equipment.
- Strive for maximum fuel mileage.
- Keep equipment clean inside and out.
- Maintain oil level in safe range for engine and hub oilers.

### **Fingerprinting Loads-Driver Unload - Van/Reefer Division**

If you arrive at a customer and are required to hand load/unload your trailer without The Company dispatch having previously informed you, call dispatch. If this happens, we need to bill the customer for this service. If we know beforehand that there will be fingerprinting, we will also ask if lumpers are available. Drivers must get a lumper for the lowest price. Advise dispatch of the lumper charges.

- Call your Driver Manager to advise them of the amount required to pay the lumper. You must get authorization approval from The Company.
- Fill out The Company Lumper Form completely.
- Have the consignee sign your Shipper's Bill of Lading with "Driver Unload/Assist."

The Company requires you to hire a lumper whenever possible so that you remain rested and able to drive. If you realize that you will be delayed in unloading beyond (2) hours, notify your Driver Manager.

### **Dropping Trailers**

Whenever dropping an empty trailer at a customer, terminal, or other designated drop lot you must do the following:

- Pull all nails from and sweep the floor.
- Remove all trash and place it in an appropriate container. Any charges that customers charge The Company for cleaning a trailer will be passed on to the driver.
- Inspect the trailer. All trailers that are picked up regardless of location must fill out a "Trailer Inspection Report." If there is any damage that might cause a customer to refuse to load this trailer, call Dispatch and tell them of the condition of the trailer. Dispatch will work with the Shop to get the trailer fixed.

#### **Check for:**

Holes in walls, roof, floor	Close vents
Lights all work	Brakes in safe condition.
Hub oilers full	Tires are safe.
Remove all dunnage	Slide trailer tandems to the rear.

***Remember, any damage discovered upon your trailer inspection must be reported to the Safety Department within the Company required period for reporting accidents.***

**Any trailer dropped that is refused by a customer because it requires repair or cleaning will result in a service failure on the part of the driver who dropped the trailer. Charges will result if The Company is charged for a trailer clean out.**

## **Flatbed Load Securement**

We must begin taking measures to dramatically reduce and eliminate cargo claims due to inadequate securement inside or on our trailers.

One of the greatest areas of cargo claims affecting our customer service in the Flatbed Division is tarping. There are three common situations that arise:

1. Tarping a load with tarps that have holes. Inspect your tarps frequently. If you discover tarps that have holes, notify dispatch, and replace them as soon as possible.
2. Moving through inclement weather conditions while still at the customer before tarping. Anytime a customer instructs you to move your load outside before tarping in inclement weather have the customer sign a statement on your waybill indicating that he is instructing you to move untarped and notify dispatch immediately.
3. Leaving a tarped load untarped between multiple drops. Re-tarping between multiple drops takes time. Take the time. Re-secure your tarps to protect the cargo even if moving just a few miles.

It is your responsibility to ensure your cargo is damage free and properly secured from the point of origin to destination – *every time and for every load!*

## **Cargo securement principles and methods for flatbed trailer:**

- **Supervising** all loading activity. Make sure all cargo listed on the bill of lading and other shipping documentation matches what is actually loaded on your trailer. Any discrepancies should be reported immediately.
- **Watching out** for loading area hazards. Make sure your vehicle is secure from moving, and you are conscious of your personal safety. Follow all customer safety requirements and procedures. For instance, if you are loading in a hard-hat area, wear one.
- **Inspecting** all cargo before it is loaded. Drivers should assess the condition of their cargo. Any leaking, damaged or suspicious freight should be questioned before it is loaded onto your trailer. Again, you should contact your dispatcher in all such cases.
- **Making sure** the cargo is loaded properly. You need to ensure cargo is evenly distributed throughout your trailer, and that lighter cargo is stacked on top of heavier freight. In addition, you need to make sure all cargo is adequately secured by proper blocking, bracing and dunnage. In some instances, you will need to use edge protectors to not only protect the cargo from damage, but also to protect your tie downs from excessive wear. If the load requires tarping, adhere to that requirement.

- **Re-checking** the paperwork and cargo before signing. Your responsibilities do not end after the cargo is loaded. Any cargo damage or shortages need to be paid for by someone. If you sign the shipping papers before discovering problems with the load, that someone will be your company.

Your cargo securement responsibilities do not end after your trailer has been loaded. Aggressive or inattentive driving can cause cargo to shift and fall.

Defensive driving techniques should be exercised behind the wheel.

### **Van/Reefer Cargo Securement**

We understand that most often the shipper is the one who loads the product into the trailer and may even shut the doors and tell you that you are ready to roll. We remind you that the driver is responsible for the cargo after it has left the shipper's dock. Before you pull away from the dock inspect your load. If you see anything that looks unstable block it, brace it, use load locks do whatever it takes to make the load secure. If you cannot stabilize the load call Dispatch immediately.

## **Appointment Times**

A vast majority of our deliveries and pick-ups in both the Van/Reefer and Flatbed Divisions have appointment dates and times. You must be aware of these times. When you are dispatched and the Driver Manager does not make it clear on the day and time of your delivery, be sure to ask for clarification. If anything happens while you are in route to a delivery or pick-up you must notify dispatch immediately so that they can call the customer to schedule.

### **J.I.T (Just in Time) and X.O.T. (Exactly on Time)**

Freight relates to appointment times. The goal was to eliminate warehousing costs by precisely scheduling the loading and unloading of freight. **(Please be advised that our customers make numerous appointments and we do not have control over delivery times and dates.)** A late delivery or pick-up can result in the carrier being charged a re-scheduling fee that can cost from a few hundred dollars to several thousand dollars. Shippers and consignees will re-schedule the load for the next day resulting in a layover for the driver and the possibility of missing the next load.

### **Picking Up and Delivering on Time**

It is the driver's responsibility to be on time for a delivery or pick-up. Any delay can result in a loss of dollars by having to pay a re-scheduling fee or worse the "Loss of a Customer." Any late delivery or pick-up is a service failure. To prevent a service failure, you must notify your Driver Manager immediately when you are not on schedule. This will allow Dispatch to notify the customer and adjust to meet your new schedule. Failure to communicate with your Driver Manager will result in a service failure.

## **Seals**

Van/Reefer customers will place seals on the trailer after loading it for transit. The Company also provides seals for each driver to use if the customer does not supply a seal. This seal ensures that the trailer remains closed from the time it leaves the shipper until it arrives at the consignee. It is imperative that seal not be broken until the consignee instructs you to break the seal and signs your paperwork "Seal Intact." Make sure you always note the seal number on your paperwork. This will protect The Company and you from cargo shortage claims.

Seal(s) must be checked each time you exit the truck and before you enter the truck. If a seal(s) has been broken, DO NOT MOVE the truck. Contact Dispatch immediately and report that the seal(s) has been broken. Wait for instructions from Dispatch. Failure to check or report a broken seal(s) will result in termination.

## **Shipper Load and Count**

Shipper Load and Count should always be noted on your paperwork on all trailers that are pre-loaded. It should also be noted on your paperwork anytime that you are not present or allowed to verify your piece count on your trailer. Always make sure the shipper signs this notation on your Bill of Lading.

## **Driver Count**

You may see this on your load assignment sheet or on your paperwork from the shipper. This means you are responsible for the piece count on your trailer. Any failure to ensure that the piece count is correct may result in a shortage that can be charged back to The Company and you as the driver. **Do not sign for anything that is not in your trailer.**

## **Driver Managers**

The Driver Managers shall be the driver's immediate contact person. Driver Managers will assist you with any problems or questions that arise. They are responsible for driver performance. Driver Managers will document the driver's daily progress and inform the appropriate department should problems arise.

### **Driver Managers Will Document:**

1. Unauthorized deadhead or out of route mileage
2. Late pick-ups or deliveries
3. Failure to return to work when due from days off.
4. Any service failures
5. Any customer complaints
6. Driver attitude and work ethics
7. Any violations of The Company's policy and/or procedures or lease

## **Problems**

If you encounter any problems with a load or customer "Call your Driver Manager Immediately." We do not expect, nor do we want you to argue with the customer. Let your Driver Manager talk to the customer and resolve the situation. Your Driver manager will be your first contact if you have any problem or question.

# **Dispatch**

## **Following Dispatch Instructions**

When you are dispatched on a load you will be given detailed instructions about the customer requirements of the load. Be sure you understand these instructions. If you have any questions or doubts, contact your Driver Manager immediately and get your questions answered. Do not change anything about these instructions without getting permission from your Driver Manager. **The shipper or consignee should not be contacted to see if you could change something about the load instructions.** If dispatch instructs you to tarp a load, tarp it or get permission from dispatch to change the instruction. You may have a perfectly legitimate reason, but dispatch needs to be informed as soon as you are aware of any deviation from the original instructions so they can contact our customers and keep them updated. This allows Dispatch to make alternate arrangements for timely delivery of the load if necessary.

## **Switching Loads/Re-powering Loads**

Switching a load must be approved by dispatch through your Driver Manager.

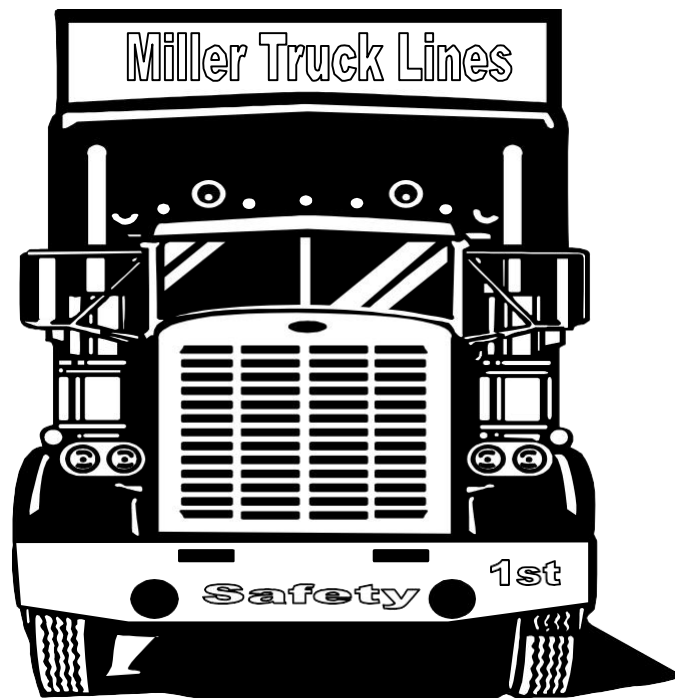
Occasionally, we may ask you to meet another driver to switch out loads with them. This means that something has arisen, i.e., an emergency, and we must get the driver home, or the delivery has been changed, and The Company must adjust the initial dispatch instructions. We ask for your cooperation in assisting us in providing our customers with the best customer service possible.

