



Fact Sheet

ASA Code of Ethics and Good Practices

One of the principal missions of the American Staffing Association is to encourage high standards of ethical conduct in dealings with employees, customers, and competitors. In furtherance of that mission, the ASA board of directors has adopted the following codes of ethics: a general code applicable to all staffing firms, and a separate code covering construction and other types of day labor services.

Code of Ethics and Good Practices

As a condition of membership in the American Staffing Association, each member pledges its support of, and adherence to, the principles and practices set forth below. ASA members acknowledge that such compliance is in the best interests of the staffing services industry, its customers, and its employees. ASA members agree to always strive

- To comply with all laws and regulations applicable to their business, and to maintain high standards of ethical conduct in the operation of that business and in their dealings with employees, customers, 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 the best qualified employees to fill customers' 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 encourage employee efforts to upgrade their skills.
- To satisfy all applicable employer obligations, including payment of the employer's share of Social Security, state and federal unemployment insurance taxes, and workers' compensation—and to explain to employees that the staffing firm is responsible for such obligations.
- To ascertain that employees are assigned to work sites that are safe, that they understand the nature of the work the customer 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.
- To confirm their temporary employees' periods of service upon request by a subsequent employer and with the consent of the employee.
- To observe the following guidelines to ensure an orderly transition when taking over an account being serviced by another staffing firm:
 - The outgoing firm and its employees should, whenever feasible, be given reasonable prior notice that the account is being transferred.
 - Assigned employees of the outgoing firm should, whenever feasible, be allowed to continue working on the payroll of the outgoing firm for some reasonable transition period; thereafter, they should be given the choice of accepting an assignment with another customer of the outgoing firm if one is available, or applying to stay on their current assignment with the new staffing firm.

These guidelines are subject to enforceable contracts between staffing firms and their customers, employees, and other parties, and are not intended to prohibit or discourage any other provisions or

arrangements, agreeable to the parties, that achieve an orderly transfer of accounts. ASA members are encouraged, whenever feasible, to specifically address the terms and conditions relating to the transfer of accounts in written agreements with their customers.

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 customer 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, customers, 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 customers' 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 customer 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 prestated minimum amount if they report punctually to a designated customer 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 customer job site.
- To confirm their temporary employees' periods of service upon request by a subsequent employer and with the consent of the employee.