

The Risky Business of Hiring

A Guide for Employers

Prepared by Coppelman Associates
Partners in Management with Harleysville Worcester Insurance Co.
Copyright Coppelman Associates 2002

Introduction

Safety and Risk Management Begin with Hiring

Safety conscious employers realize that the best safety program in the world does not work if employees fail to take it seriously. The key to a safe workplace is simple: hire only people who have the skills and motivation to perform every aspect of the job properly and safely. It sounds easy, but in today's job market, it is not.

Hiring is a challenge that every employer must confront. Even if you have a remarkably stable workforce, with minimal turnover, in all likelihood the day will come when you must bring strangers into your company.

The biggest threat to the well-being and profitability of your company may not be the competition. It's a lot closer than that. The threat is in the judgment and actions of your employees. So when you hire a stranger (or a marginally motivated relative or friend) to join the work team, you are taking an enormous risk. The wrong person can destroy team spirit, undermine productivity and compromise the safety of every employee.

Hiring is a very risky part of your business, so it's well worth your while to do it carefully.

- When confronted with vacant position or growing their businesses, employers with low turnover often lack the explicit hiring procedures needed to find the right new people.
 - Employers with a history of turnover among their workers are at high risk for bringing in a "warm body" that will prove unreliable and even dangerous.
-

A Consistent Process

Safe hiring is the result of a consistent process. Even if you think you know the potential employee, even if the potential employee is a “friend of a reliable friend”, we still recommend following the complete process.

1. Take a written job application from *every* applicant. Read it carefully!
2. Conduct a thorough interview. If possible, have several managers or supervisors participate in the interview process. Make sure everyone knows what can and cannot be asked in an interview!
3. Always check at least two references. Know how to draw out information even from reluctant references.
4. Thoroughly orient new employees to their responsibilities.

In this manual, we will provide detailed guidance on these critical issues. Hiring is not something you need to fear. But to be effective, your hiring process needs to cover all the bases, without violating the rights of applicants. Do it carefully, but do it right!

Step One: Reviewing Job Applications

Written job applications contain many important clues about potential employees. Yet most employers spend little time analyzing the information in this document. With a little practice, you can use the job application to project a pretty accurate image of the applicant: who they are, where they come from and how they approach their work.

Make sure your job application form meets state requirements and is up-to-date.

Here are some of the basic things to look for in the completed application:

- Is the application filled out completely? (Are the blanks telling you something?)
- Is the application filled out legibly? (This may be important if the employee must routinely complete paperwork. On the other hand, if no

written work is required, then poor handwriting would probably not be a concern, *unless* it is an indication of sloppy work habits!)

- Does the individual's training and experience match the job requirements? (If the individual is *overqualified*, you will want to explore this in the interview: why do they want the job?)
- Has the applicant worked steadily over the past few years? Are there significant gaps? Are the gaps explained? Is the explanation for any gaps reasonable? If not, make note to raise this issue in the interview.
- Did the applicant give permission to contact prior employers? If not, make a note to ask about this in the interview. (This often indicates that the individual left the prior job under a cloud.)
- Special note on driving skills: If the job will entail driving, make sure you require the applicant to produce a copy of his or her driving records.

Step Two: Conducting an Interview

The interview is a powerful management tool. This face-to-face contact will tell you how this individual relates to other people, especially "the boss". Pay attention to "body language" clues:

- Does the applicant make eye contact? (Especially important when answering potentially difficult questions.)
- What does the posture tell you?
- Is the appearance appropriate for the job?
- Is the energy level appropriate?

While you want to do more listening than talking, there are a few points you will need to make:

- Explain the nature of the job, the working conditions, the essential skills required.
- Provide a little background on the history of your organization. (It's OK to be proud of what you have accomplished!)
- Describe the key characteristics you value in your workers

Each applicant should be asked a standard set of questions. Make the questions open-ended, so you will get more than “yes” or “no” for an answer. Here are some typical questions, which you should adapt to your particular situation:

- Do you have any questions about the nature of the work? The working conditions? The essential job functions?
- What do you like best about this kind of work? Least?
- Have you ever had any problems doing this type of work? If yes, explain. (For example, the job requires working on ladders or lifting heavy loads.)
- In your view, what is the greatest hazard (greatest risk for serious injury) in this type of work? How do you prevent such injuries?
- Describe the safety program at your prior job. How effective was it? What would have made it better?
- What are the most important things you want from this job?
- What is the most challenging or dangerous situation you have experienced directly at work? How did you respond? What did you do?

