



Transportation safety solutions

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Driver Pre-Employment Screening Program

What you don't know could hurt you

By Jeff Chilcott, Zurich Services Corporation

As an organization that operates trucks or other commercial motor vehicles, you probably understand that driver selection is critical to safety in your operations. Whether you have full-time CDL drivers or just employees who occasionally drive heavier vehicles in the course of their activities, having a safe driver is the key to avoiding crashes.

It is likely that you already obtain motor vehicle records for those drivers and even conduct some level of background checking when you hire them (since these are both part of the Federal regulations). All of this is done with the goal to better understand and control who you allow to drive in your organization.

In May of 2010, the Federal Motor Carrier Safety Administration (FMCSA) made a powerful new tool available that all commercial motor vehicle operations should consider using as part of the driver evaluation process.

Additional information available for motor fleet operators

This tool, the Pre-Employment Screening Program (PSP) provides detailed information on the history of that driver during the past three years that is not available from the MVR or background checking. The information comes from the Federal database that collects information each time a commercial vehicle has a roadside inspection or is involved in a crash.

By paying a very minimal charge (around \$10 per use) and obtaining the driver's consent, organizations can obtain the report for any driver that they are hiring. Although it is not a replacement for running MVRs or background checking, it provides insights to driver behaviors that are not available from other sources.

For example: If you knew that a driver you were considering hiring had routinely failed to properly inspect the trucks they were driving in the past, would you at least emphasize how your company expects different behavior from the driver when they drive for you? This type of insight can be invaluable in heading off potential problems and even helping to select the best available driver in the first place.

Other information included in this PSP report may include whether the driver has had chronic issues following the hours of service regulations, whether they have operated on an invalid license and even limited information about speeding and other traffic violations.

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The information provided by the PSP can help organizations make better hiring decisions and also take appropriate actions to prevent problems with drivers that they may hire.

As organizations learn how to best use the information from PSP, they are finding that it is not unusual for most drivers to have some minor violations on the record. However, if the problems seem to be more serious or indicate some trend, they can factor this information into the overall hiring decision.

Understanding the roadside inspection history of the good drivers who have been driving for your organization for many years may provide some comparison insight on how to evaluate drivers that you are hiring.

Do I have to use the Pre-Employment Screening Program?

The Federal regulations do NOT require organizations with commercial drivers to use the PSP as part of the driver selection process. However, organizations that choose to forgo the use of this tool should carefully consider their decision.

The information provided by the PSP can help organizations make better hiring decisions and also take appropriate actions to prevent problems with drivers that they may hire.

In the investigation of a serious vehicle crash, it is typical that an organization will be asked to describe its safety controls and how it makes decisions about who will be allowed to drive.

You can probably imagine that an organization is expected to use all of the tools available to it to make that decision – MVRs, background evaluation and now the PSP. Failing to use all of these resources could easily result in assertions that an organization was not using appropriate diligence in its operations and likely create additional liability for the crash. This is particularly true if there is something in the driver's background that the organization SHOULD have known about or responded to. There is strong historical experience with this regarding organizations that failed to run MVRs and other background evaluation – what you don't know CAN hurt you in the event of a crash or other litigation.

Fortunately, the process to obtain PSP reports is not difficult or very expensive. You can learn much more about the Pre-Employment Screening Program and how to use it by going to the FMCSA's website on PSP at www.psp.fmcsa.dot.gov If you have drivers of commercial motor vehicles in your organization, take this important protective step to help you put the safest possible drivers on the road.

As in all matters affecting hiring processes, a thorough review of the potential legal implications of implementing this program should be undertaken prior to use.



Making the best of a bad situation...

Learning from vehicle crashes

By Andy Peterson, Zurich Services Corporation

Any organization with a motor fleet tries hard to avoid being involved in vehicle collisions. Through careful driver selection, training monitoring driver behaviors and a sound fleet safety program many crashes can be avoided altogether.

When a crash does occur, an organization takes steps to gather information and photographs at the scene so that the claim can be handled properly and efficiently. However, if your follow-up program ends here, you may be missing some key opportunities for improvements.

Fortunately, crashes do not happen all that often; but that's all the more reason why we should use these instances as learning opportunities for the driver involved as well as the larger organization.

After a driver is involved in a collision is an excellent time to conduct a ride-along review with that driver.

