

## **COMMERCIAL MOTOR VEHICLE POLICY**

ARAMARK is committed to promoting the safe, proper and professional operation of all commercial motor vehicles which ARAMARK owns, leases or otherwise operates. ARAMARK is also committed to employing only the most qualified drivers of commercial motor vehicles. To achieve these aims, ARAMARK has implemented this Policy.

This Policy applies to all applicants for positions which require operation of a commercial motor vehicle (a "CMV") and to employees or third parties who, in the course of their employment or business or contractual relationship with ARAMARK, operate a CMV owned, leased, or rented by or on behalf of ARAMARK. This Policy does not apply to drivers of non-commercial motor vehicles.

More stringent procedures may be implemented at the local level as circumstances warrant. Any deviations from this policy must be approved by the Corporate Fleet Services Department prior to implementation. In no event may this Policy be made less rigorous or stringent. This Policy will be executed by following the procedures set forth herein, and other procedures established by ARAMARK from time to time. Records of compliance with this Policy will be retained as required herein. This Policy may be amended, modified and supplemented from time to time in ARAMARK's sole discretion.

**NOTE: THIS POLICY HIGHLIGHTS MOST, BUT NOT ALL, OF THE REQUIREMENTS FOR AUTHORIZED DRIVERS OF COMMERCIAL MOTOR VEHICLES PURSUANT TO THE FEDERAL MOTOR CARRIER SAFETY REGULATION (FMCSR) (U.S.), AND STATE, PROVINCIAL, OR LOCAL LAWS AND ORDINANCES. AUTHORIZED DRIVERS OF ARAMARK COMMERCIAL MOTOR VEHICLES ARE REQUIRED TO COMPLY WITH, AND WILL BE HELD ACCOUNTABLE FOR, ALL APPLICABLE REGULATIONS WHETHER OR NOT SPECIFICALLY STATED HEREIN. FURTHER INFORMATION OR QUESTIONS REGARDING THESE REGULATIONS MAY BE OBTAINED FROM THE FLEET SERVICES DEPARTMENT.**

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## 1.0 Definitions

The following definitions apply. The use of the words “include”, “includes” or “including” all mean “including, but not limited to.”

- **“AAMVAnet Code Dictionary (ACD codes)”** – States transmit their uniform code data over AAMVAnet, the communication network operated by the American Association of Motor Vehicle Administrators (AAMVA). The (ACD) is the code table used to transmit or exchange driver history information, including conviction offenses, actions, and withdrawals, between the states.
- **“ARAMARK Motor Vehicles”** includes all motor vehicles which are owned, leased, or rented by or on behalf of ARAMARK, its employees, clients, or vendors, and which are available to ARAMARK employees for business or personal use. This includes, but is not limited to, those motor vehicles commonly referred to as “company cars,” “fleet vehicles,” “commercial motor vehicles,” (as defined in this Policy) and “DOT-regulated vehicles.”
- **“Authorized Drivers”** include (1) all persons (including employees, client employees, and vendors) who are authorized to drive an ARAMARK Motor Vehicle for business or personal use.
- **“Commercial Drivers License (CDL)”** is a license issued by a state or other jurisdiction, in accordance with the standards contained in the safety regulations prescribed by the DOT, to an individual which authorizes the individual to operate a class of CMV. Persons who operate a CMV may not have more than one driver’s license at any time.

A CDL is required for Authorized Drivers of a CMV or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle –

- has a gross combination weight rating of 26,001 pounds (11,794 kilograms) or more, inclusive of a towed unit(s) with a gross vehicle weight rating of 10,001 pounds (4,536 kilograms) or more; or
- has a gross vehicle weight rating of 26,001 pounds (11,794 kilograms) or more; or
- is designed to transport 16 or more passengers, including the driver; or
- is of any size and is used in the transportation of hazardous materials as defined by the Federal Motor Carrier Safety Regulations. FMCSR §383.91

- Also See **Exhibit G**

- **“Commercial Motor Vehicle (CMV)”** is any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle – FMCSR §390.5
  - has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 10,001 pounds (4,536 kilograms) or more, whichever is greater;
  - is designed or used to transport more than 8 passengers (including the driver) for compensation; or
  - is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
  - is used in transporting hazardous material and requires placarding.

CMVs are regulated in the United States by U.S. Department of Transportation. ARAMARK will apply this same definition to vehicles operating in intrastate commerce. Therefore this policy and all procedures outlined apply to all vehicles meeting the definition of a CMV in both interstate and intrastate commerce.

- **“DOT”** is the abbreviation for the U.S. Department of Transportation. The Federal Motor Carrier Safety Administration (FMCSA) of the DOT promulgates safety regulations for Authorized Drivers of commercial motor vehicles. The application of these regulations to Authorized Drivers of ARAMARK Commercial Motor Vehicles is provided in the Implementation Procedures for Authorized Drivers of Commercial Motor Vehicles.
- **“Fleet Vehicles/Company Trucks or Vans”** include ARAMARK Motor Vehicles that are assigned to a specific location (facility, component, or market center) for business use by authorized employees at the location. The location manager is accountable for the Fleet Vehicles and may assign use of a Fleet Vehicle as follows: (1) to a particular route (regardless of driver); (2) to a particular driver based upon the size of his/her assigned route; or (3) or to a particular job, based upon the specifications of the vehicle (e.g., refrigerated, lift-gate) that may be needed for a particular purpose.
- **“FMCSR”** is the abbreviation for the Federal Motor Carrier Safety Regulations which are promulgated by the Federal Motor Carrier Safety Administration (FMCSA) of the DOT. These regulations govern the practices which must be followed by Authorized Drivers of CMVs.
- **“Hazardous material”** includes a substance or material, including a hazardous substance, which has been determined by the Secretary of

Transportation to be capable of posing an unreasonable risk to health, safety, or property when transported in commerce, and which has been so designated. The term includes hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials, materials designated as hazardous in the Hazardous Materials Table of the FMCSR, and materials that meet the defining criteria for hazard classes and divisions.

- **“Motor Vehicle Record (MVR)”** is a state agency recording of a person’s driving history, which includes, among other items, confirmation that a driver holds a valid driver’s license in the jurisdiction, a list of motor vehicle violations attributed to the driver or collisions that a driver was involved in, and other driving-related information. All Authorized Drivers are required to undergo a Motor Vehicle Record (MVR) check prior to obtaining authorization to operate an ARAMARK motor vehicle or a personal vehicle for business purposes. MVRs are required to be checked annually on every CMV driver.
- **“Preventable Collision”** is defined as a collision where, it is determined that the driver’s actions, or inactions, put the driver into a position where he/she became involved in a collision.
- **“Safety-sensitive functions”** include all time that a driver is at work or is required to be ready-to-work, until relieved from all responsibility, including, but not limited to, at a location awaiting dispatch; inspecting or servicing equipment; at the controls of a CMV in operation, or in or around a CMV; loading or unloading a CMV; or repairing, obtaining assistance, or remaining with a disabled CMV.
- **“Serious Driving Infractions”** include, but are not limited to, the following:
  - Any suspension of driving privileges
  - Any driving under suspension violations
  - Suspension of driving privileges
  - Driving while “under suspension”
  - Driving under the influence
  - Fleeing/alluding police
  - Leaving the scene of a motor vehicle collision (felony only)
  - Reckless driving or careless driving charged as a felony only
  - Homicide by vehicle or vehicular manslaughter
  - Speeding violation of 30 or more miles per hour over the speed limit
- **“Suspension of Driving Privileges”** includes any suspension, revocation or any other loss of a driver’s operating privileges as a result of motor vehicle violation(s). This also includes any “administrative suspensions such as failure to pay child support, and failure to appear. Any suspension shall result in the immediate removal of a driver from a driving position.

