

HEALTH AND SAFETY REPRESENTATIVES (HSR)

In your workplace



www.psa.asn.au

Contents

03 INTRODUCTION

06 FORMS/DOCUMENTS
1. Workplace mapping

07 FORMS/DOCUMENTS
2. Initiate work group negotiations letter

08 FORMS/DOCUMENTS
3. Agreed outcomes

09 FORMS/DOCUMENTS
4. Appointment letter

10 FORMS/DOCUMENTS
5. Appointment of official/delegate to conduct HSR elections

11 FORMS/DOCUMENTS
6. Nomination for HST and/or deputy HSR for workgroup

12 FORMS/DOCUMENTS
7. Removal of HSR/s

13 FORMS/DOCUMENTS
8. Removal of HSR/s

14 MORE INFORMATION

INTRODUCTION

What is a Health and Safety Representative (HSR)

A HSR is a worker elected by their work group to represent the health and safety interests of that group.

Why is a HSR important

It is important to have a HSR in your workplace to ensure workers have representation on health and safety matters.

For example, a HSR can investigate Work Health Safety (WHS) complaints, conduct workplace inspections and monitor PCBU (employer) compliance with WHS legislation.



**Workplace
Safety**

INTRODUCTION

How to get a Health and Safety Representative (HSR) in your workplace

The process commences when a worker requests a HSR for their workplace.

You do not need a majority of the workplace to ask for a HSR (the legislation says only one worker need ask) but it does help to have more than one worker sign the letter to demonstrate that there is support for a HSR. There is always safety in numbers.

You can use Form 2 to raise your right to request a HSR under section 50 of the NSW WHS Act 2011.

Correspondence can be through letter or email as long as it is clearly dated and the timeline for commencement of the negotiations is clear.

Once a request is submitted then **negotiations must commence within 14 days**.

Prepare for the negotiations with the PCBU (your employer) by doing the groundwork. Start by mapping your workplace.

A floor plan (see example on page 6) is a good place to start if the workplace is predominantly office workers.

- » How many workers in the workplace or section of the workplace that you are concerned with?
- » What sort of work do they carry out e.g. office, off site, field and client focussed etc?
- » Is shift work involved?

- » What model would ensure all workers have access to a HSR regardless of the shift they are working?

This gives you an idea on what your workgroup/s may look like and how many HSRs and Deputy HSRs may suit the needs of the workers in that area.

Presenting a "proposed model" to the PCBU should hasten the process.

Once Work groups and the number of HSRs and Deputy HSRs have been agreed, the Work Group needs to be notified and then consulted on how they would like the elections to proceed (see Form 3).

It is the Work Group's choice on how the nominations are called and how elections are conducted NOT the managers.

The Work Group can choose to either;

- » Conduct elections themselves (appoint their delegate or other person)
- » Allow the manager to organise the election
- » Ask for their Union to run a ballot

See Form 4 for a sample letter for appointing a person to conduct the election process.

An example of a HSR nomination form is given in Form 6.



“ YOU HAVE THE RIGHT TO
REQUEST A HSR UNDER SECTION
50 OF NSW WHS ACT 2011 ”





**PUBLIC SERVICE ASSOCIATION
OF NEW SOUTH WALES**

General Secretary Stewart Little
President Kylie McKelvie
ABN 83 717 214 309

FORM 1 Workplace mapping

Use the tables below to map your workplace. This will give you an idea on what your workgroup/s may look like and how many HSRs and Deputy HSRs may suit the needs of the workers in that area.

DEPARTMENT:

OFFICE / AREA
OF WORK

LOCATION /
FLOOR

TYPE OF WORK (NUMBER OF WORKERS)	OFFSITE:			OFFICE:			OTHER:			OFFSITE:			OFFICE:			OTHER:		
	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:
WORK SHIFTS (IF APPLICABLE)	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:

OTHER INFORMATION

TOTAL

DEPARTMENT:

OFFICE / AREA
OF WORK

LOCATION /
FLOOR

TYPE OF WORK (NUMBER OF WORKERS)	OFFSITE:			OFFICE:			OTHER:			OFFSITE:			OFFICE:			OTHER:		
	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:
WORK SHIFTS (IF APPLICABLE)	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:	AM:	PM:	NIGHT:

OTHER INFORMATION

TOTAL



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FORM 3 Agreed outcomes

The PCBU (name):

and workers and/or their representatives from (workplace):

at (address):

have concluded negotiations to determine the work groups and number of Health and Safety Representatives (HSRs) and Deputy HSRs (s.50, 52 NSW WHS Act 2011) for this workplace.

