

# DRIVER APPLICATION FOR EMPLOYMENT

**ZENITH FREIGHT LINES**  
PO Box 969 Conover, NC 28613  
PHONE: 828.465.7036 FAX: 828.468.3941

Date of Application: \_\_\_\_\_

**NAME:**

**SSN:**

(First, Middle Initial, Last)

**ADDRESS:**

(Street, City, State, Zip)

**DATE OF BIRTH:**

**e-mail address:**

**HOME PHONE #:**

**CELL PHONE #:**

Have you ever been employed by this company in the past? Yes  No   
If yes, please explain: \_\_\_\_\_

Driving position applying for:

**Longhaul (OTR)**  **Local**  **Regional**  **Home Delivery**  **Hub Feeder**  **Team**

Location applying for: \_\_\_\_\_

Are currently working for any other employers, full time or part time? Yes  No   
If yes, please explain: \_\_\_\_\_

## Fair Credit Reporting Act Disclosure Statement

In accordance with the provision of Section 604(b)(2)(A) of the Fair Credit Reporting Act, Public Law 91-508, as amended by the Consumer Credit Reporting Act of 1996 (Title II, Subtitle D, Chapter I, of Public Law 104-208), you are being informed that reports verifying your previous employment, previous drug and alcohol test results, and your driving record may be obtained on you for employment purposes. These reports are required by Sections 382.413, 391.23, and 391.25 of the Federal Motor Carrier Safety Regulations.

## Driver Notification

This notice serves to fulfill the requirements of 49 CFR Part 391.23(i). Each motor carrier must notify each driver, who is regulated by the Department of Transportation, of their rights regarding investigative information that will be provided to a prospective employer.

Drivers have:

- The right to review information provided by previous employers;
- The right to have errors in the information corrected by the previous employer and for that previous employer to re-send the corrected information to the prospective employer;
- The right to have a rebuttal statement attached to the alleged erroneous information, if the previous employer and the driver cannot agree on the accuracy of the information.

## Past Pre-Employment Drug & Alcohol Testing Question

In accordance with 49 CFR Part 40.25(j) the employer is required to ask the employee:

Have you ever tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee applied for, but did not obtain, safety-sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past two years?  Yes  No

**PREVIOUS ADDRESSES FOR THE PAST 3 YEARS** (attach a separate sheet if more space is needed)

(Street)	(City)	(State)	(Zip)
(Street)	(City)	(State)	(Zip)

**CURRENT DRIVERS LICENSE**

(State)	(License No.)	(Class/Type)	(Expiration Date)
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**DRIVER LICENSES FOR THE PAST 3 YEARS** (attach a separate sheet if more space is needed)

(State)	(License No.)	(Class/Type)	(Expiration Date)
(State)	(License No.)	(Class/Type)	(Expiration Date)

Have you ever had your license, permit or driving privileges suspended or revoked? Yes  No

If yes, list date & please explain:

**DRIVING EXPERIENCE** (attach a separate sheet if more space is needed)

Vehicle Type	List # of Years & Months Operated
Class A (Semi-Tractors):	
Class B (Straight Trucks/Dump Trucks, Etc.):	
Class B (Buses/Passenger Vehicles):	

**Types of Trailers Transported/Operated**

Dry Van: <input type="checkbox"/>	Reefer: <input type="checkbox"/>	Flatbed: <input type="checkbox"/>	Double/Triples: <input type="checkbox"/>	Tanker: <input type="checkbox"/>
Pneumatic: <input type="checkbox"/>	Dump Trailer: <input type="checkbox"/>	Hopper: <input type="checkbox"/>	Intermodal: <input type="checkbox"/>	Auto Hauler: <input type="checkbox"/>
Specialized: <input type="checkbox"/>	Hot Shot: <input type="checkbox"/>	Other (please list):		

**MOTOR VEHICLE ACCIDENTS FOR PAST 3 YEARS** (attach a separate sheet if more space is needed)

IN NONE, WRITE THE WORD "NONE"

