

Two Weeks Notice!

As a driver, quitting a company has certain obligations that are governed by either provincial or federal laws. They are usually there for the protection of both parties and can be accompanied by fines or penalties by labor boards if parties don't comply. However, Lease/Owner Operators terminations are under custom contracts that can vary in both time and penalties. Conflicts would ultimately be decided by civil litigation, if it gets that far.

As an accountant I have reviewed hundreds of trucking company contracts. Sixty to seventy percent of them are very similar. I have even had occasion to predict which law firms wrote them, based on the sentence structures on the first page. Some contracts are organized logically while others are revised and added to numerous times as custom events spark specific new terms. Sometimes amendments are made to amendments in bold font and expression, clearly revealing a completely new writer. One could easily piece together the story that would have motivated the owner to personally write it in.

The obligations providing termination of any contract are usually specific for both parties. A 30 day notice is standard but not universal. Some notices must include a clause requiring it be "written" or even sent by registered mail. Some (al-be-it few) even have specific penalties such as \$2,500 if not in written registered mail format.

When someone has read hundreds of contracts, it becomes much easier to classify and categorize the authors and revealing the mindset of the management team or owner.

When there is a tendency to have clear and/or numerous "penalties" in the contract, the reader (operator) begins to emotionally distance themselves from the writer (owner). The reader asks why so many fines? Why so many penalties, when the competition doesn't have any?

It's understandable that companies wish to cover their potential losses... but at what cost to their reputation?

The issue is really a financial time/risk tug-of-war. It's a battle of trust: the driver doesn't want to starve to death because of the last 30 days and the company's freight power needs sometimes can't afford the unpredictable drop in power. Both feel vulnerable and both wish to cover their back.

Leaving a company for another is often awkward... like meeting an old girlfriend in front of the wife... or maybe more like a current girlfriend in front of the wife. There is too many trust variables to accurately predict the outcome.

The trucking company that considers itself a leader in the industry will extend trust first. Trust breeds trust. There is a long list of companies that have superb exit plans for their operators. In my personal experience somewhere between 50-60% of companies operate with honor in termination, but of course that leaves about 40-50% who sow seeds of doubt and pain.

If you read a contract that has too many penalties and fines for leaving, maybe reconsider the quality of management or owners at that company. Actual "fines" and "penalties" for leaving without WRITTEN notice (in my opinion) is NOT industry standard. I personally estimate the listing of a penalty like this to be less than 20%.

If the company doesn't display trust, it may not be trust worthy.

But, I have also seen my share of operators who are not trustworthy. They lie, cut corners, constantly blame someone or something else and too often wonder why nobody trusts them. With several decades of experience behind me I can confidently say, rarely do they ever get ahead financially. Rarely do they stay at a good company, and rarely do they make good employer choices. It may appear that they get away with specific EVENTS but never (that I've witnessed) get ahead in life and/or wealth long term.

Many months ago I was interviewing a potential new employee who was excited to possibly be a part of our firm. After a lengthy interview, in what they thought was a benefit statement, the person indicated they would be able to make themselves available immediately. They didn't feel obligated to give a two week notice considering how their boss was currently treating them. Needless to say they were not hired.

An honest trustworthy person (or company, through its owner) is the only type of person who will be able to consistently attract personal and financial wealth.

Robert D Scheper operates an accounting and consulting firm in Steinbach, Manitoba. He has a Masters Degree in Business Administration and is the author of the Book "Making Your Miles Count: taxes, taxes, taxes" (now available on CD). You can find him at www.thrconsulting.ca and thrconsulting.blogspot.com or at 1-877-987-9787. You can e-mail him at robert@thrconsulting.ca.