



Freight Exchange of North America,  
LLC

# Company Driver Manual



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## Purpose of Our Driver Manual

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FX's Driver Manual is designed for administrative convenience and to acquaint you with the policies, benefits, rules, and operations of our company. Portions of the manual may, at times, seem formal and out of sync with our informal atmosphere and style. This is because of our desire to be concise and comply with legal tenants and guidelines. This manual is not a contract, nor is it designed to be an all-encompassing rulebook. Our manual is not intended to be a substitute for sound business judgment and Human Resource management as it relates to employee relations. Rather, it is intended for informational purposes and may be revised without notice as business conditions, legal requirements, and employee situations dictate. No officer or employee of the Company may alter or amend this policy, *except the Executive Committee*, who may do so only in writing.

This manual supersedes all pre-existing rules, benefits, policies, procedures, whether written or otherwise. The Employment Agreement signed when you were hired or any subsequent Employee Agreements, if applicable, remain in effect for the duration your employment.

We encourage you to read this manual carefully, as you will be held accountable for working within the policies herein. If you have questions, please contact a member of management or Human Resources personnel.

The employment relationship between you and the company is at-will. This means that both you and the company have the right to terminate the employment relationship at any time with or without cause or notice. This manual and the policies contained herein in no way alter the at-will employment relationship between you and the company.



# RECRUITING

Thank you so much for choosing F/X! We want you to know that we appreciate you and your commitment to being on time and safe. We're excited to start working with you and have you represent our company. Here at F/X, we understand that drivers are the core of our business, and we will work hard to show our appreciation every chance we get.

We want to continue to hear from you. What are we doing right? What can we improve on? Our department will be reaching out every 30 or 60 days to see how things are coming along. FX is proud to have one of the lowest turnover rates in the industry today. To continue this, we want to ensure that we do everything in our power to keep you happy.

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## WANT TO MAKE EXTRA MONEY??

REFER A DRIVER AND MAKE MONEY!

REFER AN OWNER OPERATOR (driver plus truck) AND MAKE EVEN MORE MONEY!!

Our Drivers make the best recruiters we could ever possibly have!

*\* Referrals must be on boarded and stay on board to get referral money*

Recruiting always wants to hear from you:

[fxrecruit@fxfreight.com](mailto:fxrecruit@fxfreight.com)

or Give us a Call anytime!

**866-737-2199**



# HUMAN RESOURCES

## Contact Us

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For any question regarding employment, benefits, company policies, etc. please refer to the Employee Handbook available through our portal at <https://access.paylocity.com/> or contact the Human Resources personnel at 312-612-2200 Option 6 or via email at [hr@redwoodlogistics.com](mailto:hr@redwoodlogistics.com).

As a reminder, for Paylocity access your company code is 42078.



# OPERATIONS

## Dispatch operations is 24/7.

Day Ops: Monday – Friday 07:00cst -17:00cst

Night Ops: Monday – Friday 17:00cst – 07:00cst / Saturday – Sunday 24 hrs

## Contacting Operations

24 Hour Driver Line: 312-546-5499 or Toll Free Driver Line: 877-883-6088

### Divisions:

- El Paso OTR option 2
- Dallas option 3
- McAllen option 4
- National option 5
- Southern California option 6
- Chicago local option 8
- Company OTR – please call 312-698-8263

After office hours, please call driver line 312-546-5499, option 0

## FX Terminals and Yards

|                                     |                            |                 |       |
|-------------------------------------|----------------------------|-----------------|-------|
| El Paso Terminal                    | 12300 B Pine Springs Drive | El Paso TX      | 79928 |
| FX Hutchins Yard                    | 732 East Wintergreen Road  | Hutchins TX     | 75141 |
| Ft. Worth Terminal<br>(MasterFleet) | 3301 E Loop 820 S          | Fort Worth TX   | 76119 |
| Pharr Terminal                      | 901 E. Military Hwy        | Pharr TX        | 78577 |
| Carol Stream<br>Terminal/Warehouse  | 898 Carol Ct.              | Carol Stream IL | 60188 |
| El Paso Warehouse                   | 1207 Don Haskins Dr.       | El Paso TX      | 79936 |

## Comdata

### Comdata Fuel Cards

Must fuel only at 5 major trucks stops: Pilot, Flying J, Loves, TA, and Petro

(Call Dispatch if you need to fuel other than major 5 truck stops)

Scales - CAT scales can be paid for with Comdata card. Also drivers may download the “WeighMyTruck” CAT scale app to pay for and receive weights on mobile device. Other scales may be used but must be paid for out of pocket and reimbursed.

Hotels - when a hotel stay is needed and approved, room may be paid for using Comdata card, Express Check, or out of pocket for reimbursement. The “Comdata Hotel Network” app may be used to find hotels that accept Comdata card.

## Scanning paperwork

All loads must be scanned after delivery. Company code for Transflo: FXLL

- Scanning (Transflo) can be done at a truck stop
- Using the Transflo Mobile App

Paperwork you need to send via Transflo

- Bill of Lading (signed copy or delivery stamp)
- Logs (if using paper log)
- Maintenance Report
- Fuel receipts
- Lumper receipts

## Updates via GPS unit macros

- Drivers must always send arrival/departure macros at the shipper/receiver
- Send a macro message when drop/hook trailers

## Home Time

It is required to give at least 1 week notice for home time

## Detention/Layover

The first 2 hours are not billed to the shipper/receiver

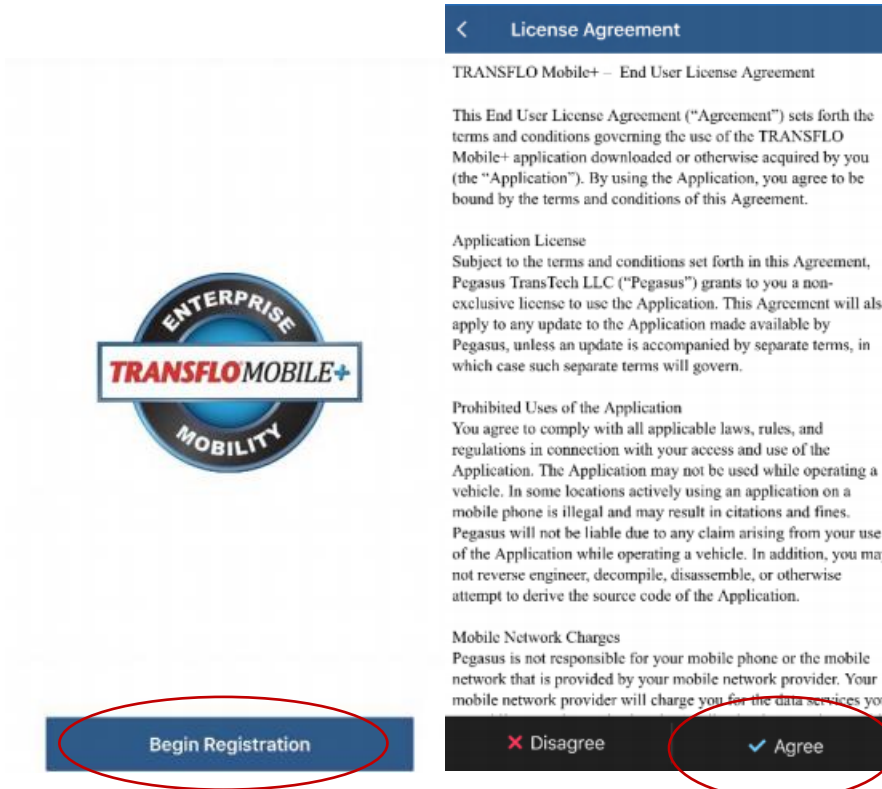
To be eligible for detention (\$25 per hour), driver must do the following:

- Call in/message at the 1 and 2-hour mark
- Send in copy of BOL with time in and time out of shipper or receiver

Layover is 24 hours without a load offer. This is paid at \$150.00.

