

OH&S Series

Edition 3: Reporting & Resolution

Reporting and resolution of health and safety issues

Welcome to edition number 3, this edition deals with reporting and resolution of Health and Safety issues.

Sometimes the process of reporting can be cumbersome, however this reporting process is the most important step when trying to resolve health and safety issues.

The Occupational Health and Safety Act says:

If an issue concerning Health and Safety arises at a workplace the employer or its representative; and the employees affected by the issue (or, if there is a designated work group in relation to which the issue has arisen); the health and safety representative for that group must attempt to resolve the issue in accordance with the relevant agreed procedure or, if there is no such procedure, the relevant procedure prescribed by the regulations (Act).

Note: If the issue is not resolved within a reasonable time, any of the parties attempting to resolve it may ask the Authority (Worksafe) to arrange for an inspector to attend at the workplace to enquire into the issue.

An employer must ensure that its representative (if any) is not a Health and Safety representative; and has an appropriate level of seniority, and is sufficiently competent to act as the employer's representative.

Consultation:

When resolving issues the employer has an obligation to consult with any impacted person/ persons when Hazards and Risks have been identified.

When:

1. Identifying or assessing hazards or risks to Health or Safety at a workplace under the employer's control.
2. Making decisions about the measures to be taken to control risks to Health or Safety at a workplace under the employers management and control.
3. Making decisions about the adequacy of facilities for the welfare of employees.
4. Making decisions about the procedures for any of the following -
 - i. Resolving health or safety issues at a workplace under the employer's management and control arising from the conduct of the undertaking of the employer.
 - ii. Consulting with the employees of the employer in accordance with the Act
 - iii. Monitoring the health of employees of the employer and the conditions at any workplace under the employer's management and control;
 - iv. Providing information and training to employees of the employer;
5. Proposing changes, that may affect the health or safety of employees of the employer, to any of the following:
 - i. A workplace under the employer's control
 - ii. The plant, substances or other things used at such workplace.
 - iii. The conduct of the work performed at such a workplace

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Employees should be consulted via the following steps

An employer who is required to consult with employees must do so by:

- i. Sharing with the employees information about the matter on which the employer is required to consult; and
- ii. Giving the employees a reasonable opportunity to express their views about the matter; and
- iii. Taking into account those views.

If the employees are represented by a Health and Safety representative, the consultation must involve that representative (with or without the involvement of the employees directly).

Subject to the above if the employer and the employees have agreed to procedures for undertaking consultations, the consultation must be undertaken in accordance with those procedures.

ANZ has processes that are intended to meet their obligations for reporting, issue resolution and consultation under the Act.

(see Max resources on ANZ Intranet or speak with your Health and Safety Rep or FSU Organiser)

For any additional information arising from this edition please contact your FSU Organiser on:
1300 366 378