

FACT SHEET

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The Different Roles of HSRs and WHSOs

The *Work Health and Safety Act 2011* (the Act) puts a positive obligation on employers and employees to discuss and resolve Work Health and Safety (WHS) issues through the assessment of risk and hazards and consultation on how best to mitigate them.

Two important roles outlined by the Act to assist in risk identification are: Health and Safety Representatives (HSRs); and Workplace Health and Safety Officers (WHSOs). They have differing, but complementary, roles.

Health and Safety Representatives (HSRs)

HSRs are elected by and represent workers in a workplace or a specified work group on WHS issues. A HSR can investigate complaints, represent workers on WHS issues, monitor WHS measures taken by the employer, and inspect the workplace to identify risks and hazards. A HSR has a number of rights, such as issuing provisional improvement notices and, when there is an imminent risk to health or safety, directing workers to cease unsafe work.

Workplace Health and Safety Officers (WHSOs)

WHSOs are appointed by an employer to advise on and undertake work to meet the employer's WHS obligations under the Act. WHSOs have specific obligations they must fulfil, such as preparing annual assessments of workplace health and safety risks, notifying the employer about workplace health and safety matters and recommending ways to manage health and safety risks and hazards.

- **HSRs are workers' representatives, elected by workers.**
- **WHSOs are appointed by and represent employers.**

While both roles are necessary, only HSRs can represent and act independently on behalf of workers in the workplace.

IEUA-QNT Members – Acting Collectively to Improve Safety

KEY POINTS

Your health and safety relies on WHS issues being identified and resolved effectively.

HSRs

- Health and Safety Representatives (HSRs) are trained to assist members to resolve WHS issues.
- HSRs are elected by and represent **employees**.

WHSOs

- Workplace Health and Safety Officers (WHSOs) are appointed by and represent employers.
- Their role is to fulfil the employer's WHS obligations.

ACTION

For further information speak to your organiser, Health and Safety Representative or contact our union.

CONTACT OUR UNION FOR SUPPORT

Email: Industrial@ieuqnt.org.au
Freecall: 1800 177 937
Phone: (07) 3839 7020
Online: www.ieuqnt.org.au

Disclaimer: This document is issued for general guidance only and does not constitute professional advice. Do not rely solely on this document. All financial IEUA-QNT members can contact our union for advice about their personal circumstances. We cannot accept responsibility for the consequences should any person act in reliance on this document without obtaining appropriate advice from our union.

FACT SHEET

HEALTH AND SAFETY REPRESENTATIVE

Represents:

All employees in their Work Group

Obligations to the employer:

Nil

Rights:

For their work group and the workplaces in which they work, a HSR has the right to:

- undertake prescribed training within 3 months of appointment on paid time, with the employer paying for the training;
- represent the workers in the work group in matters relating to work health and safety;
- monitor the measures taken by the employer (or their representative) in compliance with the WHS Act in relation to workers in the work group;
- investigate complaints from members of the work group relating to work health and safety;
- inquire into anything that appears to be a risk to the health or safety of workers in the work group, arising from the work in the workplace;
- inspect the workplace or any part of the workplace at which a worker in the work group work;
- accompany an inspector during an inspection of the workplace or part of the workplace;
- be present at an interview concerning work health and safety between a worker and the employer and/or an inspector;
- request the establishment of a health and safety committee; and
- receive information concerning the work health and safety of workers in the work group.

Duty of Care:

The primary duty of care remains with the employer (PCBU).

Liability:

A HSR is not personally liable for anything done, or omitted to be done, in good faith under the WHS Act.

WORKPLACE HEALTH AND SAFETY OFFICER

Represents:

The Employer

Obligations to the employer:

- to prepare an assessment report at least every 12 months to assess risks to health and safety arising from work in the workplace, including recommendations to manage the risks.

In addition, a WHSO must:

- notify the employer about work health and safety matters;
- identify hazards and risks to health and safety arising from the work carried out as part of the conduct of the business or undertaking;
- report, in writing to the employer, any hazards and risks identified;
- immediately notify the employer about (i) any incident the work health and safety officer is aware has occurred or (ii) any immediate or imminent risk to health and safety at the workplace;
- investigate, or assist in the investigation of, any incidents that occurred at the workplace;
- accompany and assist an inspector during an inspection of the business or undertaking;
- establish educational and training programs on matters relating to work health and safety; and
- undertake any other function prescribed by regulation.

Rights:

A WHSO has the right to:

- perform their functions within normal working hours;
- be given information about risks to health and safety in the workplace by the employer; and
- be provided with the resources and assistance necessary for the WHSO to undertake their duties under the WHS Act.

Duty of Care:

The primary duty of care remains with the employer (PCBU).

Liability:

A WHSO is not personally liable for anything done or omitted to be done in good faith under the WHS Act.

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