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American Staffing Association

Employee Safety Best Practices and Operating Information for Staffing Firms Placing Office–Clerical, Professional–Managerial, and Technical–Information Technology Temporary Workers

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Executive Summary

Through the establishment and implementation of employee safety best practices, staffing firms can improve employee safety and well-being. Staffing firms and employees can benefit from fewer workplace hazards and exposures, as well as fewer worker injuries, illnesses, and fatalities.

Staffing firms have a general duty to take reasonable steps to determine conditions at the work site, provide employees with generic safety information, and advise them how to protect themselves from hazards they are likely to face on the job. These employee safety best practices will help staffing firms create and sustain healthy and safe work environments.

Staffing firms should have policies in place that address how to handle workplace incidents in a prompt, effective, and efficient manner. Firms should aggressively monitor and manage open claims and institute measures to minimize future claims.

Staffing firms should actively monitor National Council on Compensation Insurance workers' compensation class codes to confirm their accuracy and avoid excessive premiums. They also should make sure that if they classify workers as independent contractors, they do so lawfully under wage and hour, tax, and other laws.

Staffing firms should engage in thorough screening of all candidates and should apprise candidates of safety policies and expectations of workers. Firms should consider administering skills and knowledge assessments. Newly hired employees should undergo general orientation conducted by the staffing firm. Staffing firms should regularly provide ongoing training and general safety information to employees.

Staffing firms should engage in a risk assessment and analysis to decide whether to do business with potential clients. Their internal employees should be trained to engage in effective on-site inspections and evaluations of a potential client's work site.

Staffing firms should impress upon clients that both the staffing firm and client are essential to creating a successful partnership and fostering work site safety and temporary employees' well-being. All of the parties' respective responsibilities should be set forth in the staffing firm's written agreement with the client. The staffing firm and client should maintain open and ongoing communication regarding safety issues.

Introduction

Promoting and ensuring employee safety and well-being is the responsibility of every staffing firm. Through the establishment and implementation of employee safety best practices, staffing firms can foster a workplace culture that increases employer and worker awareness of, commitment to, and involvement in employee safety and well-being. Staffing firms and employees can benefit from fewer workplace hazards and exposures, as well as fewer worker injuries, illnesses, and fatalities. Moreover, worker satisfaction, productivity, collaboration, recruitment, and retention all increase dramatically when employers promote and ensure safe and healthy work environments.

The Employee Safety Best Practices and Operating Information are designed to assist staffing firms in doing just that.

Beyond these tangible and well-recognized benefits of employee safety best practices, the federal Occupational Safety and Health Act and state workplace safety laws require all employers, including staffing firms, to maintain safe and healthy workplaces for their employees. Staffing firms have workplace safety obligations to two sets of employees—their temporary employees assigned to clients and their internal staff.[1] With respect to temporary employees, the issue of who is primarily responsible for ensuring their safety at the work site—the staffing firm or the client—has, at times, generated confusion.

U.S. Occupational Safety and Health Administration rules provide that clients are primarily responsible for ensuring the safety of staffing firm temporary employees because the client controls the work site and also generally controls the work performed by the employees.

Under OSHA rules for recording and reporting occupational injuries and illnesses, clients also are required to maintain records of illnesses and injuries of temporary employees if the temporary workers are subject to the client's direction and supervision. If they are not, then the staffing firms must record the illnesses and injuries on their own OSHA 300 logs. The rules' purpose is to ensure timely and accurate record-keeping by the employer in the best position to obtain the information and to assist OSHA in identifying high-hazard employers. Clients also are required to cover temporary employees under OSHA's 1986 Hazard Communication Standard, which requires employers to notify employees of hazardous substances in the workplace.

Staffing firms have a "general duty" to take reasonable steps to determine conditions at the work site, provide employees with generic safety information, and advise them how to obtain more

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The information in this document should not be relied on as, and is not intended to be, legal advice. Staffing firms requiring legal or other advice regarding the matters discussed herein should consult with experienced legal counsel.

[1] The ASA employee safety best practices and operating information do not address employee safety practices in the direct hire context since the job candidate is not hired or employed by the staffing firm; instead, employee safety is the responsibility of the client that hires the candidate. Nevertheless, staffing firms engaging in direct hire placements should undertake background checks upon client request, and the scope of such checks should be clearly set forth by the client in writing; if no such request is made, this fact should be reflected in writing also.

specific information at the work site to protect themselves from hazards they are likely to face on the job.

