

# **IAAPA** Attractions **EXPO**

## *Due Diligence in Hiring Practices*

**Tuesday, November 14, 2006  
8:30 AM to 11:15 AM  
Room # B407**





# Due Diligence in Hiring Practices

## Due diligence

*Due diligence is the level of judgement, care, prudence, determination, and activity that a person would reasonably be expected to do under particular circumstances.*

From <http://www.ccohs.ca/oshanswers/legisl/diligence.html>, a simple resource on due diligence in occupational health and safety.

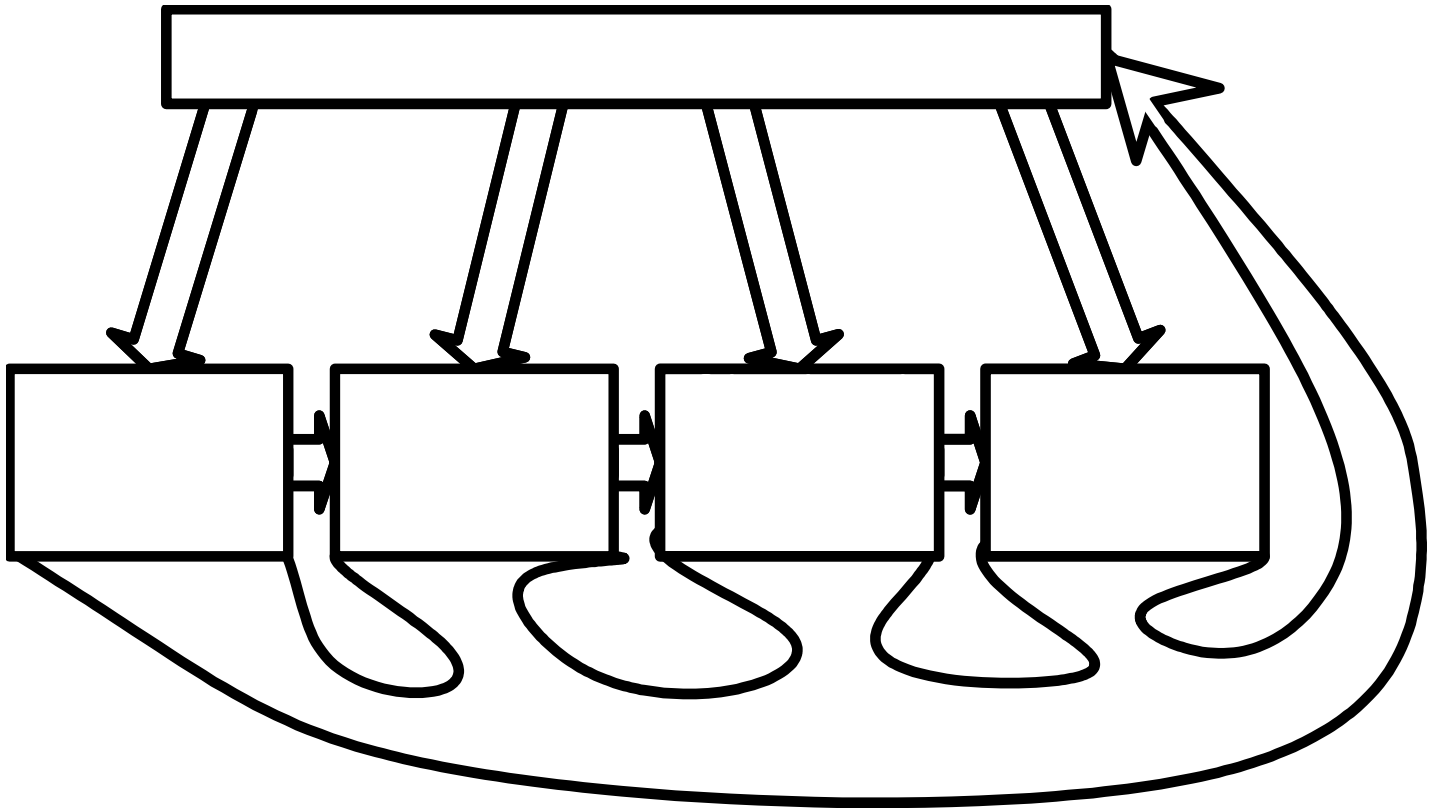
In relation to public and occupational safety, due diligence requires that employers, supervisors and others understand and carry out their legal duties, assess the risks and hazards on an ongoing basis and take all reasonable precautions with respect to those risks. To exercise due diligence, you must implement a plan to identify possible hazards and carry out the appropriate corrective action to prevent accidents or injuries arising from these hazards. “Due diligence” is an important legal defense. If an accident occurs and you establish due diligence, you may be found not guilty. “Due diligence” hinges on whether you took all precautions reasonable in the circumstances. Taking “some” precautions is not the same as taking “all reasonable precautions”. In the event of litigation, the essence of your defense and the other party’s claim will hinge on the precautions you did take, and whether they were reasonable.

