



JB PRITZKER
GOVERNOR

ILLINOIS DEPARTMENT OF LABOR



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DAY AND TEMPORARY LABOR SERVICES ACT: HEALTH AND SAFETY OBLIGATIONS FOR DAY AND TEMPORARY LABOR SERVICE AGENCIES AND THEIR CLIENTS

DAY AND TEMPORARY LABOR SERVICE AGENCY RESPONSIBILITIES

Before assigning an employee to a worksite, a day and temporary labor service agency must:

- Inquire about the client company's safety and health practices and hazards at the worksite to assess the safety conditions, hazards the temporary laborer may encounter in their work, and the client company's safety program. This inquiry and assessment may include visiting the client company's actual worksite.
- Provide general awareness safety training to the temporary laborer on any recognized industry hazards the temporary laborer may encounter at the client company's worksite. Industry hazard training must be completed, in the preferred language of the day or temporary laborer, at no expense to the laborer. The day and temporary labor service agency should maintain records of the training date and training content provided and transmit such records to the client company for every temporary laborer assigned to the worksite.
- Inform the temporary laborer how and to whom they should report safety concerns at the workplace and also provide the laborer with the Department's hotline number.
- Inform the temporary laborer of any labor dispute by providing a statement, in writing and in a language that the temporary laborer understands, informing the temporary laborer of the labor dispute and the temporary laborer's right to refuse the assignment without prejudice to receiving another assignment.

During the course of a temporary laborer's employment at the worksite, the day and temporary labor service agency must:

- Document and alert the client company to any unmitigated existing job hazards at the worksite that the day and temporary labor service agency has become aware of while any of its temporary laborers are performing work there. If the hazards continue unabated then the day and temporary labor service agency must remove the temporary laborer(s) from the client company's worksite.

CLIENT COMPANY RESPONSIBILITIES

Before a day or temporary laborer begins work at a client company's facility, the client company must:

- Document and inform the day and temporary labor service agency about anticipated job hazards that the temporary laborer is likely to encounter and allow a day or temporary labor service agency to visit a worksite to review or assess hazards their employees may encounter.
- Review the safety and health awareness training provided by the day and temporary labor service agency to determine if it addresses recognized hazards for the client company's industry;
- Provide specific training tailored to the particular hazards at the worksite consistent with training requirements provided for in standards, guidance, or best practices issued by the federal Occupational Safety and Health Administration.
- Maintain records of site-specific training for temporary laborers and provide confirmation that the training occurred to the day and temporary labor service agency the laborer works for within 3 business days of providing the training.

During the course of a temporary laborer's employment at a worksite, the client company must:

- Be sure to inform both the temporary laborer and the temporary labor service agency if the temporary laborer has been moved to perform different job tasks or different work that may involve different hazards, and provide training and personal protective equipment appropriate for the new job tasks(s).

LABORER SAFETY RIGHTS

A temporary laborer may refuse to perform a new job task at the worksite when the task has not been reviewed or if the day or temporary laborer has not had appropriate training to do the new task.

It is a violation for a day and temporary labor service agency or third party client, or any agent of a day and temporary labor service agency or third party client, to retaliate against any day or temporary laborer for exercising any rights granted under this Act.

CONTACT US

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