

# Pre-Employment Testing

## Regulatory Requirements

**A marine employer must conduct a drug test prior to employing any crewmember that performs safety sensitive duties.**

The prospective employee must pass the test before employed, not merely take the test.

## Pre-employment testing waivers

**A prospective employee need not be tested if that person has proof that, within the previous six months, he/she passed any Coast Guard-required drug test, or has, during the previous six months, been subject to Coast Guard required random testing for at least 60 days and has not failed or refused a test. "Being subject to random testing" does not mean the individual has to have actually been tested, but has been eligible to be tested. An employer is not required to exempt prospective employees from pre-employment testing.**

## Background Check

**Before placing an employee in a safety-sensitive position, you must obtain the employee's written consent and request information from all DOT-regulated employers for whom the employee has worked within the previous two years. Procedures on requesting information, as well as specific information to request can be found in 49CFR40.25.**

## Responsibilities of the Marine Employer

**Any one or more of the following may be considered a marine employer: the owner of a vessel, the managing operator, the charterer, the agent, the master, or other person in charge. The marine employer is responsible for administering drug and alcohol testing programs for their employees.**

**The marine employer will safeguard the confidentiality of the program and shall not release drug testing or other personal information except to the person who was tested, to a third party that the tested person specifies in writing, or to the Coast Guard.**