

HEALTH AND SAFETY REPRESENTATIVES

FUNCTIONS OF A HSR

- Represent workers in a work group in health and safety matters.
- Investigate complaints of the work group relating to health and safety.
- Monitor the measures taken by the company in complying with the *Work Health and Safety Act* in relation to workers in a work group.
- Inquire into potential risks to the health and safety of workers.

POWERS OF A HSR

- Inspect a work group's workplace.
- Be present during an inspection of the workplace.
- With the consent of the workers, be present at an interview between the workers and an inspector, and/or the business owner.
- Ask that a health and safety committee be established.
- Get information about the health and safety of workers in the work group - provided the worker's right to privacy is not breached.

A HSR who has completed an approved five-day training course and who has consulted with the business owner may:

- issue a provisional improvement notice to the business owner
- tell a worker to cease unsafe work.

DUTIES OF THE BUSINESS OWNER

- Consult with HSRs over any matter that may affect the health and safety of your workers
- Whenever a HSR requests, talk about the health and safety of workers in the work group.
- Give a HSR information relating to hazards and risks affecting workers in their work group - except personal or medical information (unless the worker consents).
- Allow a HSR to be present at an interview between the workers and an inspector, and/or you, if the workers approve.
- Give a HSR any resources, facilities and assistance they need to perform their functions, including:
 - a private space in which to meet with workers who need advice on health and safety matters
 - secure storage facilities in which to hold records and documentation.
- Allow someone access to the workplace if they are assisting an HSR.
- Allow a HSR to accompany an inspector during an inspection of the workplace
- Allow a HSR enough time to exercise their powers and perform their functions.
- Pay a HSR for any time they spend exercising their powers or performing their functions (such as - pay them what they would receive for performing their normal duties during that period).
- Allow a HSR to attend an approved HSR training course and pay all reasonable costs associated with the course.
- Display a list of HSRs and deputy HSRs - and give a copy to SafeWork NSW.

Disclaimer

This publication may contain information about the regulation and enforcement of work health and safety in NSW. It may include some of your obligations under some of the legislation that SafeWork NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate legislation.

Information on the latest laws can be checked by visiting the NSW legislation website www.legislation.nsw.gov.au

This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

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SafeWork NSW, 92-100 Donnison Street,
Gosford, NSW 2250
Locked Bag 2906, Lisarow, NSW 2252
Customer Experience 13 10 50
Website www.safework.nsw.gov.au
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