Staffing firms can be penalized for failing to inquire about conditions at the work site. They also can be penalized for failing to take adequate steps to ensure that their employees are properly informed of any hazards and how to protect themselves.

Although federal OSHA rules are followed in most states, some states have their own rules that differ in significant ways.

Therefore, while the following employee safety best practices and operating information will help staffing firms create and sustain healthy and safe work environments, they are not intended as legal advice, and staffing firms should consult with legal counsel to ensure compliance with all federal and state laws and regulations.

The Employee Safety Best Practices and Operating Information specifically pertain to:

- Staffing firms' general operations and management of workplace incidents
- Staffing firms' internal and temporary employees
- Staffing firms' selection of, and interaction with, clients, secondary suppliers, vendor management systems; (VMSs) and managed service providers (MSPs)

These best practices have proven to increase productivity and the quality of the workforce, as well as decrease turnover and reduce insurance costs. Ultimately, these corporate and field-level policies and procedures can increase profitability.

Employee Safety Best Practices and Operating Information for Staffing Firms

1. Staffing Firm General Operations and Management of Workplace Incidents

1.1 **Corporate Safety Philosophy**: The staffing firm should, at all times, maintain a corporate safety philosophy regarding, among other things, the firm's commitment to workplace safety; handling workplace incidents; open communication with employees, clients and other third parties; and acceptable risks with respect to potential and current clients and the parameters for assessing new or potential risks. Such philosophy should be communicated regularly to all employees and recommunicated as appropriate and any time substantive changes are made to such philosophy.

1.2 **Management of Workplace Incidents:** The staffing firm should have policies and procedures in place that are clearly communicated to all employees and address how to handle workplace incidents in a prompt, effective, and efficient manner.

a. The policy should state that all temporary and internal employees shall be told **to whom they should report incidents** and the time frame for doing so, so that the staffing firm can promptly take action to address any such incident,

including facilitating medical care or treatment of any workplace injury.

b. The policy should set forth **strict timelines** for incident investigation, for which complete information should be sought (from workers, clients, and third parties), and addressing such incidents
c. The policy should clearly **identify who within the staffing firm will direct postaccident or postinjury treatment**, including interacting with designated medical providers and representatives attending any client facility visit, and communicate with medical personnel.
d. The policy should set forth **protocols for postincident investigations and specify which of the staffing firm's employees or agents shall engage in the investigation** (formal accident investigation training is recommended).
e. The policy should specify that a staffing firm representative should expeditiously engage in a **postincident client work site and equipment inspection**, if possible; the policy should further specify that, if on-site inspection is not possible, photographic or video technology should be used promptly to capture information regarding the incident and site. The policy also should address who is responsible for capturing such information.
f. The policy should specify the **purposes of all incident investigations**: among other things, to determine whether the incident or claim is legitimate and determine the root cause(s) so as to prevent recurrence.
g. The policy should specify how and when the staffing firm's **insurance carrier(s) and any third-party safety or crisis management consultants** should be contacted and utilized.
h. The policy should address the **circumstances under which safety managers should be designated**; such manager could be a staffing firm's field office employee, regional or corporate employee, or an on-site employee placed with the client.
i. **Clients** should be presented with, and consent in writing to, policies and **procedures regarding incidents involving temporary employees**. These policies and procedures should address, among other things
    - Which party is responsible for transporting an injured worker to obtain care and for undertaking other postincident corrective actions
    - Who, at the client site, is responsible for notifying the staffing firm of the incident and the acceptable timeframe for doing so
    - Contact information for staffing firm personnel who should be informed of any incident
    - The sharing of information yielded from post-incident investigations
    - Identifying corrective actions to prevent future incidents
    - The client's responsibility to record assigned temporary employees' workplace injuries and illnesses on the client's OSHA 300 log, to the extent the client directs and supervises their day-to-day work

1.3 **Management of Workplace Injury Claims:** The staffing firm should

aggressively monitor and manage open claims as well as institute policies and prophylactic measures to minimize future claims. Such actions or measures should include

a. **Timely reporting** of all injuries and claims to the firm's insurer, broker, or third-party administrator
b. **Maintaining ongoing communication** with both the claimant and insurance adjuster
c. **Utilizing a national network of health care providers for post-incident treatment** so as to avoid having injured workers using higher-cost non-occupational health care providers
d. **Putting the claimant back to work, through a mandatory return to work program**, in a timely manner and taking into account any work limitations (specified by a medical provider) that the claimant may have; the worker may be placed
    - With the same or another client in a different work capacity (such contingency should be addressed in the parties' contract)
    - With a third party such as a nonprofit organization
    - In a different work capacity as part of the staffing firm's internal staff

    Regardless of the capacity in which the worker is placed, he or she should render meaningful services and engage in productive work, and should be required to abide by all applicable staffing firm policies and procedures; and while the worker should be treated with the same respect and dignity as if he or she had not suffered the workplace incident, he or she also should be subject to the firm's policies regarding disciplinary action for workplace misconduct or poor performance.

