

# Health, safety and welfare law



All employers are legally responsible for ensuring the Health & Safety of their employees and any visitors to their premises, including temporary and contract staff. Our industry association, the Recruitment and Employment Confederation, has produced this leaflet, which describes how the health and safety laws affect you as a temporary worker.

Your agency should be in a position to give you information about the work you are expected to perform and any specific risks or hazards associated with each assignment. The prime responsibility for your health and safety during an assignment lies with the client hiring your services (the hirer). This guide summarises the hirer's responsibilities and your duty to co-operate, in accordance with the Health and Safety at Work etc Act 1974 and regulations.

## A guide for temporary and contract staff

### Induction

On arriving at an assignment, the hirer should explain the layout of the premises, identifying the toilets, kitchen facilities (if any) or other drink making facilities, and coat storage. Attention should also be drawn to the fire alarm mechanisms, fire exits and assembly point arrangements. Ideally the hirer will also refer to the accident recording, first aid provision and smoking rules, see below.

### Machinery, equipment and chemicals

If you are required to operate any machinery or equipment, you should first be shown the correct operational controls by the hirer or another experienced employee. Ideally there should be a written operating statement to which you can subsequently refer, if in doubt. The hirer should also draw your attention to any special arrangements required or risks arising from the use of chemical agents and substances. In an office environment, there are unlikely to be such chemicals in use.

### Manual handling

You should not be asked to lift or carry items without proper instruction on the correct way to do this. If you are required to move heavy or bulky items that cannot be split down, or carry items across or through awkward areas like steep winding staircases, ask the hirer for assistance and instruction on how best to move the items.

### Computer screens

Hirers have a duty to ensure that computer workstations are well designed. If you find the working arrangement uncomfortable, ask the hirer if it can be modified or rearranged. You should not work permanently in front of a VDU without regular breaks, 5 minutes in every hour is advised. As a temporary worker, most hirers will expect you to have had regular eyesight tests and if necessary use glasses where prescribed, prior to accepting the assignment.

### Pregnancy

If you are pregnant, tell the hirer. Both you and the hirer have a responsibility to conduct a risk assessment, to avoid risks to yourself and your unborn child.

### Accidents and first aid

Larger hirers, with over 50 employees, are encouraged to appoint and organise the training of First Aiders. The requirements are more stringent on factory and warehouse premises than offices. It is wise to enquire about the first aid provision on your first day during induction. Hirers are also required to maintain an accident record book. If you are involved in an accident involving any injury, however minor, report it to the appropriate person and ensure it is recorded in the accident book. In the case of more serious accidents resulting in time off work the hirer has a duty to report the accident. You should therefore notify your agency and/or the hirer if you are off work due to a work related injury for more than 3 days.

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## Smoking

Most employers have rules about smoking on their premises. Many now forbid smoking altogether. Some allow smoking in designated rooms, a few still have no restrictions. You must observe the hirer's rules, otherwise the assignment is likely to be terminated. If you are a smoker, you may wish to ask your agency about the proposed hirer's rules before accepting an assignment.

## Working Time Regulations

Controls on working time, including a maximum working week of 48 hours, night work restrictions, prescribed minimum rest breaks and rest periods and minimum paid holiday entitlements were introduced in October 1998. If you are unsure of your rights, ask your agency to provide you with the details which are available in another leaflet from this series.

## Employee responsibilities

The health and safety legislation places obligations and responsibilities on employees and on persons who undertake to do work personally other than under a contract of employment. This includes you as a temporary worker. In extreme cases, employees and others can now be personally prosecuted by the Health and Safety Executive for failure to co-operate with their employer's instructions or misuse of anything provided for their health and safety.

Whilst at work, all workers have a duty to:

- Take reasonable care of their own health and safety at work and of other persons who may be affected by their acts or omissions;
- Co-operate with the hirer, or any other person with responsibility for work place health and safety;
- Not intentionally or recklessly misuse any equipment provided for their health and safety.

**The health and safety of workers is of paramount importance, reflected in the increasing range and scope of legislation. Your employment agency will want to ensure that their temporary and contract staff benefit from the protection offered by the legislation. Obviously this is a brief summary of your entitlements and the main obligations imposed on you but if you have any further queries, ask your employment agency.**

**This leaflet is produced by the Recruitment and Employment Confederation, the association for the recruitment and staffing industry. Members of the REC adhere to a Code of Good Recruitment Practice and candidates can expect the highest standards of professional service.**