

Amendment to HB 272

1 Amend RSA 275:79 as inserted by section 1 of the bill by replacing it with the following:

2
3 275:79 Notices and Disclosures.

4 I. Written notices and disclosures required in this section shall be written in English and
5 any other language generally used in the locale of the temporary services company or its clients.
6 Copies of notices required in this section shall be kept on file for one year by the temporary services
7 company and shall be made available for inspection by any affected temporary worker, who shall be
8 provided copies of such notices, without charge, within 10 days of their request. Any notice
9 required by this section may be transmitted electronically provided the temporary worker has
10 agreed to receive notices in such manner.

11 II. A temporary service company shall, prior to the temporary work assignment start date,
12 provide the following written notifications to each temporary worker the company employs or
13 procures on behalf of a client or client company for the purpose of staffing a temporary work
14 assignment:

15 (a) The legal name, business address, and local phone number of the employer of record.

16 (b) The name and contact information of the person, representative, or agent designated
17 by the employer of record to whom the temporary worker is required to report injuries, illnesses,
18 absences, safety violations, workplace discrimination, sexual harassment, or other concerns related
19 to working conditions at a temporary work assignment.

20 (c) The specific terms and conditions of the temporary worker's employment in a new
21 temporary work assignment, including a written description of any minimum attendance
22 requirements, codes of conduct, performance standards, or other employer requirements and the
23 consequences of non-compliance.

24 (d) The full name and address of the client company or client to which the temporary
25 worker is assigned, the exact address of the work site, and the name and phone number of the work
26 site supervisor or manager to whom the temporary employee shall report.

27 (e) The title of the person at the client company's work site who is designated to provide
28 a job safety orientation and any training required to safely perform the work assignment, if
29 different from subparagraph (d).

30 (f) A detailed description of the work to be performed by the temporary worker,
31 including any requirements for special training, attire, accessories, tools, or safety equipment.

Amendment to HB 272
- Page 2 -

1 (g) The expected duration of the assignment, including the start date and, if known, the
2 expected end date, time of day work will begin and end, the schedule of days on which the work will
3 be performed, whether there is mandatory overtime or an expectation of overtime work, and that
4 the temporary work assignment is subject to early termination or extension depending on the
5 business needs of the client.

6 (h) That the client supervisor, manager, or employee designated in subparagraph (d) or
7 (e) to provide job safety orientation and training will, prior to the commencement of work, provide a
8 description of the work site hazards to which the temporary worker may become exposed, including
9 any hazardous materials which the worker may be required to use or handle during the course of a
10 job assignment. This subparagraph shall not apply to a professional employee, as defined in 29
11 U.S.C. section 152; or to employees who are secretaries or administrative assistants whose main or
12 primary duties are described by the United States Department of Labor, Bureau of Labor Statistics,
13 as involving one or more of the following: drafting or revising correspondence, scheduling
14 appointments, creating, organizing, and maintaining paper and electronic files, and providing
15 information to callers or visitors.

16 (i) Whether a meal is provided, either by the temporary services company or its client,
17 and the cost of the meal, if any.

18 III. A temporary service company arranging the placement of a temporary worker in a job
19 advertised or promoted as "temp-to-hire" shall notify the worker of the typical length of continuous
20 temporary employment before an offer of direct hire is made and of any specific or special
21 qualifications the temporary worker must demonstrate to be considered eligible for direct hire by
22 the client company.

23 IV. All advertisements by a temporary service company shall contain the correct business
24 name of the temporary service company and at least one of the following:

25 (a) The street address of the company's place of business; or

26 (b) The telephone number of the company at its place of business.

27 V. The department of labor shall provide employers with a form that satisfies the notice and
28 disclosure requirements of this section. Employers may use that form or any other form that meets
29 the requirements of this section.

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31 Amend the bill by replacing section 2 with the following:

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33 2 Effective Date. This act shall take effect January 1, 2020.