Date	Description of the Accident	Towed Yes/No	# of Fatalities	# of Injuries

**VIOLATIONS OF MOTOR VEHICLE LAWS or ORDINANCES FOR THE PAST 3 YEARS** (other than parking

violations - attach a separate sheet if more space is needed) IN NONE, WRITE THE WORD "NONE"

(Violation)	(Date of Violation)	(Violation)	(Date of Violation)
(Violation)	(Date of Violation)	(Violation)	(Date of Violation)
(Violation)	(Date of Violation)	(Violation)	(Date of Violation)

Have you ever been convicted of a Felony? Yes  No

If yes, list date & please explain:

Have you ever been convicted of driving while intoxicated or under the influence of drugs or alcohol?

Yes  No  If yes, list date & please explain:

Have you failed any DOT required alcohol and/or drug testing within the past 5 years? Yes  No

If yes, list date & please explain:

**Past Employment or Lease Record** (*List ALL past employment and leasing for the past 10 years*)

**Past Employer/Leased Company**

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_  
Position Held \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_  
Reason for Leaving \_\_\_\_\_  
Was your job subject to DOT alcohol and drug testing as required by 49 CFR Part 40? Yes \_\_\_\_\_ No \_\_\_\_\_  
Were you subject to the FMCSR's while employed/leased by this company? Yes \_\_\_\_\_ No \_\_\_\_\_

**Past Employer/Leased Company**

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_  
Position Held \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_  
Reason for Leaving \_\_\_\_\_  
Was your job subject to DOT alcohol and drug testing as required by 49 CFR Part 40? Yes \_\_\_\_\_ No \_\_\_\_\_  
Were you subject to the FMCSR's while employed/leased by this company? Yes \_\_\_\_\_ No \_\_\_\_\_

**Past Employer/Leased Company**

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_  
Position Held \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_  
Reason for Leaving \_\_\_\_\_  
Was your job subject to DOT alcohol and drug testing as required by 49 CFR Part 40? Yes \_\_\_\_\_ No \_\_\_\_\_  
Were you subject to the FMCSR's while employed/leased by this employer? Yes \_\_\_\_\_ No \_\_\_\_\_

**Past Employer/Leased Company**

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_  
Position Held \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_  
Reason for Leaving \_\_\_\_\_  
Was your job subject to DOT alcohol and drug testing as required by 49 CFR Part 40? Yes \_\_\_\_\_ No \_\_\_\_\_  
Were you subject to the FMCSR's while employed/leased by this company? Yes \_\_\_\_\_ No \_\_\_\_\_

**Past Employer/Leased Company**

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_  
Position Held \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_  
Reason for Leaving \_\_\_\_\_  
Was your job subject to DOT alcohol and drug testing as required by 49 CFR Part 40? Yes \_\_\_\_\_ No \_\_\_\_\_  
Were you subject to the FMCSR's while employed/leased by this company? Yes \_\_\_\_\_ No \_\_\_\_\_

**Past Employer/Leased Company**

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_  
Position Held \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_  
Reason for Leaving \_\_\_\_\_  
Was your job subject to DOT alcohol and drug testing as required by 49 CFR Part 40? Yes \_\_\_\_\_ No \_\_\_\_\_  
Were you subject to the FMCSR's while employed/leased by this company? Yes \_\_\_\_\_ No \_\_\_\_\_

**Past Employer/Leased Company**

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_  
Position Held \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_  
Reason for Leaving \_\_\_\_\_  
Was your job subject to DOT alcohol and drug testing as required by 49 CFR Part 40? Yes \_\_\_\_\_ No \_\_\_\_\_  
Were you subject to the FMCSR's while employed/leased by this company? Yes \_\_\_\_\_ No \_\_\_\_\_

**\*\*If needed, please add additional past employers on a separate sheet**

In Case of Emergency Please Contact:

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Name

Relationship

Telephone No.

