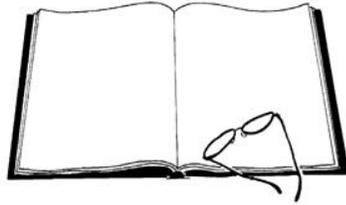


SUPERVISOR & DRIVER TRAINING

For Illinois Farmers



Motor Carrier Safety Regulations (MCSR) require carriers who employ CDL drivers to have a USDOT drug & alcohol screening program (DASP) in place. Carriers are further required to designate an individual to serve as “supervisor” of that program. Both such drivers and supervisors are required to undergo a one-time training on the DASP program—drivers for one hour, supervisors for two. Some vendors who provide such training services have adopted very aggressive—sometimes threatening—marketing tactics. Know what is required and how you can comply. Remember, the DASP applies only if the driver is required to have a CDL.

REGULATION:

The FMCSA regulation requiring the training is short and is copied here in its entirety:

Subpart F - Alcohol misuse and controlled substances use information, training, and referral
[§ 382.603 Training for supervisors.](#)

Each employer shall ensure that all persons designated to supervise drivers receive at least 60 minutes of training on alcohol misuse and receive at least an additional 60 minutes of training on controlled substances use. The training will be used by the supervisors to determine whether reasonable suspicion exists to require a driver to undergo testing under [§382.307](#). The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. Recurrent training for supervisory personnel is not required.

OPTIONS:

Training can be accomplished in a number of ways; it is up to the employer to ascertain whether the training fulfills the federal requirement. A number of private interests offer such training; but the employer can devise his/her own training program. It can take the form of DVDs, online courses, in-person seminars, reading, etc.

If you participate in a drug & alcohol screening program provided through the Midwest Truckers Association (MTA) [either through a membership in that organization or through the Illinois Farm Bureau® member program with them], then you can give MTA a call at 217-525-0310 and ask about available seminars or DVD rentals. Both are provided for a fee.

Other private suppliers of seminars and DVDs for sale include (among others): www.JJKeller.com, and www.LabelMaster.com.

VENDORS:

Many farmers have received a notice about supervisor training. Often, the official-looking and threatening no-

tice states they would have to take a 60-minute class on the use of alcohol...either online or in person...and another 60-minute class on drug abuse. Is this legit?

That notice is what most people would call “junk mail.” As with any junk mail, some recipients might choose to take advantage of the offer, many others don’t need it or prefer other options.

It all depends on whether the farmer or any of his/her employees are required to be enrolled in a drug & alcohol screening program (DASP), and that, in turn, is predicated on whether the driver is required to have a Commercial Driver’s License (CDL).

FARMERS NEED TO KNOW:

- ◆ Notices that many farmers receive about Supervisor Training are most often from private firms that provide DASP Supervisor Training for a fee.
- ◆ The training is intended to fulfill requirements of the Drug & Alcohol Screening Program (DASP). [\[49 CFR 382\]](#)
- ◆ This article makes no judgment on the quality of the training program offered in the “junk mail.”
- ◆ Vendors making such offers of training are not government agencies.
- ◆ HOWEVER, the training requirement they refer to is real. It’s something farmers should be aware of.
- ◆ The official-looking notice is being sent to farmers (and non-farmers) who have registered for the USDOT Number.
[Note: Some of the information about USDOT Number holders is legitimately available on the internet.]
- ◆ The FMCSA training requirement applies only to employers who employ drivers (including themselves) required to hold a CDL and be enrolled in a DASP. *(Many farmers and some farm employees are exempt from the CDL, therefore exempt from the DASP.)*
- ◆ If you are self-employed and the sole employee, then supervisor training is not required. *(See guidance.)*

SUMMARY:

If you employ any driver—including yourself—who is required to have a CDL because of the work they do for your farming operation, then you must enroll those drivers in a drug & alcohol screening program (DASP).

If the driver/supervisor had been employed elsewhere before coming to work for you, you may choose to rely on documentation provided by the prior employer showing that the one-time training had already been done.

You will need to assign someone to serve as “supervisor” for that program.

That supervisor must be trained in accordance with [§382.603](#). This training is sometimes also referred to as *Reasonable Suspicion Training*.

For more details on whether a farmer is required to have a CDL, refer to the *Driver Qualifications* document at <http://www.ilfb.org/policy-issues/current-issues/transportation-infrastructure.aspx>

GOVERNMENT CONTACTS:

Illinois Department of Transportation
Office of Motor Carrier Safety
217-785-1181

Illinois Secretary of State’s Office
Commercial Driver’s License Section
CDL Help Desk
217-524-1350



Guidance from FMCSA

§382.603 Training for supervisors.

Question 1: Does [§382.603](#) require employers to provide recurrent training to supervisory personnel? **Guidance:** No.

Question 2: May an employer accept proof of supervisory training for a supervisor from another employer? **Guidance:** Yes.

Question 3: Are the reasonable suspicion testing and training requirements of [§382.307](#) and [382.603](#) applicable to an owner-operator who is both an employer and the only employee?

Guidance: No. The requirements of [§382.307](#) and [382.603](#) are not applicable to owner-operators in non-supervisory positions. [§382.307](#) requires employers to have a driver submit to an alcohol and/or controlled substances test when the employer has reasonable suspicion to believe that the driver has violated the prohibitions of [subpart B of part 382](#). Applying [§382.307](#), Reasonable Suspicion Testing, to an owner-operator who is an employer and the only employee contradicts both “reason” and “suspicion” implicit in the title and the purpose of [§382.307](#). A driver who has self-knowledge that he/she has violated the prohibitions of [subpart B of part 382](#) is beyond mere suspicion. Furthermore, [§382.603](#) requires “all persons designated to supervise drivers” to receive training that will enable him/her to determine whether reasonable suspicion exists to require a driver to undergo testing under [§382.307](#). An owner-operator who does not hire or supervise other drivers is not in a supervisory position, nor are they subject to the testing requirements of [§382.307](#). Therefore, such an owner-operator would not be subject to the training requirements of [§382.603](#).