## **Pre-Planning Loads**

It is our goal to decrease the amount of time a driver must wait for his/her next load after emptying out. This is where sending or calling your check calls and verifying appointment times is important. By doing these things your Driver Manager can track you and make sure that you are running on schedule to unload and re-load. A driver manager's knowledge of your available hours of service is critical under this function.

# Tank Division

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# **Tanker Driving Techniques**

Your job, as a Tanker Driver, is to operate your vehicle in such a way that your cargo's movement is kept to a minimum.

Three primary driving maneuvers that will create “sloshing and surging” in your tanker and cause you to have difficulty controlling your vehicle are:

- Improper acceleration
- Improper turning
- Improper braking

**To put it simply, make no sudden moves when operating a tractor-tanker unit.**

## **Tank Division Procedures**

### **Personal Protective Equipment (PPE) Requirements\***

Your protective gear must always be available while on duty. The following is a list of protective equipment:

1. Hard Hat with face shield
2. Safety Glasses (ANSI-Z87)
  - a. To be always worn including under face shield
3. Fire retardant clothing, consisting of long sleeve shirts and long pants.
  - a. Shirtsleeves are to be buttoned at the wrist (cannot be rolled up)
  - b. FRC overalls can be worn in lieu of pants and shirts.  
**NOTE 1:** Shorts, tennis shoes or loafers are NOT allowed.  
**NOTE 2:** Neither frock nor lab coats can be worn at shippers or consignees.
4. Leather boots with slip resistant soles
  - a. Oil resistant recommended.
5. Gloves suitable for products being transported.
  - a. Leather or chemical resistant, with cuffs
6. Hydrogen Sulfide Monitors (H2S Meters)
  - a. Must be worn 18” off nose and mouth.
  - b. Most loading points provide H2S Meters  
**NOTE:** Valero-Ardmore requires drivers to provide their own H2S Meters. The Company will issue H2S Meters.
7. Bucket or container for leaks, spills, or drips.

\*Personal Protective Equipment (PPE) MUST be always worn while at the shipper or while unloading at the consignee. Not adhering to company policy PPE requirements may result in immediate termination of driving privileges.



## **Oil Tank Pre-Trip Inspection**

1. Make sure there are no placards on the trailer, and you have the correct ones for the (1) one load you are going to haul.
2. Make sure the valves are closed, and valve line caps are securely on (front and rear).
3. Go up the ladder and make sure the dome lid is closed and that the trailer is dry on the inside.
4. If you are in doubt, contact dispatch and find out what product was last hauled.
5. If a dome lid is stuck or frozen closed, contact a trailer shop and they will get it open for you.
6. If you are going to use your pump on your truck, you need to make sure the trailer has at least two good hoses with ends that are good and O-ring in place.
7. Continue your regular D.O.T. pre-trip inspection of the trailer.

## **Pre-Trip Inspecting of Trucks Equipped with Liquid Pumps**

1. Pull caps off oil pump lines.
2. Place transmission in gear.
3. Engage P.T.O.
4. Take transmission out of gear and slowly release the clutch. If the motor starts lugging down, push the clutch back in and disengage the P.T.O.
5. Your pump may be frozen up with product. Contact the shop and they will repair it.
6. If the pump is working, let it roll over at an idle and check your discharge line. It should be blowing air and the suction side sucking air.
7. Shut the pump down and replace caps.
8. Continue your D.O.T. pre-trip inspection.

## **Equipment Needed for Oil Pump Truck**

1. Two extra 3" O-rings.
2. One double male change over 3".
3. One double female change over 3".
4. One- or two-gallon jugs of diesel for flush.
5. Six feet of rope.

## **Oil Tanker Loading Procedure**

The loading procedure will vary from one loading facility to another.

### **Be Sure You Have All Your Safety Equipment Before Going to The Facility and Be Sure to Wear Your Protective Gear.**

Some facilities have a loader who will load the truck for you, and some facilities do not. When you load your own tank, you first need to make sure the loading spout is tied or chained down securely. How much you put in the tank will vary with your lightweight. The easiest way is to find a three-foot long stick or something you can mark. Mark it where you need to load each product. Remember, you can go back for more, but you cannot always take it off. So, play it safe. Remember, we have a 48,000 lb. net minimum.

Once your trailer is loaded, make sure the dome lid is securely closed. **If the product is making a crackling, snapping sound, beware!!!!** There is a possibility you may have had some water in the trailer, which could result in a boil over. Try not to shake the tank as you pull away from the loading rack, but when you are clear of the rack, stop and let it settle down. It should quit making the sounds in a few minutes, but do not move any further than you must. Shaking it up will only make it worse. Stay in the cab of your truck and crack your window enough to listen until it settles down. **Do not let anyone get around the tank.**

**A wet trailer will cause a product to become agitated and create enough pressure in the trailer to blow a dome lid completely off the trailer and unload the entire contents out the top of the trailer. This will burn anyone or anything around the trailer.**

Never stand or walk on the top of an oil trailer. They are not designed for you to stand or walk on, and a fall can be fatal. Stay on the ladder and use the safety handles provided at the top.

### **Unloading**

Most facilities to which we deliver have a pump and hose to connect to the rear of our trailer. You may or may not have to connect this hose, but you are responsible for opening your dome lid to prevent a trailer from being sucked in.

You need to make sure the front of your trailer is higher than the rear, to get the entire product out. Always climb back up and visually inspect your tank to make sure it is empty.

### **Unloading – With Pump on Our Truck**

The first thing is to make sure our tank is vented. Then hook up your hose from their tank to your truck. Hook up your other hose to the valve on the front right-hand side of your trailer to pump to your pump. Then open the valve. Then put your pump in gear and idle it until the pump is primed and you get air out of the vent line on the customers' tank. If everything is working, then bring your idle speed up to the designated R.P.M. your pump is rated for.

When the trailer is empty, you should idle it back down and close the valve on your tank and open it back up one turn. Then remove the hose from the trailer, closing the valve as you do so. Place the end of the hose between your driver-tire, with the open end pointing out of the pump and lines. Then disengage your pump.

## **Haz-Mat Security Points for Drivers to Follow**

The Company drivers must follow the following security measures. Enhanced security measures apply when you are picking up, transporting, or delivering hazardous materials; they are indicated by an asterisk (\*).

### **Pre-Trip and Dispatch:**

- Drivers must perform an inspection of the vehicle and load prior to departure.

This inspection should include looking at the top as well as under the vehicle for foreign objects. (An extension pole with mirror attached at the end is available at the shop for this purpose.) Look for anything attached to the vehicle, which should not be there, for example, a wrapped or taped explosive, a box of unknown origin, or a small tracking device, (this is the hardest to detect, due to miniaturization.)

- Attach seals to all trailer openings and locks to both cargo doors. (CA is ticketing if both doors are not padlocked.)
- Fleet Managers will provide practical routing information for all Hazmat loads.
- Fleet Managers will alternate the routes we take to consignees; you will receive specific instructions for the route you need to take from your Fleet Manager.
- Make sure you have the appropriate 24/7 phone numbers for Dispatch (see front page of this manual)
- Be sure you are carrying the proper identification and paperwork for the load you are hauling. (In the future, distribution centers may require more rigorous checks of driver identification and shipping documents)

### **Loading and Unloading:**

- As a rule, we will not preload hazardous materials shipments. We will authorize shippers that have demonstrated adequate security measures to pre-load trailers.
- Watch the loading or unloading process. Be sure there is nothing of a suspicious nature being placed in or on your trailer or tractor.
- Be watchful for any unauthorized tracking device being placed in or on the vehicle.

### **Driving:**

- Send a satellite message at each change of duty status and report estimated time to the next change of duty status. (If your status does not match the activity of the truck then dispatch will attempt to contact you. If dispatch is unable to contact you, then law enforcement personnel will be notified immediately.)
- When beginning a driving period try not to stop for the first 100-150 miles.
- Be wary of any vehicle with two or more people that are following you.
- Be on the lookout for two or more vehicles working together to trap you.
- Do not discuss your cargo, destination, or trip specifics with people on the CB.
- You must constantly be aware of the situation around you.
- When stopped at a traffic light or in traffic, be aware of anyone approaching your vehicle.
- Keep your doors locked.
- Keep a proper distance from the vehicle in front to allow room for an escape in an emergency.
- If it is apparent that hijackers are trying to force you to stop or leave the road, do not stop, instead send a satellite message, or use a cell phone to call for help.
- If you believe you are being followed, call dispatch and /or 911 for help.
- We recommend that you carry a cell phone as an alternate means of communication to contact dispatch and emergency officials.
- Check your satellite system regularly and notify your dispatcher if it is not working or appears to have been tampered with.
- If you drop a trailer, contact dispatch as to whether to install a “King Pin” lock.
- Minimize exposure to downtown or heavily populated areas and expedite the

shipment to the destination.

- Do not stop to help stranded motorists. Call the local law enforcement office. They will send help.
- Do not allow anyone in your truck.
- When you must perform Safety Checks, conduct them at a safe place such as a truck stop or rest area with other drivers present.
- If you must use a public phone to discuss your load with appropriate parties, be extremely mindful of how loud you are talking and who might be listening.