# TRANSFLO

1. Download the Transflo Mobile+ app from your smartphone



2. Recipient ID – FXLL. Enter your email, first name, last name and phone number.

< Registration Next

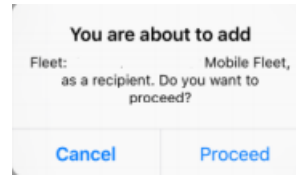
• Recipient ID  
Up to 20 chars, required

• E-mail  
Up to 50 symbols, required

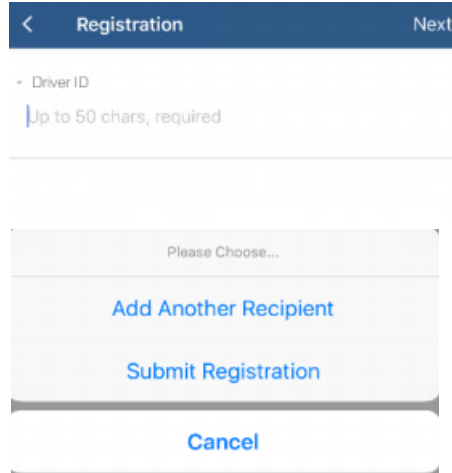
• First Name  
Up to 50 chars, required

• Last Name  
Up to 50 chars, required

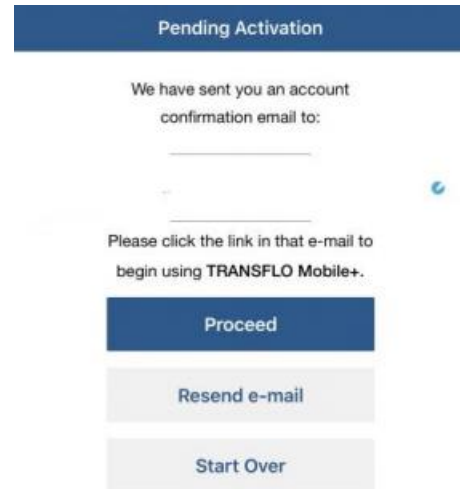
3. Click proceed to add Freight Exchange.



4. Enter your Driver ID.

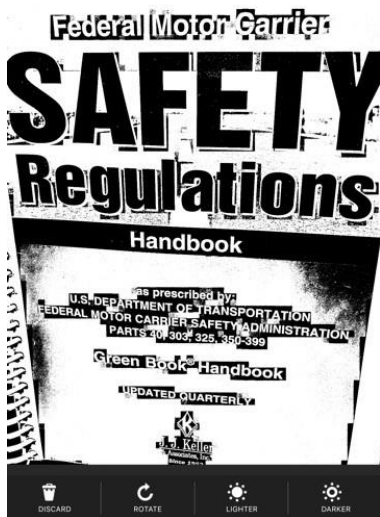
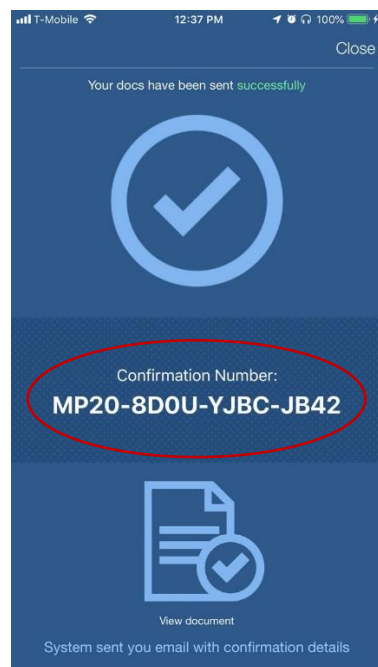
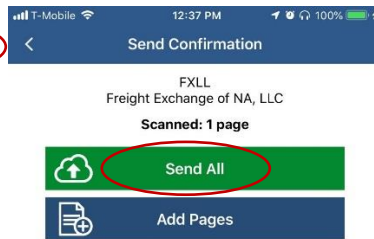
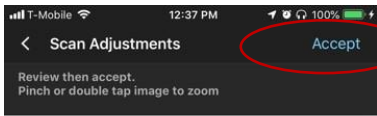
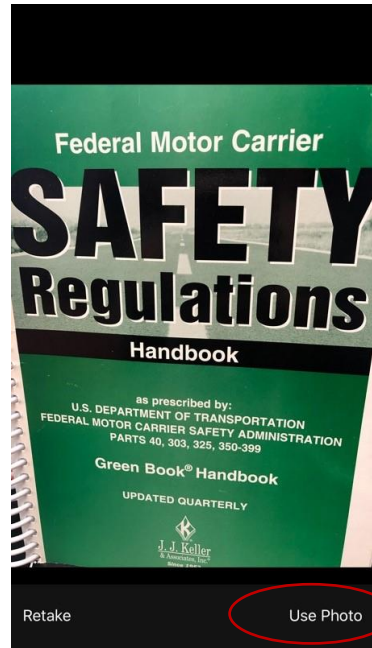
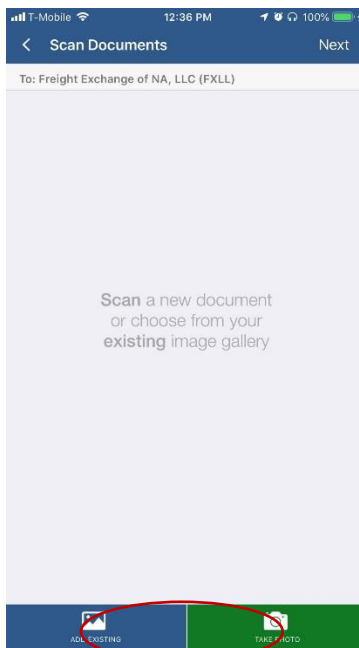
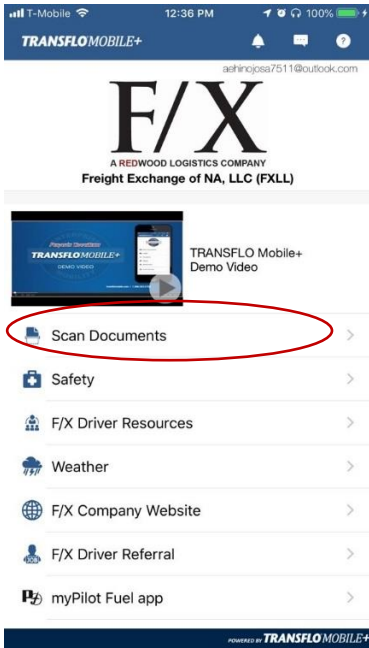


5. Select Submit Registration
6. You will receive an email from noreply@transflo.com titled TRANSFLO Mobile+ Activation. This would be the email that was used to register the mobile device. In the email, please click on the link to activate your account. [Activate My TRANSFLO Mobile+ Installation](#)



7. You will see this on the Transflo app until you activate.
8. As part of activating the phone, please allow the application to access your location. This functionality will allow the application to detect motion and prevent the application from being used while driving.
9. As part of the registration process, please allow the application to receive notifications. This will allow the application to receive notifications. Once this is completed the application will be launched.

