

Temporary Workers

Best Practices for Mutual Safety Success

Presented by:

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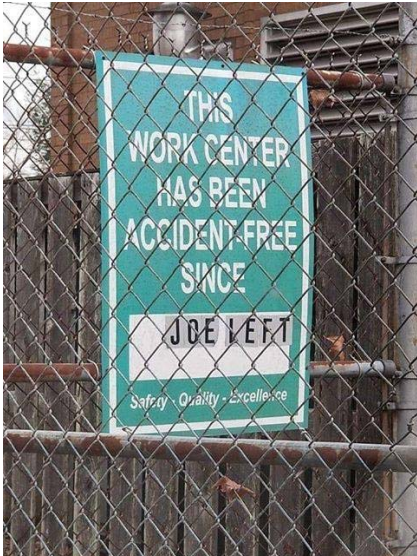
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Page 2

2

Objectives

- Our Changing Workforce
- Employee Turnover
- OSHA's Temporary Worker Initiative
- Staffing Agency & Host Employers
- Safety Pre-planning
- Post-incident Responsibilities
- Return-To-Work
- Employee Training

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3

Our Workforce

Business Insurance (January 16, 2019)

- 100+ Senior Execs from WC Insurers Polled
- Asked about industry concerns going in 2019
- Top Challenge?

“Adapting To The Changing Workforce & Workplace”

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Additional Concerns?

- New & changing risks associated with:
 - Aging Workforce
 - Unskilled Workers
 - Distracted Drivers
 - Opioid Abuse
 - Medical & Legalized Marijuana
 - “Under The Influence” workers

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100 Top Insurance Execs Possible Solutions?

“Reaching Out With Public Campaigns and Employer Education Programs To Promote A Safer Workplace”

Business Insurance (Jan. 19, 2019)

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Temporary Workers (Statistics)

- More Than 15 Million Temporary & Contract Workers Annually in the U.S.
- 20,000 Staffing & Recruiting Companies
- Indiana: 480,800 per year
- Michigan: 720,400 per year

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Staffing Employees (Occupations)

- Industrial (37%)
- Office-Clerical & Administration (28%)
- Professional-Managerial (13%)
- Engineering, I.T. and Scientific (13%)
- Health Care (9%)

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Employee Turnover

- 42 Million employees (1 in 4) will leave their jobs in 2018
- 77% could be prevented by employers
- \$600,000 Billion in turnover costs in 2018
- \$680,000 Billion by 2020
- 40% Left within first 12 months
- Staffing Employee Turnover Rate 386%

* *Work Institute – 2018 Retention Report*

** *American Staffing Association – June 2018 Fact Sheet*

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Turnover Why?

- Career Development (no growth opportunity) = 21%
- Work-Life Balance (schedule, commute time) = 13%
- Manager Behavior (unprofessional/unsupportive) = 11%
- Well-Being (personal or family health) = 9%
- Compensation & Benefits = 9%
 - Compensation was cited more than benefits

** *Work Institute – 2018 Retention Report*

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Workplace Injuries

Temporary Worker
+
New Job
+
Questionable Safety & Pre-Planning Efforts

WORKPLACE INJURIES!!

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11

New Employees & Injuries

- Correlation:
 - 40% of U.S. employees left new jobs within 12 months of being hired
 - 40% of EAIG serious injuries greater than \$500,000 occurred within first 12 months
- Solution:
 - Increased safety training and on-going instruction with new employees
 - Deeper Dive into Internal Systems & Processes

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12

Real Life Temp Worker Injury Scenarios



- **Elk Grove Village, IL:** A 25-ton power press crushed a temp worker's right ring finger when the machine cycled while her hand was inside. She had been on the job for 10 days.

RESULT: OSHA issued 14 serious violations to the Host Employer with proposed penalties of \$61,695. Majority of violations involve exposing workers to machinery operating parts. Root cause determined that the light curtains on this press failed to work properly

REF: www.osha.gov News Release Region 5 (July 16, 2015)

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Page 13

13

Real Life Temp Worker Injury Scenarios



- **Oak Creek, WI:** A 30 year old temporary employee suffered severe burns, as well as tendon and ligament damage to her right hand when using a frozen bread cutting & sealing machine

RESULT: OSHA found the company's machinery lacked adequate guarding, and also procedures to prevent unexpected machinery movement were not in place.

REF: www.osha.gov News Release Region 5 (July 28, 2015)

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Page 14

14

OSHA's Temporary Worker Initiative



- Temp workers entitled to same protection under OSHA Act of 1970
- **Golden Rule:** Treat temp workers same as your own!!!
- Host Employer Responsibilities
- Staffing Agency Responsibilities
- Which entity (Staffing Agency or Host Employer) is responsible for conditions of employment?

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15

Resources



The screenshot shows the OSHA website interface. At the top, it says 'UNITED STATES DEPARTMENT OF LABOR Occupational Safety and Health Administration'. Below that is a navigation menu with options like 'ABOUT OSHA', 'WORKERS', 'EMPLOYERS', 'REGULATIONS', 'ENFORCEMENT', 'TOPICS', 'NEWS & PUBLICATIONS', 'DATA', and 'TRAINING'. The main content area is titled 'Protecting Temporary Workers' and includes sections for 'Employer Responsibilities to Protect Temporary Workers', 'Joint Responsibility', and 'Both Host Employers and Staffing Agencies Have Roles'. There are also sidebars for 'By Sector', 'Special Initiatives', and 'More Help from OSHA'.

