



## Code of Ethics and Good Practices for Day Labor Services

Recognizing that staffing firms that provide construction and other types of day labor services make an important and unique contribution to the communities they serve by providing employment for those who need temporary work, and further recognizing that their employees and prospective employees deserve to be treated with respect, fairness, and dignity, the American Staffing Association has established this Code of Ethics and Good Practices applicable to day labor services.

For the purposes of this code, “day labor” means work that is occasional or irregular, and where the individuals seeking work report voluntarily to a central location and are assigned to client job sites as work becomes available. Individuals generally are assigned to work, and are paid, on a daily basis.

As a condition of membership, each firm providing day labor services pledges its support of and adherence to this code and to the general code of ethics and good practices applicable to all ASA members. Each member providing such services agrees to always strive

- To comply with all laws and regulations applicable to its business, and to maintain high standards of ethical conduct in the operation of that business and in its dealings with employees, clients, and competitors.
- To treat all applicants and employees with dignity and respect, and to provide equal employment opportunities, based on bona fide job qualifications, without regard to race, color, religion, national origin, sex, age, disability, or any basis prohibited by applicable law.
- To maintain high standards of integrity in all advertising, and to assign qualified employees to fill clients’ needs.
- To determine the experience and qualifications of applicants and employees as the staffing firm deems appropriate to the circumstances, or as may be required by law.
- To explain to employees prior to assignment their wage rate, applicable benefits, hours of work, and other assignment conditions—and to promptly pay any wages and benefits due in accordance with the terms of their employment and applicable legal requirements.
- To ascertain that employees are assigned to work sites that are safe, that they understand the nature of the work the client has called for and can perform such work without injury to themselves or others, and that they receive any personal safety training and equipment that may be required.
- To take prompt action to address employee questions, concerns, or complaints regarding unsafe work conditions, discrimination, or any other matter involving the terms and conditions of their employment.
- With respect to the procedures to be followed in dispatching:
  - To promptly advise individuals remaining in the dispatching office when it appears likely that no further customer orders will be received.
  - To pay employees a pre-stated minimum amount if they report punctually to a designated client ready and able for work, and the customer does not utilize their services.
- To keep the dispatching office and the immediate surroundings clean and well lighted and to provide adequate restroom facilities for workers waiting to be dispatched.
- To pay wages only by negotiable check or in cash or cash equivalents, and to give employees an itemized statement of gross earnings, advances, deductions, and net earnings for each pay period.
- To pay wages at the staffing firm office or by mail to the employee’s mailing address. Other arrangements may be made at the request of the employee.
- To advise workers that they are not required to use staffing firm—supplied transportation, if any, to the client job site.
- To confirm their temporary employees’ periods of service upon request by a subsequent employer and with the consent of the employee.