

Temporary Workers

Employer Responsibilities

Potential hazards

Temporary workers (those employed by temporary placement agencies) are at risk of injuring themselves or others while performing tasks without sufficient training, supervision or instruction on safe work procedures.

In many cases, temporary placement agencies rely on the employer at the job site to provide a workplace orientation, verify that workers have the necessary skills to perform the job and provide them with job-specific training, including a safety and health orientation. Unfortunately, although these actions are required, they are not always completed.

How to control the hazard

Under workplace safety and health legislation in Manitoba, an agency/contracted worker has two employers:

- the temporary placement agency
- the employer at the worksite

Both of these employers are responsible for the safety and health of the agency/contracted worker, as outlined below.

Responsibilities of employers

Employers that hire temporary workers are required to ensure these workers:

- receive a workplace safety and health orientation, covering all of the required topics in the following list (additional topics to be covered during an orientation will vary depending on the circumstances of the workplace):
 - the employer's and worker's rights and responsibilities under *The Workplace Safety and Health Act* and applicable regulations
 - the name and contact information of the new worker's supervisor
 - the procedure for reporting unsafe conditions at the workplace
 - the procedure for exercising the right to refuse dangerous work at the workplace
 - contact information for the safety and health committee or representative (as applicable)
 - any policies, programs and safe work procedures that the employer is required to develop pursuant to *The Workplace Safety and Health Act* and regulations that apply to the tasks to be done by the worker
 - the hazards to which the worker may be exposed and control measures undertaken to protect the worker
 - location of first aid facilities, means of summoning first aid and procedures for reporting illnesses and injuries

(see next page)



- emergency procedures (e.g., first aid, fire, evacuation)
- identification of prohibited or restricted areas or activities
- any other matters necessary to ensure the safety and health of the worker at the workplace
- receive task-specific training, including safe work procedures and job hazard information
- are able to apply the training provided to protect themselves and others
- are given the appropriate tools to perform their jobs in a safe manner
- receive effective supervision and know who to report their concerns to
- do not operate powered lift equipment (forklifts and powerjacks) unless trained and certified by the workplace; certificates are not transferable – each company must train the worker on its equipment, hazards and safe operating procedures before the worker is allowed to operate the equipment.

Temporary placement agencies must conduct an initial assessment of the work site and ensure controls are in place to prevent undue harm to their workers. Additional responsibilities of these agencies are outlined below.

Responsibilities of temporary placement agencies

Temporary placement agencies are responsible for ensuring that temporary workers:

- receive an initial safety and health orientation covering all of the required topics, so they can identify common hazards in the workplace, and are aware of and understand the agency's safety and health-related programs, policies and procedures for each job site they attend
- receive job-specific training (including safe work procedures) from the company they are being placed with
- understand and can demonstrate safe work practices for the tasks they will be assigned to
- are aware of their responsibility to follow workplace safety and health rules and safe work procedures at each job site and for each job task
- understand they must receive appropriate training for all tasks
- understand the work they are sent to perform; their right to ask questions about the work they are assigned to do; and their right to refuse work they believe is unsafe
- are capable of completing the job or task; for instance, a worker with lifting restrictions due to a medical condition should not be asked to move or lift heavy items.

Personal protective equipment

Either the employer or the temporary placement agency must provide appropriate personal protective equipment for the job or task at no cost to the worker.

Reference to legal requirements under workplace safety and health legislation

- Manitoba Workplace Safety and Health Act, W210
 - Section 5, Duties of workers
 - Section 7.5, Duty to Provide Required Information
- Manitoba Workplace Safety and Health Regulation, M.R. 217/2006
 - 2.2.1(1) New worker orientation

Additional workplace safety and health information available at www.safemanitoba.com

- New Worker Orientation and Training Guide
- SAFE Work Bulletin 255: Safety and Health Orientation Requirements
- SAFE Farms Bulletin 3: Safety and Health Orientation Requirements

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