## **2.0 Central Administration Through Fleet Services**

### **A. Central Administration and Compliance**

This Policy will be administered centrally through the Fleet Services Department. The Fleet Services Department and any Business Unit which operates (interstate or intrastate) CMV's jointly own responsibility to ensure compliance with this Policy, so that ARAMARK's twin aims of (1) promoting the safe, proper and professional operation of all CMV's which ARAMARK owns, lease or otherwise operates, and (2) employing only the most qualified drivers of CMV's, are achieved. The Fleet Services Department, as subject matter expert, will however have the final determination on compliance, and on the corrective action that needs to be taken to achieve compliance, and to meet ARAMARK's twin aims.

### **B. Purchases of CMV's through Fleet Services Department**

All CMV's will be purchased through the Fleet Services Department, and no ARAMARK employee or Business Unit (BU) is authorized to purchase any CMV except through the Fleet Services Department. The requirement in this paragraph includes any vehicle which is not a CMV as defined in this Policy, but which, if combined with another vehicle, could fall within that definition. For example, if a BU wishes to purchase a vehicle equipped with its own power unit, e.g. a large pick-up truck such as a Ford F-250, or if a BU wishes to purchase a vehicle without a power unit, e.g. a trailer, both items must be purchased through the Fleet Services Department. This is because either item, i.e. the Ford F-250 or the trailer, could be combined with another vehicle, and the gross vehicle weight of the combination could exceed 10,001 pounds.

### **C. Purchases of CMV maintenance services through Fleet Services Department**

All CMV maintenance services provided by others, will be purchased through the Fleet Services Department, and no ARAMARK employee or BU is authorized to purchase maintenance services for any CMV except through the Fleet Services Department. The only approved method for service is through the current vendor approved by Fleet Services. Any exceptions to this rule MUST be approved with the Fleet Services Department prior to implementation.

### **D. Regulatory Filings**

The Fleet Services Department will be responsible to monitor regulatory developments at the DOT, and make any and all filings with the DOT and any State Departments of Transportation. No ARAMARK employee, operating location or BU may make any filing with the DOT or any State Department of Transportation, except through the Fleet Services Department. The BU's with CMV's will be responsible to ensure that no BU personnel make DOT filings except through the Fleet Services Department.

## **E. Policy / Regulatory Updates and Website**

The Fleet Services Department will maintain a website containing: (1) information on this Policy and other applicable ARMARK policies, such as the ARMARK CMV Controlled Substances and Alcohol Testing Policy, (2) DOT regulatory updates (and associated changes to this Policy and other applicable ARMARK policies), and (3) information associated with operation of ARMARK vehicles. The Fleet Services Department will develop and distribute to the BU's and the operating locations housing CMV's, any updates to this Policy (and other applicable ARMARK policies) that may be required based on DOT regulatory action, and guidance on compliance. The BU's with CMV's will be responsible to ensure that Authorized Drivers, managers and other appropriate personnel review and adopt any Policy updates, and any compliance guidance.

### **3.0 Driver Qualification Files (DQF)**

ARAMARK is required to maintain a driver qualification file (DQF) for each Authorized Driver of a CMV in interstate commerce it employs. It is the responsibility of each such individual Authorized Driver and the location manager to ensure that all DQF-required documents are completed, placed in the DQF, and sent to JJ Keller for central filing and auditing. Applicants for an ARMARK CMV driving position are not allowed to drive an ARMARK CMV until JJ Keller has verified the applicant has a fully completed Driver Qualification File.

DQFs include, at a minimum, the following documents:

- a) Application for Employment
- b) Request for Check of Driving Record (Motor Vehicle Record –MVR - Check)
- c) Request for Information from Previous Employers
- d) Medical Examination Report
- e) Medical Examination Certificate
- f) Record and Certificate of Road Test
- g) Record of Violations/Annual Review Certificate (this is required to be filled out annually by the driver and front line manager and sent to JJ Keller for the DQF).
- h) Certification of Road Test
- i) Copy of Driver's License
- j) Certification of Compliance with Driver's License requirements
- k) Driver's Certification for other Compensated Work

## l) Motor Vehicle Record (MVR)

See **Exhibit A** for checklists for all documents required in the Driver Qualification files of CDL and Non-CDL Drivers.

At least annually, the location manager will review the Driver Qualification Files for each Authorized Driver of a CMV reporting directly or indirectly into the location manager, to ensure the DQF is up-to-date. In addition, the DQF will be subject to audit by the Fleet Services Designee – JJ Keller. Each Authorized Driver of a CMV is responsible to provide any and all updates of information contained in the DQF, when and as the Authorized Driver becomes aware of any change in the information contained in the DQF. Any failure to comply with this paragraph may be the basis for disciplinary action, including but not limited to, termination of employment.

Access to the Driver Qualification Files, including an employee's private medical information, will be limited in accordance with the Federal Health Insurance Portability and Accountability Act of 1996, as amended ("HIPAA"). For the avoidance of doubt, access to driver/employee medical records in ARAMARK field operations will be limited to the driver/employee's immediate manager and ARAMARK Human Resources, and all such records will be kept in separate and secured files.

## 4.0 Qualification and Hiring Procedures

ARAMARK's driver hiring qualification standards and procedures have been developed to achieve two goals. The first goal is to meet or exceed all FMCSR and/or applicable state law regulations concerning CMV driver qualification. The second goal is to select and to continue to employ only those Authorized Drivers who share ARAMARK's values and goals of operating a CMV in a safe, legal, and professional manner.

### A. Hiring Standards

ARAMARK requires all Authorized Drivers of all CMV's to be a minimum of 21 years of age, and have a minimum of three years verifiable driving experience. (FMCSR §391.11(b)(1)). For non-CDL driver's this experience can be in a non-CMV vehicle. However, each BU has the discretion of requiring CMV driving experience.

In the case of drivers hired to drive CDL regulated vehicles – these drivers will be required to show three (3) years of CDL driving experience prior to being hired into a CDL driving position. Any exceptions to this rule must specifically be approved by the Fleet Services Department - as USDOT has specific training requirements that must be met for "entry-level" drivers.

Driver applicants will also be required, based upon experience, training, or both, to be able to:

- 1) safely operate a CMV; FMCSR §391.11(b)(3)
- 2) read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records; FMCSR §391.11(b)(2)
- 3) determine and execute proper cargo securement procedures.

## **B. Driver Ineligibility**

Either of the two following circumstances will render a current or potential employee ineligible to operate an ARAMARK CMV: (1) if, within any rolling three year period, the current or potential employee has received a conviction for any “serious” driving infraction as defined in this procedure; or (2) the current or potential employee has a score of eight or greater on the motor vehicle records check code, where the code has a point system. Where the code does not have a point system, ARAMARK may in its discretion, make a determination as to the points applicable to any infractions, using the ACD list of infractions and points found on the Fleet Services Department website.

ARAMARK shall not consider for employment a driver applicant who has been convicted of any offense involving the operation of a motor vehicle while impaired by alcohol or driving under the influence within the past three years.

ARAMARK shall not consider for employment a driver applicant who has been convicted of a major moving violation (as defined by the FMCSR) within the past three years. A major moving violation includes those violations in which there was “a willful or wanton disregard for the safety of persons or property.” Such violations are considered to be unsafe and unacceptable.

ARAMARK shall not consider any driver applicant who has been convicted of a criminal offense involving a commercial vehicle, including operating while under the influence of a controlled substance, transporting a controlled substance, or a felony involving the use of a CMV. ARAMARK retains discretion to reject applicants for other reasons.