Due diligence, then, is a legal concept. Why are the workshop presenters non-lawyers?

- a. We may not be lawyers but we play them on TV.
- b. We told our mothers we went to law school.
- c. We told IAAPA we went to law school.
- d. Because the lawyers’ arguments about what is reasonable will be based on best practices and testimony of expert witnesses.

## Hiring practices

Hiring practices are not just the activities that take place in the job interview. This workshop will look at the substantial preparation you must do to protect yourselves: recruiting, training, and monitoring.



## Behaviour

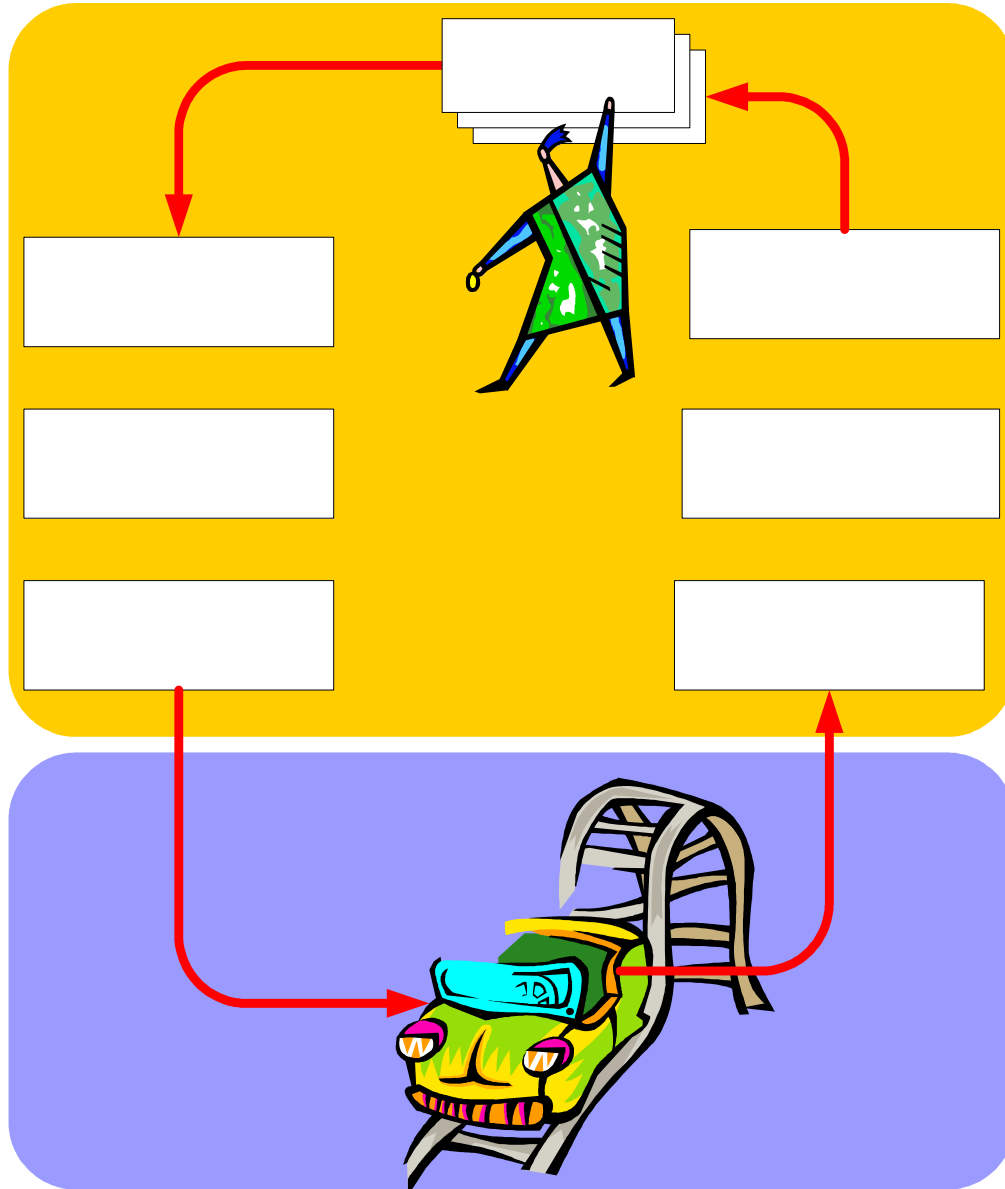
Perplexed about how you can prevent accidents when most of your problems are behavioural?

