



## **“WORKPLACE SAFETY OBLIGATIONS OF STAFFING FIRMS AND THEIR CLIENTS”**

\*copied from the ASA website (dated 7/18/2013)

### **By Law, Employers are Required to:**

- Provide a workplace free of recognized hazards
- Provide appropriate training in a language and vocabulary that workers understand
- Not retaliate against workers who raise safety concerns or report injuries

### **Employer Rights and Responsibilities**

Employers have the responsibility to, at a minimum, comply with the OSH Act;

- Employers must perform their due diligence to find and correct safety and health hazards;
- Employers must provide safety training to workers in a language and vocabulary they can understand;
- Employers must inform workers about chemical hazards through training, labels, alarms, color-coded systems, chemical information sheets and other methods – aka Hazard Communication.

### **Shared Responsibility for Worker Safety and Health**

Host employer and staffing agency

- The contract between the host employer and the staffing agency should define their relationship and should clarify and assign S&H duties and responsibilities
- Each employer should think about hazards it is in the better position to prevent and correct, and comply with OSHA standards

### **Recordkeeping**

Responsibility to record is based upon who supervises the temporary worker’s day-to-day tasks

- Generally, the host employer maintains OSHA 300 Injury and Illness Logs.
- 29 CFR 1904.31, Covered Employees
- CPL 02-00-135, Recordkeeping Policies and Procedures Manual 2004



## Training

- Provide the appropriate safety and health training and ensure the other employer is also providing it.
- Generally, the host employer provides site-specific training.
- All training must be done **before** the worker begins work on a project or at a new worksite.
- Hazard communication training is an example of **shared** responsibility

## Hazard Communication

- Host employer holds the primary responsibility for training because the host employer:
  - uses or produces chemicals
  - creates and controls the hazards
  - best suited to inform workers of chemical hazards specific to the workplace
- The staffing agency maintains a continuing relationship with its employees, and is, at a minimum, expected to inform employees of the requirements of the standard

## Summary

- Staffing agencies have a legal obligation not only to comply with the requirements that are under their exclusive control, but also to monitor the working conditions of your employees at their clients' workplaces.
- Host employers must treat temporary workers like any other workers in terms of training and safety procedures.

For more information, please visit the OSHA website: [www.OSHA.gov](http://www.OSHA.gov)