Examining the injuries of temporary help agency workers

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Temporary help services industry

NAICS code 561320, defined:

• This industry comprises establishments primarily engaged in supplying workers to clients’ businesses for limited periods of time to supplement the working force of the client.

• The individuals provided are employees of the temporary help service establishment.

• However, these establishments do not provide direct supervision of their employees at the clients’ work sites.
Responsibility for workers’ compensation

• The individuals provided are employees of the temporary help service establishment.*

*Note that under Minnesota law, the temporary agency is the general employer and the employer needing services is the special employer. As joint employers, both are liable for workers’ compensation injuries (although they may agree to a different arrangement for payment of workers’ compensation). See, Minn. Stat. § 176.071; Guevara v. BT-PCE (WCCA July 29, 2014).
Slower decrease in MN work comp claims rate since 2009

Rate of paid claims per 100 FTE workers

- Indemnity
- Medical-only
- Total

Claims per 100 FTE workers

'97 '99 '01 '03 '05 '07 '09 '11 '13 '15

11-30-17 MN Dept of Labor & Industry
21% increase for temp help industry, 25% drop in all other industries

Number of indemnity claims

- Temp agency workers
- All other workers

Injury year:
- 2004: 712
- 2006: 862
- 2008: 712
- 2010: 862
- 2012: 862
- 2014: 862

Number of claims:
- Temp agency workers: 26,027
- All other workers: 19,457
Temp help services is a growing presence

Relative size of temporary employment agency workers

- Pct of indemnity claims
- Pct of covered jobs

<table>
<thead>
<tr>
<th>Injury year</th>
<th>Pct of indemnity claims</th>
<th>Pct of covered jobs</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004</td>
<td>2.7%</td>
<td>1.7%</td>
</tr>
<tr>
<td>2006</td>
<td>3%</td>
<td>2%</td>
</tr>
<tr>
<td>2008</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td>2010</td>
<td>4%</td>
<td>3%</td>
</tr>
<tr>
<td>2012</td>
<td>4.2%</td>
<td>2.0%</td>
</tr>
<tr>
<td>2014</td>
<td>4.2%</td>
<td>2.0%</td>
</tr>
</tbody>
</table>
Temp help has double the claims rate

![Graph showing indemnity claims per 100 jobs over different years for temp agency workers and all other workers. The graph indicates that temp agency workers have a higher claims rate compared to all other workers.]
Temp help workers are less likely to have their claim accepted
Temp help workers have more denials never paid

Benefit payment status of denied claims

- **Temp agency denied-paid**
- **Temp agency denied-not paid**
- **All other workers denied-paid**
- **All other workers denied-not paid**

Percent of claims for indemnity benefits

- 2004: 11-30-17 MN Dept of Labor & Industry
Similar attorney use

Workers with attorneys, 2012-2016 closures, 90 days maximum job tenure

- Temporary workers: 21%
- Permanent workers: 19%
Mirror-image age distributions!

Age at injury, claim closures 2004-2016

- 14-24 years
- 25-34 years
- 35-44 years
- 45-54 years
- 55 years and older

Temporary help services
All other industries
Injured temp help workers concentrated in two occupation groups

Temp worker occupation groups, 2004-2016

- TRANSPORTATION AND MATERIAL MOVING (52%)
- PRODUCTION (32%)
- Office & admin support
- Building & grounds cleaning & maintenance
- Install, maintenance, repair
- Construction & extraction
- Healthcare support
- Food prep & serving
- Healthcare & technical
- Farm, fish, forest
- Sales
- Personal care & srv

Orange bars represent Temp help services, and blue bars represent All other workers.
Job tenure for top two occupations in limited industries (temp help, manufacturing, TTU)

Job tenure distribution within matching groups, 2004-2016 closures

- Temp agency workers
- All other workers

### Job tenure
- 10 or fewer days: 17%
- 11-30 days: 17%
- 31-60 days: 15%
- 61-90 days: 11%
- 91 or more days: 42%
- 88%
Increasing percentage of temp workers among injured production workers

