

Bush administration lengthens workday for US truck drivers

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The US Department of Transportation (DOT) released its final policy for Hours of Service (HOS) for US truck drivers this spring. When the new rules are implemented next January, the number of hours truckers can be behind the wheel before a mandated break will rise from the current 10 hours to 11 hours each day. This and other changes included in the new measures will severely degrade the health and safety of truck drivers as well as add to the death toll from accidents due to fatigue.

The changes, which were sought by the Bush administration and the trucking industry, are the most fundamental since guidelines for working hours were set in the 1930s. The new rules allow drivers to drive 11 hours and work a total of 14 hours after 10 consecutive hours off duty. Current law allows 10 hours of driving time within a 15-hour on-duty period after 8 hours of off-duty time.

The lengthening of the truck drivers' working hours is in line with similar measures pushed by the White House on behalf of big business, including the current bill, already passed by the House of Representatives, to strip millions of workers of their overtime pay [*see* "Bush attack on overtime pay passes House" <http://www.wsws.org/articles/2003/jul2003/over-j29.shtml>].

In introducing the changes, US transportation secretary Norman Y. Mineta claimed the new rules would improve road safety. Mineta, a former executive for defense contractor Lockheed Martin, made it clear, however, who the real beneficiaries would be, noting that the measures would save big business \$98 billion annually by increasing driver productivity and reducing freight costs by 1 percent.

Truck drivers have long been exempted from basic protections such as overtime pay and minimum wage under the Fair Labor Standards Act (FLSA). As a result, truckers work far longer hours than most workers, averaging a 65-hour workweek. The new regulations will

further intensify the exploitation of truckers while granting the employers the new scheduling flexibility they have long demanded.

Trucking companies claim the new extended hours are needed to ease driver shortages. But this is an artificial shortage, like that of nurses and teachers, which is brought on by low wages and substandard working conditions. This was confirmed by a 1997 truck driver survey financed by the University of Michigan Trucking Industry Program (UMTIP), which found unprecedented "churning" in the trucking industry as workers went from company to company in search of better wages and shorter hours. The turnover rate for drivers is estimated to be between 110 and 150 percent.

The survey, conducted at Midwest truck stops in 1997, noted the median employee in the US earned \$28,222 (in 1996 dollars) by working 1,868 hours. Truck drivers, however, worked 3,000 hours or 37 percent longer hours. If they worked the same number of hours as most US workers, truck drivers would see their average earnings fall to \$22,000 a year—under \$12.00 an hour.

The survey also found that fewer than 10 percent of truck drivers are paid hourly rates. The rest are paid a percentage of revenue or by the mile. More than half of all unionized truck drivers in the US and 60 percent of nonunion drivers are paid mileage rates. Seventy percent of over-the-road drivers are also paid by the mile driven and must load, unload and wait at loading docks without being paid.

Under the new HOS rules, total on-duty time, including time waiting, and loading and unloading, will drop from 15 to 14 hours. The mandatory rest period is increased to 10 hours from 8 in the name of creating a more natural sleep cycle. But rather than getting 10 hours of continuous rest, the new rules continue to permit "split logging," a practice that allows the driver to break up the 10-hour sleep period into two sleep periods. This means long-haul

drivers will be pushed to alternate continuously between nighttime and daytime sleeping.

A new definition of the workweek will also allow over-the-road truckers to drive up to 77 hours over eight days, adding nearly one full day of driving to their schedules. The new guidelines also allow local drivers to work one 16-hour day each week.

The present situation facing drivers can be traced back to the Democratic administration of Jimmy Carter, which deregulated the trucking industry in 1980. Like the airline and railroads, which had been deregulated in the 1970s, what followed was cut-throat competition and a shakeout of the industry as older, traditionally managed and unionized carriers were driven out of business by low-cost and nonunion startup companies.

More than 100 companies went out of business and 150,000 truckers at those companies lost their jobs. The surviving major companies hired many of them back, but only after cutting their wages. Today, at least 350,000 other truckers are private owner/operators who make even less than their corporate counterparts and are forced to work longer hours to pay for their trucks and fuel costs.

The response of the Teamsters union to deregulation was to impose the wage cuts, longer hours and mass layoffs that the older carriers demanded in order to compete with nonunion companies. According to the Teamsters, in 1964 the Master Freight Agreement covered 400,000 members employed by some 16,000 trucking companies. The latest agreement signed early this year covered just 65,000 drivers and warehousemen at six major shippers.

While publicly criticizing the Bush administration's new guidelines, the Teamsters' current agreement explicitly accepts the lengthening of working hours for both over-the-road and local drivers. Rather than resisting the trucking companies and the Bush administration, the major preoccupation of the Teamsters bureaucracy is the promotion of a chauvinist and racist campaign aimed at blocking Mexican truck drivers from operating in the US market once the border is opened under the North American Free Trade Agreement (NAFTA).

The deregulation of the trucking industry immediately led to an increase in tractor-trailer accidents and fatalities, as companies pushed drivers to their physical limits, hired younger, untrained drivers and maximized their loads. Safety and maintenance checks were sacrificed to meet "just-in-time" delivery schedules and reduce

According to the Department of Transportation, there were 38,000 fatal vehicular crashes on US roads in 2001.

Nearly 5,000 of these fatalities were truck-related. The DOT estimates 755 deaths and 19,705 injuries result from fatigued drivers each year on US roads.

Significantly trucking companies praised the new HOS rules for dropping the initial proposal for electronic on-board recorders, which would show how many hours a truck is on the road. While claiming they had no money to install the devices, in reality the companies wanted nothing to interfere with the widespread practice—which they encourage—of drivers falsifying their logbooks.

Jim Johnston of the Owner-Operator Independent Driver's Association singled out this part of the new rules: "Not until drivers are no longer regularly pressured to meet unrealistic delivery deadlines, and they are no longer forced to perform uncompensated work for as many as 33 to 44 hours per week, will we see a significant reduction in fatigue issues." He put the onus for logbook violations on the trucking companies, asserting, "If all companies or individuals followed the rules, and did not discriminate against drivers for refusing work when they felt too tired, the safety issue would improve."

Parents Against Tired Truckers (PATT), another group that has denounced the new HOS rules, has charged the Bush administration wants even further dangerous regulatory changes. They point to an April 2003 Federal Motor Carrier Safety Administration internal briefing paper that supported an increase in truck size and weight and a repeal of the 1992 freeze on longer combination vehicles. In a meeting with the government agency, PATT representatives attacked the drastic eroding of highway safety that would follow from the increase in truck size. After the meeting, the safety advocates reported that the Bush administration officials' major concern was who had leaked the briefing paper to the group.



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