For the individual driver involved

Approach the conversation with the driver as a dialogue rather than as a "witch-hunt". The goal is to learn what you can from the incident to prevent future crashes in the organization.

Set aside time to talk with the driver involved so that you can understand the crash scene and what happened. Consider whether your driver did everything they reasonably could have done to avoid/prevent the incident. If you find that there were opportunities for improvement, discuss those with the driver. Make sure that the driver understands how you would expect them to avoid future incidents and also discuss a strategy that can help that driver to practice and develop the correct habit. This may include refresher training or even in-vehicle practice.

Many organizations review incidents and determine "preventability" which may impact safety incentives and other factors. When done properly, this can be an important tool to help set expectations and change behaviors. Driving defensively requires drivers to take steps to avoid collisions, both by minimizing their own mistakes and also keeping other's mistakes from resulting in a collision involving them. In the event of a severe collision resulting in injuries, you may elect to hold off on a formal "preventability" determination on the advice of your legal counsel.

After a driver is involved in a collision is an excellent time to conduct a ride-along review with that driver. Consider it as a flag indicating that a tune-up may be needed. Is the driver still leaving proper following distance, are they aware of the traffic conditions around them? If you are able to help the driver enhance any skills that might have slipped, you go a long way toward preventing future crashes.

For the organization

Helping to identify and address any driver issues should be a key part of any crash follow-up program, however in many cases, crashes can be translated into learning opportunities for the entire organization.



No organization wants a vehicle crash to occur, but by taking some additional steps when they do, you can go a long way toward reducing future incidents.

We hear about road crashes every day on the news and we tend to tune out much of what we hear and it rarely impacts the way that we drive. When a crash occurs within our organization, we are much more likely to listen and perhaps learn from the incident. By communicating appropriate loss lessons that highlight the experience of actual drivers in our organization, we may create a “teachable-moment” that can help other drivers to consider their behaviors as well. Some organizations do this in the form of a Loss Lesson memo and some address these instances in tail-gate talks. In either format, the key is to talk about what the involved drivers could have done differently and create a discussion on similar crashes or close-call incidents that have occurred. Obviously care should be used if the crash is under litigation and in most cases, the specific driver name should not be used.

Specific circumstances can play a large part in crashes and organizations may decide to change the circumstances to avoid future crashes. For example, if there is a pattern of crashes that occur making a left turn leaving the terminal location, at some point, management may choose to have drivers only make right turns at that location so that they can loop around and get to a signaled intersection. Another example might be a near-miss with a passenger bus that stops just over a hilltop. Approaching drivers cannot see the stopped bus until they crest the hill which leaves them very little opportunity to stop. The organization may choose to stop at the top of the hill instead, which will allow vehicles from both sides to see the stopped vehicle well in advance. Each of these are instances where the situation can be changed by management to reduce the likelihood of future collisions.

Most organizations will tell you that the most effective training occurs when it is specific and targeted to the behavior that needs to be changed. The same is clearly true for motor fleet drivers. If there has been a spike in backing

collisions, providing general defensive driving training is probably not going to be as effective as providing specific training on backing and parking. In order for an organization to target their training efforts, they need to maintain accurate crash records in some format that allows for trend analysis. Many larger companies have sophisticated crash database programs that collect all pertinent information for later analysis, but even a smaller operation will benefit by keeping a basic listing of all of its crashes that includes information on the date, road conditions, crash type, and other factors. This can easily be done on a spreadsheet and will provide insight about crashes that can help to target what training will be most productive given the resources available.

In future newsletters we will talk more about the process and benefits of conducting root cause analysis and identifying countermeasures following vehicle crashes. It's worth noting that the ANSI standard on Safe Practices for Motor Vehicle Operations (ANSI/ASSE Z15.1-2006) includes a specific section on Incident Reporting and Analysis and sets many of these practices out as an important part of an effective fleet safety program. No organization wants a vehicle crash to occur, but by taking some additional steps when they do, you can go a long way toward reducing future incidents. Contact your Zurich Risk Engineer for assistance in setting up a program.



References

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Frequently Asked Questions Pre-Employment Screening Program U.S. Department of Transportation
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Pre-Employment Screening Program: A piece in the commercial vehicle driver selection puzzle.
Zurich Services Corporation Risk Topic.

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