    Such return to work program can substantially mitigate workers' compensation claims and expenses, and the staffing firm should educate all branch offices and internal employees about the cost savings and benefits resulting from a strictly enforced return to work program.
e. **Engaging in medical management of claims**, through which nurses or other medical providers actively advise and communicate with the staffing firm's internal staff to resolve claims expeditiously
f. **Implementing a rating system for postincident investigations** undertaken by field employees, so as to incent and hold them accountable for proper investigations of, analyses of, and responses to workplace incidents
g. **Utilizing internal claims staff** who can work with adjusters and carriers to manage worker claims

1.4 **Utilization of Contracts That Fairly Apportion Risk:** Contracts proffered by clients often apportion risk in an unfair manner, with the staffing firm agreeing to indemnify the client for almost any and all claims arising from the staffing relationship. Because staffing firms are not insurers, each party should be responsible for the risks associated with its own business, and each such party should have a duty to indemnify the other only for those risks. To help ASA members and their attorneys address these issues, **ASA has developed model contracts that spell out the staffing firm's and the client's respective responsibilities and apportion risk fairly**. The ASA model contracts, which do not constitute legal advice and should be reviewed and modified by legal counsel, as appropriate, are available at *americanstaffing.net/legalandgovernment/contracts.cfm*.

1.5 **Proper Classification of Workers:** One of the primary components of pricing workers' compensation insurance is classifying a risk or workplace exposure within the proper National Council on Compensation Insurance workers' compensation class code. Incorrect risk classification by insurance agents or underwriters often results in premium that is too high or, conversely, lower premium that is reclassified at the time of audit, thus creating a large audit bill.

The staffing firm therefore should actively monitor such NCCI codes to confirm their accuracy and avoid excessive premiums (note that some states use their own codes rather than the NCCI codes). The staffing firm also should **monitor (or utilize third parties to monitor) and assess the accuracy of the staffing firm's workers' compensation modification factor**, and work closely with adjusters and carriers with respect to the administration of claims.

Also, **the staffing firm should make sure that, to the extent it classifies workers as independent contractors, it is doing so lawfully under wage and hour, tax, and other laws**. While there are benefits to using independent contractors, including not having to provide workers' compensation insurance, new laws and increased enforcement of existing laws are making it more difficult than ever to properly determine whether workers should be classified as independent contractors or as employees.

1.6 **Utilization of Written Job Descriptions and Scope of Work Documents:** Such documents are essential to establishing and clarifying the job duties, responsibilities, and proper role of temporary employees, and therefore they will assist in determining the staffing firm or client's liability under the parties' contract; such documents should be confirmed and agreed upon in writing by clients, and clients should not be allowed to modify worker duties absent the staffing firm's prior consent.

1.7 **Utilization of Risk Management-Based Sales Processes:** By including safety and risk management analyses of potential and existing clients in its services, the staffing firm can provide value-added services in addition to staffing. Moreover,

by engaging in a risk and safety analysis of policies and work sites, the staffing firm can more accurately account for risk in its pricing, should it decide to do business with a potential client.

1.8 **Continuous Cooperation and Communication With Clients:** Throughout the term of the staffing contract, the staffing firm and client should continuously communicate, preferably in writing but in all cases expeditiously, regarding temporary workers' assignments, workplace incidents, satisfaction, training, responsibilities, safety equipment, working conditions, and all other relevant issues pertaining to the workers' assignments.

