

# The TRANSLOGISTICS EDGE



## Driver Coercion Could Cost You

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TLI Logistics Coordinator

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**The Driver Coercion Rule, Effective January 29, 2016 could cost you \$16,000 for each violation.**

This rule prohibits *coercing a driver* to operate a commercial vehicle ("CMV") where the driver has objected that the required time from pickup to delivery would cause him or her to violate regulations of the FMCSR (Federal Motor Carrier Safety Regulations).

This applies to direct coercion of the driver, such as

- A decision to withhold business from a motor carrier is not covered by the rule, but could be a violation if the driver is the owner of the motor carrier.



Scott McDevitt (L) with George Ditzler (R)



Scott McDevitt (L) with Peter Rio (R)



# TRANSLOGISTICS' EMPLOYEE AWARDS

One of the most anticipated events of the year at TLI is the announcement of The President's Award and The Employee of the Year. To be considered for these awards, employees must be dependable, trustworthy, full of integrity, and exceed in their position, among other quality characteristics.

These winners receive an engraved award, their name on a plaque that hangs in the office, an extra day off for a long weekend, and \$1000 in cash!

George Ditzler, Business Development Manager, was chosen by TLI's President Scott McDevitt as the 2015 President's Award recipient. "George has brought on some great accounts over the past year and practices our Pillars of Professionalism every day. He is always willing to pitch in to get something accomplished, is very professional, and is very receptive to any advice."

Peter Rio, Director of Operations, was chosen by his peers at TLI as this year's Employee of the Year. Some of the comments said about Peter were:

*"Peter is always willing to help anyone and is extremely knowledgeable."*

*"Peter is always on the clock and always willing to go the extra mile to do what is best for the company."*

*"Dedicated, professional, full of integrity, and delivers results."*

That's Right,  
**We're Hiring!**

We are looking for a Logistics Coordinator to join our team. If you like to solve problems, talk to people all day long, and love logistics, this is the job for you! TLI offers great benefits, a sincere open door policy, and an awesome culture. Email [Stacy](#) for a job description and see if you're a fit.



**Did you know...**

The most popular theory about Valentine's Day origin is that Emperor Claudius II didn't want Roman men to marry during wartime. Bishop Valentine went against his wishes and performed secret weddings. For this, Valentine was jailed and executed. While in jail he wrote a note to the jailor's daughter signing it "from your Valentine".

Answer this question correctly by emailing [Stacy](#) by EOD 2/5 and we'll send you a "sweet" surprise:

*Which chocolate company created the first box of chocolates?*

A) Hershey B) Palmer C) Cadbury

## Hours of Service Rules Suspension will Continue

An associate administrator for policy at the FMCSA told more than 500 trucking and logistics professionals that the Hours of Service Rule is continuing with a suspension.

In its fiscal 2015 appropriations law, Congress suspended restrictions on the 34-hour restart provision of the hours-of-service rules introduced in 2011 and implemented in 2013 and required the FMCSA to study the safety impact of those provisions and report to Congress.

That report, originally due Sept. 30, 2015, the end of the fiscal year, is still being reviewed by the Obama administration. Another review, required by the latest appropriations bill, will go to the Transportation Department's inspector general.

Eventually, both reports will go to Congress.

# Driver Coercion Rule...*continued*

Some of the regulations that the driver cannot be coerced into violating:

- Hours of service regulations
- Equipment inspection, repair, and maintenance regulations
- Intermodal readability regulations
- Regulations regarding load securement

Coercion defined:

- Withholding of business
- Withholding employment or work opportunities
- Taking or permitting any adverse employment action against the driver



It is not the duty of the shipper to ask the driver whether or not he or she can complete the requested services without running afoul of the regulations.

The driver must object and to at least generally identify the regulation that would be violated. Examples:

- Objecting to a trip because of an hours of service problem (“they told me to keep driving even when I hit 11 hours”)
- A maintenance problem (“the last inspection certificate was 3 years old”)
- An equipment issue (“there was no tread on the front tires”)

Any action taken with respect to a driver that has raised an objection and that could be perceived as negative could form the basis of a coercion complaint *regardless of whether the driver accepted the load giving rise to the objection.*

Direct threats against the driver, including

- Refusal to work with the driver in the future
- Threatening to make a negative report about the driver to the driver’s carrier

How to avoid coercion:

- Avoid direct communications with the driver or keep the conversation short with no references to when the shipment needs to deliver.
  - Do not tell the driver you’ll “never use him again”.
  - Do not tell the driver you’re going to call his dispatch and complain.
- If anything arises, deal with the carrier dispatch- not the driver.
  - If you are working with TLI, contact TLI Customer Service or Logistics immediately.
    - TLI will document the occurrence in ViewPoint in case it comes up again
  - Tell the driver to call his dispatch
- Be sure all shipping and receiving personnel are properly trained on this new rule and its potential repercussions.
  - If you prefer, your TLI account representative can have a quick meeting with your shipping and receiving departments to review and answer questions.



# Meet **Martin Shields**

Martin joined the Translogistics team in June of 2014 as a Logistics Coordinator. A typical work day for Martin includes daily interaction with customers to assist with scheduling pickups and solving any issues that may arise with their shipments.

"The people that work at TLI are what I enjoy most. Everyone that works here is easy to get along with and very helpful with anything I may need."



## **FAST FACTS:**

Favorite free time activity? *Hanging out with friends watching sports, especially football.*

Interesting fact most people don't know about you? *I did a year of rowing at Duquesne University.*

Favorite vacation spot? *Sea Isle City in NJ because we have gone every year since I was a kid, it's pretty much a second home.*

Favorite band? *The Black Keys and Alt-J.*

Most interesting place you've visited? *Ireland. I took a trip with my family when I was in high school and we went to a lot of different cities in Ireland, it was amazing.*

Have a charity you are involved in? *I have been a part of donations and events for the Temple Bone Marrow Transplant Program in honor of a friend of mine who passed away from Leukemia.*



*"Martin is a great guy, he is always stepping in to help anybody out. He has a great personality and even one of our customers has told me that his laugh is infectious. She said when he laughs, it makes her laugh. Now that's what I consider making our customers happy!"*

*-Bob Frye, fellow LC at TLI*



*"It does not do to dwell on dreams and forget to live."*

*J.K. Rowling, Harry Potter and the Sorcerer's Stone*

#### TLI ANNIVERSARIES:

Scott McDevitt 1/11/94  
Tim Wolfskill 1/03/12  
Stacy Thomas 1/13/14  
Ryan Wolfskill 2/05/13

#### BIRTHDAYS:

Ed Caldwell 1/03  
Peter Rio 1/26  
Ryan Wolfskill 2/07  
Donna Beard 2/13  
Lisa Marderness 2/24



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*Proud to be one of the*

