



Policy Type: Human Resources
Policy #: HR-200-12
Approved by Council on: November 27, 2017

Human Resources – Employee Driver’s License

Policy

This Policy applies to all employees and students who are required to operate a vehicle that is owned, leased, or rented by the Town of Prescott either as a regular or occasional part of their job responsibilities.

Objective

The Province of Ontario, under the authority of the Highway Traffic Act, requires each person to hold a valid driver’s license to operate a vehicle. The Town of Prescott as a responsible employer, using both private and corporately owned vehicles, requires staff to provide verification of a valid driver’s license.

Therefore, all employees who drive Town of Prescott vehicles (whether owned, rented or leased, or, employees who are required to use their personal vehicle for Town of Prescott purposes), shall at all times be in possession of a valid driver’s license with the appropriate class. Upon conditional offer of employment, a certified copy of a valid driver’s license shall be provided to the employer for the purpose of validating the driver’s license.



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Human Resources – Employee Driver’s License – Continued Procedure

1.0 Pre-hire Driver’s License Checks and Offer of Employment

1.1 The requirement to hold a valid driver’s license shall be indicated in a position’s job posting.

1.2 Human Resources will request a copy of the driver’s license upon conditional offer of hire and will hold a copy of the employee’s driver’s license in the employee file.

1.3 If a potential employee who is required to operate a Town vehicle and/or equipment has a suspended license for any reason, the offer of employment shall be rescinded.

1.4 The potential employee will be required to submit a current Driver’s Abstract from the Ministry of Transportation which includes the following information:

- Confirmation of the class of license and restrictions;
- Demerit Points.

2.0 License Suspensions, Downgrade or Cancellation

Any probationary employee who is required to hold a valid Ontario driver’s license or equivalent as a condition of employment and has such license cancelled, suspended or downgraded due to a legal conviction shall have his/her employment terminated immediately.

3.0 License Suspension

Where an employee is required, as a condition of employment, to have a valid driver’s license to drive a vehicle, or his/her own vehicle on Town business, and where such employee is served with a license suspension and/or driving prohibition for medical or legal reasons, the following shall apply:



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Human Resources – Employee Driver’s License – Continued

3.1 Temporary or Permanent Loss of License for Medical Reasons (without legal conviction)

Where an employee’s license is suspended/revoked on a medical ground, the employee must notify the employer immediately upon notification. The employer may endeavour to place the employee in suitable alternative employment. Such consideration will take into account the availability of work, the length of service with the employer, the employee’s past record, the health status of the employee, the qualifications of the employee and the employee’s ability to do the job.

3.2 License Suspension Arising from a Legal Conviction

Where there is a change in the status of an employee’s license due to legal conviction, the following shall apply to those who require a driver’s license for their classification:

For the period of the license suspension, the employee shall be suspended from work without pay and benefits unless the employer is able to provide alternative employment for the period of the license suspension. Please refer to the relevant collective agreements for unionized employees. The employer shall not be expected to create a position to provide suitable alternative work. Where alternative work is provided, the employee will be paid at the applicable rate of pay for the work being performed. The reassignment of the employee is at the discretion of the employer and will take into account the following:

- The length of the suspension and the nature of the driving offence;
- The availability of suitable alternative work that does not incur unreasonable expense to the employer;
- The qualifications of the employee and his/her ability to perform alternate work;
- The employee’s past record and length of service.



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Human Resources – Employee Driver’s License – Continued

The employee shall be allowed at such time that his/her license is restored with no “Ignition Interlock” (or similar device) restrictions to return to the classification held prior to losing their license, should it exist or shall be returned to a vacant position at the same or lower level and applicable rate, provided the employee is qualified.

In those cases in which the employer is unable to provide suitable alternative work without unreasonable expense, the employee shall be granted a leave of absence without pay and benefits for the duration of loss of his/her license to a maximum of two years. It is understood that this shall apply for one instance only for any employee.

Any subsequent suspension based on a legal conviction will result in discharge.

4.0 Change in Status

All employees are required to immediately notify the employer in writing of any change in the status of the driver’s license required for his/her job. Failure to immediately notify the employer of a license suspension, temporary removal, or change in status may result in immediate dismissal/termination of his/her employment.

Definition

Ignition Interlock:

A device or system connected to the car’s ignition that checks for the presence of a substance in the driver. The driver must blow into the machine to start the car and continue to periodically blow into the device to keep the car in motion. If the device senses the substance, the car will not start or will turn itself off.