



Harry Franzheim—an HR/OD Practitioner for over 30 years—has published this newsletter to bring you careful insight into reducing costs and unlocking employee potential.

AT ISSUE

OSHA is now requiring clients of staffing agencies to consider “temp workers” as if they are their own employees, with the same responsibility to safeguard as their full-time employees.

OSHA Priority: Temp Safety Compliance



HR Fact:

The United States Occupational Safety and Health Administration (OSHA) is an agency of the United States Department of Labor. Congress established the agency under the Occupational Safety and Health Act, which President Richard M. Nixon signed into law on December 29, 1970. OSHA's mission is to “assure safe and healthful working conditions for working men and women by setting and enforcing standards and by providing training, outreach, education and assistance.”

Know the drill: “Order some temps from the agency, we need 4 of them to report at 6:00 am to clean out the warehouse, scrub the walls, paint the racks, haul the old ceiling tiles to the dumpster.”

“Yes, we would love to do business with you, but we have a few questions and requests for you first”:

- Who will be supervising our employees? What is the name?
- Who will be conducting their safety orientation before they begin?
- What chemicals will they be working with?
- Can we get copies of the MSDS sheets?
- Can we get a copy of the hazard risk analysis for these positions?
- What PPE will you be providing our employees? Who will be training them on proper fit?
- What are the old ceiling tiles made of?
- Are respirators needed?
- Will they be driving powered equipment?

- Who will certify that they are competent?
- Can we get a signed checklist with names certifying that all of the above has been done?

Is Your Company and Staffing Agency Prepared to Deal with OSHA Compliance?

If the OSHA crackdown on compliance with temps is news to you, then you should be asking some pretty tough questions of your staffing agency.

At New Era, we are leading the way in OSHA compliance among staffing companies, and as a member of the American Staffing Association, we are committed to a code of ethics and conduct that guides us to serve our clients and employees with the highest regard.



American Staffing Association

- When can we schedule a site walk-through to see your accident prevention program in action?
“Never mind, we don’t have time for all of that. We’ll call another agency with less stringent criteria for their temps.”

OSHA and Washington state L&I have made this a priority and are quickly, with laser-like precision, taking aim on this issue. **“Host employers (defined as clients using temporary employees) need to treat temporary workers as they treat existing employees. Temporary staffing agencies and host employers share control over the employee, and are therefore jointly responsible for temporary employees’ safety and health. It is essential that both employers comply with all relevant OSHA requirements.”**

– David Michaels, PhD, MPH, assistant secretary of labor for Occupational Safety and Health.

At New Era HR we screen our candidates for safe behaviors and we also test for basic industrial skills including safety knowledge. All employees receive an orientation prior to their work assignment and recently we have added web-based safety training on basic ergonomics and personal protective equipment (PPE). We have learned that this is not enough.

OSHA and Labor & Industries want us to ensure and verify that our clients have conducted a job hazard analysis for those jobs typically filled by temporary employees. They also want to ensure and verify that there are adequate safeguards in place to mitigate the hazards including the proper personal protective equipment (trained and used correctly). In other technical jobs like maintenance, forklift, and aerial lifts, there needs to be documentation of training and "certification" for proper use. In essence, the requirements that are incumbent upon you for your own employees must ALSO be met for the temporary employee.

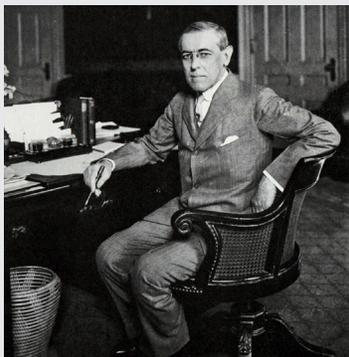
New Era HR is a proud member of the American Staffing Association (ASA) and our recruiters are certified staffing specialists and consultants. As a member of the ASA we subscribe and commit to a code of ethics and conduct that will serve both our clients and our employees well.

We are also very proud of our many clients that already do treat our employees as real people and have taken the steps to ensure OSHA compliance and have created a safe environment for all employees (temp or regular).

Here are the basic steps, at minimum, employers that use temps need to do and document:

Maintain the OSHA 300 log for temporary employees and regular employees. Your agency should be able to give you the data you need for days lost or days on modified duty for the temps.

A Bit of History



President Woodrow Wilson was the first president to advocate for better working conditions, which included a minimum wage, an eight-hour workday, a six-day workweek, health and safety measures, prohibitions on child labor, protections for female workers, and a retirement program.

President Wilson eventually signed into law the Adamson Act (1916) that provided for an eight-hour workday and overtime pay, and the Keating-Owen Act (1916) that banned the sale in interstate commerce of goods produced by children younger than 16. The Supreme Court later ruled the latter unconstitutional.

Have job descriptions and a hazard risk analysis for each job function (even if it is an "odd job"). Assess all of the risks (slip, electric, cold, hot, lifting, carrying, heights, struck by, trip, fall, ladder, etc.). Write them down. We can help you with this if needed.

For each hazard that cannot be removed by engineering, have work instructions to mitigate the risk and personal protective equipment (train the temp on how to use and fit the equipment) available and ensure that it is worn correctly.

Maintain the MSDS (now known as GHS sheets) on all materials active in the facility and for 30 years after you stop using them.

Verify that only purchasing is ordering materials and that they know to request the data sheets and they get added to the system.

Educate temps about the chemicals they will be using and teach them how to handle them safely. Provide proper instruction and PPE as needed.

Before the temp actually starts working, have a safety orientation, including a checklist for all of the OSHA requirements, as appropriate. Have the temp and the trainer sign that this was completed. Send a copy to your agency.

When possible, include the temp worker on your safety committee. Fresh eyes are invaluable when it comes to safety.

Do not relocate or change job duties of temps without starting over from the beginning. Notify your agency prior to changing their assignment.

More information about the OSHA / Temporary Employee Initiative can be found here:
www.osha.gov/temp_workers/index.html

Gone for good are the days when you could "throw bodies" at some project or problem in your workplace. There are some very good reasons to use temps to save time and money. But there are some equally very bad reasons to use temps as well. We are proud to be a member of the ASA and a partner with OSHA. We obviously believe that temps are people too!

If you would like more information or if you would like us to work with you to ensure safety compliance of all workers, please give us a call. [ne](http://www.newerahr.com)



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New Era HR Solutions is a locally owned, privately held staffing and HR consulting company with the mission of creating sustainable employment opportunities for our employees by improving the business performance of our clients.

New Era HR can help you find, harness, and sustain the talent you need to grow your business. We offer training and development services and on-site coaching for leaders at all levels of the organization.

For more information about New Era, go to our Web page www.NewEraHRsolutions.com and click on our blog to learn even more.

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