## **C. Application for Employment**

All driver applicants shall complete an ARAMARK application for employment, with the application and addendum forms containing all of the information required by the FMCSR. (A copy of this application and addendum may be obtained from the Fleet Services Department website.)

ARAMARK's hiring standards require that CDL driver applicants list all former employers for the past ten (10) years whose job responsibilities required operating a motor vehicle. Driver applicants are also required to comply with the

requirements listed in ARAMARK's Pre-Employment Screening and Background Check Policy.

#### **D. License**

Driver applicants must provide ARAMARK with a legible copy of their driver's license prior to their start date. License checks on all ARAMARK CMV drivers will be conducted by JJ Keller. JJ Keller will review the driving record of the applicant and apply the ARAMARK criteria to ensure compliance with ARAMARK policy. JJ Keller will notify the hiring manager, or the appropriate Human Resources professional and the Fleet Services Department if the license does not meet the ARAMARK and DOT criteria. Additionally, each applicant will be checked to verify they only possess one driver's license.

#### **E. Fair Credit Reporting Act Disclosure**

Driver applicants will be asked for their written authorization giving ARAMARK permission to obtain a copy of their driving records. If a driver applicant is not hired based on the information provided in a driving record, then the driver applicant will receive a copy of the record and the Summary of Consumer Rights pursuant to the Fair Credit Reporting Act.

#### **F. Motor Vehicle Record (MVR)**

ARAMARK shall request an MVR for driver applicants being considered for employment after it has received a completed and signed employment application.

An MVR shall be requested from every state in which the applicant has held a motor vehicle license during the past 3 years. If an MVR request from a former state of licensure comes back indicating "no record found," the MVR request will be placed in the DQF, (if the applicant is hired), as verification that ARAMARK attempted to obtain the information.

ARAMARK will review all MVR information to determine if the driver applicant meets the hiring standards regarding driving records, and will compare the MVR against the employment application to check for completeness and accuracy. Persons who fail to provide on their application all relevant information regarding their motor vehicle driving history may be subject to disciplinary action up to and including termination.

Additionally, ARAMARK managers are required to check all CMV drivers MVR's annually. These checks will be conducted through JJ Keller and JJ Keller will ensure verify if the MVR meets the ARAMARK criteria. If the MVR does not meet the ARAMARK criteria, the driver's manager and the Fleet Services Department will be notified. It will be the ARAMARK manager or supervisor's responsibility to remove all drivers that do not meet the ARAMARK driving criteria.

## **G. Investigation of Previous Employment**

ARAMARK shall contact all former and employers of the driver applicant for the previous 3 years (CDL - 10 years) to verify as much of the following as possible:

- Dates of employment
- Type of work performed
- Type of vehicle(s) operated
- Extent of driving experience and verifiable miles
- Vehicle accident record
- Attendance and reliability
- Overall work history and performance
- Record of misconduct regarding employment policies

All former and employer information gathered from ARAMARK's inquiries will be documented in writing and will be retained in the DQF, if the applicant is hired. In the event a former or employer refuses to release information, a note stating this will be placed in the DQF.

ARAMARK has retained the services of JJ Keller to verify all employment information required above. JJ Keller will be responsible for collecting and retaining the required information for the DQF for all ARAMARK CMV drivers. Additionally, any adverse information received by JJ Keller will be immediately forwarded to the hiring manager for consideration in the hiring decision.

ARAMARK shall review all former and employer information to determine if the driver applicant meets ARAMARK standards regarding past and employment, and to determine if the applicant was truthful about information listed on the employment application. Any driver applicant who fails to disclose a prior employer in the application process will not be hired. Additionally, each applicant is required to fully explain any gaps in employment on their application. If ARAMARK determines after hire, that an Authorized Driver falsified his application by omitting a prior employer, then ARAMARK may terminate the employment of that person.

## **H. Controlled substance and Alcohol Test Information from Previous Employers**

CDL driver applicants must provide written authorization to ARAMARK so that it may obtain controlled substance and alcohol test information for each of the driver applicant's previous and employers during the preceding three years.

All information from former employers regarding drug and alcohol test results must be in writing and will be retained by JJ Keller (if hired). In the event no response is received from a former or employer, a note stating this will be placed in the file. JJ Keller has been retained by ARAMARK to collect and retain this information for all CMV driver applicants. (See **Exhibit D** for contact information for JJ Keller)

ARAMARK will not consider for employment any driver applicant who has refused a drug or alcohol test, failed a random, reasonable suspicion, post-accident, return-to-duty, or follow-up alcohol test, or tested positive for controlled substances while with a previous employer. Additionally, if ARAMARK discovers a positive pre-employment test the applicant will not be considered for employment.

## **I. Physical Examination and Certificate**

ARAMARK requires driver applicants to be fully qualified physically to perform all duties and functions of driving and safely operating a CMV. Pre-employment DOT physical examinations will be performed by a qualified medical examiner, as determined by ARAMARK in its sole discretion. ARAMARK has retained the services of JJ Keller to coordinate and review all medical exams for CMV drivers. JJ Keller will ensure drivers are sent to DOT qualified providers for the DOT physical exam. (See **Exhibit D** for contact information for JJ Keller.)

Without limiting any provision in this Policy, ARAMARK retains discretion to change its requirements and determinations as to qualified medical examiners, when and as DOT Regulations change.

Driver applicants who successfully pass the physical examination will be issued a Medical Examiner's Certification card which must be acceptable to ARAMARK, as to form, content and qualification of the issuing Medical Examiner. A copy of the Medical Examiner's Certification card will be sent to JJ Keller and placed in the DQF, and the original will remain in the possession of the driver at all times while on duty or operating an ARAMARK Motor Vehicle.

(For additional information regarding the Physical Qualification Requirement, please contact the Fleet Services Department.) Also see FMCSR §391.11(b)(4) and FMCSR §391 Subpart E.

## **J. Pre-Employment Controlled Substance/Alcohol Testing**

ARAMARK requires CDL driver applicants to submit to a DOT pre-employment drug screen to be conducted at a collection site designated by the company. These driver applicants shall not be offered employment until a negative test result has been reported. FMCSR §382.301

ARAMARK may conduct pre-employment alcohol testing. The test will only be required after making a contingent offer of employment. The offer of employment is subject to passing this alcohol test. The applicant will not begin performing safety sensitive functions unless the results of the alcohol test satisfy the requirements of DOT Regulations, including FMCSR §392.5.

ARAMARK has retained JJ Keller to coordinate all controlled substance and alcohol testing for CDL CMV drivers. Hiring managers need to contact JJ Keller

to ensure all testing is completed prior to a conditional offer of employment. (See **Exhibit D** for contact information for JJ Keller).

### **K. Road Test and Certificate**

ARAMARK requires all non-CDL driver applicants to successfully complete a road test examination conducted by ARAMARK personnel or their designee after a conditional offer of employment. See FMCSR §391.11 (b) (8) as required by 391.31. The road test examination shall be performed in the type of vehicle the driver will operate for ARAMARK. ARAMARK's road test examination will include, but is not limited to, the following areas:

- A complete pretrip inspection
- Placing the vehicle in operation
- Using the vehicle's controls and emergency equipment
- Driving in traffic and passing other vehicles (if safely feasible)
- Turning
- Braking, and slowing by means other than braking
- Backing and parking
- Other slow-moving operations
- Safe coupling and uncoupling procedures of a combination tractor and trailer
- Load/Cargo securement

ARAMARK is required to provide a "Record of Road Test" examination form on which the driver's skill in each operation listed above is to be rated. (The Road Test Forms are available through JJ Keller) See **Exhibit D** for JJ Keller contact information. The form is to be signed by the ARAMARK person or his designee conducting the test. The original of this record will be recorded and placed in the DQF. The official conducting the road test must be duly qualified to conduct such test under applicable DOT Regulations, and must otherwise be approved by the Fleet Services Department, in its sole discretion, to conduct such tests.

