



New Employee Orientation & Training



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Are you checking who you hire?

Are you completing a background check?

- a) does it include previous employers?
- b) does it include a criminal check?
- c) does it include a credit check?
- d) does it include a DMV check?

It is important that you know who you hire.



Negligent hiring lawsuits are caused by employees, clients, or customers making a **negligent hiring** claim against an employer. ... In essence, if the employer does not take their due diligence to research their prospective employee's backgrounds, they may have to pay for it in form of a **lawsuit**. May 29, 2018



Jury Awards Over \$1 Million in Negligent Hiring Lawsuit Involving Workplace Violence

November 15, 2016

tahearn



Written By [ESR News Blog Editor Thomas Ahearn](#)

A jury in Texas has awarded more than \$1 million in a negligent hiring lawsuit filed against a company on behalf of an employee and war hero who was killed on the job by a co-worker that claimed the company knowingly providing an unsafe workplace for employees, [according to a report from The Orange Leader](#).

Court Affirms \$54 Million Lawsuit Verdict Over Negligent Hiring of Trucker

October 11, 2019

tahearn



Written By [ESR News Blog Editor Thomas Ahearn](#)

On September 24, 2019, an Illinois state appellate court affirmed a jury verdict that awarded damages of more than \$54 million in a personal injury lawsuit filed against a trucking company over the negligent hiring and retention of a trucker with a “disturbing” driving record who was involved in an accident while on the job.

Safety Education

By law, employers owe a duty of care to employees. This means they must provide adequate training to increase the safety of their employees and others involved in the day-to-day operations of the company. If an employer fails to provide necessary training, and an employee is injured as a result, the employer may be held liable for negligence.

Inadequate training may result in serious injuries, including:

- Falls from scaffolds, ladders, or other equipment
- Skin burns from chemicals or hot objects
- **Back injuries** due to improper lifting or inadequate lifting equipment
- Electrical shocks from improper use of equipment or machines
- Long-term medical conditions from inadequate safety procedures
- Other injuries from improper use of tools and machines

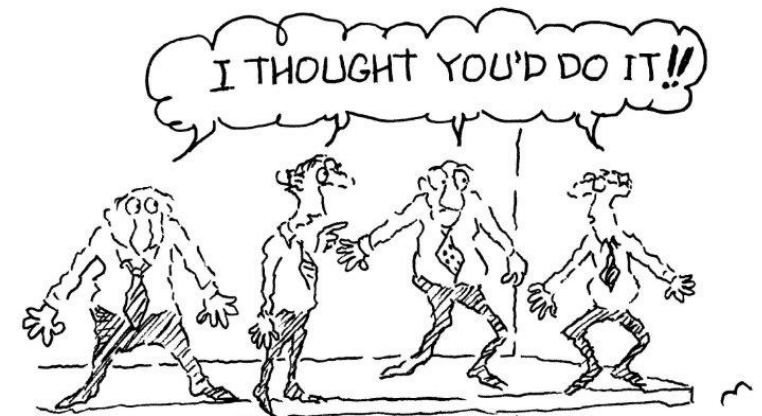
Safety Education

- Orientation and Specialized Training
- The most important aspect of safety communication
- A well-trained workforce are the “eyes and ears” of a safety system
- More than just “toolbox talks”
- Safety training is a “line item” in each project budget
- Supervisor Training



Safety Education

- All employees know and understand the safety HAZARDS-JSA/JHA
- All employees know and understand the safety SYSTEM-Orientation/Training
- All employees know and understand their safety RESPONSIBILITIES



Orientation Training is key to retaining new employees

- Orienting employees to their jobs is one of the most neglected functions in many organizations.
- An employee handbook, safety videos and piles of paperwork are not sufficient anymore when it comes to training new employees.
- The most frequent complaints about new employee orientation are that it is overwhelming, boring, or that the new employee is left to sink or swim.



