

Section § 382.301: Pre-employment testing.

Guidance Q&A

Question 4: Must all drivers who do not work for an extended period of time (such as layoffs over the winter or summer months) be pre-employment drug tested each season when they return to work?

Guidance: If the driver is considered to be an employee of the company during the extended (layoff) period, a pre-employment test would not be required so long as the driver has been included in the company's random testing program during the layoff period. However, if the driver was not considered to be an employee of the company at any point during the layoff period and was not covered by another employer's drug testing program, then a pre-employment test would be required. Consult 49 CFR 382.301(b) and (c) for further requirements.