

When can we require medical exams? Are we allowed to make an employee pay for a job-related medical exam?

Q. May employers require medical examinations of applicants and employees?

A. The California Fair Employment and Housing Act and the federal ADA allow employers to conduct medical examinations in certain circumstances. In general, job applicants who have not yet received an offer of employment may not be subject to medical examinations.

After an applicant has received a job offer, but before he or she has begun employment, an employer can conduct a medical examination—provided that the medical examination is related to the job and is necessary. Employers may also conduct certain necessary, job-related medical examinations on employees.

Q. We recently required an employee to undergo a lawful medical evaluation. Can we deduct the cost of the medical evaluation from her pay?

A. California employers cannot require current employees to pay for medical or physical examinations required by the employer. Additionally, employers may not deduct money from an employee's wages or require repayment from an employee for the costs of a medical or physical examination required by any law or government regulation.