

# Weeding out fly-by-night 'temp' agencies

## *Bad apples seek out opportunities to prey on vulnerable, unskilled workers*

If you Google “temp agency,” you will be overwhelmed by screens of options. “Temp” has become the catch-all term to define a diverse spectrum of players. It lumps together everything from a sole proprietor seeking temporary workers for a small client base to a large billion-dollar global corporation.

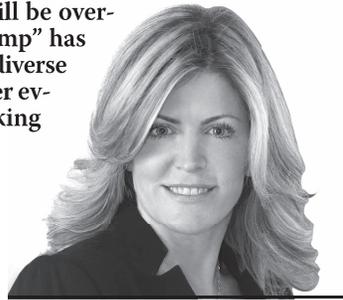
And staffing expertise spans those heralded as the “best companies to work for in Canada” to those that push employment law boundaries to exploit vulnerable workers.

At the centre of this scenario are the candidates who need temporary placements to earn a living, and put faith in companies to place them in temporary roles, while adhering to employment and safety regulations. They don't expect to be set loose in complex environments with slapdash training to meet deadlines and minimize costs.

Similarly, HR expects staffing firms to screen and prepare the best candidates for the job.

In Canada, the staffing sector is a \$13-billion industry — comparable in revenue to the electronics industry. It includes more than 1,300 agencies providing support to about two million workers looking for various work options, including: temporary work, contract, temp-to-hire, permanent placement, direct hire and managed service provider (MSP) options. The industry represents about 13.6 per cent of our workforce, according to Statistics Canada.

We struggle with the term “temp” at the Association of Canadian Search, Employment & Staffing Ser-



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GUEST COMMENTARY

VICES (ACSESS) because it's outdated and evokes an image of the now-defunct secretarial pool. We prefer “staffing services” because it sums up how critical human resources are to business success in supporting short- and long-term needs.

In today's digital economy, employers' needs often change rapidly, and leaders need comparable flexibility to staff up or down.

Staffing agencies partner with employers to respond to business realities and changing technologies with nimble staffing options. They support the internal staff with varied expertise — from entry-level to tailored, in-demand skills — that is critical to meeting business mandates.

They are committed to ensuring candidates are vetted for suitability and properly trained so they will be successful and safe during their assignment.

Fly-by-night firms are not welcome and they undermine our efforts to hold the industry to high

standards. The bad apples may be categorized as temp or staffing agencies, but their legal compliance, as well as their professional, ethical and safety standards, are in sharp contrast.

There are significant changes happening in Quebec that are setting an example for other provinces. Labour standards amendments are scheduled to come into effect in January.

Among other things, they crack down on unreliable agencies by requiring all staffing agencies to be licensed by the province's Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST) to ensure compliance with provincial standards.

The onus is on the “client employer” to ensure the agency is licensed. Failure to comply will result in fines of up to \$6,000.

This is an impressive leap forward and will act as an example to weed out those whose behaviour has marred our industry, and hurts employees and clients.

The reality is this: The cost of entry into our industry is low and we are continually looking for ways to push the bar high to protect our stakeholders. With no mandatory education credentials, anyone can register a business, create a website and seek out clients.

The bad apples seek out opportunities to prey on vulnerable, unskilled workers, whom they randomly select, give marginal training to — if any — and minimal support.

Single owners may run several fly-by-night operations that hide behind slight variations of familiar

company names, authentic-looking websites and references, which quickly disappear when issues arise.

These poor practices have put workers' safety at peril, resulting in unfortunate to tragic accidents and creating issues for employers.

We partner with the Workers' Compensation Insurance Board (WSIB) on a safety groups program to improve workplace safety outcomes among members. This program encourages employers to share best practices between agencies of all sizes, in similar industries.

ACSESS has also worked with senior WSIB representatives to shape policy (the Framework for Compliance Initiative), which improves the staffing industry's performance. Since its launch, the safety groups program has significantly decreased lost-time injuries.

While current and pending legislation across Canada strives to protect workers and clients, greater enforcement in several provinces is needed through:

- increased inspections
- additional training to improve the effectiveness and consistency of these inspections
- a review of existing enforcement processes and penalties to make them more appropriate and reassess ramifications levied against employers who breach or violate current provisions.

*Mary McIninch is executive director of the Association of Canadian Search, Employment and Staffing Services (ACSESS) in Toronto. For more information, visit [www.acsess.org](http://www.acsess.org).*