

## **Report on Temporary Employment Agency Workers: Montréal's director of public health deplores poor access to preventive services**

*Montréal, 7 December 2016.* Montréal's director of public health, Dr. Richard Massé, is concerned about the growing use of temporary employment agencies. In a report entitled *Invisible Workers* released today, he presents an overview of agency workers and the health risks to which they are exposed. "In Greater Montréal, the compensation period for temporary agency workers is 10 days longer on average than for other workers. This is troubling," said Dr. Massé. In his report, the director insists on the importance of reviewing Québec legislation to clarify who is responsible for preventing workplace injuries and protecting the health of agency workers.

### **Invisible workers**

*Invisible Workers* underscores the fact that agency workers are not included in statistics or population surveys; it also looks at the difficulty occupational health and safety teams face in identifying and providing support to temporary workers placed in organizations. The report sheds light on the working conditions that leave these workers more vulnerable to occupational injuries, and on the gaps in the legal framework in place that need to be addressed to more effectively protect their health. It should be noted that protecting the health of workers on the island of Montréal is part of the director of public health's mandate.

### **Use of temporary employment agencies on the rise**

Revenu Québec defines temporary employment agencies as businesses whose activities consist in offering personnel placement services or temporary help services to meet the temporary workforce needs of clients. Over 80% of these agencies are located in Greater Montréal (Island of Montréal, Lanaudière, Laurentides, Laval and Montérégie). From 2009 to 2014, the employment services sector, which includes these agencies, created 75% more jobs than all other employment sectors combined. In 2014 in Québec, agencies generated operating revenues of \$1.4 billion.

### **Increase in risk factors**

"Agency workers accrue a number of conditions and risk factors that make them more vulnerable to work-related injuries: economic vulnerability that can compel them to accept all kinds of jobs, lack of experience due to being assigned to different placements, and lack of health and safety training, etc.," explains Dr. Marie-France Raynault, director of the Léa Roback Centre and co-author of the report. The Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST) has estimated that the risk of occupational injury is *high to extreme* for workers from "temporary help services" and "professional employer organizations", which include "employment placement agencies".

### **Longer compensation periods**

For the Greater Montréal area, 2005 to 2012 CNESST data on reported and compensated occupational injuries indicate that the average compensation periods were 19 days longer (136 vs. 117) for musculoskeletal problems for agency workers than for other workers, and 10 days (90 vs. 80 days) longer for traumatic accidents. “This suggests that those workers’ injuries are more serious,” added Dr. Massé.

### **Responsibility for prevention unclear**

In Québec, the *Act respecting occupational health and safety* is unclear as to who is legally responsible for preventing workplace injuries among temporary agency workers. “The triangular employment relationship involving agencies, client employers and workers makes it harder to determine who is responsible for preventing injuries among agency workers, for example by providing protective equipment or training,” said Katherine Lippel, Canada Research Chair in Occupational Health and Safety Law at University of Ottawa and legal adviser to the report’s authors. “The law in Ontario more clearly indicates that agencies and client employers are both accountable for protecting agency workers’ health and safety, which provides an incentive to agencies and client employers to reduce hazards and promote prevention,” she added.

### **Possible solutions**

The director of public health offers the following suggestions to improve the health and safety of temporary agency workers:

- Review provincial legislation, drawing inspiration from Ontario, to ensure that agencies and client employers who use the services of temporary agency workers clearly have the responsibility for the health and safety of those workers.
- Enhance knowledge related to precarious employment and health risks by carrying out and updating surveys and studies to improve monitoring of conditions.
- Modify interventions by the occupational health network by adopting a provincial policy designed to include agency workers in prevention activities.

To access the report: [dsp.santemontreal.qc.ca/travailleursagence](http://dsp.santemontreal.qc.ca/travailleursagence)

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