

FACTSHEET

HOST EMPLOYERS

MANAGING THE SAFETY OF LABOUR HIRE WORKERS

A **'host employer'** is a firm that uses labour hire workers supplied by a labour hire agency or engages a trainee through a group training company.

This information is designed to assist host employers prepare for and manage labour hire personnel. It provides information and tools to assist you to:

- clarify your OHS responsibilities
- identify risks to health and safety
- match the labour hire worker to tasks
- complete induction and training
- supervise and monitor the health and safety of people at the workplace.

WHAT ARE THE OCCUPATIONAL HEALTH AND SAFETY (OHS) RESPONSIBILITIES OF HOST EMPLOYERS?

WHY DO HOST EMPLOYERS NEED TO MANAGE THE SAFETY OF LABOUR HIRE WORKERS AND CONTRACTORS?

Under NSW OHS laws, employers are responsible for the health and safety of all workers at their workplace. As a host employer your OHS obligations as an employer extend to cover labour hire personnel or contractors. **The legal responsibilities that apply to you to provide and maintain a safe work environment to your employees also extends to your labour hire workers.**

Effective consultation between the host employer, labour hire agency and workers is essential to providing a safe work environment. As a host employer, you have a legal obligation and ongoing responsibility to consult with employees on OHS matters.

If the labour hire agency is not convinced the host workplace is safe, they should not provide personnel.

WHAT DO YOU NEED TO DO AS A HOST EMPLOYER?

As a host employer with labour hire workers, you need to take the following actions:

- treat labour hire workers and contractors as your own workers in providing and maintaining a safe working environment and conditions
- define the job, tasks or roles that labour hire workers will do
- identify hazards associated with the work, and assess and control risks in consultation with health and safety representatives (HSRs) and employees
- identify the skills and knowledge (including any licensing and certification requirements) that labour hire workers need in order to do their work safely.

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- advise the labour hire agency of the job requirements, work environment, organisation arrangements, health and safety risks associated with the work, and the skills and knowledge required for the work (refer to the job description checklist on page 3)
- verify that selected workers have the necessary skills and knowledge to perform their work safely
- clarify who will provide any equipment, including personal protective equipment (PPE), to enable the workers to do the work safely. If equipment is brought into your workplace, ensure that it meets health and safety standards
- conduct workplace inductions and provide any other training for all labour hire workers that enable them to perform work safely (see Labour Hire: selection, induction and training record on page 4)
- establish an open communication process and encourage labour hire workers to participate in workplace consultative arrangements. Introduce labour hire workers to HSRs and the person with the OHS management responsibility in the area where they will work
- verify that labour hire workers understand the OHS requirements of your workplace
- provide adequate supervision to monitor whether the work is being done safely
- encourage labour hire workers and the labour hire agency to participate in hazard management specific to the labour hire personnel's work
- inform the agency if there is a change to your workplace that impacts on labour hire personnel. Do not transfer labour hire personnel to other tasks until the agency responds. You should provide any further training, instruction or information to the labour hire workers as necessary
- encourage labour hire workers to maintain contact with the labour hire agency
- cooperate with the labour hire agency to help it meet its legal OHS obligations
- allow the labour hire agency to have access to the workplace and relevant documents to enable them to perform a workplace safety assessment.

To make the process easier, many labour hire agencies will actively assist you to manage the safety of all workers at your workplace.

WHAT SHOULD YOU EXPECT FROM LABOUR HIRE AGENCIES?

Labour hire agencies should:

- gather information about the job (including the qualifications, skills and licences needed) so they can match the right candidate to the position
- gather information from the host employer to determine the potential for injury to their employees
- consult with the host employer on ways that identified risks can be controlled
- have a written agreement with you that clearly outlines OHS expectations and responsibilities, including the channels to quickly communicate information
- provide generic OHS induction and training (usually, the host employer provides the site specific induction and training) to ensure work is done efficiently and safely
- regularly visit the worksite and have effective consultation processes in place with their employees
- have a documented system for managing safety, including agency staff trained in OHS
- have a workers compensation insurance policy and fulfil their duty to provide return to work pathways and rehabilitation for injured workers.

JOB DESCRIPTION CHECKLIST

Instructions for using the document

Prior to engaging labour hire personnel, the host employer should:

1. complete the job description below
2. ensure the worker suits the job requirements
3. ensure the actions on the checklist are signed off when completed
4. send a copy of this form to the labour hire provider (via fax or email)
5. retain a copy of the records.

Job title:

Hours of work:

Name of host company and address of work:

Physical location of work (eg plant number):

Summary of tasks or jobs:

Supervisor name and contact details:

Supervision provided: Continuous Frequent (hourly) Occasional (every few hours) Minimal (daily) None

Qualifications (licenses etc) that the worker must possess:

Experience the worker should possess:

Other selection criteria (eg medical):

Training provided: Induction On the job Formal/ongoing None

Personal protective equipment (PPE) provided by: Labour hire agency Host employer

Please outline any hazards or other issues in the workplace that have the potential to cause injury to your employees (including but not exclusive to):

- | | |
|---|---|
| <input type="checkbox"/> Slippery or cluttered floors | <input type="checkbox"/> Loud noise |
| <input type="checkbox"/> People and forklifts in the same areas | <input type="checkbox"/> Lifting |
| <input type="checkbox"/> Falling objects | <input type="checkbox"/> Heavy loads |
| <input type="checkbox"/> Dangerous machinery | <input type="checkbox"/> Stretching or reaching |
| <input type="checkbox"/> Vehicles | <input type="checkbox"/> Electricity |
| <input type="checkbox"/> Unguarded equipment | <input type="checkbox"/> Chemicals |
| <input type="checkbox"/> Occupational violence and bullying | |
| <input type="checkbox"/> Others | |

Risk control plan attached? Yes No

LABOUR HIRE WORKERS SELECTION, INDUCTION AND TRAINING RECORD

The host employer and labour hire worker should complete and sign this form.

Job title:
Hours of work:
I am satisfied the labour hire agency provided the person(s) capable of performing the work as described on the <i>job description checklist</i> .
Signature and date (host employer):

INDUCTION AND TRAINING CHECKLIST

CHECKLIST	TICK IF COMPLETED
Supplied worker matches host employer requirements	<input type="checkbox"/>
Pre-placement induction provided by the agency that is relevant to the industry	<input type="checkbox"/>
Site specific induction training completed, including reporting arrangements	<input type="checkbox"/>
Task specific training completed	<input type="checkbox"/>
Initial task supervision completed	<input type="checkbox"/>
Task specific hazard identification and risk assessments completed eg Job safety assessment JSA	<input type="checkbox"/>

Host employer (print name):	Labour hire worker (print name):
Signed:	Signed:
Dated:	Dated:

INDUCTION AND TRAINING CHECKLIST

TASK/JOB	TRAINING PROVIDED Yes/No	HOST EMPLOYER Signature/date	LABOUR HIRE WORKER Signature/date

(Make copies if required)

Safety issues at this worksite are to be reported to: (name of the person and job title):
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How are safety issues to be reported? <input type="checkbox"/> spoken <input type="checkbox"/> written

Further information can be obtained from the WorkCover NSW website at www.workcover.nsw.gov.au or by contacting the WorkCover Information Hotline on **13 10 50**.

Disclaimer

This publication may contain occupational health and safety and workers compensation information. It may include some of your obligations under the various legislations that WorkCover NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate legislation.

Information on the latest laws can be checked by visiting the NSW legislation website (www.legislation.nsw.gov.au) or by contacting the free hotline service on 02 9321 3333.

This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

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