10. To transflo documents –



11. You can also check your settlements and complete your online training by selecting the F/X Driver Resources line.

12. Check the weather at your current location by selecting the Weather line.



# MAINTENANCE

## Maintenance Contact Information

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For equipment issues during office hours Monday –Friday from 7 a.m. to 5 p.m. CST, please contact your Fleet Manager.

Driver line – 312-546-5499

- Divisions:
  - El Paso OTR option 2
  - Dallas option 3
  - McAllen option 4
  - National option 5
  - Southern California option 6
  - Chicago local option 8
  - Company OTR – please call 312-698-8263

After office hours, please call driver line 312-546-5499, option 0

## Equipment Inspections

Before operating your equipment, you must conduct a proper pre-trip inspection. These inspections should be completed at the beginning of each shift and walk-around inspections should be completed after any stops during your shifts.

Pursuant to sections 392.7 and 392.8 of the Federal Motor Carrier Safety Regulations, you are required to ensure that the following are in working order:

|                    |                                 |
|--------------------|---------------------------------|
| Service Brakes     | Mirrors                         |
| Horn               | Lighting Devices and Reflectors |
| Parking Brakes     | Coupling Devices                |
| Windshield Wipers  | Tires                           |
| Steering Mechanism | Emergency Equipment             |

Defects found during a roadside inspection which place the vehicle Out of Service must be repaired immediately.

Defects which are not deemed out of service violations must be repaired prior to your next shift.

### Driver Vehicle Inspection Reports (DVIR)

F/X requires all driver to complete a DVIR at the end of each shift. Defects found during your vehicle inspections must be recorded on your DVIR, and they must remain on each day's DVIR until they are repaired.

Any defects found during a roadside inspection must also be noted immediately following the inspection.

You must certify that the vehicle is in satisfactory condition before beginning your work shift.

Instructions on how to enter your DVIR will be given in the ELD section of this manual.

### Maintenance Reports and Inspections

In accordance with Part 396 of the Federal Motor Carrier Safety Regulations, all drivers who operate or otherwise control a Commercial Motor Vehicle ("CMV") must follow the Commercial Motor Vehicle Maintenance Policy outlined in the Company Policies Section of this manual.

# SAMPLE MAINTENANCE REPORT



## PREVENTATIVE MAINTENANCE AND SERVICE REPORT Report is due the 15th of each month for the previous month

Name: First and last name For month of January 2019  
 Date 2/15/19 Tractor # 11111 VIN# 123456 Odometer 111,123  
 Tractor Year 2018 Make FRHT Model CASCADIA

***FX WILL BE UNABLE TO DISPATCH YOU ON YOUR NEXT LOAD IF YOU FAIL TO COMPLETE THIS REPORT***  
***ALL DEFECTS & REPAIRS ON DVIRS FOR THE MONTH MUST BE INDICATED ON THIS REPORT***  
**A COPY OF RECEIPTS ARE REQUIRED FOR ALL PARTS, REPAIRS, SERVICE, TIRES, PREVENTIVE MAINTENANCE**

### REPAIR SECTION – List all Repairs Made, Parts or Equipment Installed.

| Date    | Description          | Location (City, State) | Quantity |
|---------|----------------------|------------------------|----------|
| 1/18/19 | Change radiator belt | El Paso, TX            | N/A      |
|         |                      |                        |          |
|         |                      |                        |          |

### LUBRICATION RECORD –

Please enter a check mark under each item serviced (Provide copy of receipts for service or parts)

| Date    | Mileage | Lube | Oil | Filter | Trans | Diff | Wheel Bearings |
|---------|---------|------|-----|--------|-------|------|----------------|
| 1/18/19 | 110698  | X    | X   | X      |       |      |                |

Tire Size 22.5 TIRE DEPTH RECORD– (In 32nds)

|       |      |      |
|-------|------|------|
| 18/32 | 8/32 | 7/32 |
|       | 6/32 | 7/32 |
|       | 8/32 | 6/32 |
| 19/32 | 9/32 | 8/32 |

Please ensure you check all items listed below and initial if okay and does not require repair at this time.

|    |                                |    |                          |    |                               |
|----|--------------------------------|----|--------------------------|----|-------------------------------|
| JP | Frame & Welds                  | JP | Air lines and hoses      | JP | Reflective tape               |
|    | Under Carriage                 |    | Glad Hand and seals      |    | Hub Oil Level                 |
|    | Bumper                         |    | Low Air Warning System   |    | Wheel Seals                   |
|    | Upper Coupler                  |    | Headlight                |    | Brake Shoes                   |
|    | Spring & U Bolts               |    | Stop Lights              |    | Safety Equipment              |
|    | Windows                        |    | Turn Signals             |    | Belts and Hoses               |
|    | Electrical Connections         |    | Back up lights           |    | All Fluid levels              |
|    | Battery, Battery box and cover |    | Mud Flaps                |    | All filters                   |
|    | Fifth Wheel & Mounting         |    | U joints and Drive Shaft |    | Front suspension and steering |

I certify the above entries are true and correct. The parts indicated have been inspected and repaired to the best of my knowledge and I have provided the receipts for parts and repair services as supporting documents.

Signature: Signature

Date 2/15/19

Approved by Alba Hinojosa, Director of Safety  
Revised 12/17/18



# SAFETY AND COMPLIANCE

## Safety Contact Information

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Safety Department office hours are Monday through Friday from 8 a.m. to 6 p.m. CST

Safety Issues –

1. To report a roadside inspection, citation, or for general safety questions:
  - Please call the driver line at 312-546-5499, Option 1 for Safety, then Option 7
2. For electronic log questions:
  - During office hours, please call the driver line at 312-546-5499, Option 1 for Safety, then Option 7
  - After office hours –
    - Safety On Call                      915-282-9152
3. To report an incident, accident, cargo claim or injury, please call the accident line **877-337-4157**

## Accident Protocol

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You must report **any** accidents, incidents, and/or injuries

Stay safe! Assess the situation for your immediate safety and the safety of others.

1. If possible, move to a safe location. Do NOT leave the accident scene!
2. Place your emergency triangles
3. Determine if there are any injuries.
4. Call 9 1 1
5. Call the accident line at **877-337-4157** or use the Transflo Mobile App on your smartphone (see next page for instructions)
6. Be courteous, but do not sign anything or discuss the accident with anyone except the police officer or an adjuster assigned by F/X.

Obtain:

1. Name, address and phone number of any parties involved, including passengers
2. Insurance company names and policy numbers for vehicles involved
3. Year, make, model and color of vehicles involved—if commercial vehicle, get the USDOT number from the truck
4. Take photographs. See instructions below.
5. Obtain a police report number and the name and phone number of the authorities investigating the scene

