

# Pre-employment Health Evaluation Policy

## 1 Applies to

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This Policy applies to:

- All Calvary Services and is a part of the recruitment process.

## 2 Purpose

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The purpose of this Policy is to define Calvary's requirements for pre-employment health evaluation. Consistent with our values of hospitality, healing, respect and stewardship and our obligations under WHS legislation, Calvary is committed to the health and safety of all workers and patients/clients/residents. This obligation extends to prospective employees and the pre-employment health evaluation process is aimed at determining if prospective employees are able to safely undertake the inherent requirements of the role without putting themselves or others at risk.

## 3 Responsibilities

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**Hiring Manager** (for services where no HR assistance is provided during recruitment process)

The Hiring manager, so far as reasonably practicable, is responsible for:

- Organising health assessment for all candidate/s to be employed into roles with potential *hazardous manual task* components as well as any other roles when such an assessment might be indicated due to pre-existing injury or illness.
- Maintaining confidentiality of all health related information relating to the candidate.
- Forwarding a [Pre-employment Health Declaration form](#) to shortlisted candidates after a job interview.
- Facilitating a review with WHS/RTW lead to assess feasibility of making any relevant modifications to the role or workplace to accommodate any health restriction/s of the candidate, if required.
- Ensuring that no successful candidate can commence work until they have submitted their Pre-employment Health Declaration and cleared the medical/functional screening checks (if applicable to the role).
- Providing the successful candidate's Pre-employment Health Declaration and Reasonable Adjustment Form, if applicable, in a sealed envelope to payroll to be filed in the employee's personal folder.
- Destroying Pre-employment Health Declarations from candidates who progressed through the recruitment process but were not appointed to the role (unsuccessful, declined job offer or otherwise did not commence), 6 months after recruitment process for the role has been completed.
- Ensuring that any soft or hard copies of the Functional Capacity Evaluation (FCE) reports are destroyed once the recruitment process for the candidate is finalised (applies to both successful and unsuccessful candidates) when using national provider for pre-employment medical assessments as all reports will be kept on provider's database and accessible at any time.

**Human Resources** (for services where HR support is provided during recruitment process)

The Human Resources representative for the service is, so far as reasonably practicable, responsible for:

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- Assisting hiring managers identify need and type of pre-employment health evaluation.
- Ensuring a process is in place to maintain confidentiality of health evaluation records.
- Providing advice and recommendation to the hiring manager regarding results.
- Forwarding a [Pre-employment Health Declaration form](#) to shortlisted candidates after a job interview
- Facilitating a review (with hiring manager and WHS/RTW lead) to assess feasibility of making any relevant modifications to the role or workplace to accommodate any health restriction/s of the candidate, if required.
- Ensuring that no successful candidate can commence work until they have submitted their Pre-employment Health Declaration form and cleared the medical / functional screening checks (if applicable to the role).
- Providing the successful candidate's Pre-employment Health Declaration and Reasonable Adjustment form, if applicable, in a sealed envelope to payroll to be filed in the employee's personal folder.
- Destroying Pre-employment Health Declarations from candidates who progressed through the recruitment process but were not appointed to the role (unsuccessful, declined job offer or otherwise did not commence), 6 months after recruitment process for the role has been completed.
- Ensuring that any soft or hard copies of the Functional Capacity Evaluation (FCE) reports are destroyed once recruitment process for the candidate is finalised (applies to both successful and unsuccessful candidates) when using national provider for pre-employment medical assessments as all reports will be kept on provider's database and accessible at any time.

#### **Work Health and Safety/Return to Work lead** (applicable to all services)

The WHS/RTW lead for the service is, so far as reasonably practicable, responsible for:

- Assisting hiring managers identify need and type of pre-employment health evaluation.
- Provide advice and recommendation to the hiring manager regarding results.
- Facilitating a review (with hiring manager and HR, where applicable) to assess feasibility of making any relevant modifications to the role or workplace to accommodate any health restriction/s of the candidate if required.
- Documenting any workplace or role modifications, using the [Reasonable Adjustments form](#).

**Each service must ensure that WHS/RTW lead is specified for their business/facility to partake in the pre-employment health evaluation process.**

#### **National Manager - Work Health, Safety & Environment**

The National Manager WHS&E is, so far as reasonably practicable, responsible for:

- Establishing arrangements for a national pre-employment health evaluation service provider.
- Establishing nationally consistent pre-employment health evaluation processes for Calvary.
- Acting as a final escalation point for unresolved fitness for work/role modification related issues.