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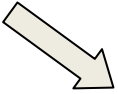
**TO BE READ AND SIGNED BY THE APPLICANT**

This certifies that this application and any additional past employer records have been completed by me, and that all entries on it and information in it are true and complete to the best of my knowledge. I understand that if employed or leased, any misstatement or omission of fact on this application shall be considered cause for dismissal. I authorize investigation of all statements contained in this application for employment or lease as may be necessary in arriving at a decision.

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Applicant's Signature

Date of Application



**NOTICE TO DRIVER APPLICANTS:** Please complete the following pages for required verification and background checks. You must sign and complete all areas with the arrow....

- **ALL DRIVER APPLICANTS MUST SIGN THE FOLLOWING 'PAST EMPLOYMENT SAFETY HISTORY REQUEST FORM'. DO NOT COMPLETE THE ENTIRE FORM – SIGN AND DATE ONLY AT THE ARROW POINTING TO APPLICANTS SIGNATURE**
- **ALL DRIVER APPLICANTS MUST READ AND SIGN THE FOLLOWING 'IMPORTANT NOTICE REGARDING BACKGROUND REPORTS FROM THE PSP Online Service'.**
- **ALL DRIVER APPLICANTS MUST READ AND SIGN THE FOLLOWING 'HireRight DAC Trucking DOT D/A Disclosure and Authorization and Authorization for Disclosure of Information**

# PAST EMPLOYMENT SAFETY HISTORY REQUEST

FROM: Zenith Freight Lines, PO Box 969, Conover, NC 28613 PHONE: 828-466-6660

Please return by faxing to: 828-468-3941 Attn: Kathy Armstrong

The person named herein has applied to Zenith Freight Lines for employment in a safety-sensitive position.

Name of Applicant: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

I, the listed applicant, hereby authorize the following company(s) to release all records of employment, including assessments of my job performance, ability, fitness and drug testing results to Zenith Freight Lines. I hereby release the below listed company(s), and its employees, officers, directors, and agents from any and all liability of any type as a result of providing the following information to the above-mentioned company. The applicant's signature on this form releases all liability of you and your company. Information is being requested in accordance with 49 CFR Parts 40, 382 and 391.

Past Employer's Name: \_\_\_\_\_

Past Employer's Address: \_\_\_\_\_

Past Employer's Fax #: \_\_\_\_\_

  \_\_\_\_\_  
**Applicant's Signature** **Date**

**To be completed by past employer:**

Dates of employment: From \_\_\_/\_\_\_/\_\_\_ To \_\_\_/\_\_\_/\_\_\_ Full Time: \_\_\_ Part-Time: \_\_\_  
Position(s) Held: \_\_\_\_\_ Local: \_\_\_ Regional: \_\_\_ Over-the-Road: \_\_\_  
Did this driver operate commercial motor vehicles greater than 26,000 lbs GVWR? \_\_\_yes \_\_\_no  
Type of equipment operated: \_\_\_Dry Van \_\_\_Flatbed \_\_\_Reefer \_\_\_Other (please list): \_\_\_\_\_  
Reason for leaving: \_\_\_Voluntary \_\_\_Lay-Off \_\_\_Terminated \_\_\_Retired  
If terminated, why? \_\_\_\_\_  
Eligible for rehire? \_\_\_Yes \_\_\_No \_\_\_Upon Review \_\_\_No, Company Policy: \_\_\_\_\_

**Motor Vehicle Accident/Equipment Damage/Incident Inquiry, If no accidents please check box  none**

Accident Date	City, State	Did the Accident Involve?	Brief Description
___/___/___	_____	Tow ___ Injury ___ Fatality ___ HM Release ___	_____
___/___/___	_____	Tow ___ Injury ___ Fatality ___ HM Release ___	_____
___/___/___	_____	Tow ___ Injury ___ Fatality ___ HM Release ___	_____
___/___/___	_____	Tow ___ Injury ___ Fatality ___ HM Release ___	_____