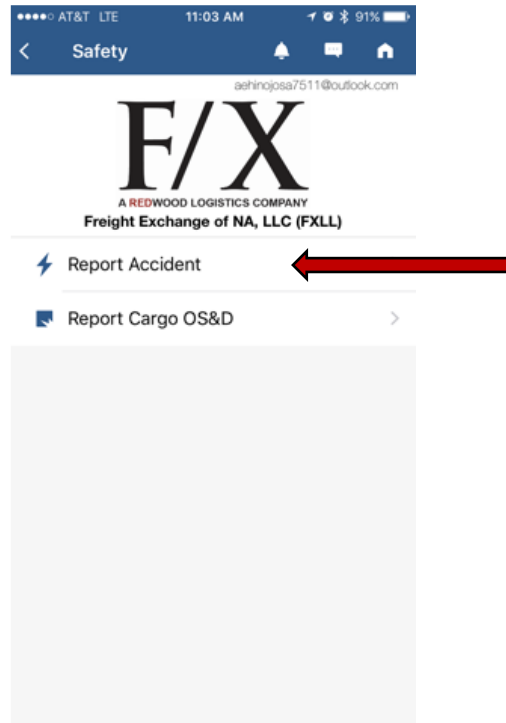
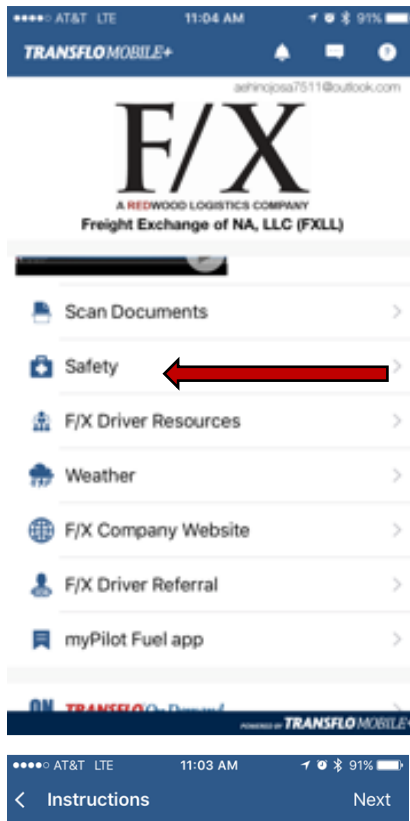
## Accident pictures

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- **Place an object in each photograph to give the picture a sense of scale.**
- **Take a picture of the entire scene.** Step far enough from the scene that you can fit the entire area in the camera frame. Keep photographing the entire scene from different angles until you've covered the entire perimeter of the accident.
- **Take pictures of all vehicles that were involved in the accident.** Take pictures of the entire vehicle from several different angles. Then take close-up shots of the damages resulting from the accident.
- **Take pictures of any damage to the vehicles' interior.** If any personal property was damaged, photograph that as well. Remember to use your flash when necessary.
- **Take pictures of any property damage or evidence at the accident scene.** Be sure to photograph any skid marks, if any.
- **Look for anything that might have been a contributing factor to the accident,** including: damaged curbs, pot holes, lights that don't work, or road construction scenes.

## Reporting Accidents via Transflo Mobile App

Reporting accidents via the Transflo Mobile App is an easy way to obtain all the information you need to collect. However, you must still call the accident line to report any accident, incident and/or injury.



Been in an accident?

In the event of an accident, turn on flashers and set out warnings. If there are any injuries call 911 immediately and then call the Accident Hotline.



Then tap "Next" on top right of screen to start taking photos. After taking the photos you can tap "Next" to optionally scan associated documents.

Driver ID  
Up to 20 chars, required

Truck Number  
Up to 8 chars, required

Trailer Number  
Up to 20 chars, required

Date of incident  
Up to 20 chars, optional

Time of incident  
Up to 10 chars, optional

Incident location  
Up to 255 chars, optional

Fill out form

## Driver Conduct

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The driver of a commercial vehicle on the streets and highways today has a wider scope of responsibility than he may be aware.

When people hold drivers in high esteem, your own job is that much more desirable, and you can take pride in your profession.

## DOT Controlled Substances and Alcohol

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Freight Exchange of North America, LLC is dedicated to the health and safety of our drivers. Drug and/or alcohol use may pose a serious threat to driver health and safety. Therefore, it is the policy of Freight Exchange of North America, LLC to prevent the use of drugs and abuse of alcohol from having an adverse effect on our drivers.

The serious impact of drug use and alcohol abuse has been recognized by the federal government. The Federal Motor Carrier Safety Administration (FMCSA) has issued regulations which require the company to implement an alcohol and controlled substances testing program.

The purpose of the FMCSA-issued regulations is to establish programs designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles.

The company will comply with these regulations and is committed to maintaining a drug-free workplace.

It is the policy of Freight Exchange of North America, LLC that the use, sale, purchase, transfer, possession, or presence in one's system of any controlled substance (except medically prescribed drugs) by any driver while on the company premises, engaged in company business, operating company equipment, or while under the authority of Freight Exchange of North America, LLC is strictly prohibited. Disciplinary action will be taken as necessary.

In accordance with 49 CFR §382.601(a), each employer shall provide educational materials that explain the requirements in Part 382 and the employer's policies and procedures with respect to meeting these requirements. The employer shall ensure that a copy of these materials is distributed to each driver prior to the start of alcohol and controlled substances testing under this part and to each driver subsequently hired or transferred into a safety-sensitive function position (i.e., operating a commercial motor vehicle as defined in §382.107 requiring a CDL).

Each driver hired or transferring into a safety-sensitive function is responsible for reviewing the content of the information presented to drivers. Each driver is responsible for asking questions about the procedures if the content is unclear to him/her. Drivers may pose follow-up questions about the content of this policy and procedures to the Director of Safety.

All drivers who operate commercial motor vehicles that require a commercial driver's license under 49 CFR Part 383 are subject to the FMCSA's drug and alcohol regulations, 49 CFR Part 382.

It is the company's responsibility to provide testing for the driver that is in compliance with all federal and state laws and regulations, and within the provisions of this policy. The company will retain all records related to testing and the testing process in a secure and confidential matter.

## Freight Exchange of North America, LLC Designated Controlled Substance and Alcohol Administrator

Freight Exchange of North America, LLC's alcohol and drug program administrator who is designated to monitor, facilitate, and answer questions pertaining to these procedures is:

Alba E. Hinojosa

Director of Safety

12300 B Pine Springs Drive, El Paso, TX 79928

Phone 312-698-8197

Email [ahinojosa@fxfreight.com](mailto:ahinojosa@fxfreight.com)

The driver is responsible for complying with the requirements set forth in this policy. The driver will not use, have possession of, abuse, or have the presence of alcohol or any controlled substance while on duty.

All supervisors must make every effort to be aware of a driver's condition at all times the driver is in service of the company. The supervisor must be able to make a reasonable assessment based on observations to determine if the driver is impaired in some way and be prepared to implement the requirements of this policy if necessary.

### Alcohol Prohibitions

Part 382, Subpart B, prohibits any alcohol misuse that could affect performance of safety-sensitive functions.

This alcohol prohibition includes:

- use while performing safety-sensitive functions;
- use during the 4 hours before performing safety-sensitive functions;
- reporting for duty or remaining on duty to perform safety-sensitive functions with an alcohol concentration of 0.04 or greater;
- use of alcohol for up to 8 hours following an accident or until the driver undergoes a post-accident test; or
- refusal to take a required test.

**NOTE:** Per FMCSA regulation (Sec. 382.505), a driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform, nor be permitted to perform, safety-sensitive functions until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test.

***Freight Exchange of North America, LLC will remove from safety-sensitive functions any driver found to have any alcohol concentration in their system. This will lead to a corrective action review, up to, and including, disqualification and/or termination of contract.***

***Possession on alcohol in a commercial motor vehicle, on company property or on any customer property will lead to immediate disqualification and/or termination of contract.***

#### Controlled Substance Prohibitions

Part 382, Subpart B, prohibits any drug use that could affect the performance of safety-sensitive functions. This drug prohibition includes:

- use of any drug, except when administered to a driver by, or under the instructions of, a licensed medical practitioner, who has advised the driver that the substance will not affect the driver's ability to safely operate a commercial motor vehicle. (The use of marijuana under California Proposition 215 or the use of any Schedule I drug under Arizona Proposition 200 is not a legitimate medical explanation. Under federal law, the use of marijuana or any Schedule I drug does not have a legitimate medical use in the United States.);
- testing positive for drugs; or
- refusing to take a required test.

