Independent Education Union
Queensland and Northern Territory Branch

FACT SHEET

Friday, 29 July 2022 | Industrial | FSMA19044.2

Forming a Workplace Health and Safety Committee

The formation of a Workplace Health and Safety Committee.

Under the *Work Health and Safety Act 2011,* an employer may establish a workplace health and safety committee for a workplace.

How do we get a Workplace Health and Safety Committee?

An employer has its own discretion to establish a Workplace Health and Safety Committee under the Act. However, if an elected Health and Safety Representative (HSR) requests the establishment of a Committee, and/or five or more workers make the request, the employer **must** establish a Workplace Health and Safety Committee.

Who can be on the Workplace Health and Safety Committee?

Workplace Health and Safety Committees consist of at least two members and include health and safety representative(s) if elected. Other members of the committee are negotiated by the employer and workers. At least half of the members must be nominated or elected workers, in equal or greater numbers than workers nominated by the employer. When agreement cannot be reached on the composition of a committee, any party can request that a WHSQ Inspector assist to decide the matter.

What is the role of the committee?

Under the *Work Health and Safety Act 2011* the committee's primary functions are:

- *"to facilitate cooperation between (an employer) and workers in instigating, developing and carrying out measures designed to ensure the workers' health and safety at work; and*
- *to assist in developing standards, rules and procedures relating to health and safety that are to be followed or complied with at the workplace".*

KEY POINTS

You are entitled to:

- Seek the formation of a Workplace Health and Safety Committee in your workplace; and
- Have at least equal worker representation on that Committee.

ACTION

- Identify volunteers to nominate as an HSR for your area.
- Elect a HSR and request that a WHS Committee be formed.
- Ensure representation is equal and fair.
- Display this fact sheet in your staffroom.
- Discuss WHS with colleagues.
- Seek further advice from your organiser.

CONTACT OUR UNION FOR SUPPORT

Email: Industrial@ieuqnt.org.au

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Phone: (07) 3839 7020

Online: www.ieuqnt.org.au

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A Committee can also ...

- Give information and advice to an employer about workplace health and safety.
- Encourage and maintain an active interest in workplace health and safety.
- Consider and propose measures for workplace health and safety training and education.
- Tell workers about the formulation, review and distribution of standards, rules and procedures about workplace health and safety at the workplace.
- Review circumstances around work injuries, illnesses and dangerous events.
- Give advice and make recommendations to the employer about a review.
- Help resolve issues about workplace health and safety at the workplace.

The Employer's responsibility

The employer must establish a workplace health and safety committee:

- At their own discretion; or
- If requested by an elected Health and Safety representative; or
- If requested by five or more workers;

within two months of a request, or on a direction from a WHSQ Inspector.

Did you know?

- More than one committee may be established for a workplace and each committee must meet at least once every 3 months, or more often if requested by at least half of the committee members.
- A committee can meet during ordinary paid working hours at the workplace and at times decided by the committee.
- A committee may conduct its proceedings how it decides.
- The employer must allow the health and safety committee have access to information relating to hazards at the workplace, and the health and safety of the workers.

Protection from liability

A workplace health and safety committee member is not civilly liable because of the exercise of, or failure to exercise, a health and safety entitlement.

If you do not have a workplace health and safety committee ...

Ask your elected HSR to make a request of the employer to establish a committee. If you do not have an elected HSR, take steps to call for nominations and elect a HSR. Workers are entitled to an elected representative for each workgroup and are entitled to seek union assistance to facilitate the election process.

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Establishing effective WHS Committees with active Health and Safety Representatives will help to ensure that consultative processes remain effective and will help to build a positive safety culture in your workplace.

If you already have a committee, you need to be sure it is functional and effective.

Checklist for a healthy Workplace Health and Safety committee

- Is the committee legally formed i.e., does it have at least an equal number of worker elected representatives as management nominated representatives?
- Is the committee meeting at least once ever three months?
- Is the membership balanced i.e., are all areas of the workplace represented?
- Are elected Health and Safety Representative(s) included on the Committee?
- Is senior management represented?
- Do workers know who is on the committee?
- Have committee members received training?
- Are meetings held at the same time and place regularly?
- Are meetings held during working hours?
- Do meetings start and stop on time?
- Is 100% attendance achieved?
- Is time during the meeting used effectively?
- Is an agreed agenda developed for each meeting?
- Are minutes agreed to and circulated around the workplace?
- Who does the committee report to?
- Do members have enough paid time to attend meetings and do the work required?
- How many positive recommendations have the committee made?
- How many of these recommendations have been implemented?
- If a recommendation is not implemented, are workers told why?

Being active on matters of workplace health and safety not only protects your rights at work, but also those of your colleagues, and anyone who enters your workplace.

Discuss these issues within your Chapter and take action to ensure that these entitlements are protected.

Please contact your union organiser for further information.

IEUA-QNT Members – Acting Collectively to Improve Safety

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