**Alcohol & Controlled Substance Testing Inquiry**

Has this driver ever had a breath alcohol test within the past 3 years a result of 0.04 or higher alcohol concentration? \_\_\_yes \_\_\_no  
Has this driver ever had a positive drug test in the past 3 years? ..... \_\_\_yes \_\_\_no  
Has this driver refused a controlled substance test and/or alcohol test within the past 3 years? ..... \_\_\_yes \_\_\_no  
Has this driver violated any other DOT drug/alcohol regulation? ..... \_\_\_yes \_\_\_no  
To your knowledge has this driver violated any DOT drug and alcohol regulations at a previous employer? ..... \_\_\_yes \_\_\_no

\*\*If the answer to any of the above questions is "Yes", please provide details below:

Reason for test(s): \_\_\_\_\_ Result of test(s): \_\_\_\_\_ Date of test(s): \_\_\_\_\_

If the applicant tested positive, to your knowledge, have they satisfactorily completed all return to duty and follow-up testing requirements in accordance 49 CFR 382.503? ..... \_\_\_yes \_\_\_no

Any other remarks (including SAP name and address): \_\_\_\_\_

Information provided by (name & job title): \_\_\_\_\_ Date: \_\_\_\_\_

First Request Date: \_\_\_/\_\_\_/\_\_\_ Second Request Date: \_\_\_/\_\_\_/\_\_\_ Third Request Date: \_\_\_/\_\_\_/\_\_\_  
Fax \_\_\_ Mail \_\_\_ Phone \_\_\_ Fax \_\_\_ Mail \_\_\_ Phone \_\_\_ Fax \_\_\_ Mail \_\_\_ Phone \_\_\_  
Attempt Made By: \_\_\_\_\_ Attempt Made By: \_\_\_\_\_ Attempt Made By: \_\_\_\_\_

## **Authorization for Disclosure of Information**

I hereby authorize all of the following, without limitation, to disclose information about me to a consumer-reporting agency such as HireRight, Inc. ("HireRight"), and its agents in connection with its preparation of background reports on me for Zenith Freight Lines, LLC (the "Company"):

- Law enforcement and all other federal, state and local agencies;
- Learning institutions (including public and private schools, colleges and universities);
- Testing agencies;
- Information service bureaus;
- Credit bureaus;
- Record/data repositories;
- Courts (federal, state, and local);
- Motor vehicle records agencies;
- My past or present employers;
- The military; and
- All other individuals and sources with any information about or concerning me.

The information that can be disclosed to the consumer reporting agency and its agents includes, but is not limited to, information concerning my employment and earnings history, education, credit history, motor vehicle history, criminal history, military service, professional credentials and licenses.

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**Applicant Last:** \_\_\_\_\_ **First:** \_\_\_\_\_ **Middle:** \_\_\_\_\_

**Applicant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

### **IDENTIFYING INFORMATION FOR CONSUMER REPORTING AGENCY (Complete Entire Section)**

**Applicant Last:** \_\_\_\_\_ **First:** \_\_\_\_\_ **Middle:** \_\_\_\_\_

**Other Names Used:** \_\_\_\_\_ **Years Used:** \_\_\_\_\_

**Current Address:** \_\_\_\_\_

**Former Address:** \_\_\_\_\_

**\*Social Security Number:** \_\_\_\_\_ **Daytime Phone Number:** \_\_\_\_\_

**Drivers License Number:** \_\_\_\_\_ **State:** \_\_\_\_\_

**\*Date of Birth:** \_\_\_\_\_ **\*Gender:** \_\_\_\_\_ **E-mail Address:** \_\_\_\_\_

\*This information will be used only for background screening purposes and will not be taken into consideration in any employment decisions.



