



SafetyAlert

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Temporary Workers: Responsibilities of the Host Employer

What is a temporary worker?

A temporary worker works under a host employer/staffing agency employment structure. It does not include day laborers or seasonal workers hired directly by a single employer. It does not include contractor/subcontractor relationships.

Joint Responsibility for a Safe Workplace

While the extent of responsibility under the law is dependent on the specific facts of each case, *staffing agencies and host employers are jointly responsible* for maintaining a safe work environment for temporary workers.

OSHA could hold both the host and temporary employers responsible for the violative condition(s) – and that can include lack of adequate training regarding workplace hazards.

Temporary staffing agencies and host employers share control over the worker, and are therefore jointly responsible for temporary workers' safety and health.

The Importance of Communication

Both host employers and staffing agencies have roles in complying with workplace health and safety requirements and they share responsibility for ensuring worker safety and health. A key concept is that each employer should consider the hazards it is in a position to prevent and correct, and in a position to comply with OSHA standards.

For example: staffing agencies may provide general safety and health training, while the host employers provide specific training tailored to the particular workplace equipment/hazards.

The key is communication between the agency and the host to ensure the necessary protections are provided.

In the Event of Illness or Injury

Recordkeeping responsibility is determined by day-to-day supervision (control of conditions presenting potential hazards and directing the worker's activities around and exposure to those hazards). If you're a host employer overseeing temporary workers on a day-to-day basis, you must record the injuries and illnesses.

Host employers must treat temporary workers like any other workers in terms of training and safety procedures.

The host employer is responsible for providing personal protective equipment (PPE) for site-specific hazards to which employees may be exposed, including applicable training.

When medical surveillance or monitoring is required, the host employer must offer and perform the required medical surveillance or evaluations, and ensure that the records are maintained in accordance with the appropriate OSHA standards.



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