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Tips For Navigating Temporary Staffing Contracts

Any contract is negotiable and providers should not sign a contract without carefully reviewing the terms. Staffing contracts in particular can be complicated and could create unexpected liability for the provider depending upon the terms. Here are 6 Tips for Navigating Temporary Staffing Contracts!

1

Require Insurance



Require the staffing agency to carry commercial general liability, professional liability, and workers' compensation insurance. The provider should be listed as an additional insured on the CGL and PL policies.

2

Review Indemnification Provision



The staffing agency should agree to indemnify for its negligence relating to any of the services it agrees to provide. The provider should not be the only party in the contract agreeing to indemnification.

3

Staffing Agency's Scope of Duties



The agency should assume all traditional employment duties such as payroll, taxes, benefits, setting hourly rate/salary, and the authority to discipline, promote, etc. It is responsible for meeting all state and federal regulations for healthcare employees, including background checks and vaccination status.

4

Temp Employee's Scope of Duties



The parties should negotiate and document what the temporary employee's scope of duties will be and what constitutes a change and material change in those duties.

5

Provider's Scope of Duties



The provider should train the temporary employee on important policies and procedures and provide instructions on where care plans are located. The provider should also include temporary employees in staff meetings and maintain documentation of vaccination status for temporary employees

6

Chain of Communication



The parties should describe the process or procedure for (1) the agency to inform the provider of an injury or incident and (2) for the provider to communicate concerns about the temporary employee.