### **Stops While En-Route:**

This can be one of the most dangerous times for an over the road driver. The following policies can reduce your risk of hijacking.

- Avoid entering rest areas where there are no other trucks. Use your engine kill switch to prevent theft.
- Use tractor and trailer brake-locking devices to prevent theft.
- Minimize stops en route; if you must stop, select locations with adequate lighting on well-traveled roads.
- When you leave your truck, shut off the engine and lock the doors. Never leave your truck running with the keys in it. (Be sure all the doors are locked, including sleeper berth access.)
- Be aware of the situation around you and anyone who may be approaching.
- Watch for suspicious people who may be following you into the rest room.
- When you return to your vehicle, check the door seals again for evidence of tampering.
- Scan the vehicle for any items that may have been attached to it in your absence. (If a package or device is found, do not attempt to remove it. Call Dispatch and Law Enforcement)
- Be watchful as you prepare to re-enter your vehicle. Do not let someone slip up on you.

### **Communication Recommendations:**

- Your CB radio is a means of advising other drivers of a situation requiring assistance but be aware that a prospective hijacker can also listen in on your conversation and may reply as someone willing to help. Be careful. Verify to whom you are speaking.
- Carry a cellular phone.
- Comply with company policy regarding check calls.

### **Additional Safety Precautions:**

1. Be aware: Stay alert. Be aware of your surroundings and be suspicious of unusual behavior or events.
2. Report suspicious activities: Call dispatch immediately, if you cannot reach them call 911.
3. \*Follow rules: Follow attendance and parking rules established for truck drivers by the US DOT in 49 CFR Part 397.

## **Pre-Trip Inspection of Pneumatic Equipment**

1. Visually check blower and blower drive line.
2. Open dome lids to see that the tank is completely empty and clean for the product you are about to load.
3. Close dome lids and latch all latches.
4. Remember, a dirty trailer can be cleaned. A contaminated load of product(s) cannot.
5. Connect blower hose to blower and remove product line cap.
6. Place the truck in gear before engaging P.T.O.
7. Put transmission in neutral or simply shut off the engine. Engage P.T.O. and restart motor. (You should know the proper R.P.M. setting for the unit you are in before leaving the terminal. Not all our blowers operate at the same R.P.M.).
8. Set throttle and pressure tank enough to determine that all valves and gauges are working and that the product line is free of any obstructions or debris.
9. Make sure you have a rubber mallet. It is against company policy to use anything other than a rubber mallet on your equipment.
10. You have two product hoses (with gaskets) in working condition.
11. You have two extra 4-inch gaskets and one extra 3-inch gasket.
12. Blower cap is secured on blower and product line plug is securely on.
13. Check with dispatcher pertaining to further instructions, for example: using special hose, connections, etc.

## **Loading Information**

1. Make sure “product valves” are closed and tank is free of foreign materials before loading.
2. After loading, close dome lids and latch **all** latches.
3. Visually inspect trailers for product leaks.
4. Actual loading procedures vary from plant to plant.

## **King Pin Lock**

All trucks in the Tank/Pneumatic Division are required to carry a King Pin Lock. All trailers are to be secured with that lock when dropped at any facility other than The Company yard. The Company will provide the lock if the driver does not possess one.

# Emergency Response Notification Plan

## Notification Procedures:

In the event of an oil or chemical release, the driver is to begin the Notification process by calling the following people in the order they are listed.

**Roger Johnson 918-606-3787**

**John Lankford 918-399-8266**

**Jim Miller 580-786-2295**

=====

Drivers Name: \_\_\_\_\_

Truck Number: \_\_\_\_\_ Trailer Number: \_\_\_\_\_

Location: Nearest City & State \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Product: \_\_\_\_\_ Amount Lost: \_\_\_\_\_

Product contained? Yes / No    Did product get into a waterway? Yes/ No

Type waterway? River, creek, drainage ditch or city sewer?

NOTES:

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## **SAFETY CONTACTS**

Roger Johnson - 918-606-3787  
Tiger Miller - 918-691-6403

Main Line - 918-968-3584  
Toll Free - 800-324-3584

Terminal Fuel - 918-284-7275

## **EMERGENCY NUMBERS**

Flatbed Division – 918-447-2134  
Refrigerated Division – 918-447-2139  
Van Division – 918-447-2126  
Oil Division - 580-786-2302

Tulsa - 911  
DOT - 405-605-6047  
FBI - 408-290-7770  
OHP - 405-425-2323

## **WRECKER & ROAD SERVICE**

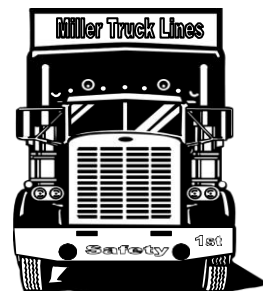
Jimmy Miller - 918-968-3584

## **COMPUTER PROBLEMS**

Scott Webb - 580-763-7640

# Safety Department

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## **Company Commitment**

The Company is committed to protecting its drivers, customers, assets, and the public. Safety, health, and security are key business objectives. Maintaining a safe work environment requires the continuous cooperation of The Company's drivers. The Company strongly encourages its drivers to communicate with management regarding safety issues.

The Company Hot Line (918-447-2103) is available to all drivers. All communication and/or comments are confidential.

## **Condition of Contract**

Working safely is a condition of being leased to The Company.

### **General**

We are 100% committed to "Safety". Safety is a word we use every day.

We work hard to make our Safety Program one of the best and most successful in the industry. We are successful because our drivers share this commitment to safety. Please do not congregate in truck stops because many accidents/incidents occur in truck stops more than any other location. We realize that you need to fuel, eat and sleep. All we ask is that you conduct your business and leave as soon as possible.

### **Accidents/Incidents**

#### **Truck Stop Accidents - Negotiating Hazards**

*Truck stops are a welcome destination for thousands of professional truck drivers every day. But just because your day is ending, does not mean you can afford to let your guard down. Truck stops can be full of hazards, especially to the tired and inattentive driver.*

#### **Truck Stop Hazards**

- A heavy flow of traffic at both the entrances and exits.
- Tight spaces and parking lot congestion make maneuvering and parking an adventure.
- Pedestrians present moving hazards.
- Inattentive and unprofessional drivers in every type and size of vehicle going in many directions.

#### **Entering or Exiting a Truck Stop Guidelines**

- **Use the right entrance.** Most truck stops have multiple entrances, each for a specific purpose and vehicle. If in doubt, slow down and look before you commit.
- **Be attentive.** In a very high-traffic area, make sure to slow down and watch out for inattentive drivers who may be in a hurry.

- **Slow down.** Never allow yourself to be rushed by other anxious drivers trying to enter the stop. Take your time and be sure of your turn.
- **Safely pull in.** The slower you go, the less time it will take you to stop in case of trouble. Execute your turn with care and an elevated level of alertness.

### **Parking at a truck stop**

- **Have a strategy.** Know where you want to park, how you are going to do so safely, and when you plan to leave.
- **Go slow.** Speed limits in truck stops are often set at 5-10 mph. In tight places, going slow means you will have more time to react and stop in case of trouble.
- **Stay alert.** Until you are safely parked, remain on the lookout for careless and inattentive drivers who will come at you from all angles.
- **Scan constantly.** Use your mirrors to stay abreast of your immediate driving situation. Remember, there are more than trucks at a truck stop. You must be on the lookout for small cars, pedestrians and even children.
- **Park with care.** When possible, park without having to back and avoid parking in congested areas. You may save one hundred feet of walking but lose 2 hours filling out an accident report.

*Ah, the truck stop – a highway oasis for this country’s tired and hungry long-haul drivers. But as inviting as these highway havens can be, for the weary or inattentive driver, truck stops can be filled with hazards – everything from cars, buses, pick-ups, SUVs, and other big rigs. A congested truck stop- where there are few rules, little common courtesy, and even less common sense – is an accident waiting to happen for even the safest driver. **Bottom line: The driver can never let their guard down, no matter where the long road or the need for rest takes them.***

### **If you are involved in an Accident**

**Accident Procedures:** When a driver is involved in an accident or incident the following procedure needs to be followed.

1. Stop and stay calm,
2. Secure the scene, (ensure that other vehicles do not get involved, place your warning devices out)
3. Help the injured.
4. Contact the law enforcement, Safety Department and Dispatch, (stop a vehicle passing by or by using your mobile phone.)
5. Use your camera. (A picture is worth a thousand words) Photograph everything; people, vehicles, and roadways. Be respectful and do not take pictures of those injured in the accident.
6. Do not discuss the accident with anyone but the Law Enforcement and Company.
7. Do not admit fault or sign any paperwork before talking to the Safety Director.
8. Collect information: Names, addresses, insurance information, witness’s names, and telephone numbers. Write down the other Company name and truck and trailer number.
9. In certain situations, the Federal regulations require that you be drug and alcohol tested. Someone in Safety will instruct you what to do.
10. Get all the paperwork involved into the Safety Dept. as soon as possible.

**\*\*\*\*\* Take Pictures – Take Pictures – Take Pictures \*\*\*\*\***

It is important that photographs be taken as early as possible and gather the facts as soon as possible.

- Evaluate the other vehicle's damage, take photographs.
- Take photographs of the entire scene. Go at least 50 to 60 feet in each direction and take photographs of the impact zone.
- If other items such as utility poles, signs on buildings, mailboxes, guardrails, or culverts are damaged be sure to photograph them.
- Complete the "Accident Report" in your accident packet.
- Do not rely on the officer to give you the other driver's information. Try to obtain his/her information yourself.
- Write it down – memories fade, pen and paper do not.
- Take a picture of the officer's car and get his personal information, name, badge number, unit number, crash report number and the address to obtain a crash report (Most officers have business cards with all the above information on it).
- You must file an oral report with the Safety Office or Night Dispatch within (2) two hours of the occurrence.
- Unreported Accident / Incident may be considered "Preventable" and subject to disciplinary action, up to and including termination of your driving privileges.

