



**MANCHESTER**  
SPECIALTY PROGRAMS  
INSURANCE



## Home Health Care Hiring Practices for Improved Workers' Compensation Program

Inexperienced workers have higher Workers' Compensation claim rates, with employees who have been on the job for less than a month filing more than three times as many claims as those who have been on the job for more than a year. Screening and hiring the right employees in any business, including the home health care and hospice industries, will help improve an organization's Workers' Compensation program.

A home health care agency should make sure candidates have the skill set to do the job, including ensuring that they're capable of doing the tasks associated with the job.

*Verification of prior employment, credentials, and education; reference checks; background checks; and pre-employment drug testing are all standard components of a comprehensive hiring program.*

- **Criminal Background Checks**

Organizations should be aware that the use of criminal background checks when hiring new employees is permissible as long as the employer complies with federal law as outlined by the U.S. Equal Employment Opportunity Commission (EEOC). Furthermore, when employers use a third-party vendor to conduct background checks, they must follow the Fair Credit Reporting Act (FCRA). An employer should obtain written permission from the candidate before conducting a background check.

Additionally, a background check must be performed post offer and prior to placing an employee on the job. If the background check reveals that an applicant has a criminal history, the employer must determine whether and how the applicant's criminal history relates to the job's risks and responsibilities. The EEOC states that an employer should consider the crime itself, the time since the criminal conduct occurred, and the nature of the job.

- **Pre-Employment Drug Testing**

Organizations can use pre-employment drug testing to screen for drug or alcohol abuse after a job offer is tendered but before the employee begins working. Drugs and alcohol can cause accidents, injuries, sick days, and productivity loss. The National Institute on Drug Abuse reports that employees who abuse substances are likelier to miss work more often, be late to work, frequently change jobs, be involved in workplace accidents in which others are harmed, and file more Workers' Comp claims.

HIRING PRACTICES CONTINUED (OVER) ...

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*CONTINUED:*

- **Pre-Employment Drug Testing Continued:**

Typically, pre-employment drug tests check for the applicants' past use of the following substances: amphetamines, including methamphetamines; cocaine; marijuana/THC; phencyclidine; and opiates. Drug screens may be performed through urine, saliva, blood, or sweat tests, and employers can request tests that screen for other substances in addition to the five listed here.

- **Post-Offer Medical Questionnaires**

An employer also wants to make sure a candidate doesn't have any preexisting injuries that will prevent them from performing the job properly, such as the ability to lift patients. If someone has already had back or knee surgery, there's a strong possibility they can be re-injured doing the same type of work.

A Post-Offer Medical Questionnaire (POMQ) assists an employer in determining whether an employee is capable of performing the essential functions of the job with or without a reasonable accommodation. Its goal is to assist in matching the candidate to the physical requirements of the job and to avoid placing an employee in a position that could be hazardous to themselves and other employees. The POMQ must be completed after a job offer has been made but before the employee is assigned to a position (in compliance with the Americans with Disability Act). Furthermore, the POMQ questions must be "job-related and consistent with business necessity." All health information obtained from the POMQ must be handled in a confidential and responsible manner.

- **Onboarding Practices**

During the orientation and onboarding processes, new hires form their impressions of the job and the organization's safety culture. They must be properly educated in the job's essential and non-essential functions, as well as its parameters. Training in both should be part of an organization's onboarding process and include the job's specific procedures as well as the skills and knowledge required, awareness of task-specific and overall workplace hazards and hazard controls, and safety procedures.

Strong hiring and onboarding practices are critical for workplace safety and can help employers combat high turnover rates, boost employee morale, and save costs.

**Manchester Specialty Programs has numerous avenues available to secure Workers' Compensation coverage for Home Care, Allied Health and Human/Social Services organizations.**

### **About Manchester Specialty Programs**

Manchester Specialty Programs specializes in providing business insurance solutions to meet the needs of Home Care, Allied Health, Medical Staffing and Human/Social Services organizations. For more information about how our products and services can help protect your firm, you or your local insurance agent can contact us toll-free at 1-855-972-9399.

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