

## Memorandum of Understanding: driving for business purposes

To be implemented immediately upon execution by the parties:

- RAICES may conduct a Texas type 1 motor vehicle background check, or its equivalent in other states in which employees may work, once annually on all bargaining unit employees whose duties may require them to drive for business purposes. Business purposes do not include commuting to and from work. Business purposes are: (1) transport of clients (2) transport of other RAICES employees; (3) transport of RAICES supplies or equipment; (4) travel required to perform duties at locations other than RAICES offices.
- RAICES may conduct a Texas type 2 motor vehicle background check once annually on all bargaining unit employees whose duties may include driving for business purposes numbers 1 and 2 listed in the preceding paragraph. An employee may choose not to transport other RAICES employees and not be subject to a type 2 motor vehicle background check. Employees making this choice must inform RAICES in writing if they choose not to transport other RAICES employees.
- An employee who while driving any vehicle for RAICES business purposes is involved in any accident, regardless of fault and regardless of whether any person(s) were injured, will promptly inform RAICES of the accident when it is safe to do so.
- RAICES will inform employees in writing of any results from background checks which may negatively impact their privilege to drive for RAICES business purposes, with a copy to the Union. In the event that the negative result is that the employee's driver's license has been suspended or revoked, the written notice will also state that the employee's privilege of driving for RAICES business purposes is suspended. All notices of negative results will include information about how to contact the third party performing background checks so that the employee and/or the Union can verify the results. Employees and/or the Union may challenge results, or driving restrictions imposed by RAICES based on results, through the grievance process set forth in Article 5. Any driving restrictions imposed by RAICES based on results will be subject to a "just cause" standard; except that, unless the employee and/or the Union demonstrates that the results were erroneous, an employee whose license is suspended or revoked may not drive for any business purposes for RAICES until the suspension expires or the revocation is reversed.

*Eric Geist*

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For the Union

*Jack Merinar*

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For RAICES