

OSHA Recommendations for Protecting Temporary Employees

When it comes to temporary staffing, the line can blur when it comes to who is responsible for their safety. So OSHA has released guidelines to help clarify the issue.

Who is responsible?

Both the staffing agency and host company are responsible for the safety of temporary employees. To make sure that both sides understand their role in the process, OSHA recommends that the staffing agency and host employer outline their agreement in their contract. That way, both sides will comply and it will avoid confusion later.

Because the staffing agency and host agency are joint employers, both are legally responsible for providing and maintaining a safe work environment. The extent of those obligations varies on a case-by-case basis. However, if there is a violation, OSHA has the power to hold both responsible for the violation.

Recommendations for the Staffing Agency

While staffing agencies shouldn't need to become experts of specific workplace hazards, they should determine how to best ensure the safety of their workers. The following are actions recommended by OSHA:

- **Evaluating the host employer's worksite.** Before accepting a new host employer as a client, the staffing agency should request to review all worksites where an employee could be assigned. The staffing agency should also provide a document to the host employer that specifies their worker's specific training and competencies related to the work that will be performed.
- **Train agency staff to recognize health and safety hazards.** By teaching agency staff about basic safety principles and workplace hazards, the staff will be better equipped to spot hazards and work with the host company to eliminate or reduce those hazards.

Recommendations for the Host Employer

Since the host employer typically has more knowledge of OSHA regulations in their industry, they should hold the most responsibility for making sure the employee is working under safe conditions. Here are a few of the OSHA recommendations for the Host Employer.

- **Injury and Illness tracking.** Employer knowledge and investigation of workplace injuries is essential in the prevention of future injuries. The host employer should inform the staffing agency immediately if a temporary worker is injured. OSHA requires that injury and illness logs be kept by the employer who is providing the day-to-day supervision. Therefore, the employer cannot contract away this responsibility to the staffing agency.
- **Conduct Safety and Health Training and New Project Orientation.** OSHA standards require on-site, task specific, safety and health training. This training must be provided by the host employer, and identical to training given to full time employees. When training is complete, the staffing agency should be notified.
- **Injury and Illness Prevention Program.** In addition to investigating illness and injury, it is recommended that the host employer have a safety program to reduce the number and severity of workplace incidents for all of their employees including temporary workers. This safety program should be communicated at the beginning of each new project and shared with the staffing agency.

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