2. Staffing Firm Internal and Temporary Employees

2.1 **General Screening of Candidates:** The staffing firm should engage in thorough screening of all candidates, with a particular focus on **licensing and certification, continuing education,** and **background checks and drug tests**, to the extent necessary or advisable, and the **dissemination of safety information** during the application process.

a. The staffing firm's Web site, application forms, and employee handbooks (whether in paper, electronic, or other format) should **clearly set forth all safety policies and worker expectations**; the candidate should be provided with a copy of such policies and expectations during the interview (which should be in person, whenever possible) and sign an acknowledgement of receipt and agreement to abide by them.
b. The staffing firm should advise the candidate that drug screens and background checks may be required for certain assignments, and should **obtain the candidate's written consent and waiver** for same.
    - Drug or substance abuse tests and criminal background checks should be conducted per client requests; as required by applicable law; and in connection with safety-sensitive positions (e.g., positions with schools or banks, and positions in which workers come into contact with social security numbers, trade secrets, or other confidential information).
    - Criminal background checks should be performed in accordance with the Fair Credit Reporting Act and any applicable state laws.
c. In cases where a criminal background check will be conducted, the staffing firm should **clearly communicate with the client regarding the scope of the background check**—e.g., whether a state or national check will be conducted (and, if the former, those states that will be checked); whether county or municipality records will be checked; and the time period the background check will cover. **The client should acknowledge and agree in writing to the scope of the criminal background check**. The staffing firm should also review its marketing materials to make sure **not to overstate, or give false impressions with respect to, the background checks it will conduct.**

d. The staffing firm should **comply with all applicable federal and state laws and regulations** (e.g., U.S. Department of Transportation regulations) that include drug or criminal background screening requirements.
e. The staffing firm should **verify the candidate's employment and education history, confirm that the candidate possesses required licenses or certifications, check the candidate's references, and inquire as to gaps in employment**. Licenses and certifications should be verified, prior to assignment and periodically (at least annually) thereafter, with the relevant state authority so as to ensure that the candidate is and remains in good standing. The staffing firm also should inform the candidate that any material omission or falsification on an employment application is grounds for refusal to hire or termination of employment.
f. **The staffing firm should verify drivers' licenses, review motor vehicle records, and comply with DOT requirements** for those candidates who may be driving vehicles on the job.

2.2 **Skills and Other Testing of Candidates:** The staffing firm should consider administering the following, **in accordance with applicable disability and other relevant laws as well as client specifications obtained in writing.**

a. **Basic safety knowledge assessments**
b. General and assignment-specific **skills and knowledge assessments**
c. **Physicals or medical examinations and physical capability testing** of a general nature or assignment-specific (*after* an assignment offer is made, in accordance with the Americans With Disabilities Act and other disability laws); assignment-specific testing can establish a medical baseline that can later be used to measure the extent of a temporary employee's injury or change in physical condition as a result of the assignment (for example, a hearing test can be used to measure the effects of an assignment on the worker's hearing ability; an ergonomic carpal tunnel test can be used to assess changes to a worker's ability to engage in repetitive motions). Assignment-specific testing can also ensure that the workers can fulfill the physical requirements of the job (i.e., that they are fit for duty).
d. **Drug tests**
    - Drug tests should be conducted per client requests; as required by applicable law; and in connection with safety-sensitive positions (for example, positions with schools or banks, and positions in which workers come into contact with social security numbers, trade secrets, or other confidential information).
    - The staffing firm should obtain **written consent** from all applicants.
    - In addition to preassignment drug tests, the staffing firm should consider implementing **random drug testing and postaccident testing** in accordance with applicable laws.
    - The staffing firm should maintain a **log of drug tests** conducted to insulate itself from liability.

- The staffing firm should **comply with all applicable privacy laws** in connection with drug testing and handling drug test results.

e. **Integrity testing**, which can be used to identify individuals who are likely to engage in inappropriate, dishonest, unlawful, or antisocial behavior at work
   - Such tests can be used to reduce turnover and business costs (for example, reductions in absenteeism).
   - Such tests should be considered for all candidates for safety-sensitive positions or upon client request; integrity testing, as well as drug tests and background checks, should be considered for all information technology workers so as to reduce the likelihood of security breaches.
   - Such tests should be considered for candidates for jobs with high-volume clients.

