Beware Joint-Employment Doctrine in Health Care Contracting

Employers in the health care industry often subcontract labor through outside vendors to fill positions like travel nurses, security guards, and janitors. But outside contractors may not be in compliance with federal and state employment laws, including wage-and-hour laws, points out a white paper published by Fisher & Phillips.

Because of the "joint-employment" doctrine, the health care facility employer may be on the hook for the contractor's violations, David Amaya wrote in the paper. "Failure to acknowledge and address this possibility could result in surprise and unforeseen financial responsibility. It's important to understand the issues raised by this legal rule and to have strategies at the ready to proactively address them."

Read the white paper.