**HireRight Customer:**  
 Company: **ZENITH FREIGHT LINES, LLC**  
 Contact: **Becky Barnes**  
 Fax #: **828-468-3941**  
 HireRight Account Code: **ZENI**

**TRUCKING INDUSTRY:**  
**DOT D/A Disclosure and Authorization**

Send to Fax# (800) 257-8069

**PART I - DISCLOSURE AND AUTHORIZATION FOR RELEASE OF INFORMATION FOR EMPLOYMENT PURPOSES - 49 CFR PART 391.23, DOT DRUG AND ALCOHOL TESTING**

In accordance with DOT Regulation 49 CFR Part 391.23, I hereby authorize release of my DOT-regulated drug and alcohol testing records by the DOT-regulated employer(s) listed below to HireRight for the purpose of HireRight transmitting such records to the HireRight customer listed above. I understand that information/documents released pursuant to this Part I is limited to the following DOT-regulated testing items, including pre-employment testing results, occurring during the previous **three (3) years**: (i) alcohol tests with a result of 0.04 or higher; (ii) verified positive drug tests; (iii) refusals to be tested (including adulterated and/or substituted tests); (iv) other violations of DOT drug and alcohol testing regulations (i.e., violations of 49 CFR 382 Subpart B); (v) information obtained from previous employers of a drug and alcohol rule violation; and (vi) any documentation of completion of the return-to-duty process following a rule violation.

If any company listed below furnishes HireRight with information concerning items (i) through (vi) above, I also authorize such company to furnish the following information to HireRight, if applicable: (i) dates of my negative drug and/or alcohol tests and/or tests with results below 0.04 during the previous **three (3) years**; and (ii) the name and phone number of any substance abuse professional who evaluated me during the previous **three (3) years**.

**List all DOT-regulated employers you have applied with and/or worked for in a safety-sensitive function during the previous three (3) years.** If necessary, attach additional pages, including the date, your name, social security number and signature.

Previous DOT-Regulated Employer	City	State	Phone Number
_____	_____	_____	(____) _____ - _____
_____	_____	_____	(____) _____ - _____
_____	_____	_____	(____) _____ - _____
_____	_____	_____	(____) _____ - _____
_____	_____	_____	(____) _____ - _____
_____	_____	_____	(____) _____ - _____

By signing below, I certify that: (i) all information provided herein is complete and accurate; (ii) I have read and fully understand this Part I disclosure and authorization for release as well as the attached FMCSA Notification of Driver Rights and any applicable state law notices; (iii) prior to signing I was given an opportunity to ask questions and to have those questions answered to my satisfaction; (iv) I execute this authorization voluntarily and with the knowledge that the information obtained pursuant to this authorization could affect my eligibility for employment, promotion, retention or other lawful purpose; (v) I understand I may review this document with legal counsel prior to signing; and v(i) facsimile or photographic copies of this authorization are as valid as an original.

Print Applicant Name: \_\_\_\_\_ Social Security #: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**THE BELOW DISCLOSURE AND AUTHORIZATION LANGUAGE IS FOR MANDATORY USE BY ALL ACCOUNT HOLDERS**

**IMPORTANT DISCLOSURE  
REGARDING BACKGROUND REPORTS FROM THE PSP Online Service**

In connection with your application for employment with ZENITH FREIGHT LINES ("Prospective Employer"), Prospective Employer, its employees, agents or contractors may obtain one or more reports regarding your driving, and safety inspection history from the Federal Motor Carrier Safety Administration (FMCSA).

When the application for employment is submitted in person, if the Prospective Employer uses any information it obtains from FMCSA in a decision to not hire you or to make any other adverse employment decision regarding you, the Prospective Employer will provide you with a copy of the report upon which its decision was based and a written summary of your rights under the Fair Credit Reporting Act before taking any final adverse action. If any final adverse action is taken against you based upon your driving history or safety report, the Prospective Employer will notify you that the action has been taken and that the action was based in part or in whole on this report.

