

employment-at-will doctrine, suggesting that that would somehow be regrettably circumscribed were we to impose common-law liability on an employer who conveys false information that results in its former employee being unemployable in his chosen career.

Having said this, I agree with the Court's discussion about the federal mandate for drug testing, and I concur with its judgment. Congress has mandated drug testing, and the United States Department of Transportation has adopted regulations governing the circumstances here. Any superimposing by us of common-law liability on an employer who conducts drug testing in these circumstances would alter the delicate balance the federal government has tried to achieve. Thus, we should not do so. For these reasons, I join Parts I, II, III-C, IV, and V of JUSTICE JEFFERSON'S opinion. Consequently, those parts constitute the opinion of the Court.

OPINION DELIVERED: May 15, 2003

Craig T. Enoch
Justice

