

Yurok Tribe
POLICY FOR EMPLOYEE USE OF TRIBAL VEHICLES

I. General Guidelines

Drivers are responsible for their own and others' safety. Vehicles shall be operated in a professional and courteous manner and shall be maintained in a clean and safe condition. Vehicle operators will obey all laws, regulations and all Tribal Policies.

1. Each Tribal employee who will operate or ride as a passenger in a Tribal vehicle shall certify that he/she has read and will comply with all provisions identified in the Yurok Tribe's Vehicle Use Policy including the use of seat belts. The certification must be signed by the Tribal employee and their Supervisor. The Fiscal Department must receive this certification before a Tribal employee may operate a Tribal vehicle or ride in a Tribal vehicle.
2. Riders or passengers generally are not to be carried in any Tribal vehicle. Written approval must be obtained from the employee's Supervisor for all non-employee passengers. Exceptions may be allowed for tribal members in need of transportation as long as it is the normal route for the tribal employee such as *there is a tribal member at the end of the bridge at Weitchpec hitchhiking to Wautec and an employee is in route to Jack Norton Elementary School*. The Employee must have the waiver signed by the passenger immediately and their supervisor as soon as possible upon return to the Tribal Office.
3. Tribal vehicles shall be used for Tribal business only. Employees shall not use a Tribal vehicle for personal business or convenience.
4. Tribal vehicles will normally not be parked overnight at an employee's place of residence unless it is advantageous to the Tribe. Exceptions will be allowed only after the employee receives prior approval by the employee's immediate supervisor or the Department Director and Fiscal Director has a copy prior to the use of the vehicle. Employees are responsible to immediately report any change in driving record to their supervisor and to the Fiscal Department.
5. Always lock the vehicle before leaving it unattended. Do not leave valuables in an unattended vehicle. If an employee locks the keys in a vehicle, they are financially responsible to get keys out of vehicle.
6. Operators are responsible for any fines or penalties from traffic, parking or other citations. Operators will be charged \$500.00, the insurance deductible, when driver is negligent. Examples of negligence: backing a vehicle without insuring area is clear, exceeding speed limit or parking where it is unsafe for vehicle, i.e. construction area or prohibited parking space.
7. Operators of pool vehicles are responsible for immediately notifying the Fiscal Department immediately upon their return to the Tribal office of any mechanical or operational problems with the vehicle. Operators are required to immediately notify the Fiscal Department of any accident involving any Tribal or GSA vehicle.

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8. In case of an accident, the driver is required to complete an accident report immediately after accident. Failure to properly complete the accident report will result in a cost of \$500.00 from driver for the insurance deductible.
9. All drivers involved in an accident on the job with property damage but no personal injury or whenever an injury does occur that is reportable by law to worker's compensation must submit to a post accident drug and alcohol test immediately. Contact your immediate supervisor to determine test site or instruction. If an employee does not submit to a post accident they are immediately determined as at fault and must pay the deductible.
10. A review team consisting of the Executive Director, Fiscal Director and a Council Representative will review all accidents. The review team will recommend specific actions to the Supervisor based on its review as necessary.
11. Operators must maintain and service their autos when one is assigned to them permanently.
12. Smoking is not allowed in any Yurok Tribal vehicle or GSA vehicle.
13. Animals are not allowed in any Yurok Tribal vehicle. With Supervisor approval, dogs will be allowed in the bed of a truck when safety is an issue. Dogs will be properly tied down according to current law.
14. The use of cell phones is prohibited while driving. If a cell phone must be used, the driver must pull off to a safe area prior to using the cell phone.
15. The GSA travel card must be kept in the clipboard box in the vehicle during the time the vehicle is in use. When the trip is concluded, the clipboard box with card and log must be returned to the Fiscal office or put in Fiscal box within the time stated when car was checked out. Failure to return the vehicle could result in loss of vehicle privileges.
16. The driver is responsible for asking the business if they accept the GSA or Tribal travel card before making any purchases for the vehicle. The driver is responsible to pay for any purchases made from a business that does not accept the GSA or Tribal travel card. GSA will not reimburse the Tribe for these purchases. Use only unleaded fuel. No other grade of fuel is allowed by GSA. The GSA card may also be used to wash and vacuum the vehicle where the card is accepted.
17. No personal charges are allowed on GSA or Tribal travel cards.
18. No one other than a tribal employee is allowed to drive the vehicle. In case of an emergency, a non-employee may drive to protect the health and welfare of the tribal employee driver or the safety of the vehicle.

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19. Any driver who fails to follow the above rules will be referred to their Supervisor for disciplinary action. If no disciplinary action is taken, the Fiscal Department will submit a memo to the Executive Director detailing the incident.
20. Employees are required to abide by the Tribe's Drug and Alcohol policies including the prohibition against the use of medical marijuana.
21. Employees found in violation of Section I, General Guidelines, will be subject to discipline up to and including termination.

II. Driver Qualifications

1. A valid "clear" California driver's license for California residents or a valid driver's license of the state of residence, of a class appropriate for the vehicle that is being used, must be in possession of the operator of any Tribal vehicle.
2. Drivers must be 21 years old and have a clean driving record with three points or less.
3. Drivers of all Tribal vehicles must be a Tribal employee. The one exception is the Volunteer Fire Department drivers. They must complete a driver's safety training.
4. Employees shall notify their supervisor, Human Resources and Fiscal Department of any changes to the above qualifications and/or conditions.
5. Employees found in violation of Section II, Driver Qualifications, will be subject to severe discipline up to and including termination.

III. Violation (The Executive Director shall notify Department Directors of violations)

1. Incomplete vehicle logs: First offense employee's Department Director shall be notified by memorandum, second offense employee driving privileges shall be suspended for seven (7) days, and third offense employee driving privileges shall be suspended for thirty (30) days.
2. Violation of GSA vehicle rules such as no smoking, cleaning, etc: First offense employee's Department Director shall be notified by memorandum, second offense employee will be required to clean (vacuum and wash) five (5) GSA vehicles, and third offense employee shall lose their driving privileges for thirty (30) days.
3. Unauthorized use of vehicle (stops in-route that are not irresponsible and approved by the supervisor are okay): First offense employees Department Director shall be notified by memorandum, second offense employee will receive two (2) weeks suspension without pay, and third offense employee will be terminated. Immediate termination if the vehicle is in an accident even if it is the first offense.

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4. Employees driving without a license: First offense the employee's Department Director shall be notified by memorandum, second offense employees will receive two (2) weeks suspension without pay and third offense employee will be terminated.

CERTIFICATION

This is to certify that this Policy was amended at a duly called meeting of the Yurok Tribal Council on May 6, 2004, at which a quorum was present and that this Policy was amended by a vote of 7 For, 0 Opposed, 0 Abstentions. This Policy has not been rescinded or amended in anyway.

DATED THIS 6th DAY OF MAY, 2004.


Howard McConnell, Chairman
Yurok Tribe

ATTEST: _____

Cynthia Carlson, Executive Assistant