When the application for employment is submitted by mail, telephone, computer, or other similar means, if the Prospective Employer uses any information it obtains from FMCSA in a decision to not hire you or to make any other adverse employment decision regarding you, the Prospective Employer must provide you within three business days of taking adverse action oral, written or electronic notification: that adverse action has been taken based in whole or in part on information obtained from FMCSA; the name, address, and the toll free telephone number of FMCSA; that the FMCSA did not make the decision to take the adverse action and is unable to provide you the specific reasons why the adverse action was taken; and that you may, upon providing proper identification, request a free copy of the report and may dispute with the FMCSA the accuracy or completeness of any information or report. If you request a copy of a driver record from the Prospective Employer who procured the report, then, within 3 business days of receiving your request, together with proper identification, the Prospective Employer must send or provide to you a copy of your report and a summary of your rights under the Fair Credit Reporting Act.

Neither the Prospective Employer nor the FMCSA contractor supplying the crash and safety information has the capability to correct any safety data that appears to be incorrect. You may challenge the accuracy of the data by submitting a request to <https://dataqs.fmcsa.dot.gov>. If you challenge crash or inspection information reported by a State, FMCSA cannot change or correct this data. Your request will be forwarded by the DataQs system to the appropriate State for adjudication.

Any crash or inspection in which you were involved will display on your PSP report. Since the PSP report does not report, or assign, or imply fault, it will include all Commercial Motor Vehicle (CMV) crashes where you were a driver or co-driver and where those crashes were reported to FMCSA, regardless of fault. Similarly, all inspections, with or without violations, appear on the PSP report. State citations associated with Federal Motor Carrier Safety Regulations (FMCSR) violations that have been adjudicated by a court of law will also appear, and remain, on a PSP report.

The Prospective Employer cannot obtain background reports from FMCSA without your authorization.

**AUTHORIZATION**

If you agree that the Prospective Employer may obtain such background reports, please read the following and sign below:

I authorize ZENITH FREIGHT LINES ("Prospective Employer") to access the FMCSA Pre-Employment Screening Program (PSP) system to seek information regarding my commercial driving safety record and information regarding my safety inspection history. I understand that I am authorizing the release of safety performance information including crash data from the previous five (5) years and inspection history from the previous three (3) years. I understand and acknowledge that this release of information may assist the Prospective Employer to make a determination regarding my suitability as an employee.

I further understand that neither the Prospective Employer nor the FMCSA contractor supplying the crash and safety information has the capability to correct any safety data that appears to be incorrect. I understand I may challenge the accuracy of the data by submitting a request to <https://dataqs.fmcsa.dot.gov>. If I challenge crash or inspection information reported by a State, FMCSA cannot change or correct this data. I understand my request will be forwarded by the DataQs system to the appropriate State for adjudication.

I understand that any crash or inspection in which I was involved will display on my PSP report. Since the PSP report does not report, or assign, or imply fault, I acknowledge it will include all CMV crashes where I was a driver or co-driver and where those crashes were reported to FMCSA, regardless of fault. Similarly, I understand all inspections, with or without violations, will appear on my PSP report, and State citations associated with FMCSR violations that have been adjudicated by a court of law will also appear, and remain, on my PSP report.

I have read the above Disclosure Regarding Background Reports provided to me by Prospective Employer and I understand that if I sign this Disclosure and Authorization, Prospective Employer may obtain a report of my crash and inspection history. I hereby authorize Prospective Employer and its employees, authorized agents, and/or affiliates to obtain the information authorized above.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Please Print)

NOTICE: This form is made available to monthly account holders by NIC on behalf of the U.S. Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA). Account holders are required by federal law to obtain an Applicant's written or electronic consent prior to accessing the Applicant's PSP report. Further, account holders are required by FMCSA to use the language contained in this Disclosure and Authorization form to obtain an Applicant's consent. The language must be used in whole, exactly as provided. Further, the language on this form must exist as one stand-alone document. The language may NOT be included with other consent forms or any other language.

NOTICE: The prospective employment concept referenced in this form contemplates the definition of "employee" contained at 49 C.F.R. 383.5.