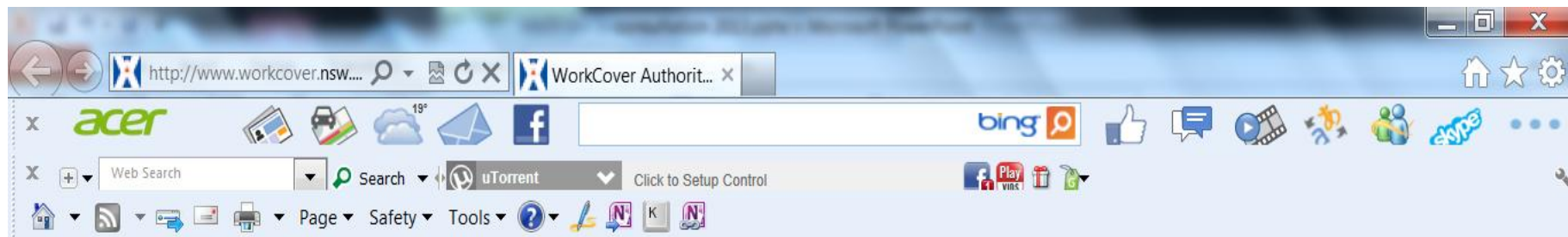




Work Health and Safety Laws **Consultation**

- Can we keep our old OHS Committee?
- HSR's vs Committee's
- Issue resolution



Home

Work health and safety

A safe workplace

Assistance and support

- Assistance visits
- Mentor Program
- Small business rebate
- WorkCover safety events
- Workshops
- WHS training resources
- WHS webinars
- Complaints about workplace safety
- Directors and officers
- Employees and workers
- Employers and businesses
- General risk management

Welcome to WorkCover NSW



International day of mourning

On 28 April each year, countries around the world pause to commemorate workers who have died as a result of a workplace incident or occupational disease.

On the day, Unions NSW and WorkCover hold a service in Darling Harbour's Reflection Park to honour and remember those who have lost their life at work.

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Pause

Next >>

Workers



Businesses



How we can help

- Phone **13 10 50**
- Notify an incident/injury
- Health and safety complaints
- Family support following a serious injury or fatality
- Workers compensation dispute resolution
- Report fraud
- See all services available

Noticeboard

- New WorkCover certificate of capacity

<http://www.workcover.nsw.gov.au/newlegislation2012/Asafeworkplace/Pages/default.aspx>

What is consultation

- Each person with the duty must SFARP CONSULT, CO-OPERATE and CO-ORDINATE activities with all other persons who have a duty in relation to the same matter.
- Consult with workers who carry out work for the business or undertaking who are, or are likely to be, directly affected by a matter relating to WHS.

Workers be given a reasonable opportunity:

- Express their views and raise WHS issues in relation to the matter
- Contribute to the decision-making process relating to the matter
- The views of workers are taken into account by the person conducting the business or undertaking, and
- That workers consulted are advised of the outcome in a timely manner

Consultation requires:

- Relevant information about the matter is shared with workers

- If the workers are represented by a HSR, the consultation **must involve** that representative
- Agreed procedures for consultation must be in accordance with those procedures.