## 4 Policy

Calvary has a duty of care to ensure all Calvary employees can safely perform their roles. This also extends to all prospective employees. Pre-employment health evaluation is required as part of the recruitment process for any positions identified as representing a health risk to the incumbent.

Pre-employment health evaluation considers the candidate's capacity to perform the inherent requirements of the role as prescribed by the Position Description and Job Dictionary/Job Demands Checklist.

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The goal of pre-employment health evaluation is to:

- Ensure that prospective candidates are medically suitable for the proposed role, without risk to themselves or others (including co-workers, clients, patients and residents)
- Ensure a good match physically, psychologically and cognitively between the candidate and the proposed role
- Identify any workplace modifications which might be required to ensure the employee is able to perform the role
- Ensure that the employee can undertake the role regularly, reliably and safely

Calvary takes this duty of care seriously and compliance with this policy will be regularly measured to ensure that the above goals are reached.

The pre-employment health evaluation process described applies to all new candidates recommended for a position. If the candidate is an existing Calvary employee, then Calvary reserves the right to conduct health evaluation, particularly if the new role has a high physical demand requirement or risk profile.

Pre-employment health evaluation should commence from the stage in the selection process where the applicants have been shortlisted to the final candidate/s. The health evaluation process would typically commence at the same time as other pre-employment screening that may be applied to the role e.g. reference checks, psychometric testing.

The [Pre-employment health evaluation flow chart](#) provides further details and can be used as a quick guide during this process.

It must be noted that pre-employment health evaluation is only part of the overall selection process and no position should be offered to an applicant on the proviso that they successfully complete a pre-employment assessment(s).

The pre-employment health evaluation process may involve some or all three of the below steps:

1. **Pre-employment Health Declaration form** – relevant to ALL roles.

This form is to be forwarded to all shortlisted candidates after attending interview. This form is to be returned to Calvary by the candidate after the interview and once they progress to the next stage of the recruitment process. Some services where a prompt turn-around is necessary might request that the candidates return the form immediately after interviews are completed.

Hiring managers must not review the Pre-employment Health Declaration prior to making a decision to progress a candidate to the next stage. Decisions to progress a candidate must be solely a result of the interview.

The purpose of the form is to:

- identify any health related circumstances relevant to the candidates ability to perform the inherent requirements of the role
- identify any injury or illness that could be adversely affected by the nature of the proposed employment
- identify any modifications or adjustments to the workplace or the role to ensure safe working environment for the candidate, co-workers and clients/patients/residents.

Should a health related matter be identified which is likely to impinge on the candidate's ability to meet the inherent requirements of the position and therefore place them at risk, the person will need to be referred for a Pre-employment Medical or Functional Capacity Evaluations (FCE).

The hiring manager will consult with WHS/RTW lead (and HR Representative where relevant) to determine the requirement for a Pre-employment Medical Assessment/Clearance or FCE, using the following criteria:

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- Whether the candidate has a temporary or permanent disability
- The length of time since the health related matter occurred
- Whether any health treatment is still being received by the applicant
- The potential impact of the health related matter on the likelihood of the applicant being able to meet the inherent requirements of the position

Where it is determined, as a result of this discussion, that a further pre-employment health evaluation check or clearance is required, the hiring manager will advise the applicant that they must attend or provide further documentation.

Where it is determined that further screening is not required but the candidate needs adjustments to the role or workplace, it must be considered and assessed whether the adjustments are reasonable (see Reasonable Adjustments section of this policy).

2. **Pre-employment Functional Capacity Evaluation (FCE)** – relevant to all roles involving potential *hazardous manual tasks* and can also be applied to other roles, where a relevant risk factor is identified (e.g. within the Pre-employment Health Declaration). This applies to roles that fall into the following categories: kitchen, cleaning, maintenance or patient handling and movement. As a general guide, most non-administrative roles within our organisation fit into this category. Applicants for low risk roles (e.g. administrative roles, managerial non-manual handling roles) may also be forwarded for a FCE, based on current physical restrictions identified as part of the Pre-employment Health Declaration.

Referral for a FCE is to be made after the interview and around the same time as other checks such as references checks take place.

A FCE is an assessment of an individual job applicant's physical capacity against critical demands of the role. This evaluation type is performed by suitably trained health professionals through a Calvary selected, qualified external provider.

