

Frequently Asked Questions

What do I have to do if I become an HSR?

An HSR represents the members of the DWG in relation to health and safety issues. HSRs can use their powers under the OHS Act 2004 to resolve health and safety matters that affect the members of the DWG.

How long can I be an HSR?

Section 55 of the OHS Act 2004 provides HSRs a term of no more than three years but a shorter term can be negotiated within the DWG or determined by a WorkSafe Inspector.

HSRs have the right to stand for re-election after their period expires.

Should we have an HSR and a Deputy HSR or have more than one HSR per DWG?

A Deputy HSR can only carry out functions of an elected HSR if that HSR is unavailable, for example on annual leave or on a rostered day off.

If there is more than one HSR per DWG, then each HSR has the right to carry out the HSR functions.

What is a PIN?

A PIN is a Provisional Improvement Notice under the Occupational Health and Safety Act 2004. It is a formal notice from an HSR to the employer or employer representative advising them of a health and safety breach in the workplace. A PIN is issued when consultation between the HSR and the employer or employer representative has not resolved the health and safety matter. An employer cannot ignore a PIN and must either comply with the PIN or refer it to WorkSafe Victoria within the designated timeframe.

6 easy steps to becoming an HSR or Deputy HSR

1. Establish/confirm your DWG, through consultation with your employer, and agree upon the number of HSRs/Deputy HSRs. (It is up to the members of the DWG to decide upon the election process.)
2. Complete an A4 "call for nominations poster" and display in a prominent place. All members of the DWG need to have a chance to nominate themselves or another member of the DWG by completing the attached nomination form.
3. Completed nomination forms need to be handed in to a person who can oversee the election (this may be an ANF Job Representative).
4. Once the nomination period is complete, if there are more nominees than positions available, an election needs to take place. The election may be as simple as a show of hands. If numbers are equivalent, the nominees are considered elected.
5. Notify your facility of elected person(s) because they are required to display a list of elected HSR(s).
6. Notify ANF of the elected HSR(s) by completing an "Update of Details Form" for each HSR and return to ANF in reply paid envelope.

For further information contact:

1. Your ANF Industrial Relations Organiser on (03) 9275 9333
2. ANF OHS Unit on (03) 9275 9333



"I was interested in Occupational Health & Safety and observed that many work practices were in need of change. Being the HSR gives me the opportunity to initiate and support a positive change in creating a safer work place."

Hans Breman, ANF HSR

Become a Workplace Health & Safety Representative (HSR) or a Deputy HSR



Australian Nursing Federation
(Victorian Branch)

www.anfvic.asn.au

Representing nurses and midwives

What does an HSR do?

Employees are entitled to be represented in relation to health and safety matters. An HSR is the vital link in the communication process between the employees and the employer in relation to occupational health and safety.

An HSR represents the employees in their Designated Work Group (DWG) by raising, monitoring and resolving OHS matters with their employer.

The key factor to remember is that an elected HSR represents the interests of the employees. It is not an appointed position that has responsibility for meeting the health and safety obligations of the employer.

Establishing a DWG

Any employee has the right to ask their employer to establish a DWG so that an HSR can represent that DWG. If employees ask for a DWG the employer must do everything reasonable to commence negotiations within 14 days after the request.

How can you become an HSR?

Employees can nominate themselves or another member of the DWG for election to be an HSR. Depending on the number of nominations and the number of vacant positions each nominee could be an HSR. If there is more than one employee nomination for one position an election needs to take place. Only employees can decide how to elect HSRs and only employees can vote.

Considerations when establishing or varying a DWG

- There may be more than one HSR for each DWG
- There may be Deputy HSRs to act for the HSR when they are unavailable
- HSRs may represent employees at different workplace locations
- HSRs have the authority to represent independent contractors and their employees

Powers of an HSR

- Inspect any part of the workplace where a member of your DWG works
- Inspect the workplace immediately if there is an incident or serious risk

- Accompany a WorkSafe Inspector during a workplace inspection involving your DWG
- Request that a Health and Safety Committee (HSC) be established
- Attend a health and safety interview at the consent of the DWG member
- Ask for assistance of any person, e.g. ANF Industrial Organiser
- Issue a Provisional Improvement Notice (PIN) requiring employers to address breaches of OHS legislation
- Direct work to stop if there is an immediate risk to health or safety

Legislation

Occupational Health and Safety is an important part of the workplace and is therefore a legal requirement. In Victoria the legislation covering health and safety is the:

- Occupational Health and Safety Act 2004 (OHS Act)
- AND
- Occupational Health and Safety Regulations 2007

WorkSafe

WorkSafe Victoria is the government body that is responsible for regulating health and safety in all Victorian workplaces.

Training

An elected HSR is entitled to attend an approved initial five day OHS Representatives course of their choice, a refresher training course at least once a year. HSRs are entitled to attend other training courses as approved by WorkSafe Victoria, such as the Victorian Trades Hall Council annual HSR conference (this provision does not extend to Deputy HSRs).

HSRs are entitled to time off work with pay. The employer must meet the costs associated with the initial or refresher course, in accordance with the OHS Act.

HSRs must submit to employers a request to attend a course at least 14 days notice before the HSR course is to start.

HSR NOMINATION FORM

I wish to nominate as an: (select one with a tick below)

- Occupational Health & Safety Representative (HSR)
 Deputy Occupational Health & Safety Representative (HSR)

DWG: _____

Facility: _____

Position: _____

Ward/Department: _____

Contact Email: _____

Home Address: _____

Phone: (w) _____ (h) _____ (m) _____

Director of Nursing: _____

Your signature: _____ Date: _____

First Name: _____

Surname: _____

ANF Membership No.: _____

Completed nomination forms need to be handed in to a person who can oversee the election (this may be an ANF Job Representative).