FMCSA-HOS-ELD-395-FAQ70(2019-11-22)-CORR1

Question: What information must be submitted in a harassment complaint?

**Answer:** Under 49 CFR [390.36](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-390/subpart-B/section-390.36) and [386.12(b)](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-386/subpart-B/section-386.12#p-386.12(b)), the following information must be submitted in writing:

1. Driver’s name, address, and telephone number;
2. Name and address of the motor carrier allegedly harassing the driver; and
3. Statement of the facts to prove each allegation of harassment, including:
	1. How the electronic logging device (ELD) or other technology used with the ELD contributed to harassment.
	2. The date of the alleged action.
	3. How the motor carrier’s action violated either §§ [392.3](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-392/subpart-A/section-392.3) or [395](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-395).
	4. Driver’s signature.

Any supporting evidence that will assist FMCSA in the investigation of the complaint should also be included along with the complaint.

**Contact Info:** FMCSA ELD Information, 1-800-832-5660 or ELD@dot.gov.

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*Note: This guidance document does not have the force and effect of law and is not meant to bind the public in any way.  It is intended only to provide information and clarity regarding existing requirements under the law or agency policies.*

**Regulatory Topic: ELD Guidance**

**Effective Date:** Friday, November 22, 2019

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