2.3 **General Orientation for New Employees:** Newly hired employees should undergo general orientation conducted by the staffing firm. Such orientation should include

a. Review of the **staffing firm's employee handbook** (which should be updated regularly in accordance with the advice of legal counsel), as well as the firm's workplace safety, drug-free workplace, equal employment opportunity, antiharassment, retaliation, and other policies and procedures; and review of **the staffing firm's general duty regarding workplace safety** (for temporary employees)
b. Review of the **staffing firm's mandatory return to work program**
c. Review of **any and all processes, policies**, risks, business methods and practices, administrative issues, or other matters that are **specific or unique to the staffing firm's branch offices or particular lines of business**
d. **Briefing of temporary employees** assigned to clients on
   - General working conditions at the client site and the fact that a major area of loss is slip and fall injuries; thus the employees should be particularly cognizant of areas of obstruction
   - The need for, and types of, personal protective equipment (PPE) for the assignment and that such equipment will be provided by the client or staffing firm
   - To whom the assigned employees will report at the client site
   - Scheduled hours of work
   - Job qualifications, including the need for special training or the ability to work with particular machinery or equipment
   - The staffing firm's policies and protocols for reporting workplace incidents
   - Orientation materials, handbooks, safety policies, and other assignment-specific information provided by the client
   - The need to refrain from removing any safety devices at the work site or using any equipment that the worker does not fully

understand how to use, for which the worker has not received safety training, or that is not part of the worker's written job description
- The existence of a strike or work stoppage at the client site, including the fact that the worker will not be retaliated against for turning down the assignment and any precautionary measures designed to ensure worker safety during the strike

2.4 **General Safety Training and Ongoing Communication:** It is critical that, during the employee's tenure with the staffing firm, the firm regularly provide ongoing training and general safety information to the employee.

a. Such training and communication should be disseminated through
   - Electronic newsletters
   - E-mail
   - Safety posters at the staffing firm and client sites
   - Regularly scheduled lunch room or other talks, during which actual work site incidents are addressed and for which employees are required to verify their attendance
   - Internet tutorials and Web-based safety programs
   - Areas of the staffing firm's Web site dedicated to workplace safety issues and information
   - Paycheck stuffers
   - Mandatory phone sessions or recordings that focus on workplace safety and incident prevention
   - A print or online library of safety and training materials

b. The staffing firm **should share, with assigned temporary workers, the results of any work site inspections** conducted by the staffing firm (including those conducted prior to the assignment, after a work site incident or accident, or after a significant change in client staff or the temporary worker's duties).
c. The staffing firm should engage in **postincident training so as to review causes of and responsibility for the incident** (client, temporary employee, staffing firm, or third party), as well as preventative measures.
d. The staffing firm should **include risk management personnel in internal staff meetings.**
e. The staffing firm should **appoint branch office safety teams** to oversee communications with temporary workers assigned from such branches.
f. The staffing firm should consider offering relevant training sessions, apprising temporary workers of up-to-date information relevant to their skills and job duties, so as to allow them to maintain their licenses and certifications.

3. **Selection of, and Ongoing Interaction With, Clients, Secondary Suppliers, Vendor**

Management Systems, and Managed Service Providers[2]

3.1 **Risk Assessment and Consultation:** Prior to taking on (onboarding) a client, it is essential for the staffing firm to engage in a risk assessment and analysis to ascertain the risk of workplace incidents and ultimately decide whether the firm should do business with the potential client. To the extent the staffing firm decides to take on the client, the results of the assessment can and should be shared with the client as a value-added service that can improve work site safety for the client's internal staff, as well as assigned temporary employees. Such assessment should include

a. A **credit check** of the potential client
b. A **search of the potential client's recordable workplace incidents and safety history**. Such information can be obtained from
    - U.S. Bureau of Labor Statistics data
    - OSHA (with respect to inspection histories and fines); see *osha.gov/pls/imis/establishment.html*
c. A **comparison of the potential client's workplace incident rate** to the rates of peers within client's industry
d. A **check within the staffing firm's professional network** regarding others' experiences with the client
e. A **job hazard analysis** of each potential temporary assignment with the client
f. **A review of information furnished by the potential client**, including the potential client's safety manuals, policies, and procedures for its employees; OSHA 300 logs (for purposes of determining, among other things, the frequency and severity of workplace incidents and whether incidents involving temporary employees were recorded on the log); and a client safety practices and procedures form, which should set forth information regarding the client's training and safety protocols

3.2 **On-Site Evaluation of the Work Site:** Staffing firm employees (sales representatives, recruiters, risk managers, etc.) should be trained to engage in **effective on-site inspections and evaluations of the potential client's work site**. **Either a scoring process or qualitative analysis** should be used to evaluate whether to do business with the prospective client.

a. For potential clients expected to utilize a high volume of temporary workers, or for remote placements, the **staffing firm should consider utilizing the resources of its insurance carrier, or those of a third-party safety consultant, to engage in the on-site evaluation and work site incident follow-up.**
b. The site inspections and evaluations should include
    - An **inspection of equipment** to determine its condition and corresponding safety level (logs and records of equipment

