

## Health and Safety Representative Functions and Powers Statement - SA

The Work Health and Safety (National Uniform Legislation) Act, states that a group of workers may elect a person to represent them on health and safety issues. The group of workers is the “work group” and the person they elect to represent them is a “health and safety representative”.

Health and safety representatives have a vital role to play in assisting workers to have health and safety issues raised. Through their own experience in the workplace, representatives have a practical understanding of the health and safety problems that workers experience and can contribute suggestions about ways to resolve them.

Health and safety representatives have legal rights and functions to assist them to carry out their role effectively and are also protected from discrimination by the person conducting a business or undertaking. However, a health and safety representative can only take action on health and safety issues affecting workers in the representative’s own work group.

### Powers and functions of health and safety representatives

- represent the workers in the work group in matters relating to work health and safety.
- to monitor the measures taken by the person conducting the relevant business or undertaking, or that person’s representative, in compliance with the Act in relation to workers in the work group.
- to investigate complaints from members of the work group relating to work health and safety.
- to inquire into anything that appears to be a risk to the health and safety of workers in the work group, arising from the conduct of the business or undertaking.
- May inspect the workplace or any part of the workplace at which a worker in the work group works –
  - At any time after giving reasonable notice to the person conducting the business or undertaking at that workplace.
  - At any time, without notice, in the event of an incident, or any situation involving a serious risk to the health or safety of a person emanating from an immediate or imminent exposure to a hazard.
- Accompany an inspector during an inspection of the workplace or part of the workplace at which a worker in the work group works.
- With the consent of a worker that the health and safety representative represents, be present at an interview concerning work health and safety between the worker and
  - the inspector, or
  - the person conducting the business or undertaking at that workplace or the person’s representative.
- receive information concerning the work health and safety of workers in the work group.
- whenever necessary, request the assistance of any person.
- For those HSRs that have completed the training please refer to the Work Health and Safety Act for additional duties.

A health and safety representative is not personally liable for anything done or omitted to be done in good faith in exercising a power or performing a function under the Act or in the reasonable belief that the thing was done or omitted to be done in the exercise of a power or the performance of a function under the Act.