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OSHA Employer Requirements for Hazardous Chemical Communications Training and the Safety of Temporary Workers

July 2, 2013

Hazardous Communication Standard Training

OSHA's revised Hazard Communication Standard (HCS) requires sweeping mandatory training for most employers across the country on the new requirements for chemical labeling as well as the new Safety Data Sheets **by December 1, 2013.**

OSHA's revised Hazard Communication Standard (HCS) took effect May 25, 2012. It was revised to align it with the internationally accepted Globally Harmonized System of Classification and Labeling of Chemicals (GHS). Any employer that uses hazardous chemicals in its workplace is subject to the communication and training requirements of the HCS. OSHA estimates that this revised standard will affect more than 5 million workplaces across the country employing more than 43 million workers.

For more information on the HCS, and the training requirements, [click here](#).

Both Employers and Temp Agencies are Responsible for the Safety of Temporary Workers

In November of 2012, OSHA issued a guidance document stating that in general, both the temporary agency and the host employer have the responsibility to ensure that training, hazard communication, and recordkeeping requirements are fulfilled. To view a copy of that guidance, [click here](#).

In late April of this year, OSHA launched an initiative to protect temporary workers. Under the initiative, field inspectors will assess whether employers who use temporary workers are complying with their responsibilities under OSHA. Inspectors will use a newly created code in their information system to denote when temporary workers are exposed to safety and health violations. Additionally, they will assess whether temporary workers received required training in a language and vocabulary they could understand. To view the memo sent by OSHA regarding these inspections and what field inspectors should look for regarding temporary employees, [click here](#).

The OSHA guidance on this topic states that the division of responsibility between the temporary agency and the employer is fact specific. This is not particularly helpful to employers, and we highly recommend

that employers immediately assess their temporary employee training programs for OSHA compliance.

If you have any questions, contact Amy E. Sellars or any other member of Crowe & Dunlevy's Labor & Employment practice.

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