

It's your  
right!



## What is a HSR?

Under the Work Health and Safety Act (2012) all school staff have the right to feel safe and protected when they come to work. The employer- the Department of Education- must constantly strive to provide you with a workplace free from fear of injury, or the threat of injury.

**The Health and Safety Representative (HSR) is a worker who has been elected by a work group to represent them.**

**The HSR is the most powerful representative of staff concerns in regards to issues at work, and is the only person who can instruct work to cease if it is unsafe.**

## Don't we have a WHS committee that does that?

The WHS committee is a group chosen by the employer to help communicate with staff in regards to health and safety issues. These committees have no legal powers under the WHS act. They are not always representative.

HSRs are respected under the act because they:

- Are fairly and freely elected by the workers
- Are trained in WHS legislation

The HSR may choose to create a committee to facilitate communication with the Principal. However the key is to make sure that trained HSRs are active in each workplace to represent the staff and help advise and guide the Principal and Department about WHS issues.

## Is this more work?!?!

No. This means better policies and therefore less work.

The Department as the employer has the primary duty of care to ensure your health and safety at work. The HSR can be trained to assist in WHS matters in the workplace.

Under the legislation the HSR must not be disadvantaged in any way for taking on the role. They cannot be discriminated against or made to do extra work.

The HSR does not have any duty to **DO** anything. They have powers that they **CAN** exercise if they need to.

## Is a "work group" the same as a "committee"?

A work group is only responsible for electing the HSR. There is no other responsibility. The work groups should represent workers who share common needs and concerns. If there is a large number of Admin staff at a school it would make sense that one work group would be "Admin staff" and thus their representative would come from that group.

The division of staff into work groups is done through consultation between staff and the Principal about what is practical and guarantees representation.

## Can the HSR access training and resources?

Yes! Every HSR must be provided with 5 days of training into our WHS rights if they ask for it. The Department must provide the HSR with paid relief from their duties and no cost may be imposed upon the HSR. This is law and cannot be denied.

Importantly, the HSR is not able to exercise their full powers to protect workers rights in the workplace until they have had the training.

## What powers does a HSR have?

The HSRs in a workplace are provided with time (paid by the employer at their normal rate) to represent, investigate and advise on issues affecting workplace health and safety. The employer (the Department) and the manager (the Principal) must work with the HSR to resolve issues. In the extreme situation that a teacher or educator is in an unsafe situation, the HSR has the power (once they have been trained) to issue a Provisional Improvement Notice and insist that the problem is resolved before more work can continue.

## Are HSRs in other similar workplaces?

Yes! Every single school in South Australia has a trained HSR. In hospitals HSRs are elected and trained for each floor.

This is not a wanton request — this is our right!

## References and further information

AEU NT website: [www.aeunt.org.au](http://www.aeunt.org.au)

NT Worksafe website: [www.worksafe.nt.gov.au/](http://www.worksafe.nt.gov.au/)

Unions NT website: <https://unionsnt.com.au>