

 DoE Members

# Workplace Health And Safety Reps



The AEU believes that the health and safety of students and staff in the workplace is of great importance and as such, encourage all staff to be aware of their rights and responsibilities, in order to place prevention at the forefront of health and safety issues.

An effective way to promote awareness of health and safety in the workplace, and prevention of injury, is to have a trained, elected health and safety representative.

With the advent of the Workplace Health and Safety Act 2013 some things have changed on how election processes are run. To get the process started for electing Health and Safety Reps (HSR's) a worker makes a request to the Person Conducting the Business or Undertaking (PCBU) (in the case of the school, the Principal should be notified) and negotiations must start within 14 days to determine the number of Work Groups, HSR's and Deputy HSR's that are required. How an election is conducted is decided by the Work Group and all members of the Work Group should be notified. All members of a Work Group are eligible to vote and no ballot is required unless there is more than one candidate nominating.

An elected HSR can and should request HSR training from an approved trainer. Under the Act the PCBU is obliged to provide the HSR with paid leave to attend an approved training course with a provider chosen by the HSR, and pay course fees and any other reasonable costs associated with attendance. Other reasonable costs can include relief costs if required by the workplace (e.g. in the circumstance where the HSR is a teacher and their class needs to be covered).

The DoE has confirmed that it has agreed to share the course and relief costs for the HSR training with schools on a 50/50 shared basis. In relation to the shared cost of any relief required, schools should cost 50 % of required relief to "union training" under the "Official Reason for Relief" column of the relief guidelines. This will ensure that 50 % of the cost of relief is paid centrally. The agreed process with DoE Finance for schools to claim 50% of the training

costs for HSR training is for the school to forward a claim for payment form, requesting 50% of the course fees along with a copy of the receipt for payment. This claim will then be authorised by the Director of IR and forwarded to Finance, who will schedule for the reimbursement to go to the school.

The claim for payment form and receipt can be forwarded through to [Marcus.Macmillan@education.tas.gov.au](mailto:Marcus.Macmillan@education.tas.gov.au) who will arrange authorisation of the payment and forward it through to Finance.

Attendance at the HSR training should occur as soon as practicable but within 3 months of a request made by the HSR. The AEU notes that Unions Tasmania is the preferred training provider and the following link contains information on upcoming courses and HSR training dates – <http://unionstas.com.au/index.php/en/whs/whs-course-dates>

#### Once elected, the HSR can:

- Represent workers in their workplace in relation to health and safety matters
- Monitor health and safety measures taken by the PCBU
- Investigate complaints from the work group
- Inquire into anything that appears to be a risk to health and safety in the workplace

The PCBU must allow the elected HSR to exercise their roles of inquiry, investigation and representation. The PCBU must also allow the HSR time off with pay to attend an approved training course and, once completed, to exercise their role. The PCBU must also provide resources, facilities and assistance as reasonably necessary to undertake the role.

Once the HSR has successfully completed approved training they have the right to direct work to cease at a workplace due to health and safety concerns and they have the right to issue a Provisional Improvement Notice (PIN).

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