

# FACTSHEET: WORKER PARTICIPATION & HEALTH & SAFETY REPRESENTATIVES

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Updated August 2016

## Worker representation

Everyone shares responsibility for workplace health and safety. We know that when businesses and workers communicate and co-operate on health and safety matters, their workplace becomes both healthier and safer. Good worker participation practices benefit everyone.

The Health and Safety at Work Act 2015 (the Act) says that businesses must engage with their workers and have effective worker participation practices. Engagement is how a business involves its workers in work health and safety matters and decisions.

Worker participation in health and safety is a two-way process involving workers and employers:

- talking to one another
- listening to one another's concerns
- raising concerns and solving problems together
- seeking and sharing views and information
- discussing issues in good time
- considering what everyone has to say.

All workers must have reasonable opportunities to participate in improving work health and safety on an ongoing basis. This includes everyone from the front line to managers and leaders. Engagement is also required in specific circumstances such as when the business is proposing changes that affect the health or safety of workers.

How you engage with your workers and how they participate will depend on what works best for your workers and your business.

If you're a leader in your business then making sure you ask for and reliably respond to workers' health and safety concerns or suggestions can help to shape safer, healthier work practices.

Note that when engaging on a matter relating to work health or safety, you only need to engage those workers who are, or who are likely to be, directly affected by that matter.

Worker engagement, participation and representation duties under the Act do not apply to volunteers, although they can still raise health and safety concerns with the business.

Worker representation is about having one or more people representing workers on health and safety matters. Ways to do this include Health and Safety Representatives (HSRs), Health and Safety Committees (HSCs) and Unions.



## Health and safety representatives

HSRs are people who have been elected by members of their work group to represent them on health and safety matters. HSRs are a great way to support worker engagement and participation.

All construction businesses are required to have an election for an HSR if a worker asks to have them, as construction is deemed high-risk.

While the responsibility for providing a healthy and safe workplace rests with the business, HSRs play an important role in keeping workplaces healthy and safe. They provide a link between workers and management. The HSR's role is to:

- build positive health and safety practices at work and facilitate good relationships with their business
- represent workers on health and safety matters
- identify and monitor risks and discuss ways to manage them with the business (if there's no resolution, and they're appropriately trained, the HSR can issue a provisional improvement notice)
- consult with inspectors on health and safety issues
- promote the interests of workers in a health and safety context, particularly workers who've been harmed at work. HSRs can also help to arrange rehabilitation and return to work.
- make health and safety recommendations
- provide feedback to the business about whether health and safety requirements are being complied with.

HSRs can be members of any Health and Safety Committee at their workplace.

The Act and the Regulations set out the functions, powers and training requirements for HSRs, as well as the businesses duty to provide resources and support for HSRs. See **more information** at the end of this factsheet.

## Benefits of health and safety representatives

HSRs can be an effective way to improve work health and safety and ensure workers can be involved in health and safety. For example, HSRs can:

- identify hazards and work with the business to manage them
- provide a link between workers and management
- provide a voice for workers who would not otherwise speak up about health and safety
- help the business and workers to make sure their workplace complies with the relevant law.

## Training health and safety representatives

Training is a great way to support HSRs to learn about the role and how to be effective in their workplaces. HSRs must attend specific training from an NZQA qualified trainer – either initial or transitional training - to be able to use new powers under the Act, such as issuing provisional improvement notices and directing workers to cease unsafe work where there is a serious risk to health and safety from an imminent or immediate exposure to a hazard.

The Act generally requires a business to allow HSRs to have up to two days' paid leave a year to attend health and safety training. The business must also pay for the training and associated reasonable costs.

## More information

We have developed a comprehensive list of resources on Worker Engagement, Participation and Representation in the workplace on the Safety Charter's website. These can be found at: [www.safetycharter.org.nz](http://www.safetycharter.org.nz) – under Improve Health and Safety – Worker Engagement, Participation and Representation.

**“ My workmates chose me to be their health and safety representative. I am proud to represent them on the job and agreed to be a rep because I want to make sure that when people are at work they are safe and healthy.**

**We've been through a lot here with the earthquakes. We all need to look after each other because we all want to go home safe at the end of the day.”**

*Health and Safety representative*