Possession on drugs in a commercial motor vehicle, on company property or on any customer property will lead to immediate disqualification and/or termination of contract.

All drivers will inform the Director of Safety of any therapeutic drug use prior to performing a safety-sensitive function. He/she may be required to present written evidence from a health care professional which describes the effects such medications may have on the driver's ability to perform his/her tasks.

#### Conditions for Employment

A driver applicant who has refused a drug or alcohol test, failed a random, reasonable suspicion, post-accident, return-to-duty, follow-up alcohol test, or tested positive for controlled substances will not be considered for employment with Freight Exchange of North America, LLC.

A driver applicant who has tested positive for drugs during a DOT pre-employment test will not be considered for employment with Freight Exchange of North America, LLC.

#### Drug and Alcohol Training

Freight Exchange of North America requires all drivers to complete online training online at the time of orientation.

## Preventing Injuries

---

Injuries can take you off the road and affect your well-being. Remember it is always better to be safe than sorry!

Footwear - All Drivers need to wear shoes that are rubber sole with cleats. Tennis shoes and cowboy boots are not recommended. \*F/X offers work boots at a discount – please see safety\*

Fifth Wheel Release Lever - All Drivers should purchase a fifth wheel release puller; this will avoid pulling and twisting your body (back). Drivers should always be careful not to have his/her body in a twisted position while pulling.

Releasing Trailer Slider Lock Pin - If you cannot easily pull the release pin, get help. Do not strain or have your body (back) twisted while pulling. There are release bars available in most truck stops.

Cranking Dollies - Always stand up straight, keep your body away from the crank. Do not strain with your body (back) twisted. Never let your head or any other part of your body become close to the crank. If the dollies are in a bind (not on level ground/pavement) you must be extra careful as the crank may go forward or backward due to the bind. If you cannot within reason crank the dollies call maintenance, get help.

Trailer Doors - When opening trailer doors be very careful, you should always keep both hands on the door at all times, if there is a wind you must be extra careful as they can cause severe damage to your body. Never swing/push the door open or closed, you must always have both hands on the door at all times.

Remember to verify that the latch to hold open the trailer door is secure and that the door will not come free. If the door comes free, it can swing around at a high rate of speed and cause severe injury.

Lifting - Do not attempt to lift anything if you are unaware of the actual weight. If you are unsure that the weight is acceptable use the following procedure:

- Stand close to the load and center yourself over it with your feet shoulder width apart
- Tighten your abdominal muscles
- Keeping your back straight, bend your knees and squat down to the floor
- Get a good grasp on the load with both hands
- Keeping the load close to your body use your leg muscles to stand up lifting the load off the floor
- Your back should remain straight throughout lifting, using only the muscles in the legs to lift the load
- Do not twist your body when moving the load. Instead take small steps with your feet turning until you are in the correct position

- Again, bend at the knees using only your leg muscles and place the load in the appropriate spot

Three Point Contact - The three points of contact rule is that you must maintain three points of contact when entering or exiting the vehicle, dock, or trailer. If both feet are not planted on the ground, then both hands need to be holding on to something

Driving - Keeping your hands on the steering wheel at 10 and 2 is not only good for safe driving, it can also prevent injury. In the case of a steer tire blow out allowing your hands to be resting inside of the steering wheel can result in broken bones. **Steering Wheel Spinner Knobs known as Suicide Knobs are prohibited on any truck.**

Keeping proper posture and interrupting long periods of driving exiting the vehicle and stretching can avoid muscle fatigue and help prevent muscle injury.

## Cargo Claims

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### Preventing Cargo Claims

1. Your pre-trip inspection should include inspecting trailers for leaks, broken floorboards and protruding objects that could damage a load during the loading/unloading process.
2. Supervise loading/unloading – unless you are prohibited from doing so. If you find discrepancies, report them to your fleet manager before leaving the facility. Also, document any discrepancies you notice on the bill of lading.
3. Use “shipper load and count” – Write this on the bill of lading if you were not directly responsible for the loading of the freight, especially if you were not allowed to supervise the loading.
4. Protect your load from shifting. Before closing the trailer doors, use load straps or locks to ensure the product will not shift.
5. Trailer seals – make sure the trailer seal is documented on the bill of lading. If the shipper does not provide a seal, use one of the seals that will be provided to you be F/X, and make sure to document it on the bill of lading.
6. “Seal Intact” – Upon delivery of your load, make sure the receiver checks the seal before you open the doors, that the seal number matches what is on the bill of lading, and that they document that the seal was intact.
7. Use your own lock, if possible, to deter thieves from breaking into your trailer.
8. Inspect your equipment after every stop and ensure that the seal and lock have not been tampered with.
9. Drive carefully. Serious cargo claims, and other accidents can result from cargo shifting because of panic stops, sharp turns or traveling around curves too fast. Drive carefully to avoid excessive force that could cause cargo to shift or fall.

Most importantly – know the product you are hauling. Some loads are considered high value and require extra care.

- If you know you have a high value load –
  - Do not stop before you have driven at least 200 miles from wherever you picked up the load.
  - Do not leave the load unattended for extended periods of time, and always notify your fleet manager if you must drop the load for any reason (i.e. truck repair).

## Roadside Inspections, Violations, and Citations

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### Roadside Inspections

Section 395.24(d) requires that on request by an authorized safety official, a driver must produce and transfer from an ELD the driver 's hours of service records in accordance with the instruction sheet provided by the motor carrier.

Each driver manual will include an instruction sheet that you should provide to any law enforcement officer who conducts an inspection your truck.

1. Report all inspections to the Safety Department immediately.
2. Any equipment violations which place a vehicle Out-of-Service must be repaired immediately.
3. Equipment violations listed that are not considered out-of-service violations must be repaired prior to your next shift.
4. You and/or the mechanic correcting any defects must sign off on the roadside inspection.
5. Send in a copy of the inspection to the Safety Department via Transflo within 24 hours of the repair completion.
6. Drivers who are placed out-of-service during a roadside inspection must not drive until –
  - a. The equipment is repaired
  - b. The out-of-service time set by the inspecting officer is met

**Inspections that state No Violations Were Discovered qualify to receive a Safety Bonus**

### Citations

Driver must report any citation received, whether in a commercial vehicle or a personal vehicle, to the Safety Department immediately.

- If you are contesting a citation, you must provide the Safety Department with your attorney's contact information
- You must report citations even if you have not been convicted
- If you are paying the fine for the citation, you must provide proof of payment
- F/X can process payment for your citations for an additional fee

Citations will also be reviewed annually per sections 391.25 and 391.27 of the FMCSA.

F/X understands the importance of having passengers able to go on trips with you. However, as you know there are some inherent risks involved in having another person in your truck. Therefore, in accordance with federal regulations you are required to have a Passenger Authorization for each passenger who may ride with you. The Passenger Authorization is required to have an effective date and signed off by a member of the Safety Department and must be carried by the driver and passenger at all times the passenger is present in the vehicle.

### **ONLY ONE PASSENGER MAY BE IN YOUR TRUCK AT A TIME!**

#### **Team drivers may not take passengers**

Children over 10 years of age but under the age of 18 must have both parents or legal guardians sign the release form and have it notarized. Children are not permitted as passengers between October and May. Passengers are not permitted to exceed 30 days unless the passenger is over the age of 18.

Passenger Insurance must be secured before any passenger may be permitted in the truck. Passenger Insurance can be purchased from the insurance provider of F/X for \$156 per year.

The policy permits you to have one passenger in the truck at any one time and you may change the passenger on your policy as needed during the effective policy year. You are required to contact the Safety Department to update your Passenger Authorization form.