## Systems thinking

Your guest's behaviour is shaped by the environment, and so is your employee's behaviour.  
Therefore:

## Bad outcomes, bad behaviours, bad guests?

- ❑ What is the role of probability in linking behaviour and outcome?
- ❑ How does the investigator's explanation affect the measures taken to prevent dangerous behaviour?
- ❑ The role of goals and perceptions in behaviour.



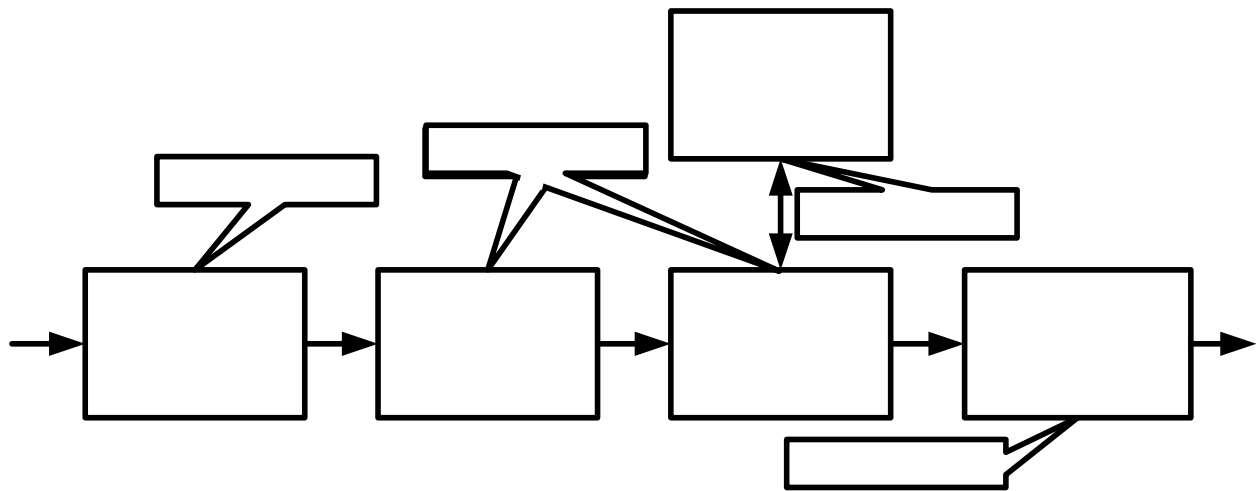
## Bad behaviour

What are these and which of these is a red herring?

