

Back safety & safe lifting practices

There IS a right way to sit, stand, lift, and sleep

Wait & see on THC for DOT

Freight broker liability just got real

Which employees must be included
on the random list?

Information and resources to help your drivers operate safely

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MESSAGE FROM THE EDITOR

Back (pain) at it again

Many of us think of back pain as something that happens after a bad fall or accident, but the truth is that back pain usually doesn't occur from a single traumatic incident; it's typically due to a lifetime of bad habits.

Some of these habits include:

- **Poor posture.** Bad habits, such as slouching or leaning forward in your seat, standing with your shoulders curved, or leaning to one side or the other, can place strain on your back.
- **Overexertion.** Continuing to work even though you feel a little ache or twinge could cause more serious injury.
- **Traumatic events.** Vehicle accidents, sports injuries, and other traumatic events can lead to back pain.
- **Stress and tension.** Stress and tension can cause muscles to contract. This, in turn, can cause muscle pain in the back.

Nutrition and exercise to the rescue

Extra weight, especially in the stomach, can put extra strain on the back. Every pound up front can add as much as 10 extra pounds of strain.

Good nutrition and regular exercise can help in maintaining a healthy weight and keeping back, leg, and arm muscles strong.

Good nutrition means consuming a variety of healthy foods, including vegetables, fruits, whole grains, lean protein, and low-fat dairy, while exercise includes regular physical activity, such as walking, jogging, lifting weights, and gentle stretching.

Advise your drivers to consult with a medical professional before starting any diet or exercise program. Remind them that starting slow and steady is always a great way to begin. ♦



Lucero Truskowski

Lucero Truskowski joined J. J. Keller & Associates, Inc. as an Associate Editor in 2022. Lucero edits, writes, and researches content on a variety of topics, including transportation, human resources, and driver training. She holds a Master of Science (MS) in Professional Writing from New York University.



TRAINING BLUEPRINT — BACK SAFETY/SAFE LIFTING

Prevent back injuries and start good lifting habits

Back problems are a common cause of lost work time for professional drivers because of the nature of the job. Prolonged periods of sitting behind the wheel and lifting heavy objects are major contributors to back pain and can cause long-term issues down the road — literally and figuratively.

The good news is that many of these problems can be prevented by practicing proper lifting techniques and engaging in a healthy lifestyle.

TIP: Video walk-throughs on how to use the different types of lifting equipment can be a great way to start your training.

The art of sitting, standing, and sleeping

Good posture and healthy sleep habits can help drivers prevent back pain and injury.

- **Sitting:** The driver's knees should be higher than their hips, with the hips seated at the rear of the driver's chair or seat. The lower back shouldn't be over-arched, and the shoulders and upper back shouldn't be rounded.
- **Standing:** The driver's ears, hips, and shoulders should be in a straight line.
- **Sleeping:** Drivers should lie on their side with both knees bent when sleeping. A driver who prefers to sleep on their back should place a pillow under both knees for support.

TIP: A good way to present proper back safety and lifting safety is through demonstration. Use a large, empty box to show proper lifting technique, talking your way through each of the steps to execute a proper lift.

It's all about the technique

Before making a lift, drivers should stretch and make sure they're wearing proper footwear. They should ensure the path of travel is free of hazards, including uneven or slippery surfaces. Then, when ready to make the lift, the driver should follow these steps:

1. **Size up the load before trying to lift it.** The driver should first test the weight of the load by lifting one corner and using mechanical aids such as carts or dollies as needed. If the load is too heavy, it's time to ask for help.

2. **Bend at the knees and let the legs do the work.** The driver's feet should be apart and close to the object — body centered and knees bent. The driver should have a good handhold and lift straight up in a smooth, continuous motion.
3. **Never twist or turn once the lift has been made.** If the driver needs to turn or navigate around an obstacle, the position of the driver's feet should change, rather than the driver twisting at the waist. The load should be steady, close to the body, and never carried overhead or to the side.
4. **Set the load down properly.** The driver should bend at the knees, letting the legs do the work. The driver's back should be upright with their head up and abdominal muscles tight. ♦

TIP: Make sure drivers know how to use each piece of equipment properly, including dollies or any other equipment to help them lift safely.





