



PO Box 14663
Grand Forks, ND 58208-4663
www.nosha.net ◆ info@nosha.net

NOSHA News

May 2015

General Membership Meeting

Wednesday, May 20th at the VFW, 312 DeMers Ave, East Grand Forks MN 56721

Our topic will be "NDSC Services" presented by Jim Prochniak, North Dakota Safety Council

OSHA Increases Focus on Temporary Worker Safety

While the extent of responsibility under the law of staffing agencies and host employers is dependent on the specific facts of each case, staffing agencies and host employers are *jointly responsible* for maintaining a safe work environment for temporary workers - including, for example, ensuring that OSHA's training, hazard communication, and recordkeeping requirements are fulfilled.

OSHA could hold both the host and temporary employers responsible for the violative condition(s) - and that can include lack of adequate training regarding workplace hazards. Temporary staffing agencies and host employers share control over the worker, and are therefore jointly responsible for temporary workers' safety and health.

OSHA has concerns that some employers may use temporary workers as a way to avoid meeting all their compliance obligations under the OSH Act and other worker protection laws; that temporary workers get placed in a variety of jobs, including the most hazardous jobs; that temporary workers are more vulnerable to workplace safety and health hazards and retaliation than workers in traditional employment relationships; that temporary workers are often not given adequate safety and health training or explanations of their duties by either the temporary staffing agency or the host employer. Therefore, it is essential that *both* employers comply with all relevant OSHA requirements.

Both host employers and staffing agencies have roles in complying with workplace health and safety requirements and they *share* responsibility for ensuring worker safety and health.

A key concept is that each employer should consider the hazards it is in a *position to prevent and correct*, and in a position to *comply* with OSHA standards. For example: staffing agencies might provide general safety and health training, and host employers provide specific training tailored to the particular workplace equipment/hazards.

- The key is *communication* between the agency and the host to ensure that the necessary protections are provided.
- Staffing agencies have a duty to inquire into the conditions of their workers' assigned workplaces. They must ensure that they are sending workers to a safe workplace.
- Ignorance of hazards is not an excuse.
- Staffing agencies need not become experts on specific workplace hazards, but they should determine what conditions exist at their client (host) agencies, what hazards may be encountered, and how best to ensure protection for the temporary workers.
- The staffing agency has the duty to inquire and *verify* that the host has fulfilled its responsibilities for a safe workplace.

And, just as important: Host employers *must treat temporary workers like any other workers* in terms of training and safety and health protections.

Excerpt from www.osha.gov/temp_workers/index.html.



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Remembering Linda Wiley

*Written by Tony Vigness,
NOSHA Communications Coordinator*



Linda Wiley, a dear member of the NOSHA family, passed away on May 7th, 2015 at her home in Grand Forks. Linda made countless contributions to the NOSHA organization over the last several years. Her various roles included webmaster, communications coordinator, business manager, event coordinator, and unofficial historian. NOSHA owes a tremendous debt of gratitude to Linda for her effort and dedication to the organization.

When I assumed Linda's communication and webmaster duties in 2014, I was overwhelmed by the amount of time and brain power these seemingly simple tasks require. Without her patience, expertise and motivation I would have thrown in the towel long ago.

On behalf of the NOSHA board and the general membership, our condolences go out to Linda's husband David and the rest of her family. Thank you, Linda, for all that you did for us. You will be sorely missed.

A celebration of Linda's life will be held at Amundson Funeral Home in Grand Forks on Saturday, May 23rd at 2:00 pm. Those wishing to send memorials may send them to the Grand Forks Y Family Center.

Linda's obituary can be found at www.amundsonfuneralhome.com

BOARD MEETING

Board members meet the first Monday of the month – 6:00-8:00 pm

NEXT MEETING May 5

2015 BOARD MEMBERS

Dan Mankie (President)
Cirrus Aircraft

Eric Pearson (Vice President)
CHS (Cenex Transportation)

Tony Vigness (Vice President)
Black Gold Farms

Callie Wagner (Treasurer)
Minnkota Power Cooperative

Cindy Holweger (Secretary)
Development Homes

Joe Strang
Valley Dairy Car Wash

Lyle Ross
Vigen Construction

Dave Opp
Opp Construction

Sally Miskavige
Opp Construction

COMMITTEES

Communication Committee/Newsletter
(Tony Vigness)

Visit us at www.nosha.net for the latest updates and announcements!

Education Committee
(Lyle Ross, Tony Vigness)

Upcoming GM Meeting Presentations
May: Jim Prochniak, North Dakota Safety Council— NDSC Services
June: TBD

Membership Committee
(Dave Opp, Eric Pearson)

NOSHA

is a non-profit organization formed to provide area safety professionals a direct way of sharing safety concerns, goals, and ideas to promote workplace safety.