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Your Safety Matters

This information letter is distributed to those people who are ensuring that their workplace is safe and healthy. This includes members of OHS Committees, OHS Representatives, Safety Officers, Supervisors, Managers and Directors. "Your Safety Matters" (formerly "Committee Member") is a free information letter which has been distributed since 1996.

OHS Consultation in 2012

In 2012 will you have to change the way you consult with workers and management and others?

The short answer is No...but read on..



Consultation in 2012 can be done by one or more of the following arrangements;

- › One or more health and safety committees (WHS Act 2011 s.75).
- › One or more health and safety representatives (WHS Act s.50/51).
- › Other agreed arrangements (WHS Act s. 47(2)).

As you know that is how consultation is done now under the current OHS law in NSW. So you do not have to change how you consult. For example if you have an OHS Committee it will be called a Health & Safety Committee in 2012 and can keep doing the consulting functions that it does now (WHS Act s. 77(c)).

From our experience, companies are satisfied and even happy with their current consultation arrangements and want to continue doing what they are doing.

If you don't have a Committee then a Health & Safety Committee has to be established (see section 75 NSW Work Health & Safety Act 2011) when;

- › A person conducting a business or undertaking (PCBU) decides to establish one, or
- › 5 employees or an HSR request it.

And if an employee in a workgroup should request that a Health & Safety Representative (HSR) be elected for their workgroup then management has to arrange for an election of a HSR for that workgroup (see sections 50/1 NSW Work Health & Safety Act 2011).

**For more information on this please visit our website
www.courtenell.com.au/consultation2012.html**

This publication provides general information about ohs. It is not a legal opinion and does not represent a comprehensive statement of the law to be applied to a particular problem.

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