

NSW Work Health & Safety Act



Module: H&S Committees – Roles and Functions



What WHS Act says PCBU's must do:

PCBU must establish a health & safety committee **within 2 months of being requested to do so by:**

- a **HSR** for the workgroup carrying out the work
- **5 or more workers** at the workplace
- if required to do so by the **regulation**

PCBU may establish a committee on their own initiative





What WHS Act says about Committees:

FUNCTION OF THE HEALTH & SAFETY COMMITTEE:

1

- Facilitate co-operation between PCBU & workers to instigate, develop & carry out WHS measures

2

- Assist develop health & safety standards, rules and procedures to be complied with at the workplace

3

- Perform such functions as prescribed by the Regulation or agreed between PCBU and Committee





What WHS Act says PCBU's must do:

PCBU must:

- allow each member of the committee to spend time reasonably necessary to attend meetings, carry out functions
- pay members usual wages while doing Committee work
- allow Committee access to information relating to:
 - **hazards & associated risks**
 - **health and safety of workers**





What WHS Act says about Committees:



HSRs can choose to be member of the Committee



If 2 or more HSRs, they choose one or more to be members of Committee



At least half the members must be workers NOT nominated by a PCBU



Either party can request an Inspector to decide on establishment & make-up of Committee, if agreement not reached



Constitution to be agreed by PCBU and workers but must meet at least every 3 months

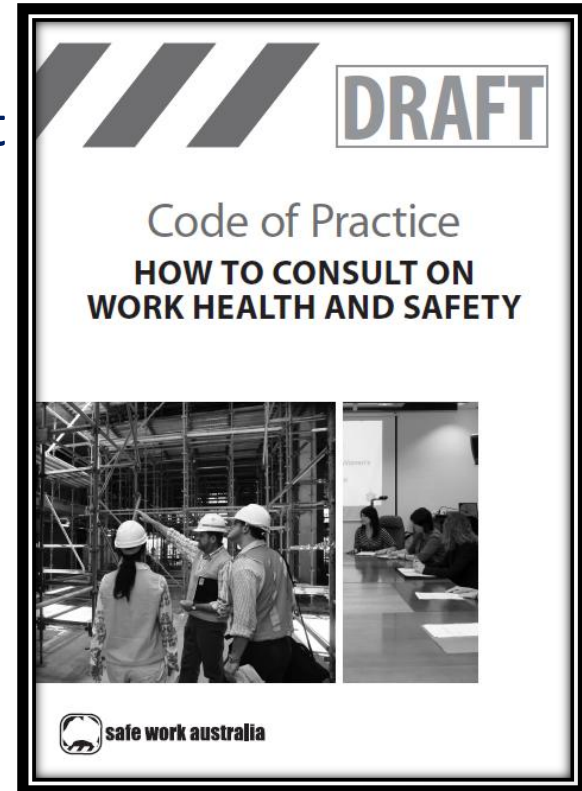
What WHS Regulation says about Committees :

The WHS **Regulation** does not deal with **COMMITTEES**

Code of Practice – How to Consult on Work Health & Safety is available in draft form and is currently out for public comment.

It provides valuable guidance on all aspects of **CONSULTATION** including:

Consulting using HSR & Committees





What is different from current arrangements?

SIGNIFICANT CHANGES

Changes the focus of the functions of the Committee



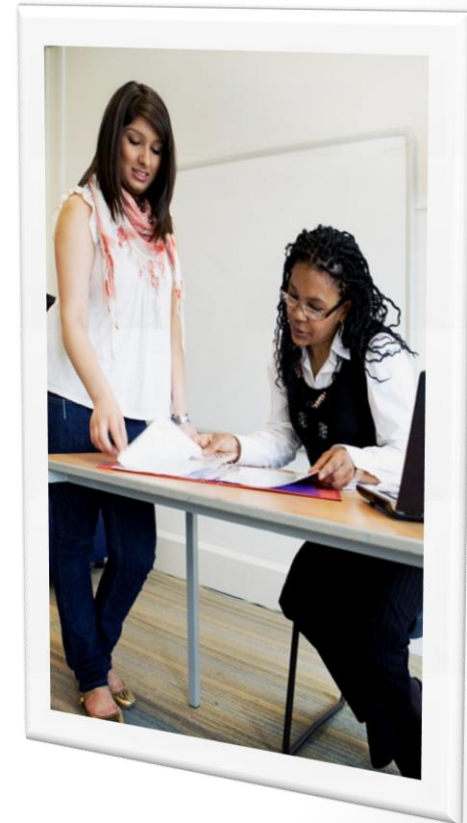
Removes mandatory requirement for all members of Committee to undertake prescribed training



Silent on some administrative details like who should be chair, the status of the management rep, elections







Membership may be broadened to include all workgroups



Much about Committees is very similar to existing provisions

What do you have to do?

If you have a committee that works




-  Keep it and refocus it to fulfil its new functions and to contribute to H&S performance improvements
-  Discuss how it may be extended to cover all workgroups, not just employees
-  Review the current training with committee members and design something that meets the requirements of the members and your business
-  Ensure members understand and use the new legislation



What do you have to do?

If you don't have a committee or if it is ineffective



-  Think about whether you need one - a Committee may not be the best of most effective way to consult with your workers.
-  Identify your workgroups and talk to them about how you may consult and determine if a committee is the way to go.
-  A committee may work if you have a significant number of workers who are reluctant to be a HSR but would be part of a committee