TRAINING HANDOUT — BACK SAFETY/SAFE LIFTING

Safe lifting like a pro

Before you lift

- Stretch to keep your muscles limber,
- Wear proper footwear to stay grounded,
- Ensure your path is free of hazards so you don't trip or drop anything, and
- Test the weight by lifting one of the corners of your load.

When you lift

- Place your feet apart and close to the object;
- Center yourself and find your balance;
- Bend your knees (not your waist);
- Get a good grip/handhold; and
- Lift straight up in a smooth, continuous motion.

Holding the lift

- Keep the load stable, steady, and close to your body;
- Never twist or turn your body; and
- Never carry a load above your head or at your side.

Putting the load down

- Go slowly,
- Bend your knees (let your legs do the work),
- Keep your back upright and your head up,
- Tighten your abdominal muscles, and
- Change your foot position to make body turns (don't twist your body). ♦





TEST YOUR KNOWLEDGE — BACK SAFETY

- 1. Which three body parts should be “in a straight line” for proper posture when standing?**
 - A. Head, chest, hips
 - B. Shoulders, knees, toes
 - C. Ears, hips, shoulders
 - D. None of the above

- 2. Back pain can often be prevented with proper lifting technique and good lifestyle habits.**
 - A. True
 - B. False

- 3. When lifting an object, you should:**
 - A. Bend at the hip
 - B. Get a good handhold
 - C. Lift the load over your head
 - D. Take your shoes off

- 4. To set a load down properly:**
 - A. Bend at the knees
 - B. Keep your back upright
 - C. Keep your abdominal muscles tight
 - D. All of the above

- 5. It's okay to twist at the waist when carrying the load around a corner or turn.**
 - A. True
 - B. False ♦

NAME: _____ DATE: _____



Wait and see on THC for DOT: Status quo for now

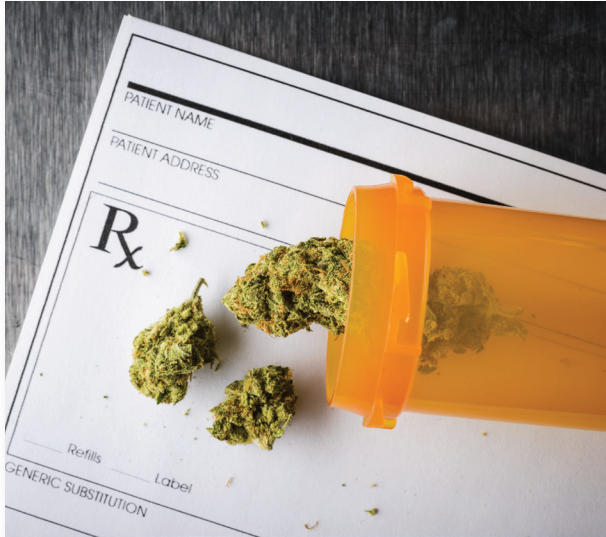
An order issued by Attorney General Todd Blanche places medical marijuana into the same classification as some prescription painkillers. However, this reclassification of medical marijuana as a Schedule 3 drug has no immediate impact on DOT employees. Marijuana is still a prohibited substance, prescribed or not.

DOT considerations

Any changes to marijuana classification on the Drug Enforcement Administration's (DEA's) scheduling won't have an immediate impact on DOT testing procedures, even when updated in the DEA's regulations.

Changes to DOT lab procedures and instructions to medical review officers (MROs) can only occur when the U.S. DOT revises 49 CFR Part 40, *Procedures For Transportation Workplace Drug And Alcohol Testing Programs*. Part 40 applies to highway, air, rail, transit, maritime, and pipeline employers.

