



Seasonal Employment Considerations

Each summer municipalities throughout the state hire seasonal employees to meet increased demand for a wide variety of seasonal jobs. Although temporary in nature, this seasonal spike in employment requires careful consideration to prevent safety and liability exposures for municipalities. Below we have listed a series of important considerations when approaching seasonal employment:

- Outdoor summer work increases the potential for common seasonal ailments and harm such as heat stroke, dehydration, severe sunburn, poison ivy, and even lightning strike. According to the Centers for Disease Control (CDC), in 2014 Massachusetts had the third highest infection rate of Lyme disease, which is contracted by bite from an infected tick and presents another serious risk for those working outdoor summer jobs.
- When pools and municipal beaches open for the season, water safety is a crucial issue.
- Public Works departments and schools - seasonal maintenance employees may be working around motorized vehicles and mechanical equipment (such as chain saws and heavy-duty lawn mowers) that they are unfamiliar with using.

Risk Mitigation Checklist

The three most important things that a municipality can do to help mitigate risks associated with hiring seasonal workers are: pre-screen, train, and supervise.

- Pre-screening

See SORI Overview for more detail – the Massachusetts Department of Public Health Services requires “recreational camps” as defined by G.L. c111 Section 127A and 105 CMR 430.000 to perform SORI checks for all camp staff and volunteers. In addition, although not mandatory, SORB states a SORI check may be requested “for the protection of a child under the age of 18 or another person for whom such inquirer has responsibility, care or custody”. This latter opportunity may apply to seasonal employees in departments such as Parks and Recreation or Elder Services. Members are encouraged to review their specific seasonal employment scenarios.

In addition, for any employee operating a vehicle, thoroughly check driving records. For all employees, ensure that proper and relevant certifications are in place and valid – such as auto and equipment operator's licenses, lifeguard certifications, first aid, and CPR. Pre-employment physicals may also be necessary for certain jobs.

- **Training**

Take the time to properly and thoroughly train all seasonal employees. Make sure they know how to competently and safely use equipment and appropriate personal protective equipment (PPE). Also, include temporary employees in any tailgate safety talks that are being offered to full-time workers. Make sure seasonal workers know what to do in case of emergencies, such as when an injury or property damage occurs, or when inclement weather or an electrical storm hits. Review safety manuals and instructions with all seasonal workers, including listing what equipment they are and aren't authorized to use. And, be sure to have them sign off verifying that they have received and reviewed the information.

- **Supervision**

Do not leave seasonal workers unsupervised, under any circumstances. Significant and catastrophic injuries could occur when summer workers are left alone operating town vehicles, or lifeguarding at a municipal pool or beach. A full-time, adult employee should be present and supervising part-time summer workers at all times. This can help prevent horseplay and very serious injury.

In addition to ensuring that pre-screening, thorough training, and proper supervision take place, municipalities should examine what can be done on a more detailed level and work to address any potential risks. For example, fully assess state child labor laws including what hours those under 18 can work, what equipment they can and cannot use, and what tasks they can and cannot perform legally at each age. The state has very specific regulations regarding minors and various mechanical equipment, hazardous materials, and specific working conditions. For example, employees under 18 years of age may not operate vehicles or forklifts, use buffing or polishing equipment, or work in wrecking, demolition, excavation, or roofing.

Also, carefully examine safety around town and in specific areas where employees will be working. For example, perform checks on parks and playground equipment, and be diligent about pool and beach safety. Remind employees about summer storm and lightning safety, and work with them to identify heat stress and dehydration quickly when it occurs. Ensure that all employees know to report hazardous conditions promptly. Finally, provide sunscreen for outdoor workers and be prepared for insect bites, poison ivy, sunburn, and ticks.

Have more questions?

For more information about wages and child labor laws, please contact:

- MA Office of Attorney General, fair labor and Business Practices Division, 617-727-3465
www.mass.gov
- <http://www.mass.gov/lwd/labor-standards/dls/youth-employment-summary-of-massachusetts-laws-regulating.html>

For more information about health and safety, please contact:

- U.S. Department of Labor, Occupational Safety & Health Administration (OSHA)
Methuen Office - 617-565-8810,
Braintree Office - 617-565-6924,
Springfield Office - 413-785-0123,
www.osha.gov
- Massachusetts Department of Public Health, Occupational Health Surveillance Program,
617 624-5632:
www.state.ma.us/dph/bhsre/ohsp/ohsp.htm
- Massachusetts Department of Industrial Accidents, 800 323-3249 X470, www.state.ma.us/dia