

Personnel Policy Bulletin

Lancaster County

Number: 2009-2

Date: August, 2009

Reference:	Title:
Supercedes Personnel Policy Bulletin 98-1 Nebraska Revised Statutes §§ 60-6,196 - 60-6,211.05	LOSS OF DRIVING PRIVILEGES POLICY

Many positions in the classified service of Lancaster County require possession of a valid, current Nebraska motor vehicle operator's license to engage in the operation of a County vehicle as a regular part of the job. Each employee holding a position for which a valid, current motor vehicle operator's license is required has the responsibility to report the loss of an operator's license and/or driving privileges as soon as such loss occurs. ***Failure to promptly report the loss of driving privileges will result in discipline up to and including termination.*** This applies ***any time driving privileges are revoked, suspended or limited in any way by any court or the Nebraska Department of Motor Vehicles or any other administrative agency of the State of Nebraska or any other state or jurisdiction.***

Lancaster County realizes that on occasion employees may temporarily lose their driving privileges. It is the County's desire to assist such employees and to protect the County's investment in trained and experienced personnel. In this regard, Lancaster County is prepared to make certain accommodations when it is possible.

The following guidelines shall be effective on the date of execution by the Lancaster County Board of Commissioners and the Personnel Director:

1. If an employee who is in a position which requires the possession of a valid motor vehicle operator's license to satisfactorily perform the duties of the job loses his/her motor vehicle operating license for a specific period of time; and if the employee promptly reports such loss to his/her supervisor; then management will meet with that employee and review all the circumstances surrounding such loss.
2. When an employee promptly reports the loss of his/her motor vehicle operating license to his/her supervisor, or the department discovers the loss of driving privileges otherwise, the department head shall notify the County's Risk Manager. The Risk Manager shall subsequently notify the County's automobile insurance provider of the employee's loss of driving privileges.
3. In accordance with Nebraska Revised Statutes §§ 60-6,196 through 60-6,211.05, an employee whose position does not require a commercial driver's license (CDL) and who is subject to automatic license revocation for 90 days must apply for and receive an employment driving permit after 30 days in order to drive while at work pending a final determination by the court. The ability to drive at work with an employment driving permit is contingent upon being insurable under the County's automobile insurance policy. An employee whose position does require a commercial drivers license (CDL) is not eligible for an employment driving permit (See Nebraska Revised Statutes § 60-4,129) and must therefore obtain leave in accordance with Paragraph 4 below.
4. If the loss of operating privileges is for a period of time of 90 days or less including the automatic license revocation period, the employee will be relieved of duty for the duration of the loss unless the employee is eligible to receive a driving permit and the employee is insurable under the County's automobile insurance policy. The employee will be allowed to utilize accrued

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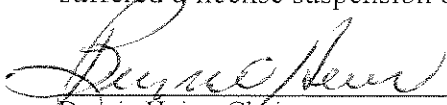
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vacation time and personal holidays during the time the employee is relieved of duty. Additionally, if the loss is the result of a DUI conviction and the employee is attending as scheduled treatment with a certified alcohol and drug counselor, licensed mental health professional or medical practitioner while relieved of duty or the loss is related to a temporary medical disability, accrued sick leave may be utilized by the employee. The balance of the duration of the loss not covered by vacation and/or sick leave may be covered by a county-approved leave without pay when requested in writing by the employee.

5. If the loss of operating privileges is for a period of time longer than 90 days including the automatic license revocation period, the employee will be relieved from duty and will be subject to separation from the County service upon satisfaction of all necessary administrative requirements, except as provided in Paragraph (6). Likewise, if an employee is not insurable under the County's automobile insurance policy for a period of time longer than 90 days, the employee will be relieved from duty and subject to separation from the County service upon satisfaction of all necessary administrative requirements, except as provided by Paragraph (6).

6. If the loss of operating privileges is for longer than 90 days, or if the employee is not insurable under the County's automobile insurance policy for a period of time longer than 90 days, and there exist vacant positions within the County service, the employee will be allowed to make application for those positions for which he/she possesses all the current necessary qualifications whether the positions applied for are in higher or lower classifications or would constitute a lateral transfer. Additionally, if the loss of license is for 90 days or less and the employee does not wish to utilize the provisions of Paragraph (4) herein, the employee may apply to vacant positions within the County service for which he/she possesses all the current necessary qualifications whether the positions applied for are in higher or lower classifications or would constitute a lateral transfer. In the event the employee has demoted, the employee will not be able to move back to their previous position of employment until there is an opening in the higher classification, the employee's driving privileges have been restored, the employee is insurable under the County's automobile insurance policy, and the employee has applied for the position in the higher classification. Applications for vacant positions made in accordance with this paragraph will be reviewed on an equal basis with all other applications and no special consideration will be given to any current employee who has suffered a license suspension or revocation.


Bernie Heier, Chair
County Board of Commissioners

8/18/09
Date


Mark A. Koller
Personnel Director

8.19.09
Date