OSC 12
Ohio Safety Congress & Expo

WELL AT HOME. SAFE AT WORK.

244 Managing Safety Through the Employment Process

William Nolan and Jessica Coleman

Thursday, March 29, 1:15 to 2:15 p.m.

Ohio | Bureau of Workers' Compensation

BARNES & THORNBURG LLP
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Managing Safety Through The Employment Process

March 29, 2012

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If you want to be aggressive on the back end …

… you had better be aggressive on the front end.

Aggressive on Front End

- Invest in good hiring
- Thorough application and follow up

Interview About Safety Behaviors

- Suggestions they have made in the past
- Solicit suggestions on current or possible issues in your shop
- Past training and experiences
- Attitudes

Do NOT Ask

- Prior comp claims
- Health issues
- Days missed due to illness

Ability To Do Job

- OK to test ability to do job
  - Check with counsel: medical test?
- Be specific
- Be consistent
- Focus on CAN not CAN'T

Job Descriptions Help!

- Give you a target
  - ADA
  - FLSA
  - Discrimination
- But they must reflect reality

Drug Testing and Use

- Do not ask about past addiction or treatment
- Ask about illegal drug use
- Post-offer drug testing

Performance Management

- Focus on job – and safety is part of job
- Carrots vs. sticks
- Evaluations: will save you or kill you in litigation

Questions?

… and Thanks!

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