### **Photographic Documentation**

- All involved vehicles and license tags
- All vehicle damage
- Final vehicle resting position
- All tire marks, gouges, and debris
- Traffic signs, trees, and poles

### **Accident/Incident Termination Policy**

- Involvement in more than (1) one preventable accident within any (12) twelve-month period and no more than (2) two preventable accidents within any (3) three-year period.
- Involvement in more than (1) one preventable incident within any (12) twelve-month period.
- Involved in a preventable accident/incident while on probation.
- Failing to report an accident/incident within Company Guidelines.
- Intentionally being involved or causing an accident or other incident.
- Concealing or changing facts and evidence and/or not cooperating with the investigation of any accident or incident.
- Failing to stop or fleeing the scene of an involved accident.
- Drivers involved in any preventable accident or incident are subject to discipline and/or termination of driving privileges at any time at the discretion of the Safety Director.

# **Moving Violations Policy**

## **Notification**

All moving violation citations you received while operating any type of motor vehicle must be reported to safety within (72) seventy-two hours of receiving the citation. You must inform Safety about what actions you intend to take in finalizing the citation. You must report the final disposition of the citation to the Safety Department within (72) seventy-two hours of the final disposition. You will find other reporting requirements in the Federal Motor Carriers Safety Regulations Handbook, under Parts 383.31 Subpart C. Failing to comply with the notification policy as outlined here may result in disciplinary action and/or termination of contract.

## **Moving Traffic Violations**

The term “Convicted” means bond forfeiture, pleading guilty, paying a fine or any other means of disposing of traffic violations. Any driver convicted of (3) three moving violations in any (3) three-year period will be terminated.

## **Disqualifications for Serious Traffic Violations**

Part 383.51, Subpart D, of the FMCSR states that a driver will be disqualified to operate a commercial motor vehicle upon being convicted of (2) two serious traffic violations within any (3) three-year period. Once a driver becomes disqualified due to serious traffic violations, they are also disqualified as driver for The Company.

# **Safety Policy and Procedures**

## **Rider Program**

The Company will allow you to have authorized passengers to ride along with you. Experienced drivers are eligible and may participate upon their qualification date. Only one (1) rider at a time will be allowed on the truck.

**Under no circumstances are you to transport a passenger in your truck until it has been authorized through the safety department. Unauthorized passengers will result in “immediate” termination of contract.**

## **Passenger Eligibility**

To qualify the following criteria must be met.

- Rider must be 10 years of age or older.
- Drivers must provide insurance coverage for any rider at their own expense. This policy covers your passenger while riding in your truck on an authorized trip for The Company.
- The Company will not be held responsible for any accident that may occur on the part of a rider. Drivers must sign a “Hold Harmless Agreement” relieving The Company of any liabilities.
- Drivers participating in the rider program will be required to adhere to any policies on the part of our customers that may prohibit or exclude your rider from

entering their facilities. There are usually waiting areas in these circumstances where the rider can wait in comfort during loading and unloading.

- The Company will prohibit the rider from being in the immediate area of the tractor-trailer during any of the loading and unloading procedures. However, riders will be allowed to remain inside the tractor if it does not conflict with any company policies of either the shipper or consignee.
- If at any time, The Company deems that your rider becomes a hindrance to your job responsibilities or a safety factor, your rider privilege may be revoked.

### **Required Paperwork**

- Picture of the rider.
- Hold Harmless Agreement signed by the Independent Contractor and the rider.
- Rider Insurance Form signed by the Independent Contractor.
- Copy of the rider's driver's license, birth certificate, or legal documentation stating the age of the rider.
- Parent/Legal Guardian will be required to sign release. Joint custody requires both parents/legal guardian's signature.

## **Pet Policy**

The Company will allow pets inside units after the following guidelines have been met:

1. A copy of all required vaccinations must be submitted to the Safety Department and must be kept updated.
2. The Independent Contractor will be liable for any bodily injuries sustained because of the pet's actions such as but not limited to bites and/or scratches.
3. No pet will be allowed to remain in the unit while that unit is parked in the yard or in the shop area.
4. Pets are not to be left unattended in the cab for extended periods of time.
5. No pets will be allowed to run loose on any customer's property.
6. The Company will in no way be held responsible for loss or injury caused by any pet.
7. Any Independent Contractor found with an unauthorized pet in their truck will pay a fine, comply with the conditions above and remove their pet from the truck immediately.

## Independent Contractor Pet Policy

1. A copy of all required vaccinations (shots record) must be submitted to the Safety Department; this must be kept updated.
2. The Independent Contractor will be liable for any bodily injuries sustained because of the pet's actions such as but not limited to bites and/or scratches.
3. No pets will be allowed to run loose on any customer's property.
4. **The Company** will in no way be held responsible for loss or injury caused by any pet.

With my signature below I agree to the above guidelines and release **The Company** from all liability resulting from any actions of my pet.

\_\_\_\_\_  
Driver's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Company Representative Signature

\_\_\_\_\_  
Date

# **Emergency Evacuation Plan**

## *Weather Related Emergencies*

### **Flood**

In the event of a flood in or around this building, all occupants should evacuate to the highest level of the building. Evacuate quickly, quietly and in an orderly fashion as directed by your supervisor.

### **Lightning**

A typical lightning bolt contains several hundred million volts at 30,000 or more amperes.

#### **If you are inside:**

1. Stay away from open doors or windows during an electrical storm.
2. Avoid using electrical appliances and stay away from all metal objects during a storm.
3. Do not go outside.

#### **If you are outside:**

1. Avoid tree lines.
2. Stay away from flagpoles, towers, trees, and metal fences.
3. A closed automobile provides a protective metal shell – if car is struck, do not touch anything metal in the interior.
4. If you are caught out in the open, stay low. If your hair begins to stand on end, crouch low to the ground and balance yourself on the balls of your feet. Do not touch the ground with your hands, knees, elbows, etc.

### **Tornadoes**

1. Do not leave the building during a tornado.
2. All occupants should evacuate to the first floor and assemble in a crouched position along the walls in the hallway. Head should be tucked between knees with hands protecting the back of the head. If time permits, proceed to the service pit located in shop Bay 3.
3. Occupants should remain in the position until notified otherwise by the Safety Director, Vice President, or other emergency personnel.

#### **If you are in a vehicle:**

1. Never try to outrun a tornado in your vehicle.
2. Drive to the nearest building or seek shelter in a ditch or ravine.
3. If at home or in a building, go to an interior room on the lowest level (bathroom, closet, etc.) Get under a sturdy piece of furniture if possible.

**In the event one of The Company offices is damaged by extreme weather, contact the Safety Emergency numbers. If you cannot get through standby, you will be contacted by your driver manager.**



## **Miscellaneous Safety Items**

### **Pranks or Horseplay**

Pranks or other forms of horseplay can completely upset the smooth operation of a group. Tragedies, including the loss of life and thousands of dollars, have resulted from the cruelty of practical jokes. A sense of humor is an asset, but there is a difference between good humor and horseplay. For the sake of morale, efficiency and safety do not be a practical joker or perform other acts of horseplay that may result in injury or suffering to a fellow employee or Independent Contractor. Failure to abide by this rule could cost you your driving privileges.

### **Commercial Driver's License (CDL)**

It is violation of FMCSR, part 383.21, to have more than one license. Your CDL must be issued by the state of your residence. Every driver must have a valid class A CDL. Any driver on the tanker division or any that hauls hazardous materials must have an X endorsement (tanker and hazardous) and any driver who hauls a load of hazardous material without hazardous endorsement can be subject to termination of contract.

### **D.O.T./Roadside Inspections**

It is the policy of this company that all drivers must respect and cooperate in all roadside or scale house inspections. **All preventable violations found in roadside or scale house inspections will be treated as a violation of the company policy. The list below includes some but not all of what the DOT checks for during an inspection by federal regulations. It is the minimum amount that the DOT is going to check for.**

1. Driver Inspection – (driver's license, CDL, medical cards, medical certificates, drivers logs, hours of service, and documentation of the annual inspection, proper seat belt usage, for illegal presence of alcohol, drugs, radar detector, weapons or other contraband, passenger policy if applicable, the driver's overall condition, etc.
2. Vehicle Inspection – anything from top to bottom depending on which level of inspection they are doing, brakes, coupling devices, exhaust system, frame, fuel system, headlights, turn signals, taillights, lights on projecting loads, cargo securement, steering mechanism, suspension, tires, trailer body, wheels and rims, windshield wipers, hazardous material requirements (as applicable), seat belts, no obstruction of roadway from to many things in passenger seat, permit book valid for that vehicle and non-expired permits.
3. Enhanced NAS Inspection for Radioactive Shipments
4. Hazmat Inspection Procedures – shipping papers, placarding, marking, labeling, packaging, and loading (securement)
5. For cargo tanks/bulk packages, the inspector will also examine:

Specification marking on package, test date marking, securement and integrity of package, piping protection, double bulkhead drains, valves and closures and rear end protection/ rear bumper.

All inspection reports and sign-off tickets must be mailed or faxed to the Tulsa Safety Office - (Fax # 918-447-2124) within (72) seventy-two hours after receiving them and if repairs have been made. ***If these reports are not received back at the issuing state within (15) fifteen days, sometimes, severe penalties are invoked. If you do not forward the tickets to the Safety Department in time to meet the fifteen-day obligation***



***and additional charges are incurred, these charges will be charged back to the driver.***

1. If your DOT Inspection has no violations, you still must send it to the Safety Department.
2. Any Out of Service violations written on equipment must be repaired and the work order (receipt) attached to violation.

**\*\*All equipment violations need to be repaired as soon as possible. \*\***

### **California D.O.T. Inspections and/or Fix-It Tickets**

1. California Fix-It tickets must be reported to safety the next business day.
2. If you receive a Fix-It ticket, the truck or trailer must be repaired and returned with that ticket to California to be signed off on. We only have (30) thirty days.
3. If the ticket is on the Truck, you will keep the ticket with you and notify dispatch and safety of the repairs needed.
4. If the ticket is on the trailer, when you call Safety, they will instruct you what to do with the ticket.
5. Always send Safety the DOT part of the inspection and a COPY of the fix-it ticket.
6. Call the Safety Department if you are issued a Fix-It ticket.