Production worker indemnity claims, 90 days max tenure

- Temp agency workers
- Not temp workers

Closure year
- 2004
- 2006
- 2008
- 2010
- 2012
- 2014
- 2016

Percentage of claims
- 0%
- 10%
- 20%
- 30%
- 40%
- 50%
- 60%
- 70%
- 80%
More injuries to temp workers in material moving jobs

Material moving worker indemnity claims, 90 days max tenure

- Temp agency workers
- Not temp workers

Percentage of claims

Closure year
More similarities among worker age distributions

Age of injured workers, 2012-2015 closures, 90 days maximum job tenure

Percentage of claims

<table>
<thead>
<tr>
<th>Occupation-industry groups</th>
<th>14-24 years</th>
<th>25-34 years</th>
<th>35-44 years</th>
<th>45-54 years</th>
<th>55 or more years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Production temp agency</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Production non-temp</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Material moving temp agency</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Material moving non-temp</td>
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</tr>
</tbody>
</table>

11-30-17  MN Dept of Labor & Industry
Temp workers still have shorter job tenures

Job tenure of injured workers, 2012-2015 closures, 90 days maximum job tenure

Percentage of claims

Occupation-industry groups

- Production temp agency
- Production non-temp
- Material moving temp agency
- Material moving non-temp

- 10 or fewer days
- 11-30 days
- 31-60 days
- 61-90 days

11-30-17
MN Dept of Labor & Industry
Temp workers paid less in relation to SAWW

Median wage as percentage of SAWW, 2012-2016 closures, 90 days maximum job tenure

Percentage of SAWW

<table>
<thead>
<tr>
<th>Occupation-industry groups</th>
<th>Percentage of SAWW</th>
</tr>
</thead>
<tbody>
<tr>
<td>Production temp agency</td>
<td>40%</td>
</tr>
<tr>
<td>Production non-temp</td>
<td>50%</td>
</tr>
<tr>
<td>Material moving temp agency</td>
<td>30%</td>
</tr>
<tr>
<td>Material moving non-temp</td>
<td>45%</td>
</tr>
</tbody>
</table>
Temp workers have shorter claim durations

Median months claim duration, 2012-2016 closures, 90 days maximum job tenure

- Production temp agency
- Production non-temp
- Material moving temp agency
- Material moving non-temp

Occupation-industry groups
Temp workers have more upper extremity injuries

Part of body injured

- Upper extremities
- Back
- Lower extremities
- Multiple parts
- Trunk/internal/body systems
- Head/neck

Temp agency | Short-tenure permanent | Long-tenure permanent

Temp agency

11-30-17 MN Dept of Labor & Industry
Temp workers have more open wounds

Most common natures of injury

- Sprains, strains, tears: 47%
- Open wounds: 14%
- Pain: 13%
- Contusions: 12%
- Fractures: 6%

Temp agency
Short-tenure permanent
Long-tenure permanent
Short-tenure workers have more injuries from parts and materials, machinery and tools

Most common sources of injury

Containers, furniture, fixtures  Parts and materials  Injured worker  Structures, surfaces  Machinery  Tools, equipment  Vehicles

- Temp agency
- Short-tenure permanent
- Long-tenure permanent

11-30-17 MN Dept of Labor & Industry
Short-tenure workers have more injuries from contact with objects and equipment.

Most common events or exposures:

- Overexertion, bodily reaction: 39%
- Contact: 33%
- Falls, slips, trips: 25%
- Exposure: 14%
- Transportation incidents: 0%

Legend:
- Temp agency
- Short-tenure permanent
- Long-tenure permanent
Short-tenure workers have more injuries from contact with objects and equipment

Most common events or exposures

- Overexertion, bodily reaction: 39%
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Temp agency, Short-tenure permanent, Long-tenure permanent
Recent Washington State research

*Factors underlying observed injury rate differences between temporary workers and permanent peers*

Michael Foley, American Journal of Industrial Medicine, 2017

- Temp workers experience about twice the rate of time-loss claims compared to their permanent peer-workers.
- Temp workers reported similar or lower exposures as their peer-workers to a range of injury hazards.
- Temp workers reported being less prepared to protect themselves from hazards by such measures as experience screening, training and task control.

