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## DID YOU KNOW??

### HOW DO EMPLOYERS DETERMINE AN APPLICANTS PHYSICAL FITNESS FOR A SPECIFIC JOB?

At Reitman we spend many hours screening candidates and determining whether an applicant is physically fit for a job. You should know that it's OK to determine the answer provided we ask only legal job-related questions consistent with business necessity



Remember:

- Never factor in old injuries or medical conditions into your decision. The Americans with Disabilities Act (ADA) prohibits employers from discriminating against qualified workers based on a "record of disability."
- Only consider the applicant's current condition, not any past injuries or illnesses.

#### The ADA requires employers to:

1. Determine if the applicant has skill and experience to perform the job.
2. If he or she does, the employer may make a conditional job offer pending a physical examination.
3. If the exam reveals any current limitations, the employer must determine whether those limitations prevent the applicant from performing any of the job's essential functions.
4. If so, the employer and applicant must determine if reasonable accommodations would allow the applicant to perform the job's essential functions. Only if no accommodation can be found may the employer refuse to hire.



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