### **Dropping Trailers**

Once under a load you never unhook without authorization from your Driver Manager or authorized by a member of management.

Once authorized to unhook you must:

- Park the trailer in a secure location.
- Do not park a trailer on a public street or any other area that is exposed to public travel.
- Always place timbers under the landing gear, no matter what the surface is.
- Park in a lighted area. It is imperative that the trailer is in clear view.

### **Firearms**

Firearms or other weapons are not permitted on any truck, at the company premises or any personal vehicle left at the company premises.

### **Hazardous Materials**

Spills of Hazmat Materials: Anytime you have a spill of hazardous material, Safety must be notified before you leave the scene. Failure to report a spill could result in a disciplinary action including termination of contract.

## **Logs**

Must comply with Part 395 of the Federal Motor Carrier Safety Regulations.

## **Personal Vehicles**

Personal vehicles belonging to drivers that are parked on company property while the driver is on the road must be parked in the driver's lot only. If you leave your vehicle in the office employee's parking lot, it will be removed at your own expense. Never leave anything of value in your vehicle. The Company will not assume responsibility for any loss or damage to any personal vehicle parked on company property.

## **Drop and Hook Trailer Inspections**

All trailers that are drop and hook will have an equipment damage form filled out every time. If you pick up a trailer and discover damage you must notify Safety immediately. Note: Equipment Inspection forms can be obtained from the Safety Department.

**Reporting Damaged Trailers** – if you pick up a damaged trailer at a location, you need to call dispatch and QualCom the damage before you leave that location. If repairs are needed, you will need to get PO # from dispatch and have the repairs completed. **DO NOT** wait to report the damage the next day. **NOTE: IF YOU NOTICE A TRAILER DAMAGED IN THE YARD PLEASE LET SAFETY KNOW ASAP SO WE CAN GET IT FIXED FOR THE NEXT DRIVER.**

## **Reporting**

All accidents, incidents, cargo damage, equipment damage, personal injury, and thefts must be reported to the Safety Office within (2) hours of the occurrence. If after business hours, report to the "After Hours Operations" and then to Safety at the beginning of the next business day.

## **Safety, Rules, Regulations and Policy**

All drivers must comply with all Safety rules and regulations and The Company Policy and Procedures.

## **Seatbelt Usage**

Part 392.16 states: A commercial motor vehicle which has a seat belt assembly installed at the driver's seat shall not be driven unless the driver has properly restrained himself/herself with the seat belt assembly.

## **Sight Obstructions**

Do not hang anything over the windows that would restrict your view. Do not place anything in the right seat or floorboard that blocks your view to any of your mirrors or windows.

## **Reporting On-The-Job Injuries**

If you have purchased the optional Occupational Accident coverage, any Independent Contractor related injury must be reported to the agency in the packet you were given at the beginning of your contract. The packet is to always remain in the truck. If you choose to purchase your own Occupational Accident, follow their guidelines if you are injured. In case of an emergency, we urge an injured driver to get to the nearest medical facility and then call your Occupational Accident agency number, then your driver manager.

**Violation of any of the above rules can result in a suspension or termination of the contract.**

# Drug and Alcohol

## 44 Substance Abuse/Contraband Policy

*Introduction*

*Policy Objectives*

*Policy Application*

*Company Policy Statement*

*Unauthorized Alcoholic or Intoxicating Beverage*

*Drug Related Paraphernalia*

*Prescription Drugs*

*Policy Enforcement Activity*

*Fitness for Duty Physical, Medical Exam and Substance Test*

*Collection and Testing*

*Action for Policy Violations*

*Substance Abuse/Contraband Policy*

*Procedures and Policy Application for D & A Results*

*Positive Results*

*Negative Results*

*Medical Review Officer (MRO)*

## 50 Testing Programs

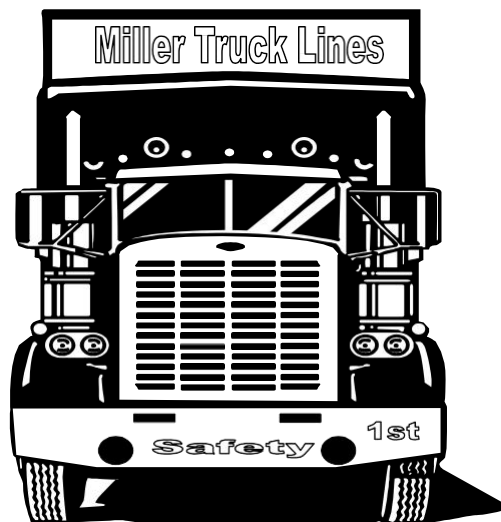
*Pre-Contract Testing*

*Reasonable Suspicion*

*Random Testing*

*Post-Accident Testing*

## 50 The Effects of Alcohol and Drugs



# **Substance Abuse/Contraband Policy**

ALL QUESTIONS CONCERNING THIS PROGRAM ARE TO BE DIRECTED TO THE SAFETY DIRECTOR OR ASSISTANT SAFETY DIRECTOR. THEY ARE THE ADMINISTRATORS FOR THE PROGRAM

## **I. Introduction:**

The Company has a strong commitment to providing a safe workplace and to establishing policies promoting standards of drivers' health and safety. In keeping this commitment, it is the company's intent to maintain a drug/alcohol free environment. Drivers are expected to report to work in physical and emotional condition that will allow them to perform their assigned tasks in a competent and safe manner. The use, abuse, presence in the body or reporting to work under the influence of alcohol, illegal, unauthorized drugs or any other dangerous substances by drivers limits the ability of the users to exercise good judgment, react properly in unexpected situations, perform tasks safely or efficiently and endangers not only that driver but fellow drivers, customers, suppliers, and the general public. Our company has implemented this policy to reduce everyone's exposure to these problems and to meet the following objectives.

## **II. Policy Objectives:**

- A. To assist in maintaining a safe and healthy working environment for our employees, drivers, customers, visitors, vendors, suppliers, and members of the public.
- B. To prevent accidental injuries and to protect the property of the company, employees, drivers, our customers, and the public.
- C. To prevent the occurrence of incidents the consequences of which may drastically affect the safety and the future of the company operations.
- D. To cooperate with our customers in their efforts to contribute to safe and efficient operation.
- E. To comply with the current and/or proposed regulations of our customers, federal, state, and local governments.
- F. To protect the reputation of the company, employees, and drivers within the community, industry at large, and among our customers.
- G. To provide counseling and/or rehabilitation assistance for employees or drivers when appropriate.

## **III. Policy Application:**

This policy pertains to all drivers, and to all applicants. Compliance with this policy will be required as a condition of contract or lease with The Company. This policy also applies to the contractors, suppliers, visitors, vendors, and guests.

#### **IV. Company Policy Statement:**

This is to notify all drivers, employees of other companies, suppliers, vendors and visitors, that the use, abuse, presence in the body or reporting to work under the influence, bringing onto company property, possession, transfer, storage, concealment, transportation, promotion or sale of the following illegal and unauthorized drugs, items, substances or drug related paraphernalia by employees or drivers is strictly prohibited from all of The Company's premises, or while on company business and/or during work time.

The Company is committed to providing a safe and productive work environment for all drivers. Our standard is one of **ZERO** Tolerance.

The use of mind-altering drugs represents an unacceptable safety and efficiency risk to our employees and drivers. Therefore, drivers are required to report for work with no measurable amount of alcohol, drugs, intoxicants, or controlled substances in their bodies or in their possession because such would create a safety hazard for themselves and their coworkers or result in property damage.

Because of the greatly increased risk of accidents and injury, both to the user and co-drivers, or drivers whom either (a) uses, possess, dispenses or receives or (b) reports for work under the influence of any controlled substances, intoxicants, or an illegal drug will be disciplined up to and including discharge and when appropriate, referred to law enforcement authorities. For example, immediate discharge is appropriate for use or possession on company property or for dealing with whether on company property or not. Any driver whose work performance is affected by such use off the premises will be disciplined up to and including discharge.

In addition, if behavioral conduct on the job indicates that any driver is involved in any alcohol or drug use, whether on company property, or off duty, the company can require a breath alcohol or urine test.

The company reserves the right to conduct searches of company property or leased equipment at any time and of drivers and their personal property when there is a reasonable basis for doing so. The refusal to submit to a test or search for the following items or to take part in a rehabilitation program offered by the company to the driver (under circumstances the company deems appropriate) can result in termination of contract or lease discharge.

Illegal drugs, unauthorized controlled substances. (See Prescription Drug Section) look-alike inhalants or abuse designer and synthetic drugs, (including the presence of any confirmed detectable amounts in the driver while working). Any other unauthorized drugs and abnormal or dangerous substances which may affect a driver's mood, senses, responses, alter or affect a person's perception, performance, judgment, reactions, or senses while working.

**A. Unauthorized alcoholic or intoxicating beverages:**

The use or possession of alcohol or intoxicating beverages during the normal workday is prohibited. Additionally, any detectable amount of alcoholic beverage during working time is a direct violation of this policy.

**B. Drug related paraphernalia:**

Drug related paraphernalia or any unauthorized material, equipment or items used or designed for the use in testing, packaging, storing, injecting, ingesting inhaling or otherwise introducing into the human body a controlled dangerous substance.

**V. Prescription Drugs (Legally Controlled Substances):**

- A. Any driver who has been informed that prescribed medication could cause adverse side effects while working or where medication indicates such warnings, must inform the Safety Department prior to using such substances on the job.
- B. A driver whose name appears on the label will not allow other drivers to consume the prescribed medication.
- C. Each prescription must not be older than one year from the date of issue. The use of drugs/medications prescribed by a licensed physician to the driver is permitted if it will not adversely affect work performance. However, the company reserves the right to have a licensed physician (the company chooses) determine if the use of the prescription drug or medication by a driver will produce effects which may increase risk of injury to the driver or others while working. If such a finding is made the company reserves the right to limit or suspend the work activity of the driver until the company physician advises that the driver can perform his or her job safely.