Upon successful completion of the road test examination, the official who administered the test will complete a Certificate of Road Test. A copy of the Certificate will be given to the driver, and the original will be sent to JJ Keller and placed in the DQF.

ARAMARK will accept a valid CDL from driver applicants in lieu of passing a pre-employment road test. However, BU's have the discretion of requiring road tests of all CMV applicants if they deem it necessary.

### **L. Driver Orientation and Safety Training**

As a condition of employment, all newly hired Authorized Drivers will be required to successfully complete the Fleet Services Department driver orientation program and safety training program as developed, issued, and managed by the Fleet Services Department and as required by law. ARAMARK does not allow

the hiring of entry-level CDL drivers. If a Business Units wishes to deviate from this policy they must receive permission from the Fleet Services Department prior to hiring any entry-level CDL drivers. The Fleet Services Department will ensure the Business Unit can conduct the required entry level driver training as required by DOT Regulations, including FMCSR § 380, Subpart E, prior to approval.

## **5.0 Requirements of Employees, Vendors, or Third Parties who Drive a Commercial Motor Vehicle Within the Scope of their Employment, Business or Contractual Relationship with ARAMARK (“ Authorized Drivers”)**

It is the responsibility of Authorized Drivers to be in compliance with all applicable provisions of the FMCSR whether or not specifically identified or described herein. Failure to comply with these safety regulations will result in the loss of driving privileges for ARAMARK and/or disciplinary action up to and including termination.

Some specific requirements include:

### **A. Valid Drivers License**

- ♦ **One license only** See FMCSR §391.11(b)(5)

Authorized Drivers must have in their possession a valid motor vehicle driver's license for the vehicles they will operate. Authorized Drivers may not possess more than one license. If an Authorized Driver possesses more than one license, he/she is required to keep the license from his/her state of residency and return the additional licenses to the state that issued them. (Merely destroying the license is not acceptable; Authorized Drivers must notify the state.)

- ♦ **Notification of license suspension, revocation, or cancellation**

Authorized Drivers are required to notify ARAMARK the NEXT BUSINESS DAY and prior to any driving activity, of any revocation or suspension of their driver's license.

If an Authorized Driver's license is suspended or revoked as a result of actions not involving the use of an ARAMARK vehicle, the Authorized Driver's driving duties will be immediately suspended pending investigation.

If an Authorized Driver's license is suspended or revoked as a result of actions involving the use of an ARAMARK CMV, the driver will be immediately suspended without pay and subject to appropriate disciplinary action up to and including termination.

If an Authorized Driver's license is permanently suspended or revoked, the driver will be immediately terminated from ARAMARK.

[Note: To the extent that these procedures are inconsistent with the language of an applicable collective bargaining agreement (CBA) the terms of the CBA shall govern.]

## **B. Compliance with Applicable Laws**

Authorized Drivers are required, at all times, to be in compliance with all applicable federal, state, and local laws. In the event that an Authorized Driver receives a citation for violation of a state or local traffic law (other than parking), the Authorized Driver is required to report the violation IN WRITING, by the next reporting work day, to his/her manager or supervisor, and for CDL, Authorized Drivers must notify the state that issued the CDL (if the violation occurs in a state other than the state which issued the license).

## **C. Permitted Operation of ARAMARK Vehicle**

Authorized Drivers may operate an ARAMARK CMV only in connection with ARAMARK-related business. An Authorized Driver is not permitted to operate an ARAMARK CMV for any other reason. Any deviations from this section must be approved by the Fleet Services Department.

## **D. Driving Proficiency**

Authorized Drivers must continue to demonstrate proficiency in driving the ARAMARK CMV operated by the driver. Authorized Drivers are not permitted to operate a vehicle in a reckless manner, which means, among other things, exhibiting wanton or willful disregard for the safety of other persons, to the ARAMARK vehicle, or other property.

Authorized Drivers shall not consume alcohol or illegal drugs prior to or during the operation of an ARAMARK vehicle. Authorized Drivers shall not operate an ARAMARK vehicle if impaired by or under the influence of alcohol or drugs. CMV drivers must notify their manager if they are prescribed any medications that may impair their ability to safely operate a vehicle. The manager must ensure that the driver will not be impaired while operating an ARAMARK vehicle. Any questions should be directed to JJ Keller, Human Resources or ARAMARK Fleet Services Department.

## **E. Physical Qualifications**

All Authorized Drivers of CMVs are required to obtain a physical examination at least every 24 months. FMCSR § 391 Subpart E.

The examination must be made by a qualified medical examiner acceptable to ARAMARK and shall be recorded on the prescribed form in accordance with the FMCSR. The completed medical examination form shall be retained on file at the office of the medical examiner and a copy shall be retained in the DQF by JJ Keller for three years from the date of execution. Authorized Drivers are required to carry a copy of the medical certification form at all times.

Authorized Drivers who fail to provide the required physical qualification documentation will not be permitted to drive an ARAMARK Commercial Motor Vehicle, or any other CMV, within the scope of their employment with ARAMARK, and may be subject to disciplinary action up to and including termination.

Authorized Drivers who fail to meet the physical qualifications requirements of this policy and the FMCSRs will not be permitted to operate an ARAMARK commercial motor vehicle. Determinations about continued employment and driving capacity will be made by the appropriate line manager in conjunction with the appropriate Human Resources professional.

Authorized Drivers must immediately notify their manager if they no longer meet the physical qualifications required by the FMCSR. Failure to notify management will result in disciplinary action up to and including termination.

## **F. Controlled Substance and Alcohol Testing – CDL Authorized Drivers**

### **♦ General Provisions**

All Authorized Drivers who operate CMVs that require a CDL are subject to the FMCSA's controlled substance and alcohol regulations. All Authorized Drivers who operate CMV's that require a CDL, their managers and the applicable BU will be responsible to comply with the ARAMARK CMV Controlled Substance and Alcohol Testing Policy. See FMCSR §382.

If applicable, ARAMARK will provide testing for the CDL Authorized Driver that is in compliance with all federal and state laws and regulations. The Company will retain all records related to testing and the testing process in a secure and confidential matter. ARAMARK has retained JJ Keller to maintain all testing records required under this section.

CDL Authorized Drivers will not use, have possession of, abuse, or have the presence of alcohol or any controlled substance in excess of regulation established threshold levels while on duty. The CDL Authorized Driver will not use alcohol within 4 hours of performing a 'safety-sensitive' function, while performing a 'safety-sensitive' function, or immediately after performing a 'safety-sensitive' function. For the avoidance of doubt, the presence in the CMV of unmanifested alcohol, whether the item is an alcohol product, e.g. a bottle or other container of beer, or a product with a DOT-prescribed maximum alcohol content, e.g. a bottle of mouthwash or Nyquil, is a violation of this Policy.

### **♦ Post-Accident Testing For CDL Authorized Drivers**

CDL Authorized Drivers are to notify their manager or supervisor as soon as possible if they are involved in an accident.

If the accident involved:

- a fatality,

- bodily injury with immediate medical treatment away from the scene *and* the driver received a citation, or
- disabling damage to any motor vehicle requiring tow away *and* the driver received a citation

The CDL Authorized Driver will be tested for controlled substances and alcohol as soon as possible following the accident. The CDL Authorized Driver must remain readily available for testing. If the CDL Authorized Driver is not readily available for alcohol and controlled substance testing, he/she may be deemed as refusing to submit to testing.