This assessment includes but is not limited to:

- extensive medical history investigation (usually via online questionnaire)
- cardiovascular fitness assessment
- range of movement and postural tolerance
- visual screen
- manual handling evaluation

Assessments will take into account the duties of the role, the occupational hazards as identified, and the candidate's personal health declaration in relation to the position. The service provider is required to obtain consent from the individual being assessed, to allow the provider to share the assessment results with Calvary. The pre-employment health evaluation provider should inform the applicant of any potential serious health condition that have been detected and advise to consult their own doctor.

3. **Pre-employment Medical Assessment/Clearance** - relevant where:
- it has been identified on the Pre-employment Health Declaration form or during the FCE that a current health condition has a potential to impact the candidate's ability to safely perform the role and/or when further medical information is required to ensure safety of the candidate, co-workers and clients/patients/residents.

This assessment/clearance is to be arranged/obtained by a Calvary agreed medical practitioner. The choice of a practitioner is at Calvary's discretion and will depend on individual circumstances. It may include candidate's treating practitioner (recommended for circumstances where impact of pre-existing/existing illness/injury or medication on job role is needed e.g. candidates with epilepsy, diabetes). Refer to [Pre-employment clearance from a doctor letter template](#).

**Please note that this assessment\clearance is only required if the health circumstances are relevant to the proposed role.**

Should any issues be identified on a Pre-employment Health Declaration or during Functional Capacity Evaluation a WHS/RTW lead and HR representative, where applicable, will need to be consulted to assist in determining:

- if further medical information or clearance is required from a medical practitioner
- if any modifications/adjustments to the role or workplace are necessary
- If adjustments are necessary, whether those are reasonable adjustments. This might be applicable to candidates with injury and illness as well as disability.

**Job Dictionary/Job Demands Checklist**

Generic or minimum health and/or fitness standards are set for most Calvary position types to reflect the fitness levels or physical attributes required to safely perform a broad range of tasks and duties. These requirements are typically detailed in a document called a Job Dictionary or a Job Demands Checklist. Where the physical requirements of the role have not been identified, the service must take reasonable steps to identify these requirements before sending an applicant for a medical or functional assessment.

It is important to regularly reassess the requirements of the position to take account of any changes to the position or the way the position is performed, as changes may affect the type of skills and attributes required for the position.

Job Dictionary/Job Demand Checklist for most of Calvary category positions has been provided to the national provider of pre-employment functional capacity evaluations (Konekt), so each candidate is assessed against the demands of the role they applied for.

**RESULTS**

Calvary’s chosen national service provider, Konekt, classifies FCE results using traffic light system as follows:

<b>GREEN</b>	Well suited for the proposed position and is able to perform all relevant physical and medical criteria.
<b>AMBER 1</b>	Is suited to the proposed position subject to minor job modifications as detailed.
<b>AMBER 2</b>	Conditionally suited to the proposed position subject to further review as detailed.
<b>RED 1</b>	Temporarily unfit, does not meet all the medical and fitness criteria. Should not work at present and requires further investigation &/or testing &/or review to determine status
<b>RED 2</b>	Should not be employed in this position. Job represents an unacceptable health & safety risk to candidate or others. Cannot perform the job now or in the future
<b>BLUE</b>	Minor impairments found. Not interfering with proposed/current job but may be relevant in other jobs.

**Unfit-applicant was assessed as unfit for the proposed role**

Offers of employment will be subject to satisfactory completion of relevant pre-employment assessments, if this assessment is deemed necessary for the role. In the event that an applicant is deemed unfit to perform the inherent requirements of the role, the health evaluation information will be discussed with the 2-up Manager and WHS/RTW lead and HR representative. In most cases candidates deemed unfit should not be progressed any further. If the service wishes to proceed with employment of a candidate deemed unfit, they will need to seek approval from their HR representative, National Director and National WH&S team.

Existing Calvary employees deemed unfit for the new role which they applied for should also not progress any further. In addition, those candidates will have to have their fitness for current role verified. Further review of fitness to perform inherent requirements of the role might be required and may include additional medical review. HR representative and/or WHS/RTW lead will assist hiring manager through this process.

**Fit-applicant was assessed as fit for the proposed role**

Review the report for any notes regarding the candidate and discuss with WHS/RTW lead if necessary; recruitment process continues.

