

Q&A 2 Interim Agencies – Ref. n. HR/11/IA/MC/23

Question 1	<p>Article 17: Liability and force majeure</p> <p>Can you also confirm to us that the Temp Agency will not be liable for indirect damage and that its overall liability, all damages combined, may be limited to an amount determined between the parties?</p> <p>Do you confirm that, in the context of temporary recruitment services, the Temp Agency will only be subject to an obligation of means due to human hazards?</p> <p>What we mean by “human hazard” is that we cannot commit to the aptitude of temporary workers, their presence in the event of illness for example, or their way of working for example.</p>
Answer 1	<p>1. The wording will not be modified. This clause is mainly clarifying the ESM’s liability.</p> <p>2. The service provider is responsible for verification of the obligations resulting from the law of Luxembourg, which shall apply to the temporary recruitment services.</p>