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Resources



Workers' Rights

Highlights

- Recommended Practices: Protecting Temporary Workers
- Policy Background on the Temporary Worker Initiative
- Temporary Worker Initiative (TWI) Bulletin No. 1 - Injury and Illness Recordkeeping Requirements
- Temporary Worker Initiative (TWI) Bulletin No. 2 - Personal Protective Equipment
- Temporary Worker Initiative (TWI) Bulletin No. 3 - Whistleblower Protection Rights
- Temporary Worker Initiative (TWI) Bulletin No. 4 - Safety and Health Training
- Temporary Worker Initiative (TWI) Bulletin No. 5 - Hazard Communication
- Temporary Worker Initiative Bulletin No. 6 - Bloodborne Pathogens
- Temporary Worker Initiative Bulletin No. 7 - Powered Industrial Truck Training
- Temporary Worker Initiative Bulletin No. 8 - Respiratory Protection
- Temporary Worker Initiative Bulletin No. 9 - Noise Exposure and Hearing Conservation
- Temporary Worker Initiative Bulletin No. 10 - The Control of Hazardous Energy (Lockout/Tagout) **NEW**
- Temporary Workers' Rights Pamphlet

News Releases

November 13, 2018 [Region 7 News Release] U.S. Department of Labor Cites Nebraska Staffing Agency Following Heat-Related Fatality

May 11, 2018 [Region 4 News Release] U.S. Department of Labor Cites Contractor and Staffing Agency Following Fatal Trench Collapse at Alabama Work Site

[Read More....](#)

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Page 17

17

Staffing Agency Responsibilities



- Employee Selection & Vetting
- Prospective Client Selection
 - OSHA Establishment Search
 - Client Safety Survey/Risk Assessment
- Placement of employees
 - Matching skills with available positions
- Initial Safety Training
- Provides Workers' Compensation coverage
- Regular communication with Host Employer
- Do Not Be Afraid To Say "No Thank You!"

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Host Employer Responsibilities



- Clearly defining positions needed
- Site-specific safety training
- Ensuring proper PPE
- Reporting of incidents to Staffing Agency
- Assist with accident investigations
- Assist with claims management process
- OSHA Injury & Illness Recordkeeping
 - “Day To Day Supervision” Rule
- Regular communication with Staffing Agency

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Problems & Solutions



- Problems:
 - Turnover
 - Injuries
 - Increased Costs
 - OSHA Recordables
- Solutions:
 - Systems & Processes
 - Treat Temporary Workers As Your Own!
 - Communication!!
 - Embrace this “Employee In Control” Marketplace
 - Examine Internal Systems & Process
 - Strive For Changing Culture

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Road Map to Success

- Primary Objective: Preparation

Hiring → Training → PPE

- Secondary Objective: Retention

Supervision → Check-in → Inclusion

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Why Hire A Temp?

- Temporary Need
 - Short term assignment to fill a temporary need
- Rehearsal
 - Temp to Perm
 - Do they fit culture
 - Can they learn the work
 - Are they productive
- Combo
 - Short term need becomes permanent need

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Name, Blame, Shame... Replace!

Or

Evaluation of Systems & Processes

How did the system fail?

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- Temp amputated finger when attempting to clear out material from chipper area. Equipment not locked out, interlock stuck in on position and broken lockout point on equipment.
 - Training to not open or remove a guard without LOTO
 - Newer material creating problems, maintenance evaluated three times prior

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Temp Worker Injures

- Temp partial amputation after reaching into a chute to clear a blockage, contacted auger. Sticker on equipment posted to 'Keep Hands Clear'.
 - Process in place to clear blockages
 - Guarding in place allowed access to point of operation

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Temp Worker Injuries

Pre – Incident:

- JSA's/JHA's
- Pre-Planning
- Systems and Processes

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Temp Worker Injuries



Post Incident:

- Incident Analysis
 - Internal and with temp agency
- Implementation and communication on corrective actions
- Modified Duty
- Recordkeeping

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Return-To-Work



- Assist Staffing Agency with RTW/Light Duty
- Utilization of Not-For-Profits to accommodate
- Job Bank of available light duty job tasks
- Reduces Workers' Comp exposure to Staffing Agency
- Reduces OSHA Recordable rates to Host Employer
- Returns Injured Worker to Wellness
- Win.... Win.... Win!!!!

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Injury Management & Recordkeeping



- Injury Management
 - Notification
 - Worker’s Compensation
 - Return to Work
- OSHA 300 Log
 - Day-to-day Supervision
 - Communication

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29

Training



“Host employers should provide temporary workers with safety training that is identical or equivalent to that provided to the host employers’ own employees performing the same or similar work.”

– OSHA Temporary Worker Initiative

- Staffing Agency
 - Generic
- Host Employer
 - Site Specific

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Risk Exposures – Host vs. Agency



- Personal Protective Equipment
- Hazard Communication
- Bloodborne Pathogens
- Powered Industrial Trucks
- Respiratory Protection & Medical Surveillance
- Noise Exposure and Hearing Conservation
- Control of Hazardous Energy (LOTO)

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It Can Be Done!



Actual Staffing Agency Workers' Comp Claim History

2011-12.... 83 claims = \$237,494 (430 Employees)
2012-13.... 101 claims = \$264,893
2013-14.... 128 claims = \$516,956
2014-15.... 180 claims = \$394,799 (720 Employees)
2015-16.... 109 claims = \$107,276 *
2016-17.... 44 claims = \$146,723
2017-18.... 55 claims = \$139,689 (1,075 Employees)

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 American Staffing Association



<https://americanstaffing.net/safety-standard-excellence-program/>

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Page 33

33

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Page 34

34

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