



## Hiring for Safety

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. This is especially important if the employee will be driving a commercial motor vehicle, as there are certain requirements that **MUST** be followed:

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1-800-258-2667

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United Heartland is the marketing name for United Wisconsin Insurance Company, a member of AF Group. All policies are underwritten by a licensed insurer subsidiary of AF Group.

## Ensure the driver application is fully completed

This should include:

- Driver's name, address (for the past three years), date of birth, Social Security number and application date.
- A three-year employment history, including addresses and phone numbers of employers, dates of employment, reason for leaving, and (after Oct. 29, 2004), if applicant was subject to FMCSRs while at an employer and if job was considered safety sensitive.

Plus:

- Employer name, address, dates of employment and reason for leaving for a total of 10 years of employment history.
- The issuing state, license number and expiration date of each unexpired CMV operator's license or permit
- Proven experience operating motor vehicles (including the type of equipment)
- Three-year accident history, including date, nature and any fatalities or injuries
- List of motor vehicle violation convictions for prior three years
- Signature of applicant certifying information is correct



## Consider safe behavior to prevent workers' compensation issues

While an employer cannot ask the applicant medical questions or whether they've ever filed a work comp claim, open-ended safety questions regarding the job at hand and questions regarding how a candidate would perform essential functions of the job can be asked. Let the applicant know that if he/she is accepted for a job, a fitness-for-duty physical will be required along with questions about medical history.

Sample questions can include:

- What is the greatest challenge you've had to overcome in your career?
- Tell us 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?

## Review the motor vehicle record for trends and poor driving behaviors

There are specific requirements that disqualify drivers from having a commercial driver's license, but these are minimum standards only.

## 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, including motor vehicle crashes. Be cautious if there is a negative pattern.

## Safety-Related Interview Questions

When establishing sound hiring practices, it's important that the interview process includes safety-related questions to better assess 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. These questions might include:

1. Our workplace has a strong safety culture. Do you like to participate in workplace safety activities like training, inspections and documentation?
2. Our company works hard to prevent injuries. Do you feel all workplace injuries are preventable?
3. What types of injuries do you think are common in the [insert your type of business here] industry?
4. How would you recommend that employers in our industry prevent these types of injuries?
5. Our workplace has a return-to-work program. Do you understand the benefits of this type of program?

## Contact the FMCSA's Pre-Employment Screening Program for access to an applicant's crash and inspection history

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

## 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, call the issuing organization to verify.

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

- Conduct a thorough road test over a specified route where the driver has to demonstrate backing and turning skills.
- 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).

## Obtain an updated medical certificate from your specified provider

- Keep a copy of the medical certificate — a two-year certificate is best.
- For commercial drivers, a pre-employment drug screen is also required.

## Want to know more?

We're committed to providing you unrivaled loss control services. Contact your dedicated United Heartland Loss Control representative today or visit our website at [UnitedHeartland.com](http://UnitedHeartland.com).