However, the U.S. DOT can only initiate rulemaking changes to Part 40 after a chain of events occurs.



First, the Health and Human Services (HHS) must propose changes and then revise its Mandatory Guidelines for Federal Workplace Drug Testing Programs. This document defines analytes, cutoffs, specimen validity criteria, laboratory, and MRO processes. By watching HHS activity, you can anticipate DOT changes.

Once HHS finalizes its document, the DOT has the green light to publish proposed changes to Part 40 to align with the Mandatory Guidelines. The DOT must adopt the HHS scientific standards and

procedures into 49 CFR Part 40 to be used by DOT employers. The DOT doesn't create its own scientific testing standards.

Lastly, before any implementation can occur, the DOT must publish a final rule amending the DOT testing panel, lab procedures, and MRO instructions relating to marijuana. ♦

Freight broker liability just got real: What the Supreme Court decision means for trucking

A recent U.S. Supreme Court decision is expected to change how freight broker liability is evaluated, with direct implications for brokers, shippers, and carriers. In *Montgomery v. Caribe Transport II, LLC*, the Court held that negligent hiring claims against brokers aren't blocked by federal law when safety is involved.

The ruling turns on the safety exception in the Federal Aviation Administration Authorization Act, which preserves a state's ability to regulate safety with respect to motor vehicles, even when other state rules related to prices, routes, or services may be preempted.

The case arose from a crash in which driver Shawn Montgomery alleged that broker C.H. Robinson failed to use reasonable care when it selected a motor carrier. Reports on the decision noted allegations that the

carrier had a conditional Federal Motor Carrier Safety Administration (FMCSA) safety rating and a history of safety problems tied to driver qualification, hours of service, maintenance, and crash history — all factors plaintiffs will emphasize when challenging broker selection decisions.

The Court didn't say brokers will always be liable, but it did make clear that these cases can proceed under state negligence standards when they concern motor vehicle safety.

Properly vet carriers

The ruling reinforces that carrier selection is a safety and risk management responsibility. This raises the bar for due diligence. Brokers should be able to show how and why a carrier was deemed safe to use.

Broker files, screens, and decision logs may be examined with the same intensity carriers already face during audits and post-crash investigations. That expectation will reshape everyday broker workflows nationwide.

This decision pushes three operational changes.

- First, brokers may be held accountable for the carriers they select, so onboarding and tendering should be tied to consistent criteria rather than informal judgment.
- Second, safety history and driver qualification signals carry more weight because litigants will look for red flags and argue that a reasonable broker should have acted differently.
- Third, brokers should assume their vetting records and exception approvals will be requested and analyzed after a serious incident.

How J. J. Keller & Associates, Inc. can help

Now's the time to evaluate how safety data is reviewed, which criteria guide carrier selection, and whether decisions are clearly documented. J. J. Keller teams have already pointed to a Carrier Review Risk Assessment as a practical fit for this environment. Learn more at <https://www.jjkellerconsulting.com/transportation-consulting/carrier-risk-review-service>. ♦



Answers to quiz on page 5:

1.) **C** 2.) **A** 3.) **B** 4.) **D** 5.) **B**



Next Month's Topic: Cell phones/texting

Section 392.82 of the Federal Motor Carrier Safety Regulations prohibits the use of a hand-held mobile telephone while driving a commercial motor vehicle. Drivers must pull over if they need to use their phones, or wait until they're stopped for an extended period. ♦



Expert Help: Question of the Month

Question: If an employee has a CDL but isn't a driver for the company, is that employee required to be on the DOT drug and alcohol random list?

Answer: Only those expected to operate a CDL commercial motor vehicle should be in your DOT FMCSA Part 382 alcohol and controlled substances testing program. Licensing alone doesn't qualify as a safety-sensitive position; it's always tied to the operation of a CMV as defined in 383.5/382.107, which is one that requires a CDL.

If this person isn't a backup or occasional driver, then the employee can't be in the testing program. ♦



Expert Help

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