The number of HSR/s and Deputy HSR/s below has been determined to represent each of the following work groups:

NUMBER: HSR/s and
NUMBER: Deputy HSR/s

WORK GROUP 1:

Location

Workers

WORK GROUP 2:

Location

Workers

WORK GROUP 3:

Location

Workers

WORK GROUP 4:

Location

Workers

This information will be distributed to all workers covered by these Work Groups (s.57 NSW WHS Act 2011) and the work groups consulted about the procedure for electing HSR/s for their Work Group.

NAME:

PCBU Representative

NAME:

Worker/worker representative

Sign here

Sign here

DATE:

DATE:



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FORM 4 Appointment letter

DATE:

NAME:

TITLE:

PCBU NAME:

ADDRESS:

I, _____ acting on behalf of:

NAME OF WORKGROUP:

wish to inform you of the decision, by the majority of members of this Work Group, to appoint me to conduct the election for Health and Safety Representatives (HSRs) for the Work Group under s.61 NSW WHS Act 2011.

Nominations for HSR (and Deputy HSR) will be open for the length of time below from:

DATE:

LENGTH OF TIME (DAYS):

At the closure of the nomination period if there are no competing nominations for the positions, I will declare those HSRs and Deputy HSRs as elected unopposed.

If there are competing nominations then I will conduct a democratic ballot.

The following resources, facilities and assistance are sought from you to assist in the election process as per s.61(4) NSW WHS Act 2011;

I have attached confirmation of the support of the majority of Work Group members (Form 5).

Yours faithfully,

Sign here

NAME:

TITLE:



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FORM 6 Nomination for HSR and/or Deputy HSR for workgroup

Under the NSW WHS Act 2011 s.62, nominations are called for the position of Health and Safety Representative (HSR) and/or Deputy HSR for:

WORKGROUP AND WORKPLACE:

Close of nominations is 5pm, **DATE:**

NAME OF HSR1:

NAME OF HSR2:

NAME OF HSR3:

NAME OF DEPUTY HSR1:

NAME OF DEPUTY HSR2:

NAME OF DEPUTY HSR3:

If nominations received by the closing date equal the number of positions sought, then those persons will be deemed the elected representatives for the Work Group.

If nominations received by the closing date are more than the number of positions sought, then all workers of this Work Group will be balloted to elect a representative/s for the Work Group (*Worker may nominate for both positions).

The ballot will close 5pm, **DATE:**

Sign here

WORKER REPRESENTATIVE:



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FORM 7 Removal of HSR/s

To **RELEVANT MANAGER:**

HSR1:

HSR2:

Members of **WORK GROUP:**

Regarding: Removal of Health & Safety Representative/s

In accordance with cl. 20 of WHS Regulations 2017, the majority of members of the work group above declare that the Health and Safety Representatives named above no longer represent this workgroup.

The removal of the health and safety representative/s takes effect when the person/s below have been informed of the removal.

- **HSR1:** being removed
- **HSR2:** being removed
- Management (representing the PCBU)
- The majority of members of the workgroup

The majority of the members of the workgroup have appointed:

NAME:

to conduct the election of HSRs for the Work Group under s.61(3) WHS Act 2011.

I have attached confirmation of the support of the majority of Work Group members

Yours faithfully,

Sign here

NAME:

TITLE:

MORE INFORMATION

Useful contacts

SafeWork NSW



13 10 50



www.safework.nsw.gov.au/health-and-safety

SafeWork has a number of brochures to assist injured workers understand the workers compensation process.

These brochures can be accessed by visiting the SafeWork website.

The PSA

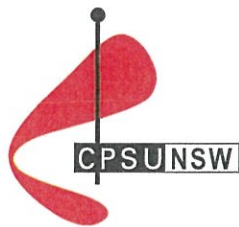


1300 772 679



www.psa.asn.au/resources/whs

The PSA is committed to providing valuable information and resources on all matters relating to Health Safety Representatives.



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