NOTE: The following are key questions for individuals who have not given you permission to contact the prior employer(s).

- Ask the applicant to describe prior work experiences.
- “If I did talk to your former supervisor, what would he/she say about you?”
- “Would your prior supervisor want you back? If not, why?”
- “What would your co-workers say about you?”

It's a good idea to take notes while listening to the applicant talk. If you are not comfortable doing this – if it interferes with your concentration – have another person take notes for you.

NOTE: Most employers need to retain the job applications and interview notes for all applicants. So make sure the notes are accurate and worded with reasonable care.

Step Three: Checking References

No matter how well a person performs in an interview or how strong they appear on paper, it's always a good idea to check at least two references. What you *think* you are seeing is not always what you are *getting*.

Unfortunately, in today's litigious atmosphere, many employers are reluctant to say anything at all about prior employees. Some employers will only verify dates of employment. They are so wary of being sued, they will not give you any information, even if they had a positive experience with the individual.

Here's an effective way of putting pressure on prior employers for full disclosure:

First, identify the greatest hazard or exposure in the job (for example, work on scaffolds; driving, direct contact with children, etc.). Emphasize the potential danger to the individual, coworkers, clients or even the general public if safety procedures are not followed.

Then say something like this: I am interpreting your silence as your agreement that this individual is not at unusual risk for injury or harm to himself or others in performing this work."

Why do this? You have put the prior employer on notice that if they *fail to disclose* a known problem, they will be at risk for being sued for providing a "**negligent reference**". They have an *obligation* to disclose any concerns that may impact the safety and well-being of your workers or the general public.

When you reach a prior employer who is willing to talk openly, here are some typical questions you may ask:

- Indicate that you have the applicant's permission to talk to them.
- Verify dates of employment.
- Verify job function.
- Identify the key skills / qualifications needed for the proposed job.
Example: Must be a team player. Must follow directions. Must show up regularly and be reliable.
NOTE: You *cannot* ask if the individual missed a lot of time due to illness or injury. But you can say that your job requires regular attendance and you can ask if the individual is "reliable"...
- Would you rehire this person?
If no, why not?

Checking References on Commercial Drivers (CDL)

CDL Drivers have different standards from all other types of employees. If you are hiring an individual who must hold a current commercial drivers license, a totally different set of rules applies.

- You are required to contact prior employers for references.
- Prior employers are required to fully disclose the history and performance of the driver.
- CDL drivers are randomly drug tested and must pass regular physicals. (there is no accommodation for CDL drivers who fail their physicals.)

In contacting the prior employers of a CDL driver, you are much freer to ask about health and substance abuse issues. You can probe any areas where the driver may expose people to danger. The prior employers must disclose any known dangers involving this individual, including failed drug tests.

Step Four: The Final Decision to Hire

Once you find the right candidate, go through this final checklist to ensure that this is the right person for your team:

The individual is:

- Motivated: really wants this job
- Skilled: has the right experience for this job
- Positive: has a good attitude toward work and life
NOTE: Negative attitudes can be red flags for trouble ahead.
- Feels right: your “gut” tells you this will be a good hire
NOTE: While the “gut feel” test is not reliable by itself in making hiring decisions, it is valuable along side the other procedures outlined in this guide.
- Team player: will fit in with current workers and your customers

If the applicant cannot pass this final test, you’re probably best off starting your search over!

In our experience, serious compromises made by employers in the hiring process often lead to big trouble. The rush to fill a position is often followed by years of regret: for the disruption in productivity, the insurance losses, the damage to team morale and the low quality of the work performed. It is *always* a mistake to hire a person you know is wrong for your business.