Source: SHARP Research Findings, WA State Dept. of Labor and Industries
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Research and Statistics unit:
http://www.dli.mn.gov/Research.asp

Purveyor of statistical information in matters affecting injuries, illnesses and fatalities to Minnesota’s workers.

“If I don’t know it, I probably know someone who does.”
Research and Statistics -- Occupational safety and health statistics

Survey of Occupational Injuries and Illnesses

About the Survey of Occupational Injuries and Illnesses

Department's news release about 2016 survey results

Employer-reported workplace injuries and illnesses in Minnesota -- 2015 (Bureau of Labor Statistics news release)

All summary tables for Minnesota (description), in Excel


Summary tables for the United States

Summary charts for Minnesota, 2016

Incidence rate trends

-- Injury and illness incidence rates

-- Injury and illness incidence rates, Minnesota and the United States compared

-- Injury and illness incidence rates for industry divisions

Tables of characteristics for cases with one or more days away from work, private sector, Minnesota, 2016

Tables of characteristics for cases with one or more days away from work, United States, 1994-2016

Charts for cases with one or more days away from work, Minnesota, 2016

Profile of case and demographic characteristics of cases with one or more days away from work, by ownership, 2011-2016

Access tables and customized data tools for state and national data

Other information resources

Occupational health and safety indicators for Minnesota, compiled by the Minnesota Department of Health
### A. Distribution of indemnity claimants by nature of injury

<table>
<thead>
<tr>
<th>Injury year</th>
<th>Burns</th>
<th>Contusions</th>
<th>Open wounds</th>
<th>Disloc.</th>
<th>Fractures</th>
<th>Sprains, strains, tears</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>1.7%</td>
<td>7.1%</td>
<td>6.7%</td>
<td>1.3%</td>
<td>7.5%</td>
<td>47.4%</td>
</tr>
<tr>
<td>2013</td>
<td>1.7%</td>
<td>7.8%</td>
<td>6.9%</td>
<td>1.5%</td>
<td>8.5%</td>
<td>47.8%</td>
</tr>
<tr>
<td>2014</td>
<td>1.6%</td>
<td>9.4%</td>
<td>6.8%</td>
<td>1.3%</td>
<td>92%</td>
<td>52.2%</td>
</tr>
<tr>
<td>2015</td>
<td>1.7%</td>
<td>10.2%</td>
<td>7.6%</td>
<td>1.3%</td>
<td>8.5%</td>
<td>52.6%</td>
</tr>
<tr>
<td>2016</td>
<td>1.7%</td>
<td>10.6%</td>
<td>7.7%</td>
<td>1.3%</td>
<td>8.7%</td>
<td>53.8%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Injury year</th>
<th>Cumulative disorders</th>
<th>Traumatic hernias</th>
<th>Pain</th>
<th>Multi-traumatic injuries</th>
<th>Diseases</th>
<th>All other, unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>2.6%</td>
<td>1.6%</td>
<td>19.7%</td>
<td>2.2%</td>
<td>1.1%</td>
<td>1.1%</td>
</tr>
<tr>
<td>2013</td>
<td>2.5%</td>
<td>1.7%</td>
<td>16.7%</td>
<td>2.3%</td>
<td>0.8%</td>
<td>1.9%</td>
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<td>1.1%</td>
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<td>2015</td>
<td>2.1%</td>
<td>1.9%</td>
<td>9.7%</td>
<td>3.1%</td>
<td>0.6%</td>
<td>0.8%</td>
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<tr>
<td>2016</td>
<td>1.5%</td>
<td>1.4%</td>
<td>7.9%</td>
<td>3.9%</td>
<td>1.0%</td>
<td>0.7%</td>
</tr>
</tbody>
</table>

### B. Distribution of indemnity claimants by part of body injured

### C. Distribution of indemnity claimants by event or exposure