Passengers are not permitted to operate any equipment or perform any work while in the truck. Any passenger who possesses a CDL may not operate any equipment for any reason. Passengers are required to remain inside the tractor anytime the tractor is in motion and shall use all safety restraints including but not limited to the safety belt or bunk net restraint.

Please contact the Safety Department for the Passenger Authorization form. Once the form is filled out and notarized please submit back to the Safety Department with a copy of the passenger's Driver's License, State ID Card or Birth Certificate for minors. Once the required documents are received, Safety will sign off and you will be given a copy to be kept in the tractor at all times.

# SAFETY POLICIES



## Company Policy: Hand-Held Mobile Cell Phones

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The Federal Motor Carrier Safety Administration issued its final rule RESTRICTING the use of Hand-Held Mobile Cell Phones in interstate operation, effective January 3, 2012, 76 FR 75470. This company policy applies to all operations of Freight Exchange of North America, LLC, and is a result of the changes to federal regulation.

All use of Hand-Held Mobile Cell Phones while operating a Commercial Motor Vehicle ("CMV") is strictly prohibited and will result in review for corrective action and/or immediate disqualification and cancellation of the Lease Agreement.

### CLARIFICATIONS:

1. A mobile cell phone is allowed using either a wired or wireless earpiece, or the speakerphone function of the mobile cell phone. Wireless connection of the mobile cell phone to the vehicle for hands-free operation of the cell phone, which would allow the use of single-button controls on the steering wheel or dashboard, would also be allowed.
2. The push-to-talk function on a mobile cell phone is not allowed. This includes the continuous holding of a button that is necessary to use a push-to-talk feature through a mobile cell phone, even when the driver is using a connected microphone or wireless earphone.
3. Dialing a mobile cell phone while operating a CMV is strictly prohibited. However, a driver may initiate, answer, or terminate a call by touching a single button on a mobile cell phone, earpiece, steering wheel, or instrument panel – comparable to using vehicle controls or instrument panel functions, such as the radio or climate control system.

## Company Policy: Driver Safety & Vehicle Cleanliness Standards

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The purpose of this policy is to ensure the health and safety of those individuals who drive company vehicles.

### **Driver Safety Rules**

- No driver shall operate a vehicle when his/her ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication.
- No unauthorized personnel are allowed to ride in company vehicles.
- Drivers are responsible for the security of Company vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended.
- All state laws, local laws, or D.O.T. Motor Carrier Safety Regulations must be obeyed.

### **Vehicle Cleanliness Policy**

Company vehicles often provide customers with their first direct encounter with our business. A clean vehicle not only makes a positive impression on customers but also provides a safe working environment. Debris and other loose items in the vehicle are particularly dangerous because they can shift during operation of the vehicle and interfere with functional use of the brake and accelerator. Furthermore, a well-maintained working environment has a proven impact on morale and productivity.

It is expected that every driver treat company vehicles with respect. The condition of a vehicle is an indication of how a driver operates over the road, values safety, respects the public and dedicates service to our customers. In order to ensure all company vehicles are kept clean, well-maintained, and operated in a safe manner, Freight Exchange has established the following Vehicle Cleanliness Policy:

- Drivers must keep the interior of the company vehicle clean and all trash must be discarded in the proper trash container.
- Drivers must dispose of any and all trash containers at least twice per week or soon as necessary if trash containers exceed capacity.
- Drivers must use restroom facilities; there will be no urination in the vehicle for any reason.

Company vehicles are subject to random inspections at any time without advanced warning. Violations of the Vehicle Cleanliness Policy may lead to corrective action, up to and including termination of employment. Furthermore, drivers will be responsible for all expenses associated with any violations of this Policy, which may include professional cleaning or otherwise, subject to a maximum of three hundred dollars (\$300.00) per vehicle.

# Company Policy: Deductions for Fines and Citations, Violations of Vehicle Cleanliness Policy and/or Equipment Damage, Loss or Misuse

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The purpose of this policy is to establish and confirm responsibility for fines and citations, violations of Vehicle Cleanliness Policy and/or equipment damage, loss or misuse incurred as a result of Driver's acts or omissions.

## Fines and Citations

Except in the event a violation arises from circumstances beyond the control of Driver and is not attributable to the acts or omissions of Driver, Driver is responsible for the payment of any fine, expense, fee or other costs incurred by reason of violations or failure to adhere to any law, statute, regulation, rule or ordinance (e.g. speeding, failure to obey signal, lane violations, overweight violations, etc.).

## Vehicle Cleanliness Policy

Drivers will be responsible for all expenses associated with any violations of the Vehicle Cleanliness Policy on any vehicle you operate, which may include professional cleaning or otherwise.

## Equipment Damage, Loss or Misuse

Except in the event of an unpreventable accident or incident, Driver is responsible for all damage, loss or misuse of equipment, including without limitation, cellular phones and satellite communication equipment (e.g. Rand McNally units). Furthermore, Driver is responsible for all charges related to the unauthorized or personal use of a Company-provided EZ Pass or Pre-Pass unit.

## Deductions

FX will deduct from Driver's compensation any liability, cost or expense FX has incurred or paid that Driver is obligated to bear and will make any such deductions under applicable federal and state law Unless provided in the Itemized Deductions Table below, the amount of each item to be deducted will be based on the actual cost or expense incurred by FX. Prior to making any deductions, FX will provide Driver written itemization of all deductions as well as any documentation where such documentation is necessary to verify the validity of the deduction. Driver also agrees to sign additional documentation pertaining to said deductions.

| ITEM   | COST TO DRIVER                  |
|--|---------------------------------|
| Damage to equipment or company property          |                                 |
| 1 <sup>st</sup> occurrence                       | \$100                           |
| 2 <sup>nd</sup> occurrence                       | Will vary based on actual cost  |
| EZ Pass / Pre-Pass Loss or Damage                | \$100                           |
| Satellite Communication Equipment Loss or Damage | \$250*                          |
| Violation of Vehicle Cleanliness Policy          | Actual cost not to exceed \$300 |

\*Unless loss or damage is attributable to the reckless, grossly negligent, willful or wanton conduct of Driver, then full replacement cost.

# Corrective Action Plan for Compliance, Safety, Accountability (CSA) Violations Associated with Roadside Inspections, Interventions and Crash Reports

**\*\* Please Note: Freight Exchange follows all laws (state and federal) and regulation of the FMCSA\*\***

The purpose of this policy is to establish and confirm FX’s corrective action plan regarding CSA violations associated with roadside inspections, interventions and crash reports. As set forth in this policy, Drivers will be held accountable for unsafe performance and behavior.

## OVERVIEW

- The Corrective Action Plan (the “Plan”) applies to all violations associated with roadside inspections, interventions and crash reports.
- The Plan is based on the numerical weight assigned to each violation, which ranges on a scale of 1-10. *[A copy of the violation table is available upon request from FX’s Safety Department.]*
- All corrective action plans will be enforced over a 12-month rolling time period commencing on the first occurrence of any corrective action.

