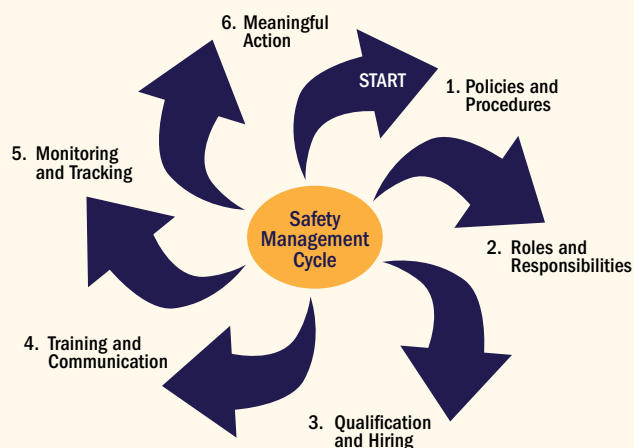## What Is the Safety Management Cycle (SMC)?

The SMC is a tool used by the Federal Motor Carrier Safety Administration (FMCSA) to help identify and address motor carrier safety and compliance issues. Motor carriers can also use the SMC within their own businesses to determine which of the Safety Management Processes (SMPs) that they may need to improve by looking at the processes, management and controls associated with each SMP.

This document identifies tools motor carriers can use to establish and improve appropriate safety management controls, thereby reducing or eliminating violations. Motor carriers and drivers are reminded, however, that they are ultimately responsible for ensuring compliance with all applicable regulations. For information about the regulations related to the Controlled Substances/Alcohol Behavior Analysis and Safety Improvement Category (BASIC), see the Controlled Substances/Alcohol BASIC factsheet at **http://csa.fmcsa. dot.gov/Documents/FMC_CSA_12_004_BASICs_ControlledSub.pdf**.

The SMC is used to systematically assess SMPs in six areas:
1. Policies and Procedures, 2. Roles and Responsibilities,
3. Qualification and Hiring, 4. Training and Communication,
5. Monitoring and Tracking, and 6. Meaningful Action. By periodically reviewing each process, there is an opportunity to identify and correct breakdowns in SMPs before safety and compliance issues are identified or crashes occur. The SMC can also be used after safety and compliance issues or crashes have taken place to assist in determining which SMPs need attention.

The SMCs for each BASIC can be found in the Information Center on the SMS Website at **http://ai.fmcsa.dot.gov/sms**.

The Safety Management Cycle, or SMC, consists of the six Safety Management Processes outlined in the graphic above.

Policies and Procedures

· Develop a written company policy incorporating by reference all regulations regarding controlled substances and alcohol use, testing, training, and records retention for all employees.

· Develop a policy requiring drivers to submit copies of all citations for moving violations to carrier management within 24 hours.

· Establish a process to ensure that drivers who are randomly tested can be immediately removed if they are found to be positive and that they do not return to safety-sensitive duties until they have complied with the "return-to-duty" process.

· Establish written policies and procedures that promote, verify, and enforce adherence to all controlled substance and alcohol rules and regulations. Procedures should be tailored to company operations and should provide specific checks and guidelines for interacting with a consortium, if applicable.

· Establish a process to ensure that test results are properly safeguarded from unauthorized disclosure to prospective

employers without specific written consent and from disclosure under any circumstances to insurance companies and other nonqualified parties, in accordance with regulations.

- Develop a policy to ensure that all alcohol testing is conducted immediately before or after the period that employees are performing a safety-sensitive function. Drivers can be tested on their day off only for controlled substances. Once notified of their selection, drivers must proceed immediately to the testing facility. If a driver refuses to go, this should be considered as equivalent to a positive result.

- Consider developing a driver selection protocol that uses valid random-number generator software on a monthly basis to select, by driver identification number, 5 to 8 percent of drivers for controlled substance testing and 2 to 5 percent for alcohol testing. This will ensure selection of 50 percent of drivers for controlled substances testing and 10 percent for alcohol testing per year, given fluctuations in the driver workforce over the course of the year.

- Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows controlled substance and alcohol violations.

Roles and Responsibilities

- Ensure that managers are responsible for ascertaining that employees receive training concerning controlled substances and alcohol in accordance with State or Federal regulations and company policy.

- Ensure that managers are responsible for telling employees of a failed test and its implications.

- Regardless of carrier membership in a consortium, ensure that the carrier defines and documents the role and responsibilities of the designated employer representative (DER) in monitoring test procedures and checking results.

- If the carrier elects to join a consortium, ensure that the respective roles and responsibilities of the carrier and the consortium for controlled substance and alcohol testing and reporting are defined and documented.

Passenger Carrier Only:

- Designate a manager to collect and evaluate all controlled substance- and alcohol-related customer complaints and their safety implications.

Qualification and Hiring

- Ensure that the controlled substance and alcohol testing program manager is qualified to query applicants and previous employers about their knowledge and experience regarding rules, interpretations, and compliance practices of other companies.

- Ensure that applicants for safety-sensitive positions do not have a current controlled substance and/or alcohol problem by querying them and checking with their previous employers regarding controlled substance and alcohol violations, related background, conditions and behaviors indicative of controlled substance and/or alcohol abuse or misuse, and by conducting pre-employment testing as required by regulation and company policy. Create a detailed written record of each inquiry.

- Review and evaluate driver applicants' gaps in employment, frequent job changes, and incomplete applications. Require applicants to explain reasons for any gaps in their employment record in order to allay suspicion of controlled substance and/or alcohol abuse or misuse.

- Ensure that contracted service agents are qualified to facilitate the company's adherence to regulations and company policies and procedures.

- Verify that the qualifications of all prospective service agents are in accordance with regulations.
- Ensure that the employment application captures all information required by the Federal Motor Carrier Safety Regulations — for example, whether applicants have ever tested positive or have refused to take a controlled substance and alcohol test, and if so, whether they have complied with the return-to-duty process as required by regulations.
- Enhance the recruitment process to identify and attract qualified applicants for the positions of safety director, service agent, and testing personnel by using outside resources such as insurance companies, industry groups, and consultants for employee searches and referrals.

Passenger Carrier Only:

- When hiring part-time or intermittent drivers with concurrent employment, refer to the pre-employment exception under 382.301(d) or check with the concurrent employer to ensure that drivers are participating in the company's program and no testing violations have occurred.
- Verify that the State credentials produced by applicants for the position of school bus driver meet the Commercial Driver's License qualification and testing requirements.

Training and Communication

- Convey expectations to all applicable staff for adhering to controlled substance and alcohol regulations and to company policies and procedures, and for executing responsibilities by providing new-hire and refresher training. Establish communication channels such as newsletters and/or meetings focused on resolving conflicts: for example, for drivers, between testing requirements and lifestyle decisions with regard to controlled substance and alcohol abuse or misuse.
- Encourage disclosure of personal problems with controlled substances and alcohol within a safe environment by having an open-door policy with management or using an Employee Assistance Program (EAP). An EAP enables drivers to alert management of concerns about other personnel and to seek help for their own substance abuse and/or alcohol problems.
- After selection of drivers for random testing, the program coordinator should send confidential correspondence to whoever is informing the selected drivers, noting the selection date, selected names, proper notification procedure, testing location, and when test results need to be completed. Drivers should be reminded that refusal to take the test will be equivalent to a positive result.
- Ensure that managers and supervisors regularly communicate and demonstrate their ongoing commitment to abiding by regulations and company policies regarding controlled substance and alcohol use.
- Communicate the carrier's Controlled Substances and Alcohol percentile to all staff, and explain to them individually what they can do to help the carrier improve the percentile.
- Provide new-hire and refresher training, to all drivers, managers, other designated personnel, and the DER, on controlled substance and alcohol regulations and related company policies and procedures, including those pertaining to prohibited behavior; testing protocols and monitoring, for example, on grounds of "reasonable suspicion"; the consequences of a positive test result; referral to a Substance Abuse Professional (SAP); and confidentiality requirements in relation to recordkeeping.
- Ensure that personnel in safety-sensitive positions receive required training on the importance of responsible lifestyle behaviors and personal choices regarding controlled substance and alcohol use.