New Hire Orientation

- Orientation
- Done for all employees (inc. office workers)
- Upon initial hire
- First opportunity to communicate the company's culture
- Include top Management, if possible
 - CEO/President
 - Plant Manager
 - Dept. Manager
- Formal training (not just a “toolbox talk”)



Got an employee manual?

It sets the requirements to be an employee, such as:-

- Minimum age. (depending on the job function)
- Minimum physical requirements.
(depending on the job function)
- Minimum acceptable DMV report.
(will they operate a vehicle in the course of their job function?)



What is your Drug Testing Policy?

- Do you complete a pre-employment drug test?
- Do you complete random drug & alcohol testing? (is it for all employees?)
- Do you complete reasonable suspicion testing?

What is your policy if they fail?



General Requirements

- Instruct workers on the general expectations, safety rules and practices of the workplace for which they are assigned.
- Ensure workers do not conduct tasks that require specific training until that training is properly completed.
- As workers change or are assigned new tasks, training for those specific tasks must be provided before they are allowed to work unsupervised.



General Requirements

- Compile a list of all duties and equipment.
- Create training for each duty and equipment.
- Explain the operation, demonstrate the operation and then have the employee operate supervised to prove knowledge.

Document.



General Requirements

- Without the correct training all sorts of issues can arise.
- Instruct employees that they cannot change job duties to work in an area or operate equipment that they have not been trained on



Job Safety Analysis	<u>Type of job:</u> Helping to hitch an implement (wagon, machine) to a tractor	
	<u>Date:</u> March 3, 2003	
<u>Personal Protective Equipment to be worn:</u> Work boots with steel toe, shank, leather gloves		
Basic Job Steps	Potential Hazards	Recommended Action or Procedure
Check the position of the implement wheels.	Implement could roll when tongue is picked up, causing a crushing injury.	Check that the wheels of the implement are blocked.
Check the position of the implement tongue.	Straining the back if the tongue is heavy.	Use blocks to keep tongue at hitching height, squat down and use leg muscles to lift rather than bending over and lifting with your back; use implement's jack stand if it has one; use temporary jack if tongue is heavy and implement doesn't have a jack stand.
Have tractor driver back to within a few inches of implement tongue.	Crushed between tractor and implement if tractor operator miscalculates while backing. Run over by rear tractor tire.	Stand outside of tractor and implement until tractor driver stops tractor. Use hand signals.
Helper moves in to align implement tongue and pin hole with tractor and pin hole.	Crushing injury to the hands or body.	Keep hands in back of drawbar connection point. Wear leather gloves. Tractor operator backs with low gear and low engine speed.
Insert drawbar pin to connect tractor with implement. Insert safety pin or attach safety chains.	Helper can be run over by tractor implement; suffer crushing injury to the feet if the implement tongue slips off of the tractor drawbar.	Operator puts tractor in park or sets brakes before helper drops in the hitch pin. Helper steps from between tractor and implement before tractor operator moves tractor. Helper wears steel-toe work boots.

Job Safety Analysis JSA

Best Practices for Adult Learning

- Know your audience
- Use proven techniques
- Needs assessment
- Training evaluation



