

Qualification of Casual/ Intermittent Drivers

With a changing economy and the unpredictable need for employees, a recurring topic continues to emerge ...the need for temporary drivers. For many years typical employment services have been available. The problem facing the trucking industry has been that the provider's employee-base has been across the board ...clerical, manufacturing, labor, and drivers. Although these providers have been a respectable resource: there has not always been specific expertise relating to trucking and the laws that apply.

The trucking industry has a very unique need. Unlike office work or manufacturing jobs ...drivers perform responsibilities without direct supervision, and sometimes without the time for extensive training or instruction. In many instances, "drivers are you". They are sometimes the only face, attitude, appearance, and/or demeanor that the customer ever sees from your company.

Screening procedures and background inquiries are of utmost importance. Like any other industry - there's good and bad. Price of leasing drivers is not always the most important consideration. It is especially important that you thoroughly explore the screening procedures used by your leasing provider. Remember, your equipment, product, reputation, and customer service is being left in the hands of someone you may not know.

Possibly more important, the law requires very specific qualifications ...to protect the safety of the general public. Employment services do the best they can, but like everyone - they're "spread thin"; their expertise is not typically transportation laws. We now have more "driver-specific" resources than ever before ...driver leasing.

Every driver of a CMV must be qualified. Questions continue to come up ...who is responsible for the qualification of a temporary driver of a commercial motor vehicle (CMV)? The law is very clear and never changes - the "Motor Carrier".

There are some issues to seriously consider when leasing drivers. The law dictates that the driver has been fully qualified, by a "Motor Carrier, prior to being employed through the leasing service. If the prior qualification cannot be verified, by law, you are required to maintain a full Driver Qualification file.

A motor carrier may utilize a leasing, or similar service, as your "agent" to perform the qualification procedures; however, the "Motor Carrier" is still ultimately responsible for violations of 49CFR, Part 391 (Qualification of Drivers).

Discovery of violations by Federal/State agencies always consider ...the "Motor Carrier" is required to be knowledgeable with the regulations (49CFR, Part 390.3(e)(1). The bottom line - know your providers/agents...and the laws. Get it in writing. Get it in writing. Get it in writing.

Let the good times roll ...

A man and his wife entered a dentist office. The wife said, "I want a tooth pulled. I don't want gas or Novocain because I'm in a terrible hurry. Just pull the tooth as quick as you can."

"You're a brave woman," said the dentist. "Now show me which tooth it is."

The wife turned to her husband and says: "Open your mouth and show the dentist which tooth it is dear."

LIFE'S LESSONS ...

Many years ago, when I worked as a volunteer at a hospital, I got to know a little girl named Liz who was suffering from a rare and serious disease. Her only chance of recovery appeared to be a blood transfusion from her 5-year old brother, who had miraculously survived the same disease and had developed the antibodies needed to combat the illness. The doctor explained the situation to her little brother, and asked the little boy if he would be willing to give his blood to his sister.

I saw him hesitate for only a moment before taking a deep breath and saying, "Yes, I'll do that if it will save her." As the transfusion progressed, he lay in bed next to his sister and smiled, as we all did, seeing the color return to her cheeks. Then his face grew pale and his smile faded. He looked up at the doctor and asked with a trembling voice, "Will I start to die right away".

Being young, the little boy had misunderstood the doctor; he thought he was going to have to give his sister all of his blood in order to save her.

MICHIGAN "GRANDFATHER WAIVERS"

For the past 24 years a "Grandfather Waiver" was available to Michigan "Motor Carriers" who have drivers that have worked for the same company, continuously as a driver since June 10, 1984. This waiver pertains to the physical qualification of the driver. If the company applied for a "waiver", a D.O.T. physical has not been required for these drivers.

Be prepared - this "waiver" is coming to an end. The Michigan "Grandfather Waiver" will expire at the end of the year 2014. Beginning in January 2015, the "waiver" drivers will need to be physically qualified. All regulations pertaining to the physical qualification shall apply.

FUN FACTS ...

- ⇒ *Honeybees are the only insects that produce food for humans.*
- ⇒ *The total amount of precipitation to fall to earth in one year is 5,000 million tons.*
- ⇒ *Octopuses have three(3) hearts.*

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