



# TerrierTemp

managed by  
**KELLY**  
SERVICES

From the outset of our hiring process, we take steps to ensure employees identify Kelly as their employer, not only by meeting our standard employer obligations, but also by striving to develop and maintain a close working relationship with our employees.

## Co-employment

## and managing your risk

Once employees are on assignment our team continues to reduce your exposure through active involvement with employees.

### Kelly's obligations as Employer of Record -

- Comply with wage and hour Laws
- Withhold payroll taxes
- Follow OSHA standards
- Provide Workers' Compensation coverage
- Avoid wrongful discharge
- Confirm employment eligibility (I-9s)
- Negotiate with customer end users regarding all aspects of the proposed assignment including the nature of work, hours, duration of assignment and working conditions
- Appreciate customer's obligations as User of Temporary Labor

**Co-employment** is defined as *"a relationship between two or more employers in which each has actual or potential legal rights and duties with respect to the same employee or group of employees"*.

### Our TerrierTemp Kelly team is responsible for -

- Establishing and discussing pay rates and benefits
- Tracking performance and conducting written evaluations
- Conducting all communication regarding the interview process and facilitate orientations
- Communicating assignment end dates to employees
- Handling all personnel matters
- Evaluating performance and providing feedback through coaching and counseling
- Developing and acknowledging our employees through Kelly-sponsored reward and recognition programs
- Participating in any customer-sponsored events that include temporary personnel
- Requiring temporary employees sign a statement acknowledging Kelly as their 'Employer of Record'



**Liability generally arises when a customer deals with a staffing firm that fails to meet their employer obligations or a customer violates an employment law.**

### Boston University obligations as User of Temporary Labor -

- Generally direct day-to-day activities
- Control work site conditions
- Determine and communicate length of assignment to the TerrierTemp Kelly team
- Provide feedback to TerrierTemp Kelly representative on temporary worker's performance
- Appreciate Kelly's obligations as Employer of Record

### Hiring Managers should avoid -

- Discussing pay rates during interviews or any other time
- Making a "real" or "implied" promise for a full-time position
- Conducting progressive discipline
- Maintaining personnel records
- Conducting performance reviews independently without Kelly/TerrierTemp
- Taking direct action to counsel, discipline and/or end a temporary employee assignment