

Who Will Pay That Temp?



Employers continue to embrace the changing face of employment as they seek to hire more just-in-time employees to keep costs to a minimum. In the Deloitte report 'Global Human Capital Trends 2015' a survey of over 3000 business leaders found that one significant priority for business leaders around the world was a more effective way to utilize, manage and engage the growing population of contingent workers.

Continuing to strengthen the protections of precarious workers in Ontario the '*Stronger Workplaces for a Stronger Economy Act, 2014*' continues to roll out changed to ensure that temporary workers do not fall through the cracks or an already precarious work environment.

The *Stronger Workplaces for a Stronger Economy Act, 2014* was enacted in 2014 but some of the full measures are still in the process of being rolled out.

Some new measures in the new Ontario act take effect this month, November 2015. Here is a quick review:

- **Joint and Several Liability:** If you are hiring a temporary worker through a temporary agency you will be jointly liable for unpaid wages. Yes, the temporary agency has primary responsibility to pay the employees wage, but if they do not the employer can come after you to collect all of the unpaid wages. In these cases where the temporary agency does not pay the employee the client of that temporary agency will be deemed the employer for the assignment employee.
- **Record Keeping:** Both the Temporary agencies and the client of the temporary agency are required to maintain records for the hours worked on each assignment a temporary employee works, each day for each week. These records must be maintained for 3 years.
- **Liability for workplace injury:** not a new element of the legislation but an old one, the 'client agency' will be held liable for workplace injuries or accidents incurred by the employee.

Tips for Effectively On-Boarding a Temp Worker

As your temporary workforce grows it is important to effectively and efficiently onboard your new, temporary workers. Plan on spend time onboarding those temporary workers so they feel welcome, informed and ready to work.

1. **Be Ready For them:** Have in place the resources and information they need to make a good impression and get a good impression of you. If they require a workspace,

computer access and other resources have them ready upon arrival. The better they feel up front the quicker they can get to work and make a contribution.

2. **The Basics first:** Prior to arrival or upon arrival provide the worker with an overview of your organization including some of the same material you provide any onboarding employees. Information on benefits and request for vacation time may not be relevant but information on the organization including an organizational chart and information on your code of conduct, dress code, housekeeping items, lines of communication and other items are useful. It is also very useful to keep in mind that all employees, including temporary employees must be informed of their rights. If your workplace provides free food and soft drinks in the kitchen consider if this extends to temporary workers and let them know.
3. **Train them:** Training through a variety of methods including working directly with a relevant employee is useful. If they require training, especially mandated training ensure it is scheduled quickly (for example the AODA in Ontario requires training to be provided with respect to working with members of the public who are disabled
4. **Announce them:** Temporary employees are filling more and more highly important roles in organizations and it is often important that they are introduced to everyone so they can have credibility when making requests. Generally it is important to introduce all new employees to the other members of the company. Don't give the temporary worker short shrift in the introduction, tour and context column across the organization.
5. **Get on the Same Page:** Sometimes temporary workers are brought in for a specific task or because of a specific skill set, yet they may not have the big picture enough to work effectively across the organization. It is important that you clarify for them not only what you need them to do but why, how and with whom (see number 2). Clarify your expectations quickly because if you want the temp to contribute it is best to get them working quickly.

6. **Help them make contact:** Ongoing employees know how to connect with one another employee and resources. Temporary employees can often be a step behind. Consider asking an existing employee or team to be a point of contact and even a mentor or take the employee out to lunch.

Whether you are hiring temporary employees through an agency, contingent workers and freelancers through a freelancing website or contracting with independent contractors how you do business with these 'employees' is changing.