

Temp Workers Are Angry—and HR Needs to Listen

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What do temporary and contract workers at Google, National Public Radio and Tesla have in common? Answer: They're angry. Read more...

At Google, workers classified by the tech giant as “temporary, vendor and contractors (TVC)” sent a letter to Google CEO Sundar Pichai alleging that the company “routinely denies TVCs access to information that is relevant to our jobs and our lives,” reports TechCrunch. They cited as an example updates from Google that were sent only to full-time employees at YouTube in the wake of a shooting at the Google subsidiary last April.

At NPR, a report produced internally by employees revealed that temp workers were often given little information about the length of their assignments, how much they'd be paid, or who they were reporting to. Several NPR temps described the system to the Washington Post as “exploitative.”

And late last year, a report in the New York Times found that many temp employees at Tesla's Fremont, Calif., auto manufacturing plant said they were subjected to racial harassment by other employees. These included drawings of nooses and racial slurs, the workers said.

All three companies have said they are working to address the complaints by their temp workers.

Temporary and contract workers have long felt that they're treated as second-class citizens in most workplaces. However, the issue may become more urgent as “mixed” workforces—a combination of full-time and temporary/contract workers—become more common across the business landscape.

A recent Deloitte survey on contingent workers found that just 42 percent of companies are comprised primarily of salaried employees. Meanwhile, 40 percent of workers across all generations and skill levels participate in some form of alternative-work arrangement (including temporary and contract)—a number that's risen by 36 percent since 2013, the survey found.

Despite the growing prevalence of these workers, a mere 16 percent of companies have established management policies or practices for them. The authors of the Deloitte report, titled *The Workforce Ecosystem: Managing Beyond the Enterprise*, wrote that contingent workers need “support, guidance and performance measures if an employer wants to optimize the mix.”

For employment attorney Ellen Rogoff, the reports about contingent workers at Google, NPR and Tesla highlight two issues that pertain to contract workers. The first relates to the legal issues surrounding their employment, says Rogoff, a partner at Philadelphia-based Stradley Ronon. “For certain types of claims, a contract employee can actually have two employers, even if they're technically an employee of the agency that hired them.”

The so-called “joint employer doctrine,” enforced by the National Labor Relations Board, specifies that under certain circumstances, a staffing agency and its employer client can be held jointly responsible for a contingent worker’s welfare. Rogoff, who teaches an employment-law course at Temple University’s Beasley School of Law, recommends that companies adopt the outlook that they have a basic responsibility to all of the people who come to work at their facilities each day—regardless of whether or not they’re full-time employees.

“Because there is potential legal liability, ensuring that all workers undergo a basic orientation on issues such as discrimination and harassment, that they undergo safety training and are included in vital communications, simply makes the most sense,” she says.

The other issue relates to a sense of inclusion—or lack thereof—that can help contract and temporary workers feel better about their jobs and possibly even improve their performance, says Rogoff. “Making sure these workers are included in things like coffee breaks and celebratory lunches won’t change their legal status and costs relatively little—and can go a long way in helping them feel like they’re a part of the team,” she says.

This is far from simply a “feel good” approach, says Dr. Tamar Kreps, assistant professor of management and human resources at the University of Hawaii. “Companies that give employees a sense of ‘psychological safety’ make them feel more comfortable sharing their ideas and bringing issues to the attention of management,” she says.

Creating an environment like this isn’t necessarily hard, says Krebs. By simply acknowledging and calling attention to a worker’s concerns—as in, “Jane brings up an important point”—managers can help them feel that their input is valued, she says. HR should encourage managers to practice this so-called “amplification technique” and then keep workers in the loop as to the status of efforts to address the problem.

By the same token, managers who fail to acknowledge workers will lessen the likelihood that important issues will be brought to their attention, says Krebs. “Workers may decide they don’t wish to contribute if there’s no psychological safety present,” she says.

Literal safety is also important—and can be especially perilous for temps, says Fisher & Phillips partner Howard Mavity, who closely follows workplace-safety trends.

Temp workers—particularly at companies that have temp-to-perm hiring programs—are often eager to prove themselves, he says. This eagerness can sometimes lead them to take on or assist with tasks they haven’t been properly trained on, and the results can be fatal.

All too often, says Mavity, he’ll encounter a company that has 100 or so workers on its factory floor while only having safety-training records for 75. “I’ll ask ‘What about the other 25?’” he says. “And they’ll say ‘Oh, those are temps—they’re just here for a day or two.’ Well, a safety hazard is a safety hazard—it doesn’t acknowledge differences in worker classification.”