- Train all staff who are required to monitor and track controlled substance and alcohol compliance on the appropriate company policies, including those related to discipline and incentives.

- Ensure that drivers are trained on driver Out-of-Service (OOS) rules, their responsibility in adhering to them, and the carrier's procedures for reporting OOS violations and communicating appropriately with other personnel.

- Reinforce training about controlled substance and alcohol policies, procedures, and responsibilities to drivers, controlled substance and alcohol testing personnel, and other employees, using job aids, post-training testing, and/ or refresher training. Encourage informal feedback among all involved with the testing so that they can help each other to improve.

- Provide hiring officials with guidance on how best to attract, screen, and qualify applicants who are most likely to adhere to controlled substance and alcohol use regulations and related company policies and procedures.

Monitoring and Tracking

- Evaluate personnel who are monitoring drivers against performance standards related to controlled substance and alcohol regulations and company policies to ensure that they are applying standards fairly, consistently, and equitably, and are documenting evaluations.

- Review and retain each driver's Motor Vehicle Record (MVR) at least annually to ensure compliance with company policies, Federal regulations, and State and local laws and ordinances related to controlled substances and alcohol. If a driver seems to have numerous violations, the MVR should be reviewed more often. Random MVR checks in addition to annual checks are also effective. File the MVR in each driver's driver qualification file after review.

- Monitor and adjust the testing program to ensure proper annual driver sampling.

- Ensure that all test records are monitored for adherence to retention dates and nondisclosure requirements.

- Implement a system for keeping accurate records of controlled substance and alcohol completed training needs and completed training, via software, checklist in the driver's file, and/or another appropriate method.

- Implement an effective process for monitoring and tracking drivers' removal from safety-sensitive functions and their return to duty according to controlled substance and alcohol regulations and related company policies and procedures.

- Provide adequate oversight of all personnel hiring and training processes, including qualification of service agents, to ensure adherence to controlled substance and alcohol regulations and company policies and procedures.

- Maintain the following documents to help evaluate the performance of all staff (drivers and managers) involved in controlled substance and alcohol testing and the effectiveness of the policies and procedures: MVR; records related to testing, the DER, return to duty, and dispatch; lists of drivers removed due to a history of controlled substance and/ or alcohol misuse and those disqualified for personal driving under the influence; SAP letters; and for each test type, include selection criteria, the eligibility pool list, and the statistical laboratory summary.

- Regularly evaluate the company's controlled substance- and alcohol-related inspection results via the FMCSA's Website at **http://ai.fmcsa.dot.gov/SMS.** Assess violations for process breakdowns and how to remedy them. Use data to help implement an effective process beyond self-reporting to monitor, document, and evaluate compliance with controlled substance and alcohol regulations and company policies.

- When monitoring and tracking issues regarding controlled substances and alcohol use, always assess whether they are individual or represent a systemic breakdown in one of the SMPs (Policies and Procedures, Roles and Responsibilities, etc.).

Passenger Carrier Only:

- Monitor and track controlled substance- and alcohol-related passenger complaints, and assess safety implications.

Meaningful Action

- Give controlled substance and alcohol test administrators immediate feedback and require corrective action as soon as the company is aware that an employee is not fulfilling testing responsibilities.
- Provide required remedial training to controlled substance and alcohol test administrators when their knowledge is not current.
- Implement a disciplinary policy where potential disciplinary measures correspond to risk posed, with violations associated with high-consequence accidents or incidents being punished more severely.
- Discipline carrier officials for knowingly and willfully allowing violations of controlled substance- and alcohol-related regulations, such as allowing an unqualified driver to drive.
- If the problem related to use of controlled substances and alcohol is systemic, make adjustments to one or more of the SMPs (Policies and Procedures, Roles and Responsibilities, etc.).