**Other - applicant was assessed as fit with restrictions for the proposed role** (fit with modifications, fit pending further review, minor impairment not interfering with proposed job)

For candidates deemed fit with restrictions or requiring job modifications, input regarding the applicant's suitability must be obtained from the relevant WHS/RTW lead and HR representative (where applicable). Discussions need to focus on whether modifications can be made in the workplace or to the role to accommodate the applicant's restrictions, also considering if the applicant's restrictions are temporary or permanent. The Reasonable Adjustment form is to be completed documenting the outcome. Should the reviewing parties (HR representative, WHS/RTW lead and hiring manager) were unable to agree on the outcome the matter should be escalated to the facility's CEO/GM (or equivalent) and National WHS team for final decision. In the event that it is not reasonably practicable to accommodate the restrictions, the applicant is to be informed they have been unsuccessful, following approval from HR.

Note: In some circumstances no modifications are necessary and hiring manager will only need to make a note of restrictions. Example: for most categories of roles at Calvary some driving might be required and candidates requiring vision lenses (spectacles) for driving will be classified as Amber 1. In those circumstances prospective employees must wear vision lenses while driving however there is no job modifications or role modifications required and there is no need to complete Reasonable Adjustment form.

**Costs**

Each Calvary service will bear the cost for all pre-employment health evaluation checks; Konekt will invoice services directly.

**Confidentiality**

All information obtained as part of this process is to remain strictly confidential. The applicant may request to view health evaluation information pertaining to them. This request must be made in writing and addressed to the provider. All health evaluation information is to be stored in the pre-employment health evaluation provider's database which can be accessed by relevant personnel, in the event of future fitness for work or workers compensation related assessment. Any hard/soft copy reports should be destroyed immediately.

**Disability and Non-Discrimination**

It is unlawful for an employer to discriminate against a candidate for a position on the grounds of the person's disability in relation to:

- the arrangements made for the selection process; or
- selecting who should be offered employment; or
- the terms or conditions on which employment is offered

The legislation which make it unlawful to discriminate on the basis of disability are the Disability Discrimination Act 1992 (DDA), Equal Employment Opportunity Act 1987 (other state based anti-discrimination legislation may also apply).

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The Disability Discrimination Act 1992 covers people who have temporary and permanent disabilities; physical, intellectual, sensory, neurological, learning and psychosocial disabilities, diseases or illnesses, physical disfigurement, medical conditions, and work-related injuries.

It extends to disabilities that people have had in the past and potential future disabilities, as well as disabilities that people are assumed to have.

If an applicant is currently healthy but has a health history which suggests that they had to take time off work for a particular health condition, it is unlawful to refuse a position because of this health history unless the health condition is directly relevant to the job.

So far as is reasonably practicable, all pre-employment health evaluation must be conducted in line with the following points (based on the guidelines from the Anti-Discrimination Board):

- the assessment relates specifically to the particular duties and responsibilities of the position
- the specific physical attributes required for the position are accurately identified
- the attributes required for the position are reasonable in all circumstances
- ways of accommodating people without these attributes have been considered
- any facilities or services required by applicants with disabilities are provided if it does not cause unjustifiable hardship to do so
- the evaluation only assesses current ability and does not attempt to predict any future deterioration.

It may not be against the law to refuse to employ a person with a disability if, because of their disability, they cannot perform the inherent requirements of a job and/or when:

- an unjustifiable hardship would be caused by the provision of special services or facilities which are necessary for the person with the disability to do the work
- the candidate, because of his/hers disability, would be unable to perform the inherent requirements of the job, even with the provision of reasonable adjustments by an employer; and
- it is necessary to protect the health or safety of another person or property, or where it is authorised by another piece of legislation.

It is not unlawful to provide people with disability special services, facilities or opportunities to meet their special needs in employment and there is number of government services available to assist employers with accommodating disability (see [www.jobaccess.gov.au](http://www.jobaccess.gov.au)).

### **Reasonable adjustments**

Reasonable Adjustment refers to the administrative, environmental, or procedural alterations required to enable a person with a disability to work effectively and enjoy equal opportunity with others. By law, employers are required to provide reasonable adjustments whenever it is necessary, reasonable, and possible to do so (i.e., when a reasonable adjustment does not constitute an unjustifiable hardship for the employer). Reasonable adjustments may include:

- provision of appropriate equipment or assistance to ensure there is no barrier in the selection process;
- job redesign;
- training or retraining;
- providing essential information in suitable formats;
- modifications to equipment or the supply of specialised equipment, furniture or work related aids;
- flexible work arrangements; or
- alterations to premises or work areas.

