

WORKPLACE HEALTH & SAFETY REPRESENTATIVES AND PROVISIONAL IMPROVEMENT NOTICES (PINS)

New legal provisions introduced into the *Workplace Health and Safety Act 1995* on 1 May 2009 enable Workplace Health and Safety Representatives (WHSRs) to issue Provisional Improvement Notices (PINs).

A PIN is a written notification issued by a WHSR that identifies a likely workplace health and safety breach and requires this to be remedied. A PIN should be issued only after other consultative processes have failed to result in the problem being remedied.

Principals are responsible for managing health and safety issues at their school sites and have the delegation to rectify the majority of these identified issues. Therefore, in our schools a PIN will usually be issued to the principal.

A WHSR will only be able to issue a PIN in their area of representation:

1. After they have undertaken approved training on the issuing of PINs (an additional module of 2-3 hours); **and**
2. Where the WHSR believes, on reasonable grounds, that a person is breaching or has breached a provision of the *Workplace Health and Safety Act 1995* or *Workplace Health and Safety Regulation 2008* in circumstances that make it likely that the breach will continue or be repeated; **and**
3. After consulting with their principal about remedying the breach (or likely breach) which includes providing information about the issue and allowing appropriate time to fix the issue in a timely manner. If the issue is not fixed then the WHSR can issue a PIN.

A number of safeguards have been introduced to protect against misuse of PINs. Workplace Health and Safety Queensland Inspectors can provide advice regarding compliance with, or disputes surrounding a PIN. Other processes are in place to review, suspend or revoke PINs to ensure they are not issued inappropriately.

Training

The department currently conducts in-house, approved Workplace Health and Safety Representatives training (*30360QLD – Course in Functioning as a Workplace Health and Safety Representative*). The PINs module is included in all WHSR training delivered after 1 May 2009.

For those staff who completed a WHSR course in 2008, or early this year, the additional training required to issue PINs will be provided at no additional cost.

Please remember that PINs cannot be issued until your WHSR has completed the PINs training module. A PIN should only be issued after other consultative processes have been exhausted and the issue has still not been resolved.

Further information

More information about the implementation of PINs within the department will be made available on the *Creating Healthier Workplaces* website at:

- Workplace Health and Safety Representatives: <http://education.qld.gov.au/health/safety/managing/whsr.html>

Provisional Improvement Notices – Department of Employment and Industrial Relations:
<http://www.deir.qld.gov.au/workplace/law/legislation/pins/index.htm>