- Vandalism and sabotage
- Violation
- Mistakes
- Slips
- Lapses

Which are intentional?

Which can be prevented by due diligence?



## Knowledge

Where is knowledge found? Jot an example.

- Head
- Feet
- World
- Sears

## Keeping guests (and staff) safe and satisfied

- Correctly performing work activities
- Recognizing emerging bad situations
- Taking appropriate and timely action in response to emerging bad situations
- Refraining from inappropriate actions

What is “correct performance of work activities”  
and how does that affect your hiring plan?

Using H \_\_\_\_\_ T \_\_\_\_\_ A \_\_\_\_\_

### Function allocation: Staff or Automation

<b>People are better at</b>	<b>Machines are better at</b>
<b>Downside of automation</b>	<b>Benefits and strategies for automation</b>

Due diligence vs. head in the sand:

**What kind of activity are we dealing with?**

- ❑ Signs that deviation from procedure may be common
- ❑ Have you considered the support activities and emergencies?

## Rules

- a. Are the solution to your diligence problems
- b. Should document intuitive, correct practices
- c. May add to cognitive workload and distraction
- d. Are meant to be broken



## Selection

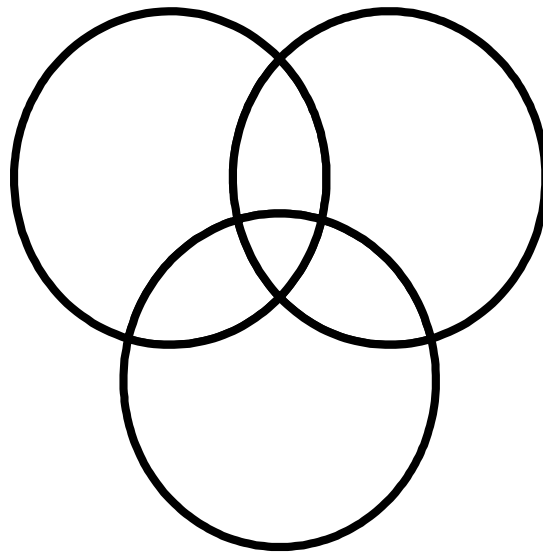
### Interviewing

Types of questions

### Testing

Types of tests

## Everybody into the pool



## Preparing people to perform

- Explicit orientation
- Implicit orientation
- Ongoing development
- Feedback

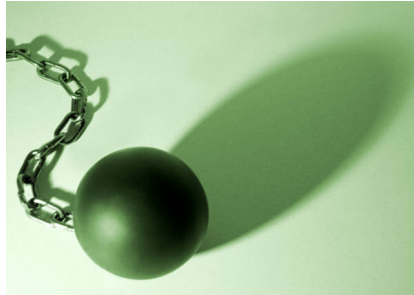
## Audits

Are employees intercepting hazardous guest behaviour?

What do I think about risk-taking?

## Safety by design

Is it diligent to ask and expect staff to undo the environment? Day in and day out?  
Can signage and warnings counteract the knowledge in the world?



David Collins  
QSI Training Services  
155 Maple Road, Newbury Park, CA 91320  
805.499.7815 Phone / Fax  
805.377.7965 Mobile  
Website [www.qsitraining.com](http://www.qsitraining.com)  
Email [info@qsitraining.com](mailto:info@qsitraining.com)

Kathryn Woodcock, PhD, PEng  
Associate Professor,  
Human Factors/Ergonomics and Safety  
Ryerson University,  
School of Occupational and Public Health  
350 Victoria Street, Toronto ON M5B 2K3  
Website [www.ryerson.ca/thrill](http://www.ryerson.ca/thrill)