### **Unjustifiable Hardship**

Employers are obligated to provide reasonable adjustments unless such an adjustment would result in unjustifiable hardship to the employer. It is difficult to define unjustifiable hardship because each circumstance

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and organisation is unique and is determined on a case-by-case basis. However, unjustifiable hardship is generally determined by considering:

- The cost of the adjustment required
- The ability of the organisation to meet those costs
- The level of difficulty to implement adjustments
- The time required to implement the adjustments
- The extent to which the adjustment will result in substantial benefits or detriments to other employees and/or clients/patients/residents.

"Reasonable" is defined by whether or not the adjustment would create "unjustifiable hardship" to the organisation; it is not defined by a particular manager's opinion of what is reasonable.

## 5 Alternative providers

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Konekt has been chosen as a national provider of pre-employment assessments, including Functional Capacity Evaluations (FCEs), based on their pricing, turnaround time, geographical coverage and quality of the assessments and reports provided.

Services currently using alternative providers must do so in accordance with this policy and must ensure alternative provider is able to provide sufficient reporting allowing internal monitoring of compliance.

## 6 Related Calvary Documents

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- [Pre-employment Health Declaration form](#)
- [Reasonable Adjustments form](#)
- [Pre-employment health evaluation flow chart](#)
- [Pre-employment clearance from a doctor letter template](#)
- [Work Health, Safety & Injury Management Policy Statement](#)
- [Recruitment and Selection Procedure](#)

## 7 Definitions

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- **Calvary** refers to the Little Company of Mary Health Care and all of its employing entities
- **Employees** for the purposes of this procedure refers to:
  - Every Calvary employee (permanent full time and part-time, casual or fixed term)
- **Hazardous Manual Tasks, as defined in the** WHS Regulations, means a task that requires a person to lift, lower, push, pull, carry or otherwise move, hold or restrain any person or thing involving any, or a combination, of the following:
  - Repetitive or sustained force
  - High or sudden force
  - Repetitive movement
  - Sustained or awkward posture
  - Exposure to vibration
- **Hiring Manager** means the Employer representative for whom the position directly reports to.
- **Health evaluation** for the purposes of this policy includes:

