

# PUBLICATION

---

## Does Your Construction Company Use Temporary Workers?

May 01, 2013

**OSHA has issued a new memorandum regarding the use of temporary workers. See, April 29, 2013 memorandum from Richard Fairfax.**

In this memorandum, OSHA has stated that it will be reviewing the use of temporary workers during every inspection. What this enforcement initiative means is that OSHA can greatly expand the scope of any inspection where there are temporary workers being employed. As part of the inspection process, this will allow greater review of training under a variety of standards, such as the confined space standard, lockout/tagout standard, powered industrial truck standard and the list goes on. Additionally, there will be specific reviews of personal protective equipment ("PPE") use at the worksite by temporary workers. If your company employs temporary workers or you are an agency that supplies workers to companies, be aware that OSHA will be looking at this issue with new scrutiny. Here are some brief pointers:

- Ensure that temporary workers are properly trained (in a language they understand) prior to the start of work and that they understand the requirements for performing the work safely.
- Prior to employing temporary workers, clarify who will take responsibility for training – either the company of the staffing agency, but remember, it is the employer who ultimately controls the day to day activity of the worker that will be held accountable by OSHA for violations.
- Make sure that there is sufficient PPE for every worker at a worksite, whether they are temporary or permanent employee.