**VI. Policy Enforcement Activity: (Workplace searches, substance abuse testing and procedures) Searches and Inspections:**

In order to accomplish the objectives of this policy the company reserves the right at all times while entering, departing or on the premises, properties and work areas described above, or when reasonable suspicion or beliefs exist, to have properly authorized supervisors or search personnel (including drug detection animals) conduct the unannounced searches and inspections of company facilities, equipment, property leased equipment as well as baggage, drivers and other person's effects, (such as but not limited to lockers, briefcases, boxes, parcels, lunch boxes, coolers, desks, clothing and vehicles) for the purpose of determining if such drivers or other persons are in possession, use, transporting concealment of any of the prohibited items and substances of this policy.

## **VII. Fitness for Duty Physical, Medical Examination and Substance Testing:**

The company also reserved the right, in certain circumstances to require a driver to submit to medical or physical examination or at any time as a condition of contract or continued contract, including but not necessarily limited to urine, blood or breath testing to determine the use of any illegal or unauthorized drugs or substances prohibited in this policy or to prove the drivers satisfactory fitness for duty. These unannounced tests may be utilized under the following circumstances.

- A. Pre-contract testing will be required as a condition of contract.
- B. To comply with F.M.C.S. Regulations, customers, and contract requirements.
- C. When Management has a valid reasonable suspicion that a driver shows signs of possible intoxication, using, or under the influence of drugs or alcohol or other justifiable facts that would lead a driver manager to be concerned about an individual's safety or the safety of the public and others due to a driver's physical condition or behavior while working.
- D. When the company has a reason to believe that specific individuals, or those at an entire location or work area are suspected of using or possessing illicit or unauthorized drugs, alcohol, drugs, or contraband as described in this policy.
- E. When a driver is found in possession of suspected illicit or unauthorized drugs, alcohol, or drug paraphernalia or when any of these items are found in an area controlled or used exclusively by designated employees' or drivers.
- F. If a driver suffers an occupational on the job injury (requiring treatment of a doctor) or following a serious accident in which safety rules or procedures were violated, equipment or property were damaged, or where careless acts were performed or where the cause was due to a drivers' failure to use personal protective equipment while working on the company premises or the property of the customer.
- G. Post-counseling rehabilitation or return –to-work medical examinations when a driver returns to work from a disabling injury, extended leave of absence, or because of a condition of reinstatement upon completion of a prescribed drug/alcohol abuse treatment or counseling.

## **VIII. Collection and testing:**

A trained collector at the company-designated facility will collect all split sample urine collections. Urine samples may be collected, sealed, and witnessed by a company representative and transported to a N.I.D.A. approved laboratory for testing, any breath alcohol testing will be performed by a certified B.A.T. All results will be confirmed by the company Medical Review Officer, positive results requests for split samples to be retested by driver, will be sent to a second N.I.D.A. approved laboratory.

**NOTE: THE COMPANY HAS A ZERO TOLERANCE POLICY FOR DRUG AND ALCOHOL PROGRAM. ANY POSITIVE TEST RESULTS WILL RESULT IN TERMINATION OF CONTRACT UPON FIRST CONFIRMATION FROM CERTIFIED LABORATORY.**

All searches, inspections and urine sampling will be performed with concern for each driver or person's personal privacy, dignity, and confidentiality. The results of any program testing will be considered a confidential record disseminated strictly on a need-to-know basis or as may be legally required. Illegal substances, drugs, stolen property, and prohibited items discovered through these searches and inspections may result in the proper law enforcement authorities being advised in this regard.



**IX. Actions taken for policy violations:**

The company may require drivers to participate in such breath alcohol, urinalysis, and blood tests or search activity to assist in providing a safe, healthful, and productive working environment. No driver search or inspection will be conducted without written consent. However, a failure to comply with the provisions of this policy shall be grounds for termination of contract.

**DRIVERS WHO EITHER REFUSE TO SUBMIT TO A REASONABLE SEARCH, INSPECTION, BREATH ALCOHOL TEST, URINE DRUG SCREEN, OR ARE FOUND TO BE IN POSSESSION OF ILLEGAL DRUGS, OR CAUGHT TAMPERING WITH ANYONE'S URINE, BREATH ALCOHOL OR BLOOD SAMPLE WILL BE SUBJECT TO DISCHARGE.**

Any driver found in possession, use, under the influence of, transporting any unauthorized drugs, alcohol or other substances and items in violation of this policy will be subject to immediate termination of contract. Preliminary findings of a policy violation may require that the driver be placed on suspension pending a review of all the relevant facts concerning the policy violation. Any driver who tests positive for a substance prohibited by this policy because of confirmed breath alcohol, urine, or blood test will be offered a referral to a substance abuse professional (at the driver's expense) for first offenses only. However, any driver with a positive result WILL be grounds for immediate termination of contract.

**X. Substance abuse/contraband policy: Relationship to driver assistance programs:**

It is the intent of this policy to provide drivers with the company's viewpoint on behavioral-medical disorders, to encourage an enlightened viewpoint toward these disorders, and to provide guidelines for consistent handling throughout the work force regarding drug and alcohol abuse situations. It is the responsibility of each driver to seek help before drug and alcohol problems lead to termination of contract. Once a violation of this policy occurs, subsequently using the driver assistance program on a voluntary basis will have no bearing on the determination of termination of contract.

The driver's decision to seek prior assistance from the driver assistance program will not be used as the basis for determining the termination of contract and will not be used against the driver but on the other hand, using the program will not be a defense to the imposition of termination of contract where facts proving a violation of this policy are obtained outside the driver assistance program. Accordingly, the purposes and practices of this policy are not in conflict and are distinctly separated in this application. This is for the driver to seek confidential help when needed.

A drivers' contract will not be in jeopardy, nor will any driver be subject to termination of contract for voluntarily requesting help due to substance abuse problems. However, all drivers participating in the company's assistance program will be expected to maintain satisfactory job performance.

Violations of standard operating procedures necessary for the enforcement of this policy will be considered violations of this and may result in the termination of the contract.



This policy shall be amended as necessary to meet the requirements of the federal, state, parish, or city laws. Exceptions to the policy must have prior written approval of the president of the company.

## **XI. Procedures and policy application for positive and negative drug / alcohol test results:**

### **1. Positive Results:**

- A. Any driver that possesses a commercial driver's license and operates a commercial motor vehicle and tests positive for any of the above-mentioned and/or items listed on the indicated substance abuse/contraband policy statement in the initial policy statement, their contract shall be terminated. However, that driver will be provided with listings of professional rehabilitation facilities, and professional counseling services in the area off the terminal location which he/she reports to at their expense.

### **2. Negative Results:**

Any employee/driver that tests negative for any of the above-mentioned drugs/or items listed on the indicated substance abuse/contraband policy statement in the initial policy statement shall be dealt with as outlined below.

- A. No action.
- B. Only required records shall be maintained to indicate the results.
- C. Strict confidentiality will be maintained to ensure the security of those records.

## **Medical Review Officer: (MRO)**

Among the MRO chief duties are to verify results, both negative and positive. Check the chain of custody. Check the laboratory's performance. Be ideally qualified to perform the substance abuse professional (SAP) function. The laboratory reports the results directly to the MRO for a professional review of the results, which will only be reported to the company after the MRO has achieved clinical confirmation.

In the event of a POSITIVE, the MRO will contact the driver by telephone, except in the case of an "Opiate Positive" where direct contact will be the preferred method, the driver then can explain any extenuating circumstances. The MRO will then decide.

The department of transportation extended the drug testing mandate program to include alcohol testing. The alcohol testing will be done with a federally approved breath alcohol machine. Any positive results for drugs or alcohol or any tampering with a specimen, either breath or urine will be considered a violation of this policy and will result in termination of contract.

## **Testing Programs**

### **Pre-Contract Testing**

Those people that a motor carrier intend to contract, as drivers must be tested for drug and alcohol use prior to contracting.

### **Reasonable Suspicion Testing**

Reasonable suspicion means that the motor carrier believes that the driver's appearance or conduct is indicative of use of alcohol and/or drugs. The actions or observations of the driver must occur while the driver is on duty or just proceeding with the work period. Company management or an official that has received training in detection of probable alcohol and/or drug use must observe the conduct, appearance, or actions of the driver.

### **Random Testing**

Random testing ensures that every driver has an equal chance of being tested. Random tests are unannounced.

### **Post-Accident Testing**

A driver must supply a urine specimen for drug testing or a breath test for alcohol following an accident in accordance with FMCSR Subpart C, part 383.303.

## **The Effects of Alcohol and Drugs on Health, Work, and Personal Life**

The hazard of misuse of alcohol and illegal drugs extends far beyond the individual user. Impaired drivers with drugs or alcohol in their systems are less productive and more likely to injure themselves or other persons in an accident. Alcohol and drug abusing drivers increase the costs related to lost productivity, absenteeism, accidents, and loss of trained personnel, theft, and treatment and deterrence programs. Also, medical costs are higher and are passed on to the company in the form of higher insurance rates. Alcohol and drug abuse costs both the company and the driver. Alcohol remains the number one abused drug in this country. Alcohol consumption causes several changes in behavior. Even low doses can impair the judgment and coordination required for driving. Low to moderate doses increases the incidence of a variety of aggressive acts. Moderate to high doses cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. High doses cause respiratory depression and death. If combined with other depressant drugs, much lower doses of alcohol will produce the effects just described. Long-term consumption of large quantities of alcohol can lead to permanent damage to vital organs such as the brain and the liver.