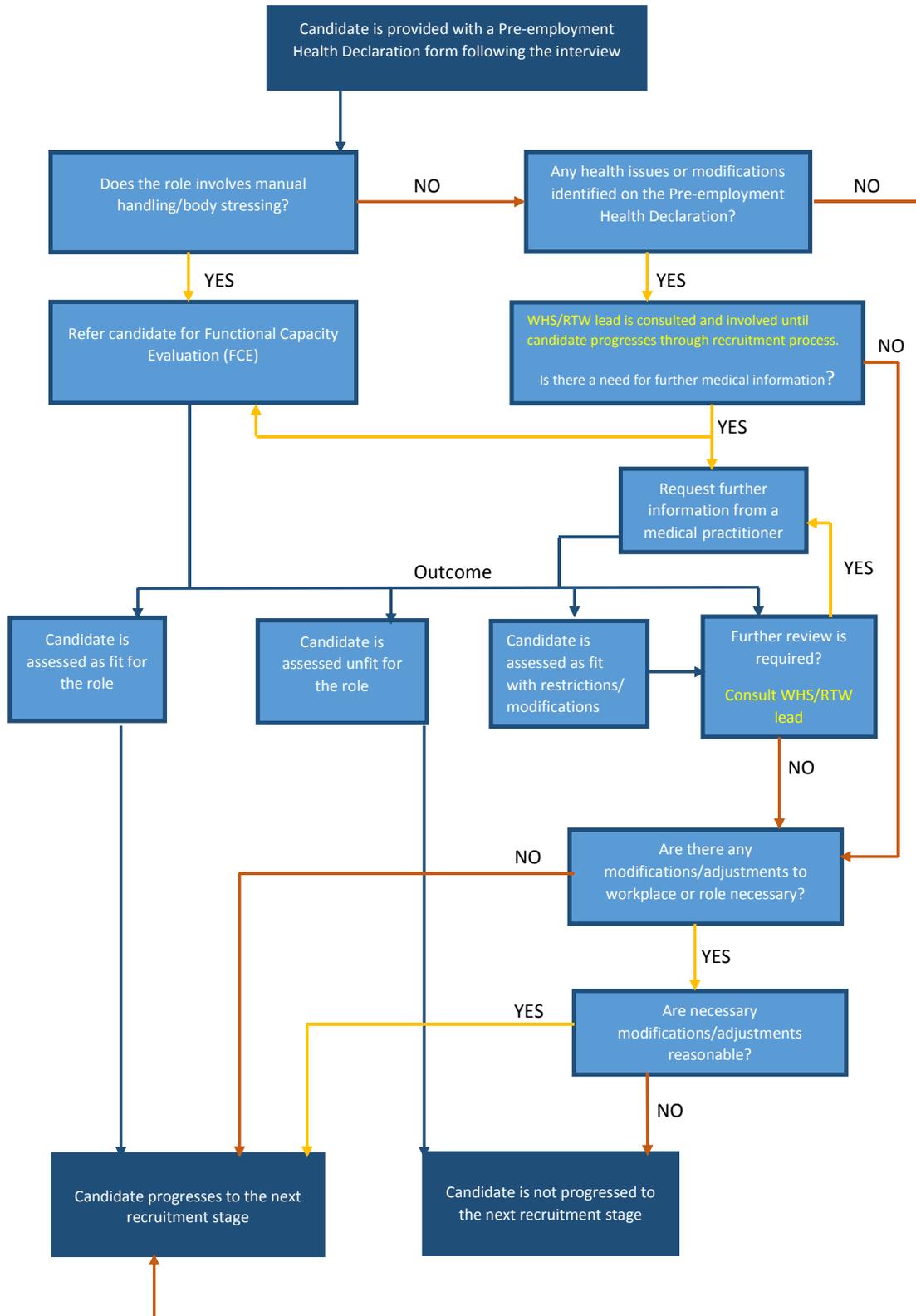
- Pre-employment Health Declaration
  - Pre-employment Functional Capacity Evaluation (FCE)
  - Pre-employment Medical Assessment/Clearance
- **Konekt** is an external provider selected to conduct FCE as a part of Calvary's pre-employment health evaluation process. Konekt has a national network of clinics with qualified staff where face to face assessments are conducted.
  - **Pre-employment Functional Evaluation** means an assessment of a potential employee's physical capability to safely perform the inherent requirements of the role; these assessments are typically performed by a qualified physiotherapist or occupational therapist.
  - **Pre-employment Medical Assessment/Clearance** means an assessment or a document provided by a registered medical practitioner, to assess if, or the extent to which a potential employee's current injury/illness may impact on the person's ability to safely perform the role, or potential to place other persons at risk.

## 7 References

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- Occupational Health and Safety Act (VIC) 2004
- Work Health and Safety Act (SA) 2012
- Work Health and Safety Act (NSW) 2011
- Work Health and Safety (National Uniform Legislation) Act (NT) 2011
- Work Health and Safety Act (ACT) 2011
- Work Health and Safety Act (Tas) 2012
- Fair Work Act 2010
- Disability Discrimination Act 1992
- Equal Employment Opportunity Act 1987

## Appendix 1- Pre-employment health evaluation flow chart



## Appendix 2 - Unsuccessful candidate scripting

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### ***Suggested script for phone communication re: Unsuccessful interview***

*"Hi <candidate name> this is ... calling from Calvary. How are you? I'm calling in response to your application for <position> Are you ok to speak freely?"*

*I want to thank you for attending the recent interview with Calvary. I very much enjoyed meeting you to discuss the role. I have now had the opportunity to consider all of the candidates against the criteria we have specified for the job and the decision has been a difficult one, as the overall standard of candidates was high. After careful consideration I regret to inform you that on this occasion we have decided not to progress your application any further.*

*Some applicants will contact you to find out why they were unsuccessful. It's a good idea to keep the notes you've taken from the interview process to help you answer any questions you get.*

*Thank you for attending an interview with Calvary. I wish you all the best in your future career."*

### ***Email/ Letter communication re: Unsuccessful interview***

[Date]

Dear [Name]

Re: Vacancy for [Position title]

Thank you for attending the recent interview on [date of interview] for the position of [position title].

I very much enjoyed meeting you to discuss the role. I have now had the opportunity to consider all of the candidates against the criteria we have specified for the job. The decision has been a difficult one, as the overall standard of candidates was high. After careful consideration I regret to inform you that on this occasion we have decided not to progress your application any further.

If you would like feedback from the interview, please don't hesitate to contact me on the number above.

Thank you for your interest in Calvary. I wish you every success in your future career.

Yours sincerely

[Name]

[Position / Job Title]