

NEWS & INSIGHTS

Accident Training Your Managers Need

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Well-meaning but overzealous managers can sink your case from the very beginning. They need to be trained on the importance of their finite role.

Why It Matters

Managers often jump right in when one of their drivers is in an accident. Understandable — it's their team.

The questions start flying: What happened? Who did what? How fast? How far? What does the driver say?

The problem: Their well-intended investigation leaves a trail of discoverable evidence in its wake. Improperly performed or recorded incorrectly, their “investigation” can sink your case from the beginning.

What They Need to Know

It is not their job to investigate. They are not going to “solve the case.” They are not attorneys. They are not accident reconstructionists. They are not investigators.

We have professionals for that — attorneys, reconstructionists, and investigators. There’s an order and reason for this coordination: to protect what we do with attorney-client privilege and attorney work product.

Moreover, these professionals are trained and experienced in identifying key evidence and how to preserve it.

The consequences of manager involvement:

- Their findings become discoverable
- They become subject to deposition
- The driver mentions talking to the manager post-accident in their deposition
- Even innocuous conversations drag in the manager

The Fundamentals Managers Need

When taking the call, limit information to:

- Where?
- Injuries?
- Hazmat?
- Police?
- Citation?
- **Period.**

Tell the driver: Don’t discuss with anyone — co-workers, family, anyone who calls. No one.

Remind co-workers: Don’t discuss with the driver. Appreciate the desire to know and concern for fellow drivers, but it can be problematic if misunderstood or misremembered. Guess who gets dragged off the road for a deposition?

Refer to accident and risk: Turn the matter over to trained professionals who can triage the incident and provide the required response.

Document what was done ... and NOT done: "Took basic information from driver. Did not discuss facts. Told driver not to discuss. No further action taken."

The Bottom Line

Today's litigious society makes every accident a potential lawsuit. Response must be disciplined and handled by the proper professionals.

Need Help?

I provide training for companies and their managers. If you need this particular type of training or have any questions about training managers for accident response, [please contact me at any time](#).

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