

# WORKPLACE HEALTH AND SAFETY



## **Health and Safety should be a priority. Staff should have a say in matters that affect their physical and psychological safety.**

The IEU will work with you as a Rep to create and promote working environments which meet the physical, mental and social well-being of all staff in your school.

Hazards which may lead to risks to your co-workers include:

- unreasonable workloads
- inadequate staffing
- inadequate work breaks
- lack of resources
- workplace bullying and harassment
- manual handling
- hazardous chemicals
- working in hot or cold environments
- poor indoor air quality
- challenging students
- violence
- voice overuse.

## **How to elect a Workplace Health and Safety Rep**

The first step is to establish a Designated Work Group.

### **What is a Designated Work Group?**

Any worker in a school can request that there be an election for one or more Health and Safety Reps (HSR). Once this request has been received by the Principal, school management has fourteen days to enter negotiations with the workers or their representatives (could be the IEU) to determine the number and composition of work groups and the number of HSRs and deputy HSRs to be elected.

A school of up to 30 staff (including teachers and ESOs) may find that one work group and one HSR (whether they are a teacher or an ESO) would be able to effectively meet their health and safety needs.

Staff in a larger school may feel they need more than one work group or more than one HSR in each work group. Once a work group is established the process of electing an HSR begins. All workers in the work group are eligible to vote or to be elected

### **Election procedures**

Staff determine how the election of a HSR is to be conducted and who will conduct it – school management does not decide this. The person conducting the election must be agreed to by a majority of staff in the work group and could be an IEU Branch Representative, Organiser or any other person.

The person conducting the election must:

- set a date for the election which takes into account the convenience for everyone in the work group to participate
- ensure that all workers in the work group are given the opportunity to nominate for the position of HSR
- inform school management of the election date
- determine the voting process
- ensure that all workers are given the opportunity to vote in the election
- inform all workers in the work group and school management of the outcome of the election.

### **Deputy HSRs**

Deputy HSRs are elected in the same way as an HSR.

### **After the election**

Once the election process is over, school management must ensure the names of elected HSRs and Deputies are displayed in an area that is readily accessible to staff, such as the staff room or lunch areas. These names must also be provided to Safework SA.

# “HSRs are crucial to workplace health, safety and welfare.”

## Term of office

A HSR holds office for 3 years from the date of election and is eligible for re-election.

## Training

Early participation in a training course is essential for any newly elected HSR and deputy HSR. Once elected an HSR and deputy are entitled to at least five days training for the first year, three days training in the second year and two days training in the third year. These entitlements apply again if the HSR is re-elected. The training courses must be approved by Safework SA. The IEU can suggest appropriate training providers with experience in the education industry and help negotiate training leave with school management. HSRs and deputies are considered to be on duty while attending approved training and are paid at the rate they would have received if they had been at work.

School management must allow the HSR (and deputy) time off to attend approved training within 3 months of a request being made and pay the course fees and other reasonable costs associated with the training. There are subsidies available to eligible employers for small businesses (less than 100 employees); and high risk occupations (for example, agricultural or horticultural labourers and cleaners). Your employer should contact Safework SA for further information about these subsidies.

HSRs are crucial to workplace health, safety and welfare. The Act gives them powers to respond to issues raised by the staff they represent and requires that school management informs, consults and negotiates with them on any health and safety issue which affects those staff.

## HSR Powers and Rights

The HSR has the power and the right to: inspect the workplace

- be notified of and investigate accidents and incidents that affect their work group
- investigate any complaints on health and safety issues made by a worker in the work group
- inquire into anything that appears to be a risk to the health and safety of workers in the work group
- be provided with information concerning the health and safety of workers in the work group
- accompany a Safework SA Inspector during an inspection of the school
- be present at any interview between a staff member and school management on a health and safety issue,

if the staff member requests

- be consulted by school management about policies, practices, procedures and changes in the work environment that might affect the health and safety of their work group
- issue Provisional Improvement Notices (PINs) that require an action to be taken to resolve any health and safety risk
- direct that work cease if there is an immediate threat to the health and safety of a worker in their work group and
- be provided with facilities, paid time and assistance to carry out the role of the HSR.

A HSR does not have WHS Duties or Responsibilities A HSR does not have any legal liability or responsibility for any action or lack of action done in good faith in the role of HSR. School management cannot delegate any health and safety duties to the HSR, these are the responsibilities of school management.

If a HSR chooses to undertake an activity, he or she does so as the HSR and a representative of staff, not as an agent of management.

## Time

Finding the time to be an effective HSR is an arrangement that must be negotiated with school management early in a new HSR's term of office. The Act states that any time a HSR spends exercising his or her powers or functions must be with pay so School management must allow additional time at work for a HSR to effectively carry out their role. A HSR must not be expected to add health and safety activities to their current workload. Some Enterprise Agreements allow additional non-contact time for those HSRs who are teachers to ensure that this occurs.

## Being Effective

The role of the HSR is to bring the work group together, respond to issues raised by individuals or the group and represent them to management as required.

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