

Legal Lane

Looking for a Job?

Make Yourself Available for Hire Today

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So you are looking for a job, a good job with a good company and you want good pay and good benefits and home time for your family. So does everyone else. Carriers are hiring fast and furious, but in any field, there are always limited numbers of the really good jobs.

The question becomes, what do you do to set yourself apart from other drivers for the really good jobs? One simple thing I can suggest without question is a current and correct resume. You know, your resume, your work history and personal information down on paper in a chronological order.

That allows your prospective employer to see what you have accomplished, where you have worked and whom they may contact at those places of employment with phone numbers.

I guess what I am saying is that most people want to do their job with the least amount of their time involved. What I suggest you do is provide your prospective employer with all the information they

need on your resume so their work is limited and your availability is immediate.

Starting October 29, 2004, the new law regarding driver history took effect which is the 3-Year Requirement Rule (Sec. 390.15(a); Sec. 391.23(d)) says motor carriers must contact all the previous DOT regulated employers of the applicant driver from the last three years. FMCSA has made this more explicit in Sec. 391.23(g) of the final rule by adding words clarifying that a response is required even when there is no accident or alcohol or controlled substances data, by stating that no such data is on file.

Besides listing on your resume your prior employment, you may want to include information about any criminal or civil cases you have been involved in. You will also want to check to see if you have any pending problems with your CDL. Why do I suggest you “fess up” on your resume? If you fail to tell your prospective employer about your criminal and driving history or misstate any information about your employment history, they may be able to fire you for falsification of your employment application.

I recently met Derek Hinton, President of DOTJobHistory.com and author of *The Criminal Records Manual: The Complete National Reference for the Legal Access and Use of Criminal Records* published by Facts on Demand Press, Tempe, AZ (800) 929-3811, www.brpub.com. Derek put together a website that allows the driver access to information the truck companies probably need before they hire a driver. Derek suggested a driver show proof that their social security number is valid, their criminal and civil record is what the driver says it is, and the driver verify that their CDL does not have any pending violations, revocations, suspensions, cancellations, etc... His company can provide you the driver reports about your social security number, criminal and civil files on record and a report from the National Driver Register about your CDL.

A social security number screen

This takes the number you provide and checks it for validity several ways.

Checks to see if the number is in a valid range. Numbers are assigned in group orders and checks are done to insure the number provided is in order.

Checks to determine the state of issue. While social security is a federal program, each state issues a given set of numbers. If a person says they’ve lived and worked in Florida their whole life and they have a SSN in Alaska’s group, it raises questions.

Checks to determine the year (or range of years) of issue. If you’re 50 years old and have a SSN issued a year ago, there will be questions.

Checks to see if the number has been reported to the Social Security Administration as belonging to a person who has died.

Employers check the above items to guard against mistakes in transcribing numbers and prevent applicants from hiding their past by falsifying their SSN.

A criminal record database screen

This is a database of criminal records that has been gathered from states, counties and federal terrorist watch lists. It does not contain all criminal records in the U.S., but does contain over 100 million records.

Employers increasingly use these type databases to screen applicants. Their use can be beneficial, but one problem with these databases is that the identification information on the record may be limited. For example, the database may contain a record on a John Doe with a date of birth of 01-01-1060. If your name is John Doe and you were born on that date, it will cause you problems and you do need to know about and address this.



A civil record database screen

This is a database of civil records that has been gathered from public sources around the country. It contains millions of tax liens, bankruptcies and judicial judgments. Employers use this information before entering into agreements with Owner Operators and employees. Financial problems, a tax lien or judgments may not be critical, but employers are looking to avoid hiring the “professional litigant.”

A National Driver Register report

The National Driver Register (NDR) is a central repository of information on individuals whose privilege to drive has been revoked, suspended, canceled or denied or who have been convicted of serious traffic-related offenses. The records maintained at the NDR consist of identification information including name, date of birth, gender, driver license number, and reporting State.

Employers would like to see this information on driver applicants for obvious reasons. While employers check driving records on driver applicants through the state of license, complications and time delays can result in out-of-state violations/revocations/suspensions not appearing on the driving record.

You must sign a specific release to get your NDR report. The release must be notarized. (Your bank should notarize the release free of charge.)

NDR reports are hard for employers to get because of the release requirements and time and expense. An applicant that can produce a NDR report to a potential employer can set themselves apart. You can reach the NDR on the internet at <http://www.nhtsa.dot.gov/people/perform/driver/> or work with DOTJobHistory.com to get this report.

If you think this information will help you land that good job, then by all means spend the time and money to prepare yourself for that new job by giving your prospective employer a good reason to consider you before they consider anyone else. Be first in line with the most information, make the employer’s job quicker and easier, and get the job you deserve.

Jim C. Klepper is President of Interstate Trucker Ltd., a law firm entirely dedicated to legal defense of the nation’s commercial drivers. Interstate Trucker represents truck drivers throughout the forty-eight (48) states on both moving and non-moving violations. Jim is also president of Drivers Legal Plan, which allows member drivers access to his firm’s services at greatly discounted rates. Jim, a former prosecutor, is also a registered pharmacist, with considerable experience in alcohol and drug related cases. He is a lawyer that has focused on transportation law and the trucking industry in particular. He works to answer your legal questions about trucking and life over-the-road and has his Commercial Drivers License. You can call Jim at 800-333-DRIVE (3748) or log onto www.interstatetrucker.com and www.driverslegalplan.com. rpm