## VIOLATION(S) SCHEDULE AND CORRECTIVE ACTION PLAN

| Numerical Weight | Violation Frequency | Corrective Action  |
|------------------|---------------------|--|
| 1 - 2            | All                 | No Corrective Action required.   |
| 3 - 4            | First               | Review of violation; on-line training assigned.<br>If more than one (1) violation on same roadside inspection, intervention or crash report, corrective action will be escalated to <i>First Occurrence</i> of the Corrective Action Table   |
|                  | Subsequent          | Review of violation; corrective action subject to the Corrective Action Table  |
| 5 - 8            | All                 | Review of violation; corrective action subject to the Corrective Action Table<br>If more than one (1) serious violation on same roadside inspection, intervention or crash report, corrective action will be will be escalated to <i>Third Occurrence</i> of the Corrective Action Table |
|                  | Subsequent          | Review of violation; corrective action will be will be escalated to <i>Fourth Occurrence</i> of the Corrective Action Table  |
| 10               | All                 | Automatic removal from dispatch and possible disqualification  |

| Violation      | Violation Frequency | Corrective Action   |
|----------------|---------------------|---|
| Mechanical     | All                 | If more than one (1) mechanical violation on same roadside inspection, intervention or crash report, Driver required to complete a routine tractor inspection and/or annual inspection prior to next dispatch                               |
| Out-of-Service | All                 | Corrective action subject to Corrective Action Table; Driver must comply with all out-of-service orders associated with the roadside inspection, intervention or crash report; failure to comply with order will result in disqualification |

### **CORRECTIVE ACTION TABLE**

| Occurrence | Corrective Action   |
|------------|---|
| First      | Remedial training to include online training or in person training at terminal.                     |
| Second     | Verbal warning; Intervention with Safety Department to include additional training if applicable.   |
| Third      | Written warning; Intervention with Safety Department to include additional training if applicable.  |
| Fourth     | Corrective action determined upon review by Safety Department, up to and including disqualification |

### **ADDITIONAL POLICY NOTES**

Driver must score 100 on online CSA training to consider it a passing grade.

Failure to respond or cooperate with the Plan will result in disqualification and/or termination of lease.

A pattern of non-compliance with Part 395 of the Federal Motor Carrier Safety Regulations and/or the Hours-of-Service and Record of Duty Status (Log) Audit Policy will result in an escalation of corrective action set forth in this Policy.

FX reserves the right to disqualify any Driver at any time due to unsafe operations or non-compliance with FX's policies and/or Federal, State, and Local Laws and Regulations.

*Any exceptions to this Policy must be in writing. A Safety Corrective Action Form will be maintained by the Safety Department.*

# Hours-of-Service and Electronic Record of Duty Status Audit Policy & Corrective Action Plans

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The purpose of this Policy is to ensure that all drivers are adhering to the hours-of-service, record of duty status (RODS) regulations, and ELD regulations, set forth in Part 395 of the Federal Motor Carrier Safety Regulations (FMCSRs). All corrective action plans will be enforced over a 6-month rolling period commencing on the first occurrence of any Corrective Action.

The management of Freight Exchange of North America does not permit any of its employees, contractors or associates to be a party to any attempts to violate any section of Part 395 of the FMCSRs or to falsify, alter or conceal RODS and/or pertinent supporting documents.

## **DRIVER TRAINING AND COMPLIANCE**

Per FMCSR 395 ELD Regulations a driver is responsible for ensuring compliance with the following requirements, the driver is responsible for contacting Safety for additional training over the following when needed:

- Inputting the driver's duty status, as well as the trailer and shipping document number.
- Completing DVIR Pre and Post Trip inspections daily.
- Verifying logs daily for the previous days.
- Producing and transferring the driver's hours-of-service records from the ELD when requested by an authorized safety official.
- Review any unassigned driving time and assume any driving that belongs to the driver or indicate that the records do not belong to the driver.
- Follow recommendations provided in resolving any data inconsistencies and malfunction events.
- Understand how to edit RODS (Records of duty statuses).

## **ELECTRONIC LOGS NOTIFICATIONS**

Drivers who continue to operate after they have reached the 8-hour (mandatory rest break), 11-, 14-, or 70-hour limits as set forth Part 395 of the FMCSRs will be subject to the Hours-of-Service Violation Corrective Action Plan:

### ***HOURS-OF-SERVICE VIOLATION CORRECTIVE ACTION PLAN***

- 1st Occurrence: Remedial training in person or over the phone.
- 2nd Occurrence: Extended Remedial training in person or over the phone.
- 3rd Occurrence: Verbal warning in person or over the phone.
- 4th Occurrence: Final Verbal warning in person or over the phone.
- 5th Occurrence: Written warning.
- 6th Occurrence: Safety Corrective Action Review will be conducted by Safety and Operations to determine further corrective action up to and including intervention with operations and safety and possible mandatory removal from dispatch.
- 7th Occurrence: Disqualification.

## **EGREGIOUS VIOLATIONS**

Egregious violations are any hours-of-service violations exceeding 3 hours. Companies and drivers that commit egregious violations could face the maximum penalties for each offense. Trucking companies and passenger carriers that allow drivers to exceed driving limits by more than three hours could be fined \$11,000 per offense, and drivers themselves could face civil penalties of up to \$2,750 for each offense.

Drivers found committing egregious violations will be subject to corrective action determined upon review by Safety and Operations up to and including disqualification.

### ***EGREGIOUS VIOLATION CORRECTIVE ACTION PLAN***

- 1st Occurrence: Final Written warning for any future egregious violations plus conference with safety and operations to discuss the severity and follow up plan.
- 2nd Occurrence: Disqualification.

## **FORM AND MANNER AUDITING**

Driver RODS (Records of Duty Statuses) will be audited on an ongoing basis in accordance with Part 395 of the FMCSRs for hours-of-service violations, ELD violations, general form and manner violations, and falsifications.

On a monthly basis, violation letters will be sent to drivers showing any violations discovered in the previous month. Drivers will be subject to the Elog Audit Violation/Falsification Corrective Action Plan in the following occurrences:

- 5 or more fuel falsifications in a calendar month
- 10 or more general form and manner violations in a calendar month including failing to enter a trailer number and/or entering the shipping information.
- 15 or more DVIR violations in a calendar month

### ***ELOG AUDIT VIOLATION/FALSIFICATION CORRECTIVE ACTION PLAN***

- 1st Occurrence: Driver receives written notification of violation/falsification and is instructed to correct the issue and contact Safety if more training is needed.
- 2nd Occurrence: Assign online remedial training depending on the violation.
- 3rd Occurrence: Retraining in person or over the phone.
- 4th Occurrence: Verbal warning in person or over the phone.
- 5th Occurrence: Written warning.
- 6th Occurrence: A Safety Corrective Action Review will be conducted by Safety and Operations to determine further corrective action up to and including Safety and Operations intervention and possible mandatory removal from dispatch or disqualification.

## ***UNVERIFIED LOGS***

- The driver is required to verify all previous logs daily. Failure to verify logs over 14 days will require the driver to physically sign in person or electronically via DocuSign the printout of the logs in order to comply with the FMSCR.
- Unverified logs are audited on a weekly basis and drivers will be contacted when they have failed to comply with properly verifying their logs.

## **PERSONAL CONVEYANCE EXCEPTION**

Under certain circumstances, the FMCSRs allow commercial motor vehicle (CMV) drivers to drive their CMV for personal use (“personal conveyance”) without risking violation of the hours-of-service limits. To claim that a movement is for personal conveyance, the driver must adhere to the following guidance provided by the FMCSR part 395.8:

*A driver may record time operating a CMV for personal conveyance (i.e., for personal use or reasons) as off-duty only when the driver is relieved from work and all responsibility for performing work by the motor carrier. The CMV may be used for personal conveyance even if it is laden since the load is not being transported for the commercial benefit of the carrier at that time. Personal conveyance does not reduce a driver’s or motor carrier’s responsibility to operate a CMV safely.*

*Motor carriers can establish personal conveyance limitations either within the scope of, or more restrictive than, this guidance, such as banning use of a CMV for personal conveyance purposes, imposing a distance limitation on personal conveyance, or prohibiting personal conveyance while the CMV is laden.*

To reference examples of uses of a CMV while off-duty for personal conveyance that would qualify and not qualify visit [www.fmcsa.dot.gov/regulations/hours-service/personal-conveyance](http://www.fmcsa.dot.gov/regulations/hours-service/personal-conveyance), or request a print out of these examples from the Safety Department.