What isn't consultation

- Information
- Instruction
- Training
- Supervision



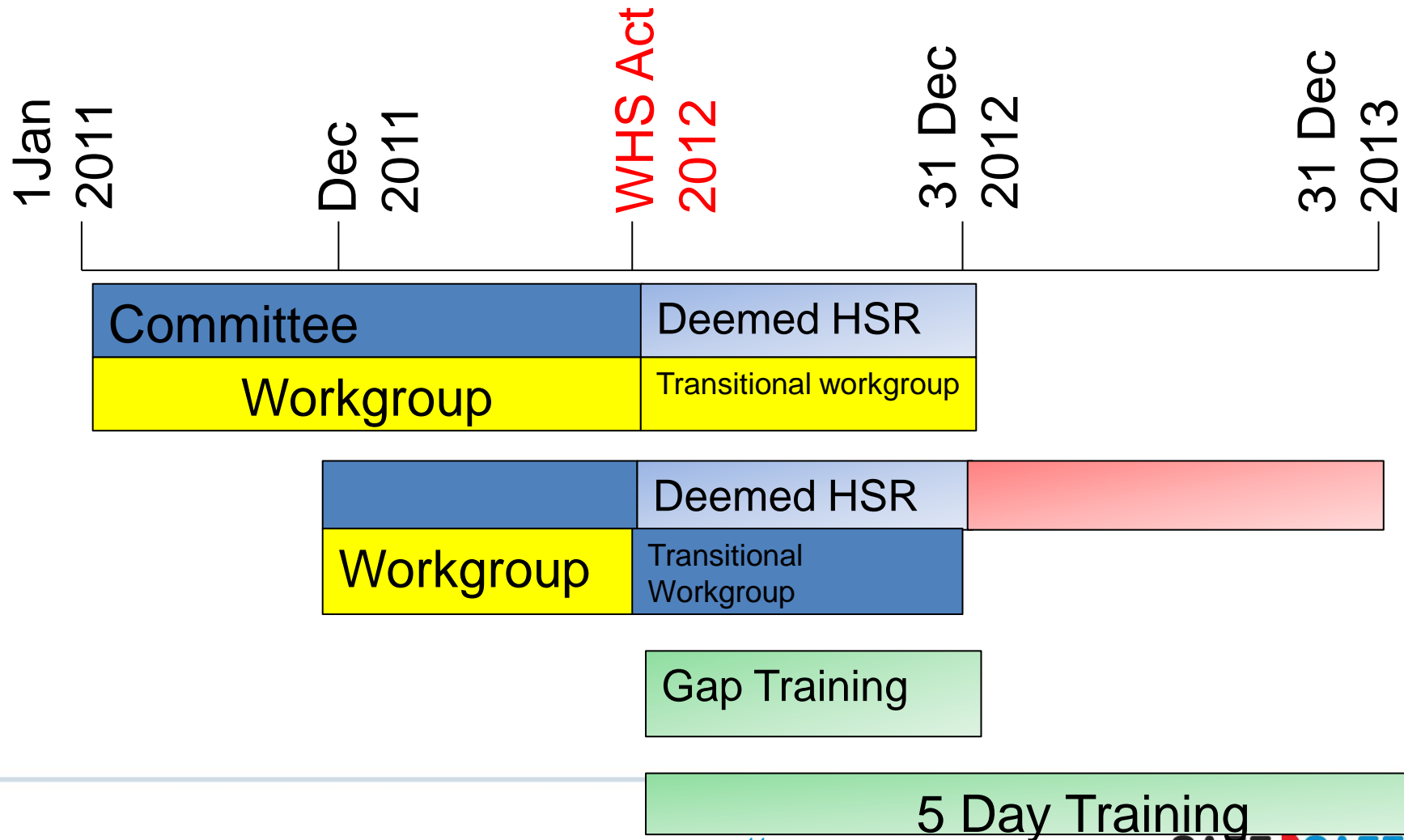
Consultation mechanisms

Health and Safety Representatives (HSR)

Health and Safety Committees

Other arrangements

Can we keep our old OHS Committee?



Health and Safety Representative (HSRs)

Investigate
complaints

Training

Represent workers

Issue PINs

3-year term

Direct unsafe work
to cease



HSR training

- PCBU must allow HSR to attend training within 3 months of request
- 5 days initial training
- 1 day refresher training each year
- PCBU pays training costs

HSR consideration

- A PCBU must not impose a levy or charge on a worker, or permit a levy or charge to be imposed on a worker, for anything done, or provided, in relation to WHS.

Health and Safety Committees (HSCs)

Facilitate
Co-operation
In

- Instigating
- Developing
- Carrying out
measures
designed to
ensure H&S at
work



Assist in developing:

- Standards
- Rules and
- Procedures

Meeting at least
every 3 months

Resolving safety issues



If there are no procedures, use the default from the WHS Reg

Health and Safety issue needs resolution & it can not easily be resolved

1. Identify the relevant interested parties
 2. Identify what the issues are
 3. Identify what the potential solutions are
 4. Identify who is responsible and by when.
- If requested must be documented
 - If process does not resolve the issue, and inspector may be called in to assist.

Consultation summary

The duty to consult **remains**

HSRs are the **main mechanism** for consultation

Approved **training** for HSRs

Committees have a **new** role

If you continued your old OHS Committee **need to review**