**Violation of any of the above rules can result in a suspension or termination of the contract.**

# Log Policy and Procedures

- 52 Log Policy
- Driver Responsibility*
  - Driver Managers*
  - Log Audits*
  - Pre-Trip Inspections*
  - Post-Trip Inspections*
  - Log Violations*
  - Driver Codes*
  - Roadside Inspections*



# **Log Policy**

## **Driver Responsibility**

It is the responsibility of every driver to comply with the Federal Department of Transportation's rules concerning daily logbooks and e-logs. This regulation is outlined in C.F.R. 49:395 and 49:395:15 as well as The Company's policies and procedures. Any future changes to these regulations will be automatically adopted under this policy. Any changes or modifications made to this policy will be made through the Safety department only.

\* **C.F.R. 49:395.8 (e)** States failure to complete the record of duty activities of this section or **395.15**, failure to preserve records of such activities, or making false reports in connection with such duty activities **SHALL MAKE THE DRIVER AND THE CARRIER LIABLE TO PROSECUTION.** **C.F.R. 49:395.8 (d)** as well as company policy requires the following information must be documented on the log in addition to a complete and accurate accountability of hours on the log grid.

## **Driver Managers**

It is the responsibility of every Independent Contractor to be aware of the hours available. Under no circumstances is a driver allowed to transport a load illegally or a driver manager to allow a load to be driven illegally. It is up to the driver to inform the Driver Manager if he/she does not have the appropriate hours available.

## **Log Audits**

All logs will be audited daily, and major violations will be documented and discussed with the individual driver by the log auditor or a Safety representative.

## **Pre-Trip Inspections**

This is the inspection that must be performed at the beginning of the day. This must be entered on the daily log as "On Duty Not Driving" for a minimum time of ten minutes. Inspection requirements outlined in part 392.7 and 393.95.

## **Post-Trip Inspections**

This is the inspection that is done at the end of the day. It will consist of a walk around, visual inspection and be a minimum of ten minutes.

## **Log Violations**

Violations of the hours of service will not be tolerated. The driver can only correct minor violations. Penalties are outlined below.

1. Falsification
2. 10-hour rule violations
3. 11-hour rule violations
4. 14-hour violations
5. 70-hour violations

Repeated and/or ongoing violations may result in the termination of the contract.

## **Driver Codes**

All drivers will keep their driver codes confidential and will not exchange, reveal, or use another driver's code while driving or using e-logs for The Company. Failure to adhere to this policy will result in immediate termination of the contract with the company.

## **Roadside Inspections**

It is the policy of this company that all drivers must respect and cooperate in all roadside or scale house inspections. **All preventable violations found in roadside inspections will be treated as a violation of the company policy.**

**Violation of any of the above rules can result in a suspension or termination of the contract.**

**NOT WITHSTANDING ANYTHING IN THIS MATERIAL TO THE  
CONTRARY, THE COMPANY RESERVES THE RIGHT TO TERMINATE  
ANY CONTRACT AT ANY TIME FOR ANY REASON EXCEPT WHERE  
YOUR CONTRACT IS PROTECTED BY LAW**

# Maintenance/Shop Operations

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- 55 Equipment
  - Tractor Maintenance*
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- 56 Servicing
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- 56 Trailer Maintenance
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- 56 Tire Pressure and Repair
- 57 General Knowledge
  - Truck Washes*
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  - Breakdown Procedures*



## **Shop Area**

**No driver is allowed in the shop area unless instructed by a supervisor to do so. Please conduct your business at the shop office and return to the Driver's Lounge/break room.**

## **Equipment**

### **Must Be:**

- Pre-tripped at the beginning of the day, periodically checked throughout the day and post-tripped at the end of each day.
- Properly maintained and kept clean.
- All company equipment must be left in the yard when maintenance is due.
- Owner Operators will have their Trucks inspected at the Stroud or Tulsa Terminals every (30) thirty-days.

### **Tractor Maintenance**

Always maintain the vehicle is in safe, mechanical condition. The Company requires a daily pre-trip inspection and/or at the beginning of each new load. The mechanical condition and requirements will always comply with FMCSR regulations, 392.7.

### **Preventative Maintenance**

- A copy of each maintenance bill done on the truck must be turned in with the maintenance report every 180 days. (6 months)
- The Oil in the trailer hubs should be checked when they are picked up.
- Brake adjustment – check brake adjustments frequently and when picking up a different trailer.

### **Automatic Slack Adjusters**

Adjustments can be made utilizing the following directions:

1. Move forward in first gear.
  - a. Trailers – move the hand valve up and down (10) ten to (12) twelve times while traveling.

If it does not adjust, set the parking brake and release either the tractor or trailer brakes, **“not simultaneously.”** Remove the pressure relief cap screw, adjust the same as standard slack adjusters, and replace the cap screw.

### **Standard Slack Adjusters**

Release the tractor brakes **“with the trailer brakes engaged”** by using button on dash, not hand valve.

1. Release the tractor brakes **“with the trailer brakes engaged”** by using the buttons on the dash, not the hand valve.
2. Chock the Wheels.
3. On standard slack adjusters, push the bolt sleeve down and tighten with a 9/16” wrench.

If the bolt sleeve remains in the down position and does not pop back up to cover the bolt, adjust the bolt until it is released. **It must be released before applying the brakes.** Direct any questions pertaining to the maintenance of your tractor or trailer to either the Stroud or Tulsa Maintenance Departments.

## **Servicing**

It is the driver's responsibility to keep track of the miles so servicing can be done at regular intervals. If you have any questions, please direct them to the Maintenance Department.

## **Tractor Tires**

Steer tires require one hundred pounds of pressure. Driver and trailer tires require one hundred pounds of pressure. Do not run tires when losing air pressure or with a nail in the tire. If the tractor or trailer requires a tire, contact the Shop. If it is after hours, call after hours dispatch for authorization and instructions. All tires taken off or replaced must be returned to the Stroud or Tulsa Shop.

## **Trailer Maintenance**

When dropping a trailer at any terminal, it is your responsibility to:

- Inspect every trailer that you drop and hook.
- When dropping a trailer slide the tandems to the rear.
- Leave the trailer high enough to allow clearance for the next truck.
- Remove all debris from the trailer.
- Report any defects or problems to the Maintenance Department

### **Damaged Trailers**

When assigned a damaged trailer away from your terminal, notify the Driver Manager immediately. When at a terminal, make sure the trailer is in proper working condition and there is no damage to it. If so, contact your Driver Manager immediately. If you notice that a trailer is damaged, please contact the Safety Department.

### **Trailer Registration**

It is your responsibility to check the registration box for current registration and current plate when pulling a company trailer.

## **Tire Pressure and Repair**

Always gauge tires for air pressure and tread depth on every trailer you pull. It is the driver's responsibility to maintain the proper air pressure in the tires before and after leaving the terminal. Drivers will be charged for tire damage due to driver negligence. Drivers must ensure proper hub oil levels during the pre-trip inspection. Check all wheels for seal leaks. Check the hubs for excessive heat during en-route inspections. Early detection is important to ensure the driver and the public's safety. Always complete a pre-trip and post-trip inspection. If you discover a problem during an inspection notify the Maintenance Department.



## **General Knowledge**

No driver is allowed to tamper with company equipment such as engines or any auxiliary equipment. The shop is to be contacted should you need any repairs. Lights on the trailer are factory installed, and no driver will place any extra light or reflectors on without prior approval in writing from a company supervisor.

### **Truck Washes**

A clean truck & trailer reflect a positive image of our company but due to changing weather and road conditions, keeping your and The Company's equipment clean is difficult. The company has truck wash facilities at the Stroud and Tulsa terminals. Check with the shop on pricing.

### **Equipment Inspections**

Every driver must do a pre-and-post-trip inspection at the beginning and end of each workday. **Never start a trip with any piece of equipment that is unsafe.**

### **Breakdown Procedures**

If your equipment breaks down on the road, secure your tractors in the safest position possible, put out your reflectors, and determine what the problem is. Independent Contractors may choose to contact our shop at the number below.

**Maintenance Shop: 580-786-2222**

**Violation of any of the above rules can result in a suspension or termination of the contract.**

# Permits and Licensing

## 59 Permits and Licensing *Oversize/Overweight*



## **Permits and Licensing**

The permit department will issue a permit book to each tractor. The permit book is the Independent Contractor's responsibility. You should become familiar with the permit book and know the location of each permit. It is your responsibility to ensure the legality of the equipment before entering the state in question. Each state's legal requirements are subject to change. Call the permit department for any questions regarding permits. Bring the permit book to the permit department and they will update. Any permit violations will be paid for by the Independent Contractor.

- Phone: 918-447-2103
- Fax: 918-447-2199

### **Oversized and Overweight Permits**

#### **Over Dimensional/Weight Permit Loads**

- Make sure your axles are set to meet the Bridge Law Specifications before an overweight permit is issued.
- Check your permits.

**It is the driver's responsibility to check his/her permits for the following:**

1. Correct truck and trailer numbers.
2. Correct license plate numbers on both tractor and trailer.
3. Commodity
4. Route.
5. Weather Conditions/Road Travels
6. Permission to go on detour route.

If the permit is incorrect, contact your Driver Manager before transporting.

- Permits and wire charges that are not prepaid will be reimbursed.
- Turn in all original permits and escort cost with the trip envelope. This allows The Company to charge back these costs to the customer.
- Place (2) two Oversize Load signs on the tractor and trailer, one on the front of the tractor and the other on the back of the load or trailer.

(Do not cover the trailer taillights, all lights must be visible). **DO NOT COVER THE LICENSE PLATE UNDER ANY CIRCUMSTANCES. YOU WILL BE RESPONSIBLE FOR THE TICKET!**

- Attach (6) six red flags to the outermost corners of the load.
- Daylight movement only. Since these loads allow for daylight movement only, the driver must pre-plan the trip and anticipate where and when to stop. If a permit does not contain curfew restrictions, contact your Driver Manager for instructions.
- Do not leave the shipper without the proper permits for that state.
- Clearing all overhead structures is the driver's responsibility. Hitting an overhead structure can result in the termination of your contract.
- Securing over-dimensional loads requires special attention. Always secure to a solid structure. Make these loads part of the trailer. Wide loads may have to be cross chained in front and back in addition to the securement along the sides of the load.

