



Hired and Non-Owned Auto Controls for Home Health/Allied Health Agencies

Home Health and Allied Health Agencies routinely require employees to operate their personally owned vehicles while conducting company business. Although utilizing company-owned vehicles is an option that provides the highest level of control, it is not always the most financially feasible option. The control measures listed below should assist your organization in implementing an effective fleet safety program for employees driving personally owned and leased vehicles:

Insurance Coverage

Minimum levels of insurance coverage should be established and required to be maintained for all employee-owned and leased vehicles that are operated while conducting company business. Once this threshold has been established, all employees should be required to provide proof of the insurance coverage limits at the time of hire and annually after that. A current copy of the declarations page of the employee's automobile insurance policy should be kept on file.

Many automobile insurance companies exclude coverage of a personally owned or leased vehicle if the vehicle is involved in an accident while in the course and scope of conducting business. In these cases, the employer's business insurance policy would generally become primary. Also, the physical damage to the employee's vehicle in a fault accident would not have coverage. It is a recommended best practice to make employees aware of the potential coverage gaps, and alert them to the importance of purchasing a "business use" endorsement to their personal auto insurance policy. Employees should be instructed to contact their insurance agent to assess the adequacy of coverage and any potential coverage gaps.

Fleet Safety Program Management

Designate one person at the management level as the Fleet Safety Manager with responsibilities to assess, develop, implement, review, and administer your auto risk management program. The Fleet Safety Manager duties could also be the responsibility of the HR department, all or in part. The responsibilities should include but not be limited to:

- Monitor motor vehicle reports (MVR) against established guidelines
- Facilitate appropriate progressive discipline and driver restrictions
- Update personnel files regarding driver files
- Manage and update the written Fleet Safety Program
- Communicate policy changes to employees
- Establish and implement initial and routine driver safety training
- Monitor driver accident reports and lead accident investigation efforts

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Written Fleet Safety Policy

Your organization should have a written Fleet Safety Policy that is in place and reviewed with employees at the time of hire and periodically thereafter. Employees should be required to sign and date a document to confirm that they read, understand, and agree to comply with the company policy. Anytime there are changes to the company policy a new signature should be required. Copies of this signed document should be kept in the employee's personnel file.

The written policy should outline the minimum expectations of each employee while operating a vehicle on company time. The expectations outlined in the policy statement must be equally applied to all drivers operating their personally owned vehicles on company business. The policy statement should address the following areas at a minimum:

Driver Qualification

Drivers of personally owned/leased vehicles should be "qualified" as if they were operating business-owned vehicles. The driver should have a valid driver's license from their state of residence. A state MVR should be obtained initially and annually thereafter for each driver. The MVR should be compared against the company's established criteria to assess company driving eligibility. Employees that do not meet company's criteria should not be allowed to operate vehicles for the purpose of conducting company business. Drivers should be required to notify the company immediately if their driving privileges have been suspended or revoked, and discontinue driving activities while on company time.

Driving Policies

It should be clearly stated that employees operating vehicles on company business are required to comply with all laws and state regulations. All occupants of vehicles operated for business purposes should be required to be secured in a safety belt. The use of communication devices, such as cell phones, while the vehicle is in motion, should be prohibited. Although hands-free devices may be allowed in various jurisdictions, it is a recommended best practice to prohibit its use. Additionally, a drug and alcohol prohibition policy should be in place that includes pre-employment, post-accident, random and reasonable suspicion testing. Employees should be required to agree to inform their physician that driving is part of their job if medications are prescribed—this may enable the physician to choose medications that will not cause drowsiness or other impairments.

Supervision

A company should assure that it has reasonable expectations for their driver employees. For example, scheduling appointments too closely can encourage speeding and reckless driving.

Training

Driver training available to operators of company-owned or leased vehicles should be made available to employees operating their personally owned vehicles on company business. Even experienced drivers can benefit from refresher driver training sessions; especially in defensive driving. Training should also include the proper policies and procedures for the safe transport of people, equipment, and medical supplies to minimize the potential for injury or damage (i.e., walkers, wheelchairs, oxygen, medications, etc.).

Maintenance

A policy should be in place requiring the employees to maintain their vehicle in accordance with the manufacturer's recommended service guidelines.

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Accidents

Employees operating their personally owned or leased vehicles on company business that are involved in an accident should be required to report the accident to management immediately. Details of the accident should be recorded by the company in case the company is involved in future litigation. A standardized company vehicle Accident Report Form should be completed by the employee when reporting any vehicle accidents and submitted to the Fleet Safety Manager.

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