

## Driver Selection

### Selection Process

The success of an effective fleet risk control program is proper driver selection. It is the single most important control that management can exercise to reduce overall fleet accidents.

A single accident could result in loss of life, serious injury and/or serious property damage. While the medical and property damage costs from an accident may be covered by insurance, there are many uninsured losses that can result from a serious accident as well: loss of use of the vehicle, delays in making shipments, loss of customers, increased management time in reporting and investigating the accident, increased maintenance costs and even damage to your company's public image.

The purpose of driver selection is to identify and hire the most qualified candidate for the position available. The selection process is intended to be a series of filters through which only the most qualified candidate will pass. Items to be considered and evaluated should include the candidate's past driving experience with similar vehicles, driving skills and knowledge, and attitude toward defensive driving and company safety standards.

The driver selection process applies not only to full-time drivers but also to incidental drivers—those who drive occasionally or in addition to other job duties, such as a maintenance employee who only drives to pick up supplies. Candidates for these jobs also need to be screened for their driving ability and past performance.

Many interstate motor carriers are subject to the Federal Motor Carrier Safety Regulations (FMCSR) that require pre-qualification of applicants. Some states also adopted the FMCSR requirements for intrastate motor carriers. If your company falls under these regulations, refer to Title 49 of the Code of Federal Regulations, Part 391, for the actual driver qualification requirements or to applicable state regulations.

### Job Descriptions

Before a job opens, create a written job description. Allow management to determine the essential job functions of each position as well as the experience, skill level and other qualifications needed.

The written job description lists the minimum requirements for each particular position against which all candidates can be easily and consistently evaluated. Once this is accomplished, the screening process begins.

### Employment Application

Reviewing a completed job application is one of the first steps in the screening process. The application is a main source of information about the candidate and will help determine if the candidate has the minimum qualifications and background needed for the position. Legal counsel should confirm the application form does not violate anti-discrimination laws, can advise on the wording of a signed statement and verify the accuracy of the information.

## **License Validity Check**

A visual check should be made of each candidate's driver's license. The license should be current, valid and of the correct type for the position being filled. This is also a FMCSR requirement for regulated fleets.

## **Interview**

A face-to-face interview with the candidate is invaluable since it provides management the opportunity to further assess and verify the candidate's qualifications, experience, knowledge and attitudes. Examine the application prior to the interview and inquire about any gaps in employment.

During the interview, ask what accidents and violations they experienced over the past three years. Compare this to their Motor Vehicle Record (MVR) and have the candidate explain any discrepancies.

Employers subject to the Americans with Disabilities Act (ADA) are prohibited from asking any questions relating to the candidate's current physical condition or past medical history. According to the American Trucking Association, even the standard question, "Have you ever received a waiver from the U.S. Department of Transportation's physical qualification criteria?" is prohibited since it indirectly solicits information relating to the candidate's physical condition. Employers can ask about a candidate's ability to perform essential job functions but cannot inquire whether that person has a disability.

Notes from the interview should be kept on file for reference.

## **Reference Checks**

These can be accomplished via telephone conversations or written requests. If available, the best contact is often the candidate's former supervisor. Information to be checked includes dates of employment, reason for leaving, description of job duties, types of vehicles driven, evaluation of job performance and the former employer's opinion on whether or not they would rehire the candidate if they had the chance.

Obtain a written release authorizing the reference checks from the candidate prior to contacting past employers. Written records of the results of these checks should also be kept on file.

## **MVR Check**

The MVR is available from the state in which the candidate holds his/her driver's license. The MVR details the accident and traffic violation history of the candidate over the last three years.

The value of the MVR is that it provides an indication of the candidate's future driving performance based on past accidents and violations. An MVR detailing a history of small violations or just one major violation needs to be closely examined by management. It is strongly recommended that a written policy be developed and adhered to so there is uniformity in determining what constitutes an acceptable MVR.

Check with your state on MVR ordering procedure. Some states require a state form to be filled out, whereas others require a signed release from the candidate. States will charge a small fee for each MVR ordered. There are also service companies that can obtain MVRs for you on a fee basis. A copy of the MVR should be kept on file.

A check of driving records is a FMCSR requirement for regulated fleets.

## Road Tests

A road test allows the candidate to demonstrate skill and proficiency in handling the vehicle and associated equipment that the position requires. A pre-established route should be used that simulates the driving conditions encountered on the job. The test can qualify or disqualify an applicant provided the qualification criteria are reasonable and consistent. A qualified person should conduct these tests in a controlled and uniform manner. A check sheet listing the maneuvers to be executed and the actual results is useful as it helps assure consistency in the test and provides a written record of the results which are to be kept on file.

A road test is a FMCSR requirement for regulated fleets.

## Written Tests

Motor carriers falling under the Federal Motor Carrier Safety Regulations are required to administer a written examination designed to instruct candidates in the rules and regulations established by the Federal Highway Administration pertaining to commercial vehicle safety.

Aside from the exam, you may wish to test the candidate's knowledge of state traffic regulations to verify a working knowledge of these regulations. Each state has a booklet containing its traffic regulations with simple questions that can be used as a guide.

## Physical Exams

For employers not regulated by the FMCSR but subject to ADA regulations, a physical exam may be administered after the candidate has been offered a job but prior to starting work. It is important the doctor or clinic know the physical requirements and essential job functions of the position being filled to properly evaluate the candidate. The employer will need to determine if reasonable accommodations are needed for disabled candidates.

A physical exam is a FMCSR requirement for regulated fleets. Specific requirements can be found in Title 49 of the Code of Federal Regulations, Part 391, Subpart E. The employer will also need to determine if there are any state-specific requirements.

## Drug Tests

Tests can be administered to the candidate to detect the use of controlled substances. The candidate needs to be advised as to what substances are being tested for and how the information will be used. A qualified lab or medical clinic needs to be used and various controls (such as a chain of custody) need to be in place to assure consistency and accuracy. Medical and legal counsel are strongly recommended prior to implementing this type of screen.

The FMCSR requires drug testing per Title 49, Code of Federal Regulations, Parts 40 and 391. A listing of the controlled substances to be tested are contained in this. The employer will also need to determine if there are any state-specific requirements.

## Legal Review

It is important to obtain legal review of your company's screening procedure to assure compliance with applicable local, state and federal laws.