

News

PARTNER QUOTED BY SHRM ON ADA AND MEDICAL EXAMINATIONS

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BCLP Partner Anthony George was quoted June 1 by SHRM online (the Society for Human Resource Management) regarding the prohibitions on medical examinations employers need to understand to comply with the Americans with Disabilities Act (ADA). In one scenario, after a conditional job offer has been made but before the applicant starts work, an employer can conduct a medical examination regardless of whether the exam is job-related, so long as the employer does so for all entering employees in the same job category. “The employer may reject the applicant based on the outcome of the examination only to the extent that rejection is job-related and consistent with business necessity,” George said. “This generally means that the applicant may be rejected only for a medical condition that would prevent [him or her] from performing the essential functions of the job.”

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