

PUBLICATION

Does Your Bench Have Temps? OSHA Expands

May 15, 2013

OSHA has issued a new memorandum regarding the use of temporary workers. In this memorandum, OSHA stated that it will be reviewing the use of temporary workers during every inspection. This enforcement initiative means 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, the lockout/tagout standard, the 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.
- Before employing temporary workers, clarify who will take responsibility for training – either the company or the staffing agency – but remember it is the employer who ultimately controls the day to day activity of the worker and will be held accountable by OSHA for violations.

Make sure that there is sufficient PPE for every worker at a worksite, whether they are a temporary or a permanent employee. If you have questions about temporary workers or other OSHA issues, please contact any of our more than 70 Labor & Employment attorneys located in Birmingham, Alabama; Atlanta, Georgia; Baton Rouge, Mandeville and New Orleans, Louisiana; Jackson, Mississippi; Chattanooga, Johnson City, Knoxville, Memphis and Nashville, Tennessee; and Houston, Texas.