# Settlement and Accounting

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## **Settlement Period**

Settlements are made every Wednesday. Paperwork (trips) that you turn in or scan by 5:00 p.m. on Wednesday will be settled the following Wednesday. We will move this up one day for the holidays.

## **Settlement Deposits**

The Company sends out direct deposits on Wednesdays. You will usually see it pending in your bank account on Thursdays.

## **Processing of Paperwork**

Taking the following steps makes the task of processing your paperwork and safeguarding your settlement easier.

- Attach a note to your paperwork noting anything out of the ordinary about the trip. This will help us to quickly identify what needs to be done, eliminate the error margin, and will help us to serve you better.
- Verify shipping order numbers, customer's identification numbers, release numbers, or P.O. numbers against the load assignment, load count, shipping papers, and contents.
- Please send the clearest and most legible copy for processing.

## **Receipts and Additional Charges**

Anything chargeable to the customer or driver reimbursement requires a receipt that must be turned in with the paperwork. **Remember, No Receipt/No Reimbursement.**

## **Paperwork Policy**

Late paperwork on the part of the driver **will not be tolerated.** Drivers who fail to turn in their paperwork on time hold up the entire billing process. There is no excuse for not getting paperwork turned in on time.

## **Trip Envelopes**

The trip envelope must contain all shipment paperwork, including fuel tickets, Bill of Lading, and all receipts. The following information should appear on the trip envelope.

- Name
- Truck and Trailer Number
- Trip Number
- Date

## **Settlement Department Reminders**

### **Re-powering Loads**

Loads re-powered by another driver should have a notation on his/her bill of lading, “Dropped on Yard” or “Re-powered by Truck Number \_\_\_ at Memphis, TN.

If you re-power a load for another driver the paperwork should be sent in immediately upon completion of the load so that it will not affect the other driver’s settlement.

### **Contingency Pay**

To receive “Contingency Pay for Detention, Layover or Down Time” discuss the details with your Driver Manager no more than (30) thirty-days of the incident or it will not be paid.

- Driver Manager must fill out the contingency pay form and submit it for payment.
- Do not request contingency/detention pay on your Trip Envelopes. (It will not be paid if not on a contingency pay form).
- The driver will not receive payment until The Company receives payment from the customer.
- Owner Operator’s will only be paid if it is a charge that can be billed to the customer. ***(If not billed Owner Operators will not receive contingency pay).***
- Owner Operators will only receive a portion of what is billed to the customer, not the total payment received from the customer.

### **Money Advance Policy**

It is the policy of The Company that advances are to be used for fees associated with turnpikes, loading, unloading, permits, etc. A cash ticket must be turned in with the trip that the expense occurred on for proper crediting before you are reimbursed for that expenditure. Any money remaining from the advance will be charged back to your settlement. Independent Contractors actively at work may draw 75.00 after midnight on Monday and after midnight on Thursday. (TANK drivers will draw advances through dispatch only. Your dispatcher will determine the amount.)

# Practical Tools

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  - Arriving at the Shipper*
  - Loading*
  - Flatbed*
  - When you finish: Review Your Load Securement*
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# **Checklists**

## **After You Receive your load assignment**

- Write down the information (including all special instructions).
- Check your atlas. (Can you get there in the time dispatch gave you? What route is it? Do you need fuel?)
- Now send your load reply Macro.

## **Arriving at the Shipper**

- Check in with the shipping department if they are open.
- Send in your arrived Macro.
- Follow the shipper's instructions as to where to stage for the load.
- If you are unfamiliar with the load, Ask! Call the operations department if you need help.
- Lay out your dunnage.
- Lay out all the equipment you intend to use.

## **Loading**

- Protect yourself. Where can you get hurt?
- Follow all the Shippers' instructions.
- Protect your cargo. (Do you need blocking, bracing, padding)?
- Secure the load, prevent movement, and protect the product.

## **Flatbeds**

- Work with short lengths of chain. Keep your hands free.
- Work one hook of the chain at a time.
- Work one side of the trailer at a time.
- How should the chain be secured to the rub rail?
- Can the trailer or cargo cut your straps?
- Can the cargo cut your tarps?
- Alternate your binders and winches on either side.
- **Take your time now! It will save you time on the road!**

## **When you finish: Review Your Load Securement**

### **Flatbeds:**

- Does every chain secure to the rub rail around a spool and all the way around the stake pocket?
- Are your tarps secured? Do they allow the wind to flow over them instead of into them?
- Have you alternated between your binders or winches?
- One last walk around to pick up your tools and clean up the area.



**All:**

- Look at the balance of pull front to back.
- What will happen to the cargo if you hit the brakes hard?
- Look at the balance from side to side.
- Fill out your bill of lading if you have not done so.
- Get the shipper to sign your paperwork.
- 

**Van/Reefer:**

- Mark SL&C (Shipper Load & Count) if you are not allowed on the dock or allowed to break the seal.
- Send in Macro # your completed step message.

**Weigh every load, every time!**

## **Safety Equipment Issued**

### **End Dump or Roll Off Division**

Hardhat	\$ 4.38
Safety Vest	\$ 4.25
Safety Glasses	\$ 1.10

### **Flatbed Division**

Hardhat	\$ 4.38
Safety Vest	\$ 4.25
Safety Glasses	\$ 1.10

### **Oil Division**

Hardhat	\$ 4.38
Safety Vest	\$ 4.25
Face Shield	\$ 11.10
Nomex Suit	\$ 125.00

### **All Divisions**

Safety Regulations Book	\$ 3.22
Hazardous Compliance Book	\$ 3.42
Emergency Response Book	\$ 3.94
Camera	\$ 4.75

I acknowledge receipt of the:

- Federal Motor Carrier Safety Regulations Pocketbook (ORS-7A)
- Hazardous Compliance Pocketbook (120-ORS)
- Emergency Response Guidebook (14-ORS-4)

I agree to familiarize myself with the Federal Motor Carrier Safety Regulations (FMCSR) of the U.S. Department of Transportation, Parts 40, 382, 383, 387, 390-397, 399 Subchapter 3, Title 49 of the Code of Federal Regulations, as contained therein.

I agree to familiarize myself with the Hazardous Materials Compliance Pocketbook (120-ORS), which details the driver's responsibilities and duties in the transportation of hazardous materials, as prescribed by the U.S. Department of Transportation in Title 49 CFR Parts 107, 171-180, and 390-397.

I agree to familiarize myself with the Emergency Response Guidebook (14-ORS-4), detailing emergency response procedures prepared by the staff of Transport Canada, the U.S. Department of Transportation, and the Secretariat of Communication and Transport of Mexico.

If the above merchandise is not returned to The Company at the end of my employment, I authorize The Company to deduct the above amounts from my final paycheck. I understand that I must get a signature from MTL on this form when all merchandise has been returned to The Company. (If merchandise is returned to dispatcher I must get signature, date and a list of merchandise that is turned in).

## **Truck Cleaning Charges (Lease Purchase)**

I hereby acknowledge that I am being issued equipment (truck) that I have inspected and it is deemed to be clean, free from debris, dirt, pet hair, odor, and a bunk mattress that is of the same.

If I choose to have a pet aboard the truck, I must have a signed Pet Policy in effect with The Company and provide a pet deposit.

Upon my separation of employment, I will be charged fees if the equipment has not been returned in the same condition as stated in the paragraph above.

- mattress replacement fee
- equipment detail fee

All fees will be held from the final pay. However, if there has been a pet aboard and a deposit has been paid, all final fees will be taken from that deposit, and the difference will be refunded.

## **Company Logo Policy**

The Company instituted a policy for all Owner Operators, Lease Purchase Drivers, and Company vehicles regarding company logos. Company policy requires that the company logo be placed on all leased and company equipment. This logo cannot be altered or changed. Assorted colors may be used to match equipment if the colors are visible and in compliance with DOT regulations. Branding is important to our company. Utilizing the same branding is a benefit to our customers, vendors, marketing, and advertising. This policy is in place to ensure that the company remains consistent throughout all divisions.

## **Conclusion**

Being a driver takes more than just getting a license and driving down the road. You must meet certain qualifications, comply with regulatory requirements, take care of yourself, and know what to do in an unsafe work situation.

Your family, your employer, and the driving public, rely on you to follow all safety regulations as a CMV driver.

## Receipt of the Independent Contractor Policy Manual

I acknowledge that I have received access to and/or a copy of the Independent Contractor Policy Manual. I agree to read it thoroughly, including the statements describing The Company's Standards for Business.

I understand that this manual is designed to introduce Independent Contractors to The Company, familiarize them with policies, provide general guidelines on work rules, disciplinary procedures and other issues related to contractual agreement with the Company, and to help answer many of the questions that may arise in connection with the Company.

I understand that this manual and any other provisions contained in it do not constitute a guarantee of a contract, express or implied. I understand that the contract agreement with the Company is not for a fixed term or definite period and may be terminated at the will of either party, with or without cause, and without prior notice. No supervisor or other representative of the Company (except the President, in writing) has the authority to enter into any agreement of contract for any specified period, or to make any agreement contrary to the above.

In addition, I understand the manual states that the Company policies and practices are in effect on the date of publication. I understand that nothing contained in the manual may be construed as promising future benefits or a binding contract with the Company for benefits or for any other purpose. Personnel policies are applied at the discretion of the Company. The Company reserves the right to change, withdraw, apply, or amend any of our policies, including those covered in this manual, at any time. The Company may notify independent contractors of such changes via email, by posting on the Company's intranet, portal, or website, or via a printed memo, notice, amendment to or reprinting of this manual, but may, in its discretion, make such changes at any time, with or without notice and without a written revision of this manual.

By signing below, I acknowledge that I have received access to or a copy of the Independent Contractor Policy Manual, and I understand that it is my responsibility to read and comply with the policies contained within it and any revisions made to it.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name