

FORMATION OF DESIGNATED WORK GROUPS AND ELECTION OF HEALTH AND SAFETY REPRESENTATIVES PROCEDURES

1. PURPOSE

The purpose of these procedures is to provide practical guidance to employees on the formation of designated work groups and the role and functions of the health and safety representatives.

2. DEFINITIONS

Designated Work Group (DWG)

A group of employees determined on the basis of location; type of work; number of employees, the nature of hazards at the workplace and of overtime or shift working arrangements.

Employer Representative

For the purposes of determining the composition of designated work groups, the University employer representative is the Director (Human Resources).

Health and Safety Representative (HSR)

An employee elected by members of a designated work group to be the group's health and safety representative.

Deputy Health and Safety Representative

A deputy health and safety representative for DWG is elected the same way as a HSR. The deputy HSR will exercise the powers of the HSR when the elected HSR ceases to hold office or is unable because of absence or any other reason to exercise the powers of a HSR.

3. FORMATION OF A DESIGNATED WORK GROUP (DWG)

3.1 **Establishment of or Variation to DWGs**

For the purposes of determining the composition of designated work groups, the University employer representative is the Director, Human Resources.

At the request of either employees or the employer representative, negotiations shall commence within 14 days to:

- Establish a designated work group; or
- To amend the composition of an existing designated work group; or
- To vary the number of health and safety representatives or deputy health and safety representatives for an existing designated work group.

Following the formation of or amendment to the composition of a designated work group calls for nomination must be made by the University Secretariat within 28 days.

3.2 Composition of DWGs

In determining the composition of designated work groups, regard is had to

- The number of employees;
- The nature of the work being performed;
- The number and grouping of employees performing similar types of work;
- The areas where the work is being performed;
- The nature of any hazards;
- Any overtime or shift working arrangements; and
- Whether other languages are spoken by employees.

If agreement on the composition cannot be reached, the Victorian WorkCover Authority may be requested to determine the composition.

4. ELECTION OF HEALTH AND SAFETY REPRESENTATIVES

4.1 Calling of elections

An election for a health and safety representative will be held within 28 days of any of the following occurring:

- The group has been recently formed or the composition amended.
- The health and safety representative advises the University Secretariat in writing of his or her resignation from office.
- The health and safety representative ceases to be a representative in accordance with Section 55(2) of the Occupational Health and Safety Act.
- If more than one half of employees within the designated work group request an election.

4.2 Conduct of Elections

All fixed-term and continuing employees of La Trobe University are eligible to nominate as a health and safety representative or if required deputy health and safety representative in their respective designated work group.

Elections and calls for nomination shall be advertised by the University Secretariat in the University News after a notification of vacancy is received and an election held if more than one nomination is received. The Secretariat will then advise the successful candidate and the Occupational Health and Safety Section in writing of the date of election and the outcome and will publish the result in the University News.

4.3 Term of Office

A health and safety representative/deputy for a DWG will hold office for a period not exceeding three (3) years.

4.4 Ceases to hold Office

A health and safety representative ceases to hold office when he/she

- Ceases to be a member of the DWG;
- Resigns as health and safety representative by giving written notice to the University Secretary;
- A majority of members of DWG resolve in writing that the person should no longer represent the DWG only if the health and safety representative has held office for at least 12 months;
- The DWG varies.

5. **POWERS OF HEALTH AND SAFETY REPRESENTATIVES**

According to the Occupational Health and Safety Act, health and safety representatives may:

1. Carry out inspections after giving reasonable notice to the employer, or immediately in the event of any incident involving risk to health and safety of a person;
2. Accompany an inspector during an inspection of the workplace
3. Be present at any interview between an employee and the employer or an inspector concerning a health and safety matter (with the consent of the employee)
4. Seek assistance of any person only for the purpose of representing members of DWG, monitoring control measures, enquiry into anything that poses a threat or attempting to resolve health and safety issues.

6. **TRAINING FOR HEALTH AND SAFETY REPRESENTATIVES**

Health and safety representative (HSR) are entitled on request to attend an approved course of training in occupational health and safety and a refresher course at least once every year thereafter.

Health and safety representatives who request to attend an approved course of training should consult with their Head of School or Divisional Manager and the Occupational Health and Safety Section. Paid leave will be granted to attend approved courses and the associated training costs will be met by the Occupational Health and Safety Section.

7. **REGISTER OF HEALTH AND SAFETY REPRESENTATIVES**

The register of designated work groups and health and safety representatives is maintained on the University OHS website <http://www.latrobe.edu.au/hr/ohs.htm>

8. **REFERENCES**

Occupational Health and Safety Act 2004

9. **CROSS REFERENCES**

La Trobe University Occupational Health and Safety Policy
Issue Resolution Procedures

10. **DOCUMENTATION**

Register of Health and Safety Representatives

The Executive Occupational Health and Safety Committee approved these procedures at its meeting on 4 September 2000.

Amendments endorsed by the Executive OHS Committee meeting on 7 September 2006