♦ **Reasonable Suspicion Testing for CDL Authorized Drivers**

ARAMARK will conduct reasonable suspicion testing if there is reason to believe that a CDL Authorized Driver has violated the DOT regulations or the ARAMARK Motor Vehicle Policy or accompanying implementation procedures. The decision to test will be made by a trained supervisor or manager, after appropriate inquiry, investigation, and consultation with the appropriate Human Resources and Labor Relations (if applicable) professional. The decision will be based on objective facts or circumstances that would lead a reasonable person to believe a CDL Authorized Driver has violated the regulations, Policy, or procedures. As part of the ARAMARK CMV Controlled Substance and Alcohol Testing Policy, Authorized Drivers, their managers and other appropriate personnel within the BU will receive training on detecting possible violations of the ARAMARK Drug and Alcohol Testing Policy, including the bases for forming a reasonable suspicion that such Policy has been violated.

♦ **Random Testing for CDL Authorized Drivers**

ARAMARK will conduct random testing for all CDL Authorized Drivers based on a scientifically valid method in accordance with the FMCSR.

A Company-approved third party vendor will administer the random testing program, maintaining all pertinent records on random tests administered.

At least 10 percent of the average number of CDL driver positions will be tested for alcohol each year. At least 50 percent of the average number of CDL driver positions will be tested for controlled substances each year.

The random testing will be spread reasonably throughout the calendar year. All random alcohol and controlled substance tests will be unannounced, with each driver having an equal chance of being tested each time selections are made.

A CDL Authorized Driver may only be tested for alcohol while he/she is performing a safety-sensitive function, just before performing a safety-sensitive function, or just after completing a safety-sensitive function.

Once notified that he/she has been randomly selected for testing, the CDL Authorized Driver must proceed immediately to the assigned collection site.

♦ **Refusal to Submit**

A CDL Authorized Driver may not refuse to submit to a post-accident, random, or reasonable suspicion test required by the regulations. A CDL Authorized Driver may not refuse to participate in any follow-ups.

Refusal to submit includes failing to provide adequate breath or urine sample for alcohol or controlled substance testing and any conduct that obstructs the testing process. This includes adulteration or tampering with a urine or breath sample. This also include refusal to participate in any follow-up activity.

Specimen collection will be conducted in accordance with any applicable law.

A controlled substance testing custody and control form will be used to document the chain of custody from the time the specimen is collected at the testing facility until it is tested at the laboratory.

**G. Driver log procedures**

All ARAMARK Authorized CMV Drivers in are required to comply with the applicable driver's hours of service time keeping procedures as required in the FMCSR. All ARAMARK CMV drivers must complete a log book or timecard and send it in weekly to JJ Keller. All managers of CMV drivers are responsible for ensuring their drivers do not violate any Hours of Service regulations. Any violations identified must be promptly addressed and corrected.

Forms necessary to collect Hours of Service are available on the Fleet Department website or from JJ Keller. Also see **Exhibit F**.

**H. Daily Vehicle Inspection Reports**

All ARAMARK CMV drivers are required to complete a Daily Vehicle Inspection Report each time they drive a CMV. On-coming drivers must review the previous inspection report and insure any defects have been corrected prior to driving the vehicle. Each driver must complete a DVIR at the completion of their shift. Any defects noted on the DVIR must be brought to the manager's attention and promptly repaired.

DVIRs do not need to be filled out if the vehicle has not been used on a particular day. However, it will be the manager's responsibility to notify JJ Keller of the days the vehicle was not in use. DVIRs should only be retained for 90 days and then destroyed.

Approved DVIR forms are available from JJ Keller.

**I. Passengers**

Passengers may not be under the age of 18. Passengers must be for business purposes only. All non-employee passengers must execute a ride-along agreement. The ride-along must be approved by the Location Manager of the CMV driver and the approval must be date specific and not-open ended. A copy of this agreement is attached to this Policy. See Exhibit B.

## **J. Seat Belts**

Authorized Drivers and authorized passengers in an ARAMARK CMV are required to wear a seat belt.

## **K. Vehicle Safety Equipment**

Authorized Drivers are required to make sure that the ARAMARK CMV which they operate has at all times the following vehicle safety equipment. In the event that the CMV does not have the required equipment, Authorized Drivers are required to notify the location manager or supervisor or the Fleet Services Department.

Every ARAMARK CMV must be equipped with the following:

- i) Seat belts
- ii) Passenger jump seats – whenever an authorized passenger is transported in an ARAMARK vehicle, the passenger must be equipped with safety belts.
- iii) Fire extinguisher – properly filled and located so that it is readily accessible, securely mounted and maintained to permit visual determination of whether it is fully charged. The extinguisher must contain an extinguishing agent that does not need protection from freezing
- iv) Warning devices for stopped vehicles – three bi-directional emergency reflective triangles
- v) First Aid Kit
- vi) Emergency accident report kit
- vii) Vehicle insurance identification card
- viii) Any other emergency equipment required for the vehicle by the applicable federal, state, or local law or regulation, e.g., snow chains
- ix) Wex Fuel Card

## **L. Vehicle Maintenance**

Vehicles that fall under the scope of this Policy must at all times be properly maintained as designated by the Fleet Services Department. All maintenance must be completed by the vendor provided by the Fleet Services Department. Any exceptions must be approved by Fleet Services prior to service.

The vehicle shall be kept in a clean, safe and serviceable condition at all times. The Authorized Driver shall be held liable for any renovations, repairs or reconditioning charge back to the Company at the time the vehicle is traded in provided such renovations, repairs or reconditioning are deemed to have resulted from negligence, abuse, or unauthorized modifications.

Authorized Drivers may not modify the ARAMARK CMV mechanically, including but not limited to, tampering with a vehicle's speed governor. **(Note: Radios are permitted only upon approval of your manager and the Fleet Services Department.)**

To ensure the professional appearance of ARAMARK CMVs, employees may not display decals or other ornamentation not issued by ARAMARK, other than regulatory stickers.

## **M. Unauthorized Cargo**

Cargo which has not been authorized by the manager MAY NOT be transported by an Authorized Driver of an ARAMARK CMV.

## **N. Accidents and Moving Violations Involving ARAMARK Commercial Motor Vehicles**

Authorized Drivers are required to immediately report all accidents involving an ARAMARK CMV, regardless of fault, cost of repairs or extent of injuries or damage, to the appropriate governmental authorities prior to leaving the scene of an accident. Further, the Authorized Driver should obtain the names and telephone numbers of all parties and witnesses involved in the accident.

Authorized Drivers must report all accidents and moving violations to their manager or supervisor by the next reporting work day of the accident or moving violation. The manager or supervisor must inform their Operations Vice-President, Human Resource Vice-President and the Fleet Services Department of any accident and consult for appropriate action. In addition, Authorized Drivers must complete an ARAMARK Vehicle Accident Report for all accidents. (Please contact the Fleet Services Department for a copy of an Accident Report.)

All CMV drivers involved in an accident that results in a fatality, injury or requires any vehicle being towed from the scene will not be allowed to drive an ARAMARK CMV until a full and complete investigation has been completed by

their front line manager, Human Resources and the Fleet Services Department. In the event that an Authorized Driver is involved in an accident involving a fatality, injury or tow-away, the driver will be suspended with pay until completion by ARAMARK of an investigation of such accident.

(These drivers will continue to receive pay as a driver and may be tasked with other duties during the investigation).

CMV drivers that have been removed from their driving activities due to an accident investigation will only be allowed to return to their driving duties when the Front Line Manager, Human Resources and the Fleet Services Department determine they are safe to resume their duties as a CMV driver for ARAMARK.

