



## Insight for Better Hiring

### **Inquirehire Advisory: Worker's Compensation Claims Check**

Conducting an historical check of an applicant's prior worker's compensation claims can be an effective background investigation component for some positions. However there are a number of limitations that employers must be aware of before requesting and utilizing this information.

The Americans with Disabilities Act (ADA) does not allow employers to inquire about an applicant's medical condition or prior worker's compensation claims unless a conditional job offer has been extended. If a history of worker's compensation claims is found, an employer may rescind the conditional offer under very limited circumstances. They are:

1. The applicant has been dishonest during a medical examination about their worker's compensation claim history or a medical condition.
2. The applicant has a history of filing false worker's compensation claims.
3. The past worker's compensation claims demonstrate the applicant is a safety or health threat to himself or others in the opinion of a medical expert.
4. The past claims demonstrate the applicant is unable to perform the essential functions of the job, even with reasonable accommodations.

A medical opinion is required if a job offer is rescinded based upon reasons two or three.

Inquirehire offers a full range of pre-employment solutions including worker's compensation claim checks. To learn more about these or other pre-employment services, contact Inquirehire at 563-323-5922 or 800-494-5922. If you prefer email communication, please contact us at [inbox@inquirehire.com](mailto:inbox@inquirehire.com).

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