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Need Help? Look to Temps

If yours is a seasonal business, you're probably used to hiring temporary workers. But this economy, in which many employers are too worried to add permanent workers to the payroll, might be the right time for many more industries to consider the advantages of temps. Sandra Miles offers a host of benefits for employers.

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Look on the bright side. Miles heads the Miles Employment Group, a full-service talent management and staffing firm serving the British Columbia market. She notes that about 27 percent of U.S. and Canadian employers planned to hire temporary workers in the fourth quarter of 2010, and 24 percent of them were poised to shift existing temps into permanent positions. That's one of the biggest advantages of temps, Miles says: Both you and the employee get to test each other out before making a commitment. In addition, according to the Bureau of Labor Statistics, temporary work has added approximately 404,200 jobs since September 2009 in the U.S. In addition to avoiding the financial commitment of permanent additions to the payroll, employers with temps can scale up the workforce as needed, leading to effective management of fluctuations in business volume. And, temporary workers offer a wide range of skills, from light industrial and warehouse work to administration, IT, project management, accounting, and even high-level financial management.

Don't do it yourself. Miles strongly recommends using a staffing agency to find your temporary workers or contractors for you. You'll avoid the hassles of recruitment, payroll processing, withholding, orientation, I-9s, and the host of other tasks employers must take care of for permanent employees: Let the staffing agency do all that for you. And, she urges prospective employers to develop a relationship with a chosen staffing agency before asking for temps or contractors. "Visit back and forth, so that you get to know the agency and its approach, and it gets to know your culture and approach." You will be a joint employer with the agency, so each of you needs to be comfortable with the other. "Let your agency perform due diligence at your worksite, to ensure a smooth working relationship," says Miles.

Avoid legal hassles. There's another important reason to obtain your temps or contractors through a staffing agency. If you do it yourself, you may end up being liable for failing to distinguish between your permanent employees and your contingent workers. For example, if you don't provide temps with all the benefits you give your permanent employees, they could sue you for exercising complete control over when and how they work but refusing to treat them equally (think Microsoft's contractors winning a \$97 million settlement in the 1990s). Employment law experts caution that if you hire your own contingent workers, they cannot perform the same work as is done by your permanent employees, you cannot provide them with the work resources and supplies as you give your permanent employees, and you cannot give them the same amount of supervision. As employment lawyers like to say, "If it looks like an employee, acts like

an employee, and works like an employee, it probably is (or should be) an employee.” The distinctions are all the more important at a time when unions and other employee-sponsored organizations want to see Congress crack down on perceived abuses in hiring contingent workers.

There are still more advantages. Part-time work is attractive to many would-be workers, perhaps because of family obligations or other interests, so they are likely to sign up with a staffing agency and be available to you. That option appeals to many people of traditional retirement age who aren't in any way ready to adjourn full time to the golf course or the beach. And temp workers know as well as you do that if you get a chance to see how they perform on the job and how much value they bring to your business, you're more likely to take them on permanently than you would be otherwise. Here are the most common reasons, according to a Manpower global survey, that responding employers gave for hiring contingent workers: (1) Staff for peak seasons, (2) cover for employees on leave, (3) “test drive” candidates for permanent jobs, and (4) source talent quickly that requires specialized training. The idea could work for you; give it a try.