Know Your Environment

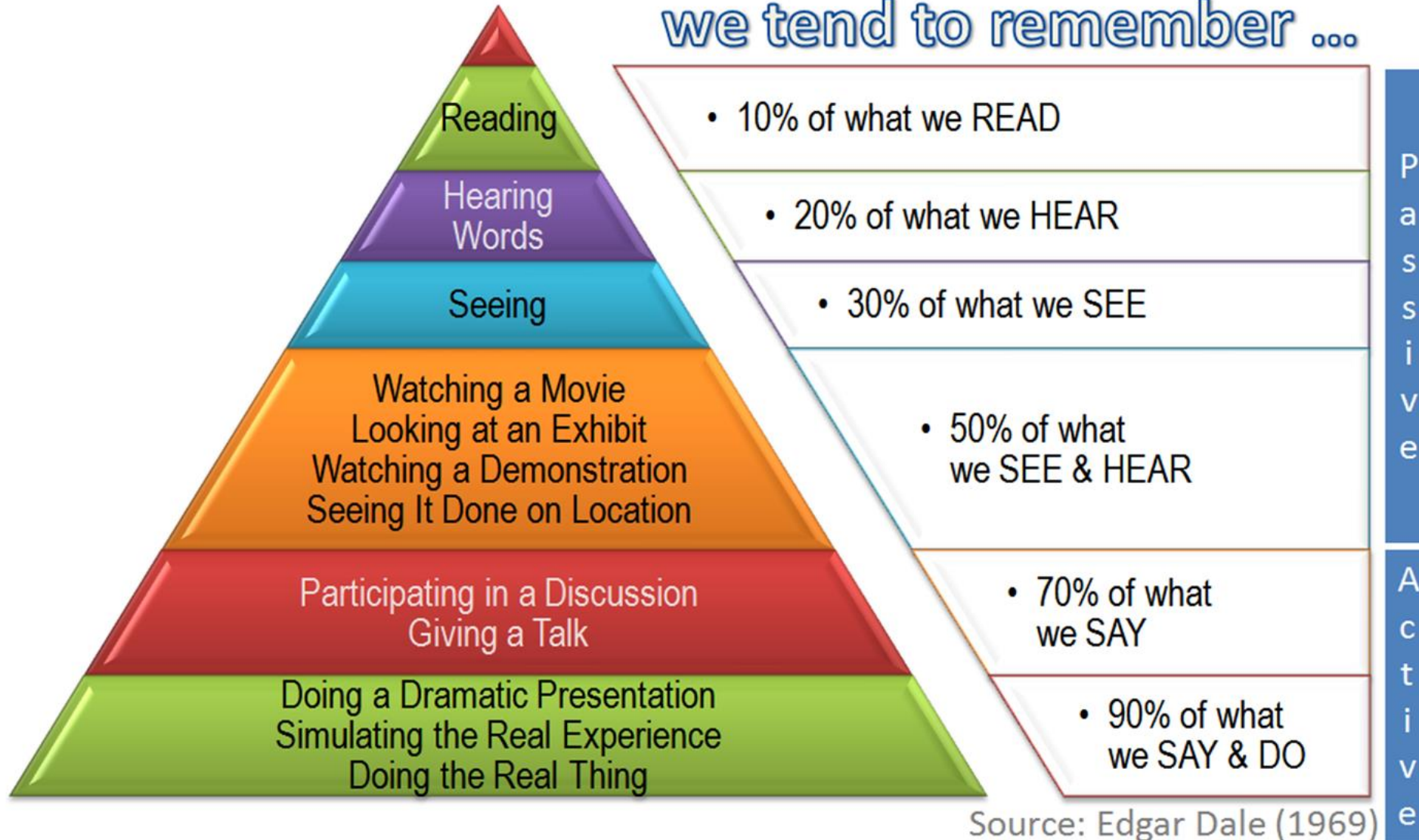
- Ensure all employees can participate
- Speak clearly so all can hear
- Provide material to help convey message
- Encourage feedback
- Include an activity if possible
- Provide translation if needed
- Keep # of employees manageable



The Cone of Learning

After 2 weeks,

we tend to remember ...



Source: Edgar Dale (1969)

OSHA Training Requirements

These are based on industry-specific duties:

- This would include, but is not limited to: forklift, hazard communication, emergency evacuation plans, bloodborne pathogens, confined space entry, electrical shock, fire extinguisher training and first aid.



Re-training

If an accident or near-miss occurs.

- Re-train the employee on the correct procedure.
- Investigate why the employee didn't follow procedures. (was it a short cut? "everyone does it")
- Does the activity need to be modified?
- Do all employees need a refresher on the specific job function.



Summary

- Know your employees.
- Evaluate all job duties and complete a Job Safety Analysis for each.
- Have a documented training program for all duties that are identified in the JSA.
- If an incident occurs, investigate and determine if the task can be done safer, or if the employee failed to follow their training.
- Re-train the employee or all employees on the correct procedures.

DOCUMENT! DOCUMENT! DOCUMENT!