

# Driver Selection

## Risk Control from Liberty Mutual Insurance



### Highlights:

- Defining a job description
- Employment/Job application
- Interviewing candidates
- After the job offer: Medical evaluation, reference and background checks
- Driving and written tests
- Sample authorization for release of employment information

The driver selection program is a system of fact-finding and analysis to determine whether a job applicant can do the job effectively and get along with fellow employees, customers and others. It is a method of evaluating the applicant's capabilities and other attributes that are vital to the success of your company.

The selection tools you use to find the best driver for the job will vary upon the operations of your company. Your success in selecting drivers will depend upon how well you use these tools. The items covered here are offered as suggestions. For additional assistance and information on various compliance issues, the most reliable source is your legal counsel. Other information may be obtained from such organizations as the Equal Employment Opportunity Commission, Department of Transportation (DOT) and other driver hiring services.

### Job Description

Without some knowledge of the job and the driving task involved, the person doing the hiring cannot match the individual to the job. A good job description provides sufficient information to identify the major functions and activities of the job and will differentiate them from those of other jobs. Identify the various tasks required of the drivers and incorporate them into the job description.

### Employment/Job Application

The job application is the cornerstone of the selection program. It serves as the foundation of the employee's personnel file and is the basis for all investigative activity that will determine whether the applicant should be hired. It should provide information on driving experience, crash history and violations, as well as other vital information you will need later.

Application forms must comply with legislative guidelines. It is a good idea to have the application form reviewed by legal counsel.

### Planned Interview

The planned interview is the first selection tool that provides a face-to-face meeting with the applicant. During the interview, evaluate the applicant by using the information on the application. Develop the scope of the interview in advance to be sure all items of information are covered and that nothing is left to chance.

### Driving Record

Each state's motor vehicle department has the capacity to furnish driving record information concerning such things as license suspensions or revocations, traffic law violations and crashes. It is recommended that you get a Motor Vehicle Report (MVR) on every applicant, as well as one, periodically, on current drivers. The frequency of MVR checks is up to your individual organization.

It is recognized that drivers who have a history of moving violations and crashes are likely to continue this pattern in the future. In one study, drivers with no previous crashes or violations had a future chance of crash involvement of 1 in 2,700. The odds increased to 1 in 700 for drivers with 7 or more crashes and violations. You cannot, however, precisely predict an individual's future performance based on his or her past record.

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Each MVR must be interpreted in relationship to the driver's age, driving experience, violation type, attitude and other characteristics.

The federal Fair Credit Reporting Act (FCRA) creates obligations for employers who obtain consumer reports on employees and applicants. Consumer reports may, in some circumstances, include reports of an employee's or applicant's driving record. To ensure compliance with the FCRA and any applicable state laws, consult with legal counsel prior to obtaining an applicant's or employees driving records.

### **Medical Evaluation**

If required, a medical examination should be conducted only after a job offer has been made, contingent on medical approval. The primary purpose of this examination is to determine whether the applicant is medically able to perform the specific tasks of the job without jeopardizing his or her safety or the safety of others. It also enables the employer to make reasonable accommodations for any impairments or disabilities which may be found. Additional state and federal regulations may apply, such as drug testing and Department of Transportation (DOT) rulings.

### **Reference Check**

There are two types of reference checks: personal and previous employer. Previous employers are generally thought to be a better source for objective information than individuals listed as personal references. Applicants will naturally put their best foot forward and will choose individuals who will provide a favorable personal reference. However, personal references may be helpful if the applicant has no work experience. Consider your own experience in this area and determine the policy you will follow regarding personal references.

Contacting an applicant's previous employers, either by telephone, letter or personal visit, can help you find out about work habits and aptitude. The telephone is the fastest method, and previous employers may give information verbally that they would be reluctant to put in writing. The advantage of using correspondence is that it can be a routine office function, which is helpful when screening several applicants at once. A personal visit is perhaps the most reliable, but is also costly and time-consuming. Previous employers may discuss an applicant more openly than they otherwise would if they know you've taken the time for a personal visit.

Previous employers are often reluctant to provide more than general objective information, such as dates of employment, salary and job title, out of fear the former employee will bring legal action based upon a negative reference. Accordingly, some potential employers require that applicants sign statements authorizing previous employers to provide more specific reference information. Such statements reduce the previous employer's risk of liability and may prompt them to provide more valuable reference information. Previous employers provided with such signed statements should be wary of failing to provide pertinent negative information, as they could face liability for providing a "negligent reference."

Consult with legal counsel prior to instituting a policy of requiring signed reference authorizations or a policy of providing more than general objective information regarding former employees when faced with a signed authorization. See last page for sample Authorization for Release of Employment Information if you choose to institute this policy.

### **Background Investigations**

Background investigations of potential employees that involve obtaining criminal records, credit reports or other information can also be valuable hiring tools. As with driving records discussed above, background investigations are likely to involve the FCRA and applicable state laws. Prior to instituting a policy of requiring background investigations on potential employees, it is advisable to consult with legal counsel to ensure compliance with the FCRA and any applicable state laws.

## Driving Test

An essential part of the selection process is to determine how well the applicant can drive. Preliminary yard tests and over-the-road tests are used in combination for this purpose. The yard test provides an initial check of the applicant's driving ability while incurring minimum risk.

After a successful completion of the yard test, driver applicants are typically given a road test to determine and evaluate their driving habits. Road tests should be given by a trained, qualified individual who is able to recognize improper driving practices and who has a good working knowledge of the equipment. The test should be conducted over a preplanned route of at least 20 miles. Besides being a selection tool, a road test also serves as a follow-up for additional training.

## Written Test

A written test will indicate the applicant's knowledge of driving and general rules of the road. The test should be designed for instructional and training purposes, not as a means to disqualify an applicant. The test should comply with state or federal regulations on employment practices.

## Authorization for Release of Employment Information

Use this as a guide to begin development of your own company policy. It is important to consult human resources and legal counsel when developing policies and procedures.

### Authorization for Release of Employment Information

To: \_\_\_\_\_

I hereby authorize the above-named entity to release and disclose to,

\_\_\_\_\_  
*[Employer Name]*

or its authorized representatives, any and all information it has concerning my employment history. I hereby agree to release the above-named entity, including without limitation its predecessors, successors, parent companies, subsidiaries, employees, agents, representatives, and assigns, from any claims for damages I may have based upon its release and disclosure of such information to

\_\_\_\_\_  
*[Employer Name]*

I have read the foregoing and agree to be bound by the terms of this authorization and release.

\_\_\_\_\_  
*Full Name*

\_\_\_\_\_  
*Other Names Used*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

*[Insert your company's appropriate disclaimer language.]*

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