Per the guidance above, FX has established certain limitations to further define appropriate use of personal conveyance. These limitations are listed as, but not limited to, the following:

All claims for personal conveyance usage will be audited. Use of personal conveyance when the above circumstances do not apply is strictly prohibited and drivers found in violation will be subject to the Prohibited Use of Personal Conveyance Corrective Action Plan. Any personal conveyance time that does not meet the requirements will be changed to driving time; if this change causes the driver to go into violation of any of the hours-of-service regulations, the driver will be subject to the Hours-of-Service Corrective Action Plan.

### **PROHIBITED USE OF PERSONAL CONVEYANCE CORRECTIVE ACTION PLAN**

- 1st Occurrence: Remedial training in person or over the phone.
- 2nd Occurrence: Extended Remedial training in person or over the phone.
- 3rd Occurrence: Verbal warning in person or over the phone
- 4th Occurrence: Extended Verbal warning in person or over the phone
- 5th Occurrence: Written warning with intervention with Safety and Operations.
- 6th Occurrence: Settings for personal conveyance will be reduced or removed depending on the history of misuse for a period of six (6) months.

## **ADVERSE DRIVING EXCEPTION**

Adverse driving conditions is defined by the FMCSA as: “snow, sleet, fog, other adverse weather conditions, a highway covered with snow or ice, or unusual road and traffic conditions. If a qualifying event has occurred, selecting the adverse driving exception in the HOS menu of the ELD will extend the 11 hour and/or 14-hour clock by 2 hours.

It’s important to note that the use of the adverse condition exception when not needed is a DOT violation and falsification. Use of the exception is not permitted in normal traffic or heavy traffic areas, when running out of hours, or to be used to complete dispatch. It is also not permitted to be

used when hours are lost at the beginning of the shift to regain lost hours. This FX ELD Policy only permits the use in the conditions mentioned above defined by the FMCSA and to find a nearby safe haven in dangerous conditions.

Use of adverse conditions will be audited regularly by Safety. Misuse of the exception will result in retraining, extended retraining, verbal warning, and further corrective action if needed including written warnings and in-person interventions depending on the severity of misuse.

## **USE OF THE ELD SYSTEM**

The ELD device must be kept on at all times during transit. Tampering with and/or disconnecting the unit will result in corrective action up to and including disqualification and/or termination of lease.

Driver must always carry a minimum of 8 blank log sheets (preferably a blank logbook). The driver must immediately notify the Safety Department in the event the ELD system fails while on the road:

The driver will be instructed to mark the time and notate the malfunction on the paper log. Additionally, the driver must fill out and date an ELD declaration explaining the malfunction.

The Safety Department will coordinate faxing or emailing copies of the previous 7-days' logs to the driver.

The driver will be routed to the nearest terminal to replace or service the unit within 8 days per FMCSR 395.34.

Driver must prepare paper logs during this 8-day period and submit the paper logs to Safety Department at the time the unit is replaced or serviced.

## **ADDITIONAL POLICY NOTES**

***Failure to comply with any Corrective Action Plan will result in immediate disqualification and/or termination of lease.***

***A pattern of non-compliance with Part 395 of the FMCSRs and/or any FX Safety Policies will result in an escalation of Corrective Action in this Policy.***

***Any exceptions to this policy will require written exception. A Safety Corrective Action Form will be maintained by the Safety Department.***

***Receipt of this driver manual and ELD policy acknowledges the receiving driver has been provided with, read, and fully understands the corrective action plan for compliance, safety, accountability (CSA), violations associated with roadside inspections, auditing policies, and crash reports contained herein. I agree to the terms herein and will follow the regulations outlined.***

# Accident and Incident Corrective Action Policy

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The purpose of this policy is to establish FX's corrective action plan in response to incidents and accidents.

## OVERVIEW

All accidents and incidents will be investigated, and preventability determined based on evidence collected including but not limited to statements, photos, police reports, citations, telematics data, and dashcam footage.

In addition to preventability, corrective action will be assigned for the following policy violations:

- Failure to cooperate in the investigation of an accident, incident, and/or theft, or the concealment of evidence which would be useful to the Company.
- Failure to report an accident, incident, or injury
- Failure to follow company accident protocol

## CORRECTIVE ACTION

Assigned corrective action is based on the review of the accident/incident severity and facts, in combination with the driver's Safety Record.

Corrective action includes but is not limited to, and may be in combination with, the following:

- Remedial online training
- Verbal warning
- Written warning
- In person conference
- Deduction for equipment damages and claims
- Removal from dispatch
- Disqualification

The following will result in immediate removal from dispatch and reviewed for possible disqualification:

- Exceeding 3 preventable accidents or incidents in the past 3 years, per FX's qualification standards
- Providing false information or making a false statement
- Leaving the scene of an accident
- Accidents in conjunction with the following citations: reckless or careless driving, improper or erratic lane changes, failure to control, hit and run, following too close

## Drug and Alcohol Information

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***All Drug and Alcohol training is completed online during the orientation process.***

Pursuant to section 40.287 of the Federal Motor Carrier Safety Regulations, an employer must provide a listing of Substance Abuse Professionals (SAPs) to any employee, including applicants or new employees, who violates a DOT drug and alcohol regulation.

National Hot-Line Numbers and Help Lines:  
1-800-COCAINE

The American Council on Alcoholism Help Line  
1-800-527-5344

The National Institute on Drug Abuse Hot Line  
1-800-662 HELP

Alcoholics Anonymous  
212-686-1100

SAP Referral Services (SRS),  
F. Heath Smith IV, LPC, NCC, LCDC, ADC III, MAC, CPS  
The Sendero Group, PLLC  
<https://www.heathsmithcounseling.com/>  
956.994.1428 Office  
956.994.1487 Fax

American Substance Abuse Professionals, Inc.  
<https://go2asap.com/nationwide-provider-network>  
(888)792-2727

SRS, LLC Sap Referral Services  
<https://sapreferralservices.com/employees/dot-non-dot-sap-program/>  
(410)668-8110

A list is provided applicants and employees to comply with the Federal Motor Carrier Safety Regulations. Freight Exchange of North America does not endorse any of the SAP providers listed or enclosed.

SAP Services are the sole financial responsibility of the drivers.

Freight Exchange of North America LLC. Designated Drug & Alcohol Policy Representatives:  
Alba Hinojosa, Director of Safety, 312-698-8197

Note: Should there be conflicts between federal regulations and this policy, attributed in part to revisions to the law or changes in interpretations, and when those changes have not been updated or accurately reflected in this policy, the federal law shall prevail.

# Receipt

RECEIPT OF THIS DRIVER MANUAL ACKNOWLEDGES THE RECEIVING DRIVER HAS BEEN PROVIDED WITH, READ AND FULLY UNDERSTANDS THE POLICIES CONTAINED HEREIN. I AGREE TO THE TERMS HEREIN AND WILL FOLLOW THE REGULATIONS AS OUTLINED.

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Driver Name

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Date

---

Signature

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Revised and approved on 1.6.23  
This manual supersedes any manuals prior to this one.  
Changes effective 2.28.23

Alba Hinojosa, Director – Safety

Fred Alaimo, Vice-President - Operations