

March 10, 1992

This is in response to your letter of October 9, 1991 requesting guidance on whether there is a time requirement for the validity of a pre-assignment drug test and when to conduct a pre-assignment drug test on management employees who may be required to perform covered functions during a strike by other employees?

All management employee who may perform a covered function, including those used infrequently or on a short project, are subject to drug testing under Part 199 when they perform on a pipeline or LNG facility an operation, maintenance, or emergency-response function regulated by Part 192, 193 or 195.

Under ? 199.11(a) your management employees must be subject to a pre-employment drug test prior to being assigned to a covered function. The regulations do not specify a time limit on how long a pre-employment test is valid. Your company may elect to perform pre-employment testing of the management employees when it determines that the strike may be imminent. The company must allow sufficient time to schedule the management employees for drug tests, receive their results and place them into a random testing pool. Management employees who remain continuously under a Part 199 program would be subject to pre-employment testing only the first time they are engaged to perform a regulated function. If the strike threat is avoided or upon completion of the strike your company would then remove the management employees from the random testing pool if they were no longer going to preform a covered function regulated by our code.

Thank you for your inquiry. Please let me know if you need any more information about our drug testing requirements.

Sincerely,

Richard L. Rippert
Drug Compliance Coordinator
Office of Pipeline Safety
Enforcement