

Health and Safety Representatives (HSR) overview

The role of Health and Safety Representatives (HSRs) is established under the *Work Health and Safety Act 2011* (WHS Act) and specific legislative requirements apply to the role and electing and working with HSRs. The HSR role is **not** the same as the Health and Safety Advisor which is an appointed role. The decision to elect HSRs rests with workers at the workplace. This document provides an overview of the requirements related to HSRs.

1. Notify workers in writing of their right to request a health and safety representative (HSR)

This information is included in mandatory all staff training (MAST). Principal/Managers are encouraged to remind all staff in writing of their right to request the election of an HSR (e.g. staff handbooks/induction/email). Advice is to be given annually or when the term of an existing HSR ends or they cease to hold office.

Timeframe: As soon as possible, or within one year of the last notification.

Work Health and Safety Act 2011 (WHS Act), s 50(1).

2. Receive request for an HSR election

A worker or group of workers may request the election of an HSR. The Principal/Manager must acknowledge the request and begin the process of confirming work groups. Workers may authorise their union to request the department to act on their behalf and consult with the employer regarding the establishment of a workgroup and the conduct of the HSR election processes. When the Union is acting on behalf of their member the employer must consult with the Union in confirming workgroups and election processors.

Note: If no request for an HSR election is received, the information in step 1 is to be given at least every 12 months.

3. Determine workgroups and begin negotiations

Negotiations are to be conducted with workers to establish workgroups for which the HSR will be elected.

Timeframe: Negotiations must be **completed** within 14 days of receiving the request for an HSR election.

Note: A relevant union may be involved in negotiations if requested by a union member of the workgroup. *WHS Act, s 51(1).*

4. Notify workers of workgroup arrangements

The Principal/Manager must notify the workers of the final workgroup arrangement. This notification can be communicated via email or other suitable methods.

5. Call for nominations for HSR

All workers regardless of Union membership within the workgroup must be given the opportunity to nominate themselves or another member of the workgroup for the HSR position. *WHS Act, s 60.*

Note: The Principal/Manager (or Union) is to inform prospective HSRs of the key responsibilities of the role, including their key function to represent the workgroup to management, mandatory training requirement and their invited participation in Health, Safety and Wellbeing (HSW) committee meetings. The length of office for an elected and trained HSR is 3 years unless they resign, leave their workgroup, or are disqualified. After 3 years, the election process is recommenced.

6. Conduct HSR election

The work group and Union (if authorised) should determine the best method for conducting an election if there are more nominees than vacancies. The election process can be informal (e.g., a show of hands) or formal (e.g., ballot box), as agreed upon by the workers. Maximising participation in the election process should be the aim. If the number of candidates equals the number of vacancies, no election is required. *WHS Act, s 61(1).*

Note: All workers in the workgroup are to be given a reasonable opportunity to participate in the election, whether they are union members or not.

7. Notify workers of election outcome

After the election, the Principal/Manager is to notify the workgroup of the results. *WHS Act, s 64.*

Note: A current list of elected HSRs is to be displayed in a location accessible to all workers.

8. Notify Workplace Health and Safety Queensland (WHSQ)

The Principal/Manager is to notify WHSQ of the elected HSRs by emailing the details to

WHSnotification@oir.qld.gov.au. *WHS Act, s 74.*

Note: Any change is to be communicated to OIR.

9. HSR training within 28 days of election

The elected HSR is to undertake a [five-day approved HSR training course](#) within 28 days of their election unless the training is not reasonably available within this timeframe. In such cases, the training is to be completed as soon as reasonably practicable. The Principal/Manager is to ensure the HSR is given paid leave to attend training. *WHS Act, s 72.*

Note: The HSR is to choose their [training provider](#), and the Principal/Manager is to cover the cost of the training.

Note: Notify the department of your HSRs, the details of their work group and evidence of their training (including refresher training) to: WHSQnotices.OSW@qed.qld.gov.au.

10. Provide refresher training annually

The HSR is to undertake a one-day refresher training course each year after their initial election and training. *WHS Act, s 72(6).*

Note: Training is to be conducted during work hours, and the Principal/Manager is to continue to pay the HSR during training and permit the accrual of any normal work entitlements e.g. TOIL/ATO.

11. Consultation with HSRs

The Principal/Manager is to work cooperatively with the HSR to established mutually agreed and clear processes for consulting with HSRs, particularly when identifying hazards, revising safety policies, or making decisions that affect worker health and safety. *WHS Act, s 48.*

Note: HSRs are automatically members of the Health and Safety Committee unless they decline.

12. Resignation or cessation of HSR

If an HSR resigns, ceases to be a worker in the workgroup, or is removed by the workgroup, the Principal/Manager is to notify the workgroup and begin a new election process if the workers request representation. *WHS Act, s 65.*

Further information:

- [Information for workers and prospective HSRs factsheet](#) (WHSQ)
- [Worker representation and participation guide](#) (WHSQ)
- [Information for workers, and prospective and current HSRs](#) (WHSQ)
- [Department of Education HSR webpage](#).