

Health and safety representatives (HSR) and health and safety committees (HSC) provide the means to:

- give workers a voice in health and safety matters at the workplace
- involve workers through participation and consultation.

## Health and safety representatives

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A HSR represents the health and safety interests of a work group. There can be as many HSRs and deputy HSRs as needed, after consultation, negotiation and agreement between workers and the persons conducting a business or undertaking (PCBU).

A PCBU must keep a current list of all HSRs and deputy HSRs and display a copy at the workplace. PCBUs must notify WHSQ of their current HSR's by emailing [WHSNotification@oir.qld.gov.au](mailto:WHSNotification@oir.qld.gov.au) or calling 1300 362 128.

The following information should be provided:

- name of HSR
- name of work group
- contact phone number
- work address
- email address
- date elected
- copy of any provisional improvement notice issued by your workplace's HSR and details of its status (i.e. completed, withdrawn, ongoing). The copy must be provided as soon as practicable after the notice is issued.

If your workplace has multiple HSRs, please [use this spreadsheet](#) (XLSX, 10.57 KB) to provide the information. It will be kept secure and used only by us to support HSRs by providing relevant information and advice.

HSRs can issue a [provisional improvement notice](#) (PIN) for an issue affecting the work group they represent. From 23 October 2017, a PCBU must provide a copy of any PINs issued by their HSR to the Regulator at [WHSnotification@oir.qld.gov.au](mailto:WHSnotification@oir.qld.gov.au) or by calling 1300 362 128 as soon as practicably possible. Please include a contact phone number and email address for each HSR. This information will not be publicly available.

[HSRs can access information](#) held by a PCBU that relates to:

- hazards (including associated risks) at the workplace affecting workers in the work group
- the health and safety of the workers in the work group.

## Work groups

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### What is a work group?

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A work group is a group of workers who share a similar work situation; the HSR represents the health and safety interests of the workers in that group. A worker or group of workers can ask the PCBU they are carrying out work for to facilitate the election of one or more HSRs.

## How many work groups can exist?

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The *Work Health and Safety Act 2011* allows for one, or more, work groups at each workplace. The workers and the PCBU can negotiate how many work groups are required for their workplace, based on factors such as:

- the nature of the hazards and risks of the work being carried out
- the areas where work is carried out
- the times when work is carried out.

Refer to section 17 of the *Work Health and Safety Regulation 2011* (WHS Regulation) for a full list of factors.

Workers should be grouped in a way that allows the most effective and convenient representation of their health and safety interests. The HSR should be readily accessible to each worker in the group.

For example, a manufacturing workplace may decide that it will have two work groups, reflecting the different health and safety risks of each group:

- one consisting of all workers in the office
- the other consisting of all manufacturing workers.

Similarly, a work group might consist of workers of the same trade, or it might consist of all workers on the night shift. If agreed, workers from multiple businesses all working on a single site can be part of the same work group which could cover:

- contractors
- labour hire staff
- outworkers
- apprentices.

## Negotiating to elect a HSR

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If a request is made for the election of a HSR, the PCBU must start negotiations with workers regarding work groups within 14 days of that request being made. These negotiations will determine the:

- number and composition of work group(s) at the workplace
- number of HSRs and deputy HSRs
- workplace(s) to which the work group(s) apply.

A PCBU must involve a worker's representative (e.g. union) in the negotiations if asked by the worker. The PCBU must also notify workers as soon as practicable of the outcome of the negotiations. At any time, the parties to a work group agreement may negotiate a variation.

An inspector can be requested to assist this process by any person who is a party to the negotiations.

## Election and eligibility

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The members of a work group elect their own HSR. All members of the work group are able to vote in an election and the PCBU must provide resources and assistance to carry out the election.

To be eligible for election, a person must be a member of the work group and not be disqualified from acting as a HSR. Elections for a deputy HSR are carried out in the same way.

The term of a HSR/deputy HSR is three years. They cease to hold office if:

- they leave the work group
- they are disqualified from being a HSR
- they resign as a HSR
- the majority of members of the group agree the person should no longer represent them.

HSRs can be re-elected. Elections are not needed when the number of candidates is the same as the number of vacancies.

## Training

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From 1 July 2018, all HSRs must undertake the relevant approved training course within six months of their election. Existing HSRs, who have not already completed the training, will have six months from 1 July 2018 to undertake this training. If a worker chooses not to undertake the training within the time period, they will no longer be eligible to fulfil the role of HSR and will need to be replaced.

## Powers and functions

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### The role of a HSR

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The role of a HSR is generally limited to their own work group unless:

- there is a serious risk to health or safety (created by an immediate hazard) affecting workers from another work group
- a worker in another work group asks for the HSR's assistance, and the HSR for that other work group is found to be unavailable.

An elected HSR is entitled to perform the following tasks for the work group:

- undertake workplace inspections
- review the circumstances of workplace incidents
- accompany a WHSQ inspector during an inspection
- represent the work group in health and safety matters
- attend an interview about health and safety matters with a worker from the work group (with the consent of the worker)
- request that a health and safety committee be established
- participate in a health and safety committee
- monitor compliance measures
- investigate work health and safety complaints from work group members
- inquire into any risk to the health and safety of workers in the work group

- issue provisional improvement notices and direct a worker to cease unsafe work (where the HSR has completed the approved training).

A HSR is not personally liable for anything done, or not done, in good faith while carrying out their role. However any person adversely affected by a decision or action of a HSR can apply to the Queensland Industrial Relations Commission to have them disqualified.

## The role of a PCBU

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A PCBU must:

- consult on work health and safety matters with any HSRs for the work group
- pay all reasonable costs for relevant courses the HSR requests to attend
- keep a current list of all HSRs and deputy HSRs and display a copy at the workplace
- provide copies of this HSR list and any PINs issued to the Regulator at [WHSnotification@oir.qld.gov.au](mailto:WHSnotification@oir.qld.gov.au) or by calling 1300 362 128
- provide resources, facilities and assistance to enable the HSR to carry out their functions
- allow a HSR to exercise their entitlements during their ordinary working hours.

## Displaying a current list of health and safety representatives

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Section 74 of the *Work Health and Safety Act 2011* states that a person conducting a business or undertaking (PCBU) must ensure that a list of health and safety representatives and deputy health and safety representatives (if any) for the business or undertaking is prepared and kept up-to-date. A copy of the up-to-date list must be displayed in a way that is readily accessible to workers in the relevant work group or work groups:

- at the principal place of business of the business or undertaking
- at any other workplace that is appropriate taking into account the constitution of the relevant work group or work groups.

A copy of this list must also be emailed to the Regulator at [WHSnotification@oir.qld.gov.au](mailto:WHSnotification@oir.qld.gov.au) or by calling 1300 362 128. Please include a contact phone number and email address for each HSR. This information will not be publicly available.

## Health and safety committees (HSC)

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A HSC facilitates cooperation between a PCBU and workers in developing and carrying out measures to ensure health and safety at work. This includes health and safety standards, rules and procedures for the workplace.

A PCBU must set up an HSC within two months of being requested to do so by a HSR, or by five or more workers in a workplace, or when required by the WHS Regulation.

A PCBU can also establish an HSC if they desire.

At least half of the members of an HSC must be workers that have not been nominated by the PCBU. A HSR can also consent to be a member of the committee and, when a workplace has more than one HSR, they can choose one or more to be members.

An inspector can be requested to assist this process by any person who is a party to the committee.

An HSC must meet at least once every three months and at any reasonable time at the request of at least half of the members of the committee.