

TTD NEWS RELEASE

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CONTACT: Jonna Huseman
jonnah@ttd.org
202-679-0187

TTD Opposes Petition to Allow Hair Testing for Drugs

Procedure is Unreliable, Defies Science and Discriminates

Washington, DC — The Transportation Trades Department, AFL-CIO (TTD), is urging the Federal Motor Carrier Safety Administration (FMCSA) to follow established protocol and put science first by denying a petition by several trucking companies to use hair specimen in lieu of federally mandated urine in pre-employment drug tests.

[In comments filed yesterday](#), TTD pushed back against the petition citing concerns over the reliability, accuracy and fairness of hair testing. Studies show that hair testing can produce false results, and may have an inherent racial bias. Darker and more porous hair retains some drugs at greater rates than lighter hair, and hair specimen can test positive for drugs drivers never ingested.

“No one in America should be denied employment because the trucking industry wants to rely on an unsound testing method as a way to cut drug-testing costs,” said TTD President Edward Wytkind. “Until hair testing is proven to be a reliable and fair way of testing for drug use and federal standards are in place, subjecting transportation workers to hair testing should not be up for serious consideration.”

Unlike urine tests, which are the most accurate and reliable method for pre-employment drug testing, hair testing lacks federal oversight. Relying on hair testing as a condition of employment could unfairly hinder a driver’s chance to earn a livelihood, and sets a threatening precedent that could affect millions of workers in the transportation sector and across the economy.

This isn’t the first time trucking companies have requested a government exemption from urine testing. Congress rejected a similar attempt when it passed the FAST Act in 2015. Language in the bill directs the department of Health and Human Services (HHS) to issue scientific and technical guidelines on hair testing and permits bus and truck companies to perform pre-employment hair tests only after HHS guidelines are issued. This reflects the standard that the Department of Transportation (DOT) has adhered to since 1991, when Congress mandated that DOT follow HHS guidelines in creating federal drug test standards.

“By petitioning FMCSA with the same request Congress ultimately denied, these trucking companies are circumventing a long-established process that rightfully allows scientists, not employers or politicians, to determine which testing methods and procedures are approved and implemented,” Wytkind said. “Deviating from that process undermines scientific standards and sets a dangerous precedent that could have far-reaching consequences.”

Transportation Trades Department, AFL-CIO

815 16th Street NW / 4th Floor / Washington DC 20006

Tel:202.628.9262 / Fax:202.628.0391 / www.ttd.org

Edward Wytkind, President / Larry I. Willis, Secretary-Treasurer



In addition to the comments filed by TTD, [civil rights groups](#), including the Lawyers Committee for Civil Rights Under Law, NAACP, ACLU and National Workrights Institute, also sent a letter urging FMCSA to deny the petition, citing the racial biases and false results associated with hair testing. Rep. Peter DeFazio (D-OR) and Del. Eleanor Holmes Norton (D-DC) have also [called on FMCSA](#) to deny the petition, calling the use of hair testing premature and a contradiction of Congressional intent.

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The Transportation Trades Department, AFL-CIO (TTD), provides a bold voice for workers in every mode of transportation and is devoted to protecting middle-class jobs, expanding collective bargaining and ensuring modern, safe and secure transportation operations and infrastructure. For more information visit us at www.ttd.org and follow us at @TTDAFLCIO.