[2] For purposes of these best practices, references to "client" should be construed to also refer to VMSs, MSPs, and secondary suppliers.

maintenance and replacement should be reviewed; safeguards should be in place)

- A **review of the client's training protocols and practices** with respect to its equipment
- A **review of all relevant written job descriptions**
- **Inspection of common and parking areas**, in addition to the **work site**
- A review of the **method(s) the client use(s) to communicate safety issues to its own employees** and the efficacy of same
- Ascertaining that clear **means of entrance and egress** are maintained
- A review of the **client's security measures**
- Ascertaining the extent to which **health or safety hazards** exist at the client site, including but not limited to adverse ergonomic conditions at workstations or elsewhere

3.3 **Safety Partnership With the Client:** The staffing firm should impress upon the client that both parties, the staffing firm and client, are essential to creating a successful partnership and fostering work site safety and temporary employees' well-being. The client must have a thorough understanding of, and indicate its written agreement to abide by, its specific duty under OSHA and state workplace safety laws to engage in site-specific training for temporary employees and provide site-specific PPE. To that end, **the staffing firm should require the client to include assigned temporary workers in all orientation, safety, and training sessions conducted by the client for its internal employees performing the same job functions**.

a. The staffing firm should insure that the **client agrees in writing to comply, and does in fact comply, with the firm's illness and injury prevention program.**
b. The staffing firm should obtain **documentation from the client showing that the client completed site-specific orientation and training** for assigned temporary employees and provided necessary PPE.
c. The client should provide a **written position description** for each assigned temporary employee.
d. All of the parties' respective responsibilities should be set forth in the staffing firm's written agreement with the client, which should be reviewed and thoroughly discussed before execution.
    - The **staffing firm should understand any liabilities it contractually assumes**, and ascertain through its underwriter **the extent to which such liability is covered by** the staffing firm's **insurance** policy.
    - The indemnity/hold harmless provision should be reviewed by both the staffing firm's insurer and its attorney, and subrogation should be considered in connection with training-related workplace incidents involving assigned temporary workers.

- The **client should agree to provide PPE and site-specific training for assigned temporary workers** (including but not limited to training about accident avoidance and reporting, emergency procedures, and ergonomics and site layout) **and also maintain the OSHA 300 log** for temporary workers' workplace illnesses and injuries to the extent it supervises and directs such workers.
- The parties should **indemnify each other only for those duties they are responsible for under the contract**. The staffing firm should refer to the indemnity provisions of the ASA model agreement for general staffing arrangements, and review and modify the same upon the advice of the firm's legal counsel.
- The staffing firm should beware of, understand, and discuss with its attorney and insurance carrier the **ramifications of waivers of subrogation, alternate employer endorsements, and "additional insured" clauses** in the client contract, all of which can adversely affect the staffing firm's ability to recover damages from the client in the event of an incident.
- The parties' contract should incorporate by reference **the staffing firm's accident protocols and practices**, including timeframes for reporting workplace incidents, and the client should agree to abide by same.
- The contract should require the client to **promptly inform the staffing firm of any safety violations or incidents** at the work site, whether or not they involve assigned temporary employees.
- The contract should address the **staffing firm's right to promptly engage in postincident on-site investigations.**
- The staffing firm should create a **formal hierarchy for contract approval**, whereby various members of the firm's staff have an opportunity to review and sign off on the contract before it is executed.

3.4 **Ongoing Communication Between the Parties:** During the term of the contract, the staffing firm and client should maintain open and ongoing communication regarding safety issues.

a. The staffing firm should engage in **regular performance and safety evaluations** of assigned temporary employees, with input from and information furnished by the client.
b. The staffing firm should engage in periodic (quarterly or more frequent) **follow-up safety visits** to, and inspections of, the client work site.
c. The staffing firm and client should promptly **counsel assigned temporary employees in connection with any accidents or near misses** so as to prevent same in the future.
d. The staffing firm should, wherever feasible**, participate in the client's safety committees** so as to have meaningful input into the safety of assigned

temporary workers.

e. The staffing firm should consider **providing safety incentives to clients** for conducting business without incident for certain periods of time.
f. Both the client and assigned temporary workers should **affirm, in writing, any time training is conducted by the client**, and such training should be **regularly updated** as a result of, among other things, changes in equipment, job duties, supervisors, or other changed terms and conditions of the temporary worker's assignment.