An ARAMARK Fleet Accident Investigation Report must be completed by the ARAMARK manager or supervisor for all accidents involving a fatality or bodily injury requiring medical treatment away from the scene, or when a vehicle must be towed from the scene of an accident. (Please contact the Fleet Services Department for a copy of the Investigation Report.)

## **6.0 Authorized Drivers of Hazardous Materials**

All Authorized Drivers of Hazardous Materials are required to comply with all federal, state, and local laws and regulations.

In accordance with regulations promulgated as part of the U.S. Patriot Act, all Authorized Drivers of hazardous material who apply for new hazardous materials endorsements will be fingerprinted by the U.S. government. The results of the fingerprints will be submitted by the government to the FBI who will run them against its criminal database. This requirement extends to all Authorized Drivers who renew existing hazardous material endorsements.

## **7.0 Driver Discipline**

### **A. Driver Discipline**

In the event that a driver is involved in a moving violation or in an accident which is determined to "at fault" while operating an ARAMARK Vehicle. The driver may be subject to the following disciplinary action:

- i First violation in a 12-month – verbal reprimand.
- ii Second violation in a 12-month period – written reprimand, and mandatory attendance at a defensive driving course on own time, at own expense.
- iii Third violation in a 12-month period – employment may be terminated.

If the same incident is both a preventable accident and a moving violation, it shall be treated as one offense.

## **B. Disciplinary Action**

ARAMARK will not tolerate violations of this Policy. Violations of this Policy may subject the driver to disciplinary action up to and including termination. All violations of this policy will be referred to, and reviewed by, the Human Resources Department, which will determine appropriate disciplinary action up to and including termination.

## **C. Mandatory Immediate Review Required**

Notice of a violation of any of the following offenses will render the Authorized Driver ineligible to drive an ARAMARK Motor Vehicle. Approval of Human Resources, the Fleet Services Department, and Risk Management is required before the Authorized Driver is permitted to drive an ARAMARK Motor Vehicle:

- Suspension of driving privileges
- Driving while "under suspension"
- Driving under the influence
- Fleeing/alluding police
- Leaving the scene of a motor vehicle collision (felony only)
- Reckless driving or careless driving charged as a felony only
- Homicide by vehicle or vehicular manslaughter
- Speeding violation of 30 or more miles per hour over the speed limit

## **8.0 Receipt Form**

All Authorized Drivers are required to complete the attached Receipt Form. **Exhibit C.** Failure to do so will result in the immediate suspension of the Authorized Driver's driving privileges and may also result in disciplinary action up to and including termination.

## **9.0 Compliance**

Authorized Drivers who fail to comply with this Policy will not be permitted to drive an ARAMARK CMV and will be disciplined up to and including termination.

No ARAMARK manager, supervisor, or other employee may authorize anyone, including but not limited to, employees, client employees, vendors, or subcontractors, to operate a CMV on behalf of ARAMARK, its clients or vendors, except in accordance with this Policy. Managers or supervisors who fail to comply with this Policy will be subject to disciplinary action up to and including termination.

## **10.0 Use of Third Party Vendor and modifications and supplements**

ARAMARK, through its Fleet Services Department, reserves the right to implement this Policy and the applicable procedures, including but not limited to, the coordination of physical examinations, MVRs, and maintenance of required DQFs, through the use of a third party vendor of its choice.

ARAMARK, through its Fleet Services Department, reserves the right to modify and supplement this Policy, and the procedures set forth herein, at any time and from time to time.

## **11.0 Records Retention**

All records created under this policy, including Driver Qualification Files, Driver Vehicle Inspection Reports, driver log books, driver timesheets, vehicle maintenance records, acknowledgement forms and other documents shall be retained in accordance with applicable laws and regulations, and the ARAMARK Records Management Policy.

## **12. Applicability**

This policy applies to all CMV's and drivers of CMV's within the North America Food, Hospitality and Facilities Services within the United States.

## **13.0 LIST OF Exhibits**

Exhibit A - Checklists for hiring CDL and Non-CDL Commercial Motor Vehicle Drivers

Exhibit B - ARAMARK Ride-Along Agreement

Exhibit C - CMV Driver Policy Receipt Form

Exhibit D - JJ Keller Contact Information

Exhibit E - Accident Reporting Procedures and Accident Report Form

Exhibit F - ARAMARK Hours of Service Chart

Exhibit G - ARAMARK Driver's License Guide

**Exhibit A**



**New NON-CDL Driver Hiring Checklist for  
ARAMARK Commercial Motor Vehicle Drivers  
(Only for drivers of vehicles 10,001-26,000 lbs)**

Form Name	Form Number and/or location	Regulation or Policy Requiring Form	Check if form is Included
ARAMARK Application	Fleet Website	FMCSR Sec. 391.21	
ARAMARK Application Addendum	Fleet Website	FMCSR Sec. 391.21	
Medical Examiner's Certificate (Copy)	(must come from medical examiner-will be completed after DOT Exam)	FMCSR Sec. 391.43	
Medical Examiner's Long Form	(This must come from the Medical Examiner – order the exam through JJ Keller)	ARAMARK Policy	
Motor Vehicle Report	(Must be ordered from JJ Keller)	FMCSR Sec. 391.23	
Road Test/ Certificate	JJ Keller Form #013F	FMCSR Sec. 391.31	
Safety Performance History Records Request (you must have one for every past employer for the last 3 years)	JJ Keller form #850F (rev.8/08)	FMCSR Sec. 391.23	
Driver Statement of On-Duty Hours/ Driver Certification for other Compensated Work	JJ Keller form#844F (rev.2/98)	FMCSR Sec. 395.1 or 395.3	
Signed Receipt for ARAMARK CMV policy	Fleet webpage	ARAMARK Policy	
Fair Credit Reporting Act Disclosure	JJ Keller form #116-FS-C2	ARAMARK Policy and the Fair Credit Reporting Act	
Copy of Driver's License	From Driver	ARAMARK Policy	
Signed Receipt for FMCSR Handbook	JJ Keller (in the FMCSR handbook)	ARAMARK Policy	
General Release (this must be completed for an MVR)*	JJ Keller Website		

\* If the driver is from New Hampshire, Pennsylvania or Washington they must fill out the state specific release.

For more information, click on either of the following links:  
[www.diamondpage.net](http://www.diamondpage.net)  
<https://www.aramark.net/scm/home/topic.aspx?id=2690>

**Exhibit A continue**



**New CDL Driver Hiring Checklist for  
ARAMARK CDL Commercial Motor Vehicle Drivers  
(For all CMV drivers of vehicles 26,001+ lbs)**

Form Name	Form Number and/or location	Regulation or Policy Requiring Form	Check if form is Included
ARAMARK Application	Fleet Website	FMCSR Sec. 391.21	
ARAMARK Application Addendum	Fleet Website	FMCSR Sec. 391.21	
Medical Examiner's Certificate (Copy)	(must come from medical examiner- will be completed after DOT Exam)	FMCSR Sec. 391.43	
Medical Examiner's Long Form	(This must come from the Medical Examiner – order the exam through JJ Keller)	ARAMARK Policy	
Motor Vehicle Report	(Must be ordered from JJ Keller)	FMCSR Sec. 391.23	
Safety Performance History Records Request (you must have one for every past employer for the last 3 years)	JJ Keller form #850F (rev.6/08)	FMCSR Sec. 391.23/ Sec. 40.25	
Driver Statement of On-Duty Hours/ Driver Certification for other Compensated Work	JJ Keller form#844F (rev.2/98)	FMCSR Sec. 395.1 or 395.3	
Signed Receipt for ARAMARK CMV policy	Fleet webpage	ARAMARK Policy	
Signed Receipt for ARAMARK Controlled Substance and Alcohol Testing Policy	Fleet Webpage	ARAMARK Policy and FMCSR Sec. 382.601	
Previous Alcohol & Drug Test Statements	JJ Keller Form #888F (rev.7/03)	FMCSR Sec. 40.25	
Pre-Employment Drug Test Chain of Custody	Contact JJ Keller to order the test and they will send the form	FMCSR Sec. 382.301	
Pre-Employment Drug Test Result	JJ Keller will obtain directly from the clinic	FMCSR Sec. 382.301	
Fair Credit Reporting Act Disclosure	JJ Keller form #116-FS-C2	ARAMARK Policy and the Fair Credit Reporting Act	
Copy of Commercial Driver's License	From Driver	ARAMARK Policy	
Signed Receipt for FMCSR Handbook	JJ Keller (in the FMCSR handbook)	ARAMARK Policy	
General Release (this must be completed for an MVR)*	JJ Keller Website		

\* If the driver is from New Hampshire, Pennsylvania or Washington they must fill out the state specific release.

