



Election of Health and Safety Representatives

A person conducting a business or undertaking (PCBU/Employer) has a responsibility to inform workers in writing about their right to request the election of Health and Safety Representatives (HSRs), the forming of work groups, and what the election process will look like. The PCBU will also have a responsibility to inform workers about the powers and functions an elected HSR has in the workplace. They must do this:

- as soon as reasonably possible (practicable) after the HSR has completed their 3-year term, (HSRs once elected serve a term of 3 years).
- as soon as reasonably practicable after the day a HSR no longer/ceases to hold office (i.e, resigned from the position, left that place of employment).
- otherwise, every year.

Note:

- HSRs can be re-elected.
- 'A' worker may request a PCBU to hold elections for HSRs and deputy HSRs
- Before an election can take place, work groups must be agreed on.
- A work group must be agreed on by negotiation between a PCBU/Employer, workers or a chosen representative, and relevant unions where the union makes the request to be part of the negotiations in writing. (See 'Fact Sheet' on 'Work Groups')
- To be eligible to be elected as an HSR or deputy HSR a worker only needs to be part of an agreed work group and has at no time been disqualified from the role of HSR.

The Election Process

Workers in the work group can decide how the HSR elections will take place (be conducted). It may be informal, for example a show of hands, or it may involve a more formal process such as the use of ballots.

If the majority of workers in a work group agree, the election may be conducted with the assistance of a union or other organisation (also known as, a 'suitable entity').

The PCBU must provide the resources, facilities and assistance that are reasonable for the HSR elections to be conducted.

The PCBU must also take all reasonable steps to ensure:

- all relevant PCBUs, workers or their representatives, and relevant unions are notified of the election date as soon as possible
- all workers in the work groups have the opportunity to nominate for the position of HSR or deputy HSR, and vote in the election, and
- all relevant PCBUs, workers in the work groups, representatives, and relevant unions are notified of the election outcome.

An election is not necessary if the number of workers who nominate to be an HSR equals the number of vacancies for the role. For example, if you have one HSR position for a work group and only one candidate, then there would be no need for an election to take place. That nominated HSR would automatically be elected.



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Removal of an HSR

A Health and Safety Representative (HSR) or deputy HSR can be removed by the majority of workers of a work group if the majority of workers sign a written declaration stating they wish to have the HSR removed.

Workers must also, as soon as possible (practicable):

- inform the HSR who is to be removed
- the PCBU for the work group, and
- take all reasonable steps to inform all workers of the work group of the removal.

The removal of an HSR or deputy HSR takes effect when the HSR, the PCBU and all workers of the work group have been informed of the removal.