



**MOTOR CARRIER GROUP CHAIRMAN'S FACTUAL
REPORT**

Motor Carrier Attachment – FirstFleet Progressive Discipline Policy

Delray Beach, Florida

HWY19FH008

(6 pages)

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- 2) Passenger must be immediate family member over 12 years of age.
- 3) Passenger must understand rules and sign waiver form.
- 4) Driver must take out insurance policy (prices vary according to length of time). Insurance policy is available through the Risk Management Department.
- 5) Driver must obtain written approval from the Director of Human Resources and Risk Management and carry a copy of the same with him/her at all times while the passenger is on board.
- 6) Driver must obey all rules regarding guests at customer and FirstFleet facilities.

The rider program is only in effect during certain time periods. Any driver found to have a passenger in a FirstFleet truck during closed periods or not meeting the requirements will be subject to discharge.

Except as provided above, absolutely no passengers are allowed on, in, or around equipment operated by FirstFleet unless specifically authorized by an official of FirstFleet. Unauthorized passengers will not be tolerated, and will result in the termination of the operator of that equipment.

Pets

Pets are not allowed in, on or around FirstFleet equipment. Any driver found to be in possession of a pet while on duty will be subject to disciplinary action.

Progressive Discipline

It is FirstFleet's goal to administer appropriate, equitable and consistent discipline for unsatisfactory performance and/or conduct in the workplace. The primary purpose of any disciplinary action is to correct the problem, prevent recurrence, and assist the employee in achieving satisfactory service in the future. The best disciplinary measure is, of course, the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

Although employment with FirstFleet is based on mutual consent and both the employee and FirstFleet have the right to terminate employment at will, with or without cause or advance notice, FirstFleet may use progressive discipline at its discretion.

Progressive discipline means that, with respect to most disciplinary problems, the level of discipline will be appropriate for the level of infraction -- a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a

suspension; and, still another offense may then lead to termination of employment. Depending on the nature and severity of the problem, one or more steps in the process may be skipped.

FirstFleet recognizes that there are certain types of employee problems that are serious enough to justify either a suspension or termination of employment, without going through the usual progressive discipline steps.

By using progressive discipline, FirstFleet believes that most employee problems can be corrected at an early stage, benefiting both the employee and FirstFleet.

Listed below are some (but not all) situations which may result in immediate discharge:

- 1) Tampering with Company equipment, willful destruction of Company or customer's property.
- 2) Failure to report a Company related accident.
- 3) Violation of the Company's drug & alcohol policy
- 4) Failure to submit to a required drug or alcohol test
- 5) A conviction of DUI or DWI, anytime-anywhere.
- 6) Falsification of work related information including pay sheets, time cards, medical or reimbursement records, and job application.
- 7) Verbally or physically threatening fellow employees, customers or vendors.
- 8) Commission of any felony or of any other crime involving dishonesty or violence or that would otherwise relate to employee job requirements.
- 9) Non-compliance with DOT or state laws and regulations.
- 10) An accident involving serious property damage, bodily injury, or fatality.
- 11) Possession of a firearm on Company/customer property or in a Company vehicle.
- 12) Conviction of a reckless or careless driving charge.
- 13) Theft from the Company, customers, vendors or fellow employees.
- 14) Gross negligence.
- 15) Insubordination.
- 16) Failure to accept a dispatched load or backhaul load (except if the dispatch would violate DOT regulations).
- 17) Violation of the Company's harassment policy.
- 18) Disclosing or using any other employee's personnel or personal information, disclosing any confidential customer information, or disclosing any confidential Company information.
- 19) Violation of the Company's Computer / Internet policy.

Listed below are additional situations that may lead to lesser disciplinary action or, depending upon the circumstances, may lead to termination:

- 1) Leaving work before the end of your scheduled shift or not being prepared for work at the start of your shift without permission from your supervisor.
- 2) Violation of FirstFleet Solicitation and Distribution Policy.
- 3) Violation of FirstFleet Absenteeism/Tardiness Policy.

- 4) Unauthorized absence from your workstation.
- 5) Disorderly conduct.
- 6) Violation of a safety rule or practice.
- 7) Smoking in a prohibited area.
- 8) Abusive language to any supervisor, employee, or guest.
- 9) Eating in restricted areas.
- 10) Unsatisfactory job performance.
- 11) Creating or contributing to unsanitary conditions.
- 12) Employment elsewhere which has any adverse effect on job performance at FirstFleet.
- 13) Failure to comply with Federal, State, regulatory or licensure standards.
- 14) Failure to report to work as scheduled.
- 15) Dissemination of confidential information.
- 16) Failure to meet FirstFleet's ethical standards.
- 17) Gambling on FirstFleet or customer property.
- 18) Violation of any other FirstFleet policy.

Problem Resolution

FirstFleet is committed to providing the best possible working conditions for its employees. Part of this commitment is to encourage an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from FirstFleet supervisors and management.

FirstFleet strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with FirstFleet in a reasonable, businesslike manner, or for using the problem resolution procedure.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

- Employee presents problem to immediate supervisor after incident occurs. If supervisor is unavailable or employee believes it would be inappropriate to contact that person, employee may present problem to the Terminal Manager or any other member of management.
- Supervisor responds to problem during discussion or after consulting with appropriate management when necessary. Supervisor documents discussion.