



Hiring for Safety

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Hiring and Workers' Compensation Claims

Injuries can begin at the date of hire, when insufficient time and resources are committed to ensuring employees are a good fit for their new position and the company. Many employers are confused about what they can and cannot do during the hiring process. While federal and state laws restrict certain questions during the interview process, there are steps you can take to minimize the possibility of making a poor safety-related hiring decision.

1. Conduct a thorough interview with the candidate.

Ask them open-ended questions to see what they'd do in specific situations. Questions such as:

- What is the greatest challenge you've had to overcome in your career?
- Tell about a time when you had a conflict with a boss, subordinate or co-worker. How did you handle it? What was the end result?

Be sure to give the interviewee ample time to answer.

2. When hiring an individual, it's very important to consider safe behavior to prevent workers' compensation problems.

While an employer cannot ask the applicant medical questions or whether they've ever filed a work comp claim, you can ask open-ended safety questions regarding the job at hand and how they would perform the essential functions of the job. Let the applicants know that if they're accepted for a job, they'll go through a fitness-for-duty physical and be asked questions about their medical history.

3. To get a good understanding of the individual's work ethic, ask questions regarding tardiness and sick leave.

You can't ask, "How many days were you absent last year due to illness?" or "Have you filed a workers' comp claim?" However, you can ask them to describe their attendance record at previous employers.

Safety-Related Interview Questions

When establishing sound hiring practices, it's important that the interview process includes safety-related questions to get a feel for job candidates and their attention to safety. These questions are designed to help potential candidates understand safety is taken seriously in your workplace. The questions also help facilitate open dialogue with the candidate about their own safety history and behavior.

Our workplace has a strong safety culture. Do you like to participate in workplace safety activities, such as training, inspections and documentation?

Our company works hard to prevent injuries. Do you feel all workplace injuries are preventable?

What types of injuries do you think are common in the [insert your type of business here] industry?

How would you recommend that employers in our industry prevent these types of injuries?

Our workplace has a return-to-work program. Do you understand the benefits of this type of program?

4. Conduct a thorough background check, but be sure to obtain a written consent from the candidate before doing so.

- Verify past employment and follow up with references.
- Find out if the individual is eligible for rehire.
- Pay careful attention to gaps in employment history.
- Include job-related injuries, workers' compensation claims, substance abuse and safety records as part of a background check. Be cautious if there is a negative pattern.

5. Conduct criminal conviction checks.

Most public records services have criminal conviction records for almost every large county in the United States.

6. Verify education and certification accomplishments.

School and universities will be able to verify if an individual graduated. If a person claims to have a license or other certification, be sure to call the issuing organization to verify.

7. If hiring a driver, be sure to compare the results of the driver's official motor vehicle report with answers to the driving record and driving violations questions on the application.

You need to know if an applicant is hiding a bad driving record.

8. Make a conditional job offer, contingent upon the employee's ability to perform the essential functions of the job.

- While the Americans with Disabilities Act (ADA) does not allow you to ask questions about disability or use medical examinations during the interview process, once you make a conditional job offer, you may ask disability-related questions and conduct medical examinations as long as you do this for everyone in the same job category.
- You may withdraw a job offer if, due to medical opinion, the employee poses a direct threat (i.e., a significant risk of substantial harm) to the health and safety of themselves or others (with reasonable accommodation for those employees subject to ADA).

9. After a conditional job offer, drug screening is a very useful technique conducted by many companies, not only on new hires but also on current employees.

Frequent drug users are a large liability due to possible theft and injury.



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