For more information, click on either of the following links:  
[www.diamondpage.net](http://www.diamondpage.net)  
<https://www.aramark.net/scm/home/topic.aspx?id=2690>

11/5/2008 Version 1.0

## Exhibit B

### Ride-Along Agreement

For good and valuable consideration, the receipt of which is acknowledged, including the opportunity to ride along on an ARAMARK Motor Vehicle, ARAMARK and \_\_\_\_\_ ("Rider") agree as follows:

Rider will not, and ARAMARK agrees that it will not request Rider to, engage in any labor, including but not limited to the lifting of equipment or merchandise. The parties agree that all of the labor, if any, required in connection with the route traveled shall be performed by ARAMARK employees only, and not by Rider. Rider further agrees that s/he will not drive any delivery vehicle or other ARAMARK owned vehicle, s/he will sit in the passenger seat ("jump seat") only, and that s/he will use the safety belt at all times while such vehicle is in motion. Rider will comply with ARAMARK safety rules and federal, state, and local laws, and Rider will not interfere with the safe operation of such vehicle or the duties of ARAMARK employees. Rider agrees to hold ARAMARK harmless for any claims or liabilities arising out of or related to Rider's breach of this agreement.

The parties agree that Rider is not an employee, consultant, agent, representative, joint venturer, or contractor of ARAMARK, and that by riding in an ARAMARK vehicle and visiting ARAMARK customer or other locations for informational purposes, no employment relationship exists or is created. Rider shall receive no compensation or benefits of any kind from ARAMARK, including wages, for any activities occurring during the ride.

Rider agrees that all information, written or otherwise, not generally available to the public, including but not limited to any information that relates to client and/or customer names, ARAMARK's operations, policies or procedures, personnel matters, financial information, business and operational plans, company contracts, or other information or documents of a confidential nature relating to the ownership of or operation of the company, or concerning any employee, agent, representative or consultant, which is acquired or made available to Rider ("Confidential Information"), shall be regarded as strictly confidential and/or trade secrets of ARAMARK. Rider agrees to keep the Confidential Information secret and confidential, and not to disclose the Confidential Information to any third party. Rider agrees that s/he will not at any time reveal, communicate, or divulge any Confidential Information to any person, corporation, or other entity without the express written consent of ARAMARK.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

**Exhibit C**

**POLICY RECEIPT FORM**

**ARAMARK Commercial Motor Vehicle Driver Policy**

I hereby acknowledge that I have received a copy of ARAMARK's Commercial Motor Vehicle Driver Policy and that I have read, fully understand, and agree to comply with the terms of the Policy and its procedures, including the procedures that allow ARAMARK at any time and from time to time, to modify or supplement the Policy.

I understand that failure to comply with the Policy and its procedures may result in disciplinary action up to and including termination.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name (Please print)

\_\_\_\_\_  
Employee Signature

A copy of this form will be kept in the Driver's Qualification File.

**Exhibit D**

JJ Keller has established a prompt system on the ARAMARK Client Service line. When the field calls the number of (888)720-8583, they will be prompted to select a number depending on the service they are looking for assistance with.

For overall assistance, please have them contact Libby Engstrom, she is the main point of contact for Client Service. She can be reached direct at 920-722-2491 ext. 8729. Listed below are important addresses and numbers:

+++++

E-Mail account address for driver updates: [aramark@jkkeller.com](mailto:aramark@jkkeller.com)

ARMARK Dedicated Fax Line - 877-781-0069

Toll free client service line - 888-720-8583

Libby Engstrom - Sr. Client Service Representative - 920-722-2491 ext. 8729

Rob Johnson - Driver Qualification Supervisor - 920-727-7399

Shipping Address - For items that are shipped to Keller:

J.J. Keller & Associates  
7273 State Road 76  
Neenah, WI 54956  
Attn: Rob Johnson

Exhibit E

POST ACCIDENT TESTING DETERMINATION

Driver's Name: \_\_\_\_\_ ID: \_\_\_\_\_ Facility: \_\_\_\_\_

Date of Accident: \_\_\_\_\_ Time of Accident: \_\_\_\_\_ Location: \_\_\_\_\_

Time Driver Instructed to be Tested: \_\_\_\_\_ Time Driver was Tested: \_\_\_\_\_

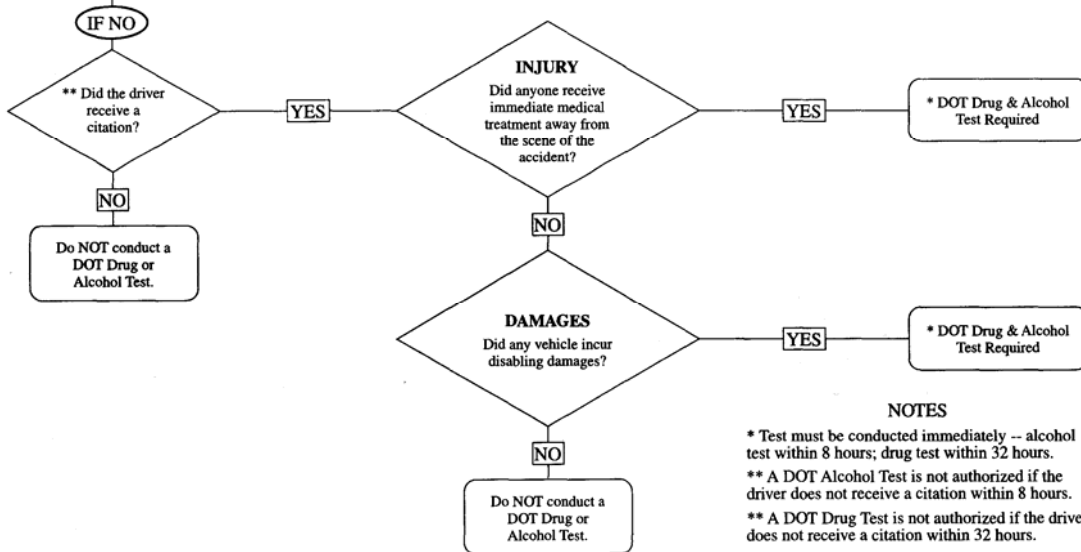
Does vehicle meet the definition of a commercial motor vehicle?  YES  NO

If no, do NOT conduct a DOT Drug or Alcohol Test.

If yes, check the type of commercial motor vehicle.

- Vehicle has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
- Vehicle has a gross vehicle weight rating of 26,001 or more pounds; or
- Vehicle is designed to transport 16 or more passengers, including the driver; or
- Vehicle is of any size and is used in the transportation of hazardous materials requiring placards.

