

Health and safety representatives

Information for employers and company executives

Health and safety representatives (HSRs) are a valuable link between employers and workers to improve work health and safety (WHS). WHS laws give HSRs functions, rights and powers to ensure that informed consultation is an integral part of WHS risk management.

An HSR represents their work group on WHS matters and plays a key role in gathering information on the group's specific WHS interests. The HSR can help work out ways to better control hazards and risks by consulting with the person conducting a business or undertaking (PCBU) or their representative/s (senior management) and assisting the health and safety committee (HSC).

An HSR is elected by their work group and it is a voluntary role. The role of deputy health and safety representative (DHSR) is also established under WHS laws to ensure access to a HSR when they are unavailable.

Although HSRs are not responsible for managing WHS, they can make a real difference in achieving better WHS outcomes. Better WHS means better business and can help improve staff retention and engagement, enhance production, avoid resourcing of unsuitable risk-control measures, reduce injuries and illness, avoid costly sanctions from non-compliance with legal requirements, and protect against reputational risk to the business.

Benefits

A PCBU has a legal duty to consult (so far as is reasonably practicable) with workers on WHS matters, because consultation helps ensure that WHS risk management is informed by people with direct experience of the work undertaken and their work environment. Consultation also helps boost ownership of WHS solutions and drives a positive safety culture.

To ensure a valuable contribution to this process, HSRs and DHSRs undertake mandatory training for HSR skills and knowledge. After this training, HSRs can direct work group members to cease unsafe work and write provisional improvement notices, under powers that aim to protect workers from serious risk and enforce compliance.

Election

PCBUs cannot appoint or select HSRs or DHSRs—they are elected to the roles by their work group. Any worker can request the election of HSRs which includes several steps.

- The PCBU has 14 days to start negotiations with workers to determine and agree on configuration of work groups and the number of HSRs (and any DHSRs) to represent each work group.
- When these arrangements are agreed, work group members can nominate themselves or another work group member to stand for election.
- Work group members may also determine how the election will be conducted. The process might be informal, such as a show of hands, or more formal, such as a ballot box. The PCBU's role is to facilitate the election process.
- If the number of candidates equals the number of vacancies, each candidate is elected.
- The PCBU must ensure work group members are informed of the election outcome.
- The PCBU must display a written list of current HSRs and DHSRs in the workplace and provide this list (and any updates) to Workplace Health and Safety Queensland via WHSnotification@oir.qld.gov.au.
- The term of office for an HSR and DHSR is three years. They may re-nominate for election when their term of office expires.

WHSQ can provide help and dispute resolution assistance if significant issues or delays arise in the above process.

Working with HSRs

A PCBU must ensure HSRs and DHSRs complete the five-day Queensland HSR training course within three months of election, so they can fulfil their role effectively. A one-day refresher training is required every three years if re-elected.

HSRs and DHSRs receive the pay they would otherwise receive for this training period. A PCBU is also required by law to allow an HSR the time that is reasonably necessary to perform their role.

Make sure to get the best possible benefit from this investment in training and staff hours.

- Build consultative, positive relationships with your HSRs and DHSRs, be available to them to discuss WHS matters as they arise.
- Initiate consultation with your HSRs:
 - when identifying or assessing WHS hazards, risks and controls
 - when creating or revising WHS procedures (e.g. WHS training)
 - proposing changes that may affect workers' health and safety.
- Provide relevant information about WHS hazards, risks and matters both on request to your HSRs and proactively as part of your regular reporting activities (e.g. de-identified health-monitoring reports, incidents).
- Champion the HSRs and DHSRs to all staff. Acknowledge and promote their voluntary contribution to enhanced control measures and improved WHS outcomes.
- Encourage HSRs to express their views, ask questions, raise concerns, propose options and make recommendations.
- Ensure that managers and supervisors facilitate reasonable time for HSRs to undertake their role, including time for discussions with their work group.
- Ensure HSRs and DHSRs are not subject to discrimination, coercion or threats for their role. A maximum penalty of \$100,000 can be applied for discriminatory conduct.

- Provide facilities and resources to HSRs, such as the use of noticeboards, meeting rooms, email and printers, and travel between work groups.
- Support HSR involvement in the HSC. If there is no HSC, consider establishing one.

Health and safety committees

An HSC enables a PCBU, senior management and workers to meet regularly and work cooperatively to develop policies and procedures to improve WHS outcomes.

At least half of the members of the HSC must be workers who have not been nominated by the PCBU. HSRs are automatically a member of the relevant HSC, unless they do not wish so. If an HSR (or five or more workers) requests a HSC be established, the PCBU must establish it within two months. An HSC meets at least once every three months.

Further information

This information is an overview and does not cover all requirements relating to HSRs and DHSRs, work group negotiations, elections and training.

Find out more at:

- worksafe.qld.gov.au or 1300 362 128
- [Worker representation and participation guide \(Safe Work Australia\)](#).



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