

### ACTIVITY: SAFETY AND HEALTH LAWS SAFETY AND HEALTH REPRESENTATIVES AND COMMITTEES

#### Short answer

#### Resources:

- WorkSafe Smart Move General Module section on safety and health representatives and committees available from WorkSafe's website at [www.docep.wa.gov.au](http://www.docep.wa.gov.au)
- **Information Sheet** (functions of safety and health representatives)

#### Task 1:

- Individually complete **Worksheet 1**.

#### Task 2:

- Read the **Information Sheet** and individually complete **Worksheet 2**.

1. Safety and health representatives are an important link between \_\_\_\_\_  
and \_\_\_\_\_.

2. What do safety and health representatives do?

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2. Who elects safety and health representatives?

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4. How is a safety and health representative different to a safety and health officer?

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SAFETY AND HEALTH REPRESENTATIVES AND  
COMMITTEES**

**Short answer**

**5. How can a safety and health representative help you and other young employees?**

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**6. What should a safety and health representative do if there is an accident?**

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**7. How does a safety and health committee get established?**

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**8. Can more than one safety and health representative be elected in a workplace?**

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#### FUNCTIONS OF SAFETY AND HEALTH REPRESENTATIVES

Under Section 33 of the *Occupational Safety and Health Act* safety and health representatives (safety representatives) have the powers necessary to carry out a number of very important functions. These functions are outlined on the table below.

FUNCTION	COMMENT
<p>To regularly inspect the workplace areas they were elected to represent at agreed times and frequency</p>	<p>Safety representatives can make an inspection with prior notice every 30 days, however wherever possible, the safety representative and the employer should agree on the number and type of workplace inspections to be carried out.</p> <p>Types of inspections may include:</p> <ul style="list-style-type: none"> <li>• regular general inspections;</li> <li>• regular inspections of particular activities, processes or areas;</li> <li>• inspections arising from employees' complaints;</li> <li>• inspections after substantial changes to the workplace; and</li> <li>• inspections after an accident or dangerous incident.</li> </ul> <p>After an inspection, a safety representative should report to the employer on any safety or health issue identified during the inspection. The report should be in writing, although hazards needing quick action should be verbally reported immediately.</p> <p>Safety representatives should also inform employees about any workplace hazards and potential risks identified during the inspection.</p> <p>Checklists maybe useful for safety representatives when carrying out workplace inspections. An inspection checklist should cover the nature of potential hazards and the level of risk and leave space for hazards not listed on the checklist.</p> <p>Safety representatives can discuss the completed checklist with the employer and safety and health committee (if there is one) to help identify solutions to hazards identified</p>

### FUNCTIONS OF SAFETY AND HEALTH REPRESENTATIVES

<p><b>To immediately investigate the scene and details of any accident, dangerous incident or risk of serious injury or harm to any person</b></p>	<p>After an accident or dangerous incident the employer should take immediate steps to prevent the incident happening again.</p> <p>The employer should notify safety representatives immediately after an accident or dangerous incident. Depending on the situation, they may choose to investigate on their own or agree to a joint investigation with the employer.</p> <p>Dangerous incidents that safety representatives may need to investigate include:</p> <ul style="list-style-type: none"> <li>• an incident that could have caused fatal or serious injuries;</li> <li>• a falling object landing close to an employee;</li> <li>• failure of a sling or lifting device;</li> <li>• uncontrolled release of a hazardous chemical or substance;</li> <li>• spillage resulting from failed valves, connections or hoses;</li> <li>• failure of plant or equipment; or</li> <li>• collapse of a building or structure.</li> </ul> <p>Safety and health issues identified by any safety representatives during the accident should be raised with the employer.</p>
<p><b>To keep up to date with workplace safety and health information provided by the employer and liaise with government and other bodies</b></p>	<p>The employer has a duty to make safety and health information available to safety representatives. This includes information such as MSDSs for any hazardous substances used in the workplace, accident investigation reports, details of notices issued by inspectors, results of noise and atmospheric level tests, access to copies of the Act and Regulations and codes of practice and guidance notes.</p> <p>Safety representatives can also liaise directly with WorkSafe or other organisations to find out more about safety matters.</p>
<p><b>To report hazards in the workplace to the employer</b></p>	<p>Safety representatives should report any hazard or potential hazard to their employer or employer's representative.</p> <p>Safety representatives may recognise a hazard or find out about a hazard from an employee before management becomes aware.</p> <p>The hazard identification, risk assessment and risk control process is outlined in Appendix 1 of the WorkSafe Western Australia Commission Guidance Note: <i>General Duty of Care in Western Australian Workplaces</i>, available from the department for \$3 or through the Internet at <a href="http://www.docep.wa.gov.au">www.docep.wa.gov.au</a></p>

### FUNCTIONS OF SAFETY AND HEALTH REPRESENTATIVES

<p><b>Where there is a safety and health committee for the workplace, to refer any matters that safety reps think should be considered by the committee</b></p>	<p>Safety representatives have an important role in identifying matters that should be considered by the safety and health committee. The safety representatives should be members of the safety and health committee (if there is one).</p>
<p><b>To consult and cooperate with the employer on safety and health matters</b></p>	<p>Safety representatives are an important link between employers and employees. They should consult and cooperate with management on all safety and health matters relevant to the work area and the employees that they represent.</p>
<p><b>To liaise with employees about safety and health matters</b></p>	<p>Safety representatives have a responsibility to advise management of the views of the employees that they represent. To do this effectively they should seek the views of employees before meeting with the employer.</p> <p>Safety representatives also have an important role in transmitting information on safety and health matters to the employees that they represent.</p>

Safety representatives carry out these functions in the workplace or part of the workplace that was agreed between the employer and employees before the election.

Safety representatives may accompany a WorkSafe inspector on an inspection of their workplace, if requested by the inspector.

The Act also provides an important and necessary protection for safety representatives. They cannot be sued for damages for anything arising from having performed, or failed to perform any function related to their position as a safety representatives. However, they do have the same responsibilities and general duties of care as other employees.

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#### **Research short answer**

**1. How often can a safety representative make an inspection, with prior notice?**

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**2. What two things should a safety and health representative do after an inspection?**

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**3. List four reasons why safety and health representatives might make inspections?**

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**4. Why is a checklist useful for a safety and health representative when making inspections?**

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### **ACTIVITY: SAFETY AND HEALTH LAWS SAFETY AND HEALTH REPRESENTATIVES AND COMMITTEES**

#### **Research short answer**

5. List four types of incidents a safety and health representative may need to investigate.

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6. What sort of information should the employer provide to a safety and health representative?

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7. When might a safety and health representative accompany a WorkSafe inspector at their workplace?

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8. When do safety and health representatives agree on what part of the workplace a safety representative will carry out his/her functions?

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9. What type of important and necessary protection does the Act provide for safety and health representatives?

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