**If driver was operating a CMV, did accident involve a human fatality?  
If yes, then a DOT Drug and Alcohol Test is required.**



NOTES

- \* Test must be conducted immediately -- alcohol test within 8 hours; drug test within 32 hours.
- \*\* A DOT Alcohol Test is not authorized if the driver does not receive a citation within 8 hours.
- \*\* A DOT Drug Test is not authorized if the driver does not receive a citation within 32 hours.

It was determined that a DOT Drug & Alcohol Test was not necessary for the following reasons: \_\_\_\_\_

It was determined that a DOT Drug & Alcohol Test was necessary for the following reasons: \_\_\_\_\_

If an alcohol test was not completed within 2 hours, provide reason: \_\_\_\_\_

If a drug test was not completed within 32 hours, provide reason: \_\_\_\_\_

Completed By: \_\_\_\_\_ Name \_\_\_\_\_ Title \_\_\_\_\_ Date: \_\_\_\_\_

Exhibit E continue

**ATTENTION: DRIVER'S INVOLVED IN A MOTOR VEHICLE ACCIDENT**

Review this Part of the Department of Transportation regulations for compliance with alcohol and controlled substance testing post-accident requirements.

**§382.303 Post-accident testing.**

(a) As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for alcohol for each of its surviving drivers:

(1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or

(2) Who receives a citation within 8 hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:

(i) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or

(ii) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

(b) As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for controlled substances for each of its surviving drivers:

(1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or

(2) Who receives a citation within thirty-two hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:

(i) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or

(ii) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

(c) The following table notes when a post-accident test is required to be conducted by paragraphs (a)(1), (a)(2), (b)(1), and (b)(2) of this section:

TABLE FOR §382.303 (A) AND (B)		
Type of accident involved	Citation issued to the CMV driver	Test must be performed by employer
i. Human fatality	YES	YES
	NO	YES
ii. Bodily injury with immediate medical treatment away from the scene	YES	YES
	NO	NO

TABLE FOR §382.303 (A) AND (B)		
Type of accident involved	Citation issued to the CMV driver	Test must be performed by employer
iii. Disabling damage to any motor vehicle requiring tow away	YES	YES
	NO	NO

(d)(1) **Alcohol tests.** If a test required by this section is not administered within two hours following the accident, the employer shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If a test required by this section is not administered within eight hours following the accident, the employer shall cease attempts to administer an alcohol test and shall prepare and maintain the same record. Records shall be submitted to the FMCSA upon request.

(2) **Controlled substance tests.** If a test required by this section is not administered within 32 hours following the accident, the employer shall cease attempts to administer a controlled substances test, and prepare and maintain on file a record stating the reasons the test was not promptly administered. Records shall be submitted to the FMCSA upon request.

(e) A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the employer to have refused to submit to testing. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

(f) An employer shall provide drivers with necessary post-accident information, procedures and instructions, prior to the driver operating a commercial motor vehicle, so that drivers will be able to comply with the requirements of this section.

(g)(1) The results of a breath or blood test for the use of alcohol, conducted by Federal, State, or local officials having independent authority for the test, shall be considered to meet the requirements of this section, provided such tests conform to the applicable Federal, State or local alcohol testing requirements, and that the results of the tests are obtained by the employer.

(2) The results of a urine test for the use of controlled substances, conducted by Federal, State, or local officials having independent authority for the test, shall be considered to meet the requirements of this section, provided such tests conform to the applicable Federal, State or local controlled substances testing requirements, and that the results of the tests are obtained by the employer.

(h) **Exception.** This section does not apply to:

(1) An occurrence involving only boarding or alighting from a stationary motor vehicle; or

(2) An occurrence involving only the loading or unloading of cargo; or

(3) An occurrence in the course of the operation of a passenger car or a multipurpose passenger vehicle (as defined in §571.3 of this title) by an employer unless the motor vehicle is transporting passengers for hire or hazardous materials of a type and quantity that require the motor vehicle to be marked or placarded in accordance with §177.823 of this title.

Exhibit F



**ARAMARK**  
Commercial Motor Vehicle Driver's  
Time Record

Driver's Name _____ Driver ID#: _____				
Comp # _____ Address _____ Month _____ Year _____				
<input type="checkbox"/> Check if 150 mile Radius non-CDL driver (10,001-26,000 lb) (maximum 14 hours on-duty) <input type="checkbox"/> Check if 100 mile radius CDL driver (26,001 lb+)(maximum 12 hours on-duty) Drivers must have 10 hours off-duty between shifts and no more than 60 hours total in 7-days.				
Date	On-duty Start Time	Off-Duty End Time	Total Daily Hours	No CMV Driving Occurred
	AM PM	AM PM		
	AM PM	AM PM		
	AM PM	AM PM		
	AM PM	AM PM		
	AM PM	AM PM		
	AM PM	AM PM		
	AM PM	AM PM		
Total Weekly Hours				

All days off must be recorded on the time sheet. All sheets must be sent weekly to JJ Keller via one of the methods listed below.

\* If any driver exceeds the maximum daily on-duty limits provided above, the driver must fill out a log book for that day. All log-book pages must be turned in with the driver's time card.

\*\* All CMV driver's must not exceed 11 hours drive time for any given work day.

\*\*\* Circle A.M. or P.M. for your start and end time.

\*\*\*\* If you worked, but did not drive, place a check mark (✓) in the "No CMV Driving Occurred" box

**JJ Keller Contact Information:**

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**Exhibit G****ARAMARK Driver's Point System Guide**

The Fleet Management Group and Corporate Security teams have developed a "tool" to assist the Human Resources professionals and hiring managers in evaluating information received from a motor vehicle records (MVR) check where driving violations are discovered.

This tool is based upon a rating system that will assist in determining the perceived risk that a candidate for employment poses to ARAMARK. This point system is intended to only be used for those potential candidates that will be assigned to drive an ARAMARK vehicle, a client vehicle, or a personal vehicle conducting ARAMARK business. In this rating system, (0) is the least risk and (8 or higher) is the greatest risk. The point system is based on a three-year rolling review, and point values are found on the TrueScreen MVR under "Other Points", (not "State Points").

Generally, persons with a driving record consisting of 0-4 points are not considered an unreasonable risk to ARAMARK and typically these persons would not be eliminated from consideration based solely on driving behavior.

On the other hand, a driving record consisting of 5-7 may pose a risk to ARAMARK. All potential candidates that fall into this category must have their driving record carefully reviewed as these candidates may have a higher risk of bad driving behavior. Special attention should be given to applicants in this category who also have a history of vehicle accidents. Human Resource professionals and hiring managers may want to consult with the Fleet Management Group (Gordon Campbell, VP Fleet, 215-238-3286) prior to hiring individuals in this category.

All candidates with a score of 8 or higher should not be considered for employment with ARAMARK in any capacity where they will operate an ARAMARK, client or personal vehicle used for ARAMARK business as a part of their duties. This ranking is consistent with the ARAMARK Commercial Motor Vehicle policy section 4.0 Qualification and Hiring. Individuals in this category are considered a high driving risk. Human Resource professionals and hiring managers should not consider candidates in this category for any position that would require the candidate to drive as part of his/her duties.

A full list of the driving codes and the points associated with each offense is available from the Fleet Management Group and Corporate Security web-sites ([www.aramark.net](http://www.aramark.net)). You are to consult with your Employment Practice Representative or Fleet Management Group if a candidate exceeds the above guidelines, has driving responsibilities, and you still desire to hire. Additionally, all Human Resource professionals and hiring managers should consider the driving record of the candidate in addition ARAMARK Corporate Pre-employment Screening Policy..