Our speaker for this session was Phillip Maddox-Sr. Risk Management Specialist for National Interstate Insurance Company. Mr. Maddox works all over the United States focusing on controls for Workers Compensation and auto liability exposures. He is a 25 year member of the American Society of Social Engineers, and is OSHA authorized trainer for the 10 and 30 hour General Industry Course.

Pam started off the session with a few updates from our last session in St. Louis. The question came up at that meeting. Should you save your old Material Safety Data Sheets (MSDS) when you replace them with updated (MSDS)? Yes, you should keep a file folder labeled Past MSDS Sheets.

The next update was concerning the newest OSHA guide to restroom access for transgender workers. The core belief underlying this policy is that all employees should be permitted to use the facilities that correspond with their gender identify. For example, a person who identifies as a man should be permitted to use men’s restroom, and a person who identifies as a women should be permitted to use women’s restroom.

Mr. Maddox discussion topics were:
- How to design and Implement a Human Performance Evaluation
- How Not to Hire a Workers Compensation Claim

He started out the session discussing with the group in attendance. How do you word your wanted ads? Is safety mentioned? Types of equipment they would drive, the requirements a driver must meet to be considered for employment. i.e., need to have a CDL with an S and P endorsement or be properly trained to obtain a CDL with the proper endorsements, able to be medically qualified, and heavy lifting might be required.
Try not to hire your next WC claim. Try to hire a good candidate with these ideas to reduce the risk of possible future work place injuries.

- Know who are hiring
- Establish a strong safety Culture
- Set the expectation early that all safety is highly encouraged at all times while being employed in your driving position.
- Equipped for success-Receive quality training before driving equipment
- Managing behaviors-Onboard cameras
- Solicit participation from driver
- Recognize and reward success
- Build leaders

Do how do not hire your next WC claim?

- Application review and use standard interview questions. Every interview should follow the same procedure. **Do not short cut the process.**
- Send the applicant for a drug test. Wait for the results from the lab. Don’t proceed until you have the results. Remember hiring new employee cost money. You don’t want spend money by short cutting.
- Behavior profile. Use the Scheig Hiring and Performance System or another type of system to gauge the applicant’s knowledge or lack of industry experience. This will help the trainer know what skills set must be taught to be a successful driver.
- Make sure the Driver Qualification file is complete. All required information is correct. Example make sure the Fed Med card has been properly process by the doctor and has the doctors National Certification Number listed on the card.
- Run MVR to make sure the driver’s license is valid, check references on application, send out a criminal background check and if the driver has previous CDL driving positions in the past 3 years, send out a Safety Performance History Records Request.

Under the law: **You cannot ask for an applicant to go for a medical examination until the conditional offer has been made.**

You cannot ask for the applicant the following questions.

- If they have previous WC claims in other jobs?
- Are you on non-prescribe drugs?

You can ask the following questions.
• Ask the applicant to perform the job task like: lift test for handling luggage, time the applicant doing a school bus evacuation, how long it takes to do a pre/post trip inspection; can the applicant open the hood?
• Ask about the applicants past employment attendance history.
• Ask non-medical qualification and skills, such as the education level, work history, and the previous jobs required certificates and licenses.
• About applicant’s current non-prescribe drug use. **NOT THE APPLICANTS ALCOHOL USE!**
• Can give vision test to applicant that are non-medical (read labels on objects they will read while driving on the dash board, read a charter sheet with names, addresses, location pick/drop offs, etc...)

After giving a valid job offer to an applicant you can ask disability-related questions and have applicant receive a medical examination. The job offer may be conditioned on the results of the exam. I.e. high blood pressure that can’t be treated with medication to bring down to acceptable level, diabetes treatment with a needle application, or medical condition that will not allow you to have CDL.

Other questions that can be asked,
• Ask about the applicant’s disability-related questions and previous medical examinations.
• WC history if any, prior sick leave usage, illnesses, diseases, and mental health.

All new employees in the same job category must be subjected to the same medical examination and hiring process.
The use of Physical Abilities Test (PAT) is a way for an employer to more effectively match workers to the physical demands and essential duties of a job. This test is also good for the employee. It more likelihood the job performance and job satisfaction will be maximized.

This concludes minutes of this session at the 2015 BISC Summer Meeting.