

FAR's 121.455(c) and 135.249(c) state no certificate holder or operator shall knowingly use any person to perform either directly or by contract any safety sensitive function if that person has a verified positive drug test result.

It should be obvious that the initial new-hire test is not in its self sufficient to meet the requirements of these two FAR's. The initial new-hire test would not satisfy the FAR's because the test does not address a previous history should the person have such a history of a positive test.

It would appear 14 CFR Part 121 app.I, V. A. Pre-employment testing, needs to address how the employer should perform not only the initial test but a background check to assure there is no history of previous positive tests. Unless I'm missing it somewhere, I do not see this issue addressed. It would seem a history check would be required if the person indicates on his application for employment that he has previously held a safety sensitive position. Thanks for your time.