

# Chat Station Solution Sheet Answer Key

## Chat Station #1

What is coercion?

What three things have to take place to meet the definition of coercion?

**Answer:** In general terms, coercion is the practice of persuading someone to do something by using force or threats. Coercion of drivers is prohibited by FMCSA.

Here is what has to happen:

- A motor carrier, shipper, receiver or transportation intermediary must ask you to perform a task that would result in you violating certain provisions of the FMCSRs, HMRs and FMCCRs, and
- You inform the motor carrier, shipper, receiver or transportation intermediary of the violation that would occur if you do the task, and
- The motor carrier, shipper, receiver or transportation intermediary makes a threat or takes action against your employment or work opportunities to get you to do what they want despite the regulatory violation that would occur.

## Chat Station #2

Who is prohibited from coercing drivers?

Motor carriers, shippers, receivers and transportation intermediaries (freight brokers and others) are prohibited from coercing drivers.

What is it that they can't do?

Motor carriers, shippers, receivers and transportation intermediaries cannot require drivers to perform a task that would result in the driver violating certain provisions of the Federal Motor Carriers Safety Regulations (FMCSRs), Hazardous Materials Regulations (HMRs) or the Federal Motor Carrier Commercial Regulations (FMCCRs). Here are just a few of the areas in which coercion to commit a violation may occur:

- Drivers hours of service regulations
- Commercial driver's license (CDL) regulations
- Drug and alcohol testing rules
- Hazardous Materials Regulations
- Vehicle condition or maintenance



## Chat Station #3

When does coercion occur?

Coercion occurs when a carrier, shipper, receiver or transportation intermediary threatens to withhold work, take employment action against or punish a driver for refusing to operate in violation of regulations. An example of coercion is when a motor carrier terminates a driver's employment for refusing to accept a load that would require the driver to violate hours of service.

## Chat Station #4

Provide 3 examples of coercion and 3 non examples

All three must occur for coercion to exist. Here's an example of coercion:

- You are asked by your carrier to take a load that requires you to drive over your hours-of-service limits, AND
- You tell your carrier that you will be in violation of hours-of-service rules, if you take the load, AND
- The carrier threatens to fire you or actually fires you, for not taking the load.

Note that a violation does not need to occur for coercion to take place. In the above example, coercion still applies even if you refuse the load and do not violate hours-of-service rules. The point is that you were asked to violate regulations and were fired for refusing to do so.

In this example, coercion does not take place:

- You are asked by your carrier to take a load that requires you to drive over your hours-of-service limits, AND
- You tell your carrier that you will be in violation of hours-of-service rules, if you take the load, AND
- Your carrier tells you to take your required break and gives you another load that picks up once you sufficient driving hours to handle the shipment.

## Chat Station #5

How do you file a coercion complaint?

Coercion complaints:

- Must be filed within 90 days of when the coercion happened.
- Must be in writing.
- Must be:



- Mailed to the [FMCSA Division Office](#) that services the state where you are employed, or
  - Filed with the [National Consumer Complaint Database](#).
- When filing a complaint, be sure to provide all supporting documentation you have such as:
  - Text messages, emails or other forms of communication showing attempts to coerce you,
  - Your responses to such communications,
  - Log screenshots,
  - Names of any witnesses to attempted coercion,
  - Any other record that substantiates that coercion took place.
- You will also need to provide your contact information and the name, address and telephone number of the company coercing you, as well as their DOT number and Motor Carrier Identification (MIC) when applicable.

