

OH&S Consultation Procedures

1. Preamble

- 1.1 The University of Western Sydney is committed to consulting with its employees on Occupational Health and Safety. This consultation extends to identifying the most appropriate strategies and methods for eliminating and/or controlling occupational hazards.
- 1.2 Formal communication of information on health and safety is regarded as an essential part of an effective health and safety program. OH&S Workplace Committees are a forum for communication and consultation between employees and management on health and safety issues.

2. Aim

- 2.1 University of Western Sydney is committed to protecting the health, safety and welfare of all our employees. Injury and illness is costly and in most cases preventable. Our organisation will consult with our employees in the formulation, and in the implementation of OH&S Management Systems and Procedures that will ensure the health, safety and welfare of our employees. Employee involvement at all levels is critical and shall be encouraged for ensuring a safe workplace.

3. Responsibility

3.1 Managers

- (i) Supporting the role of the Committee by way of allocating human and financial resources.
- (ii) Ensure their active participation in Committee meetings, as the employer's representative and to make decisions regarding any OH&S recommendations formulated by the Committee and put forward for consideration by the University.
- (iii) Providing guidance to employee representatives.
- (iv) Ensuring the release from the workplace of employee representative to attend Committee duties.

3.2 Employees

- (i) All employees should take reasonable steps to ensure that risks to health and safety at work are prevented by consulting with their immediate supervisor about the nature of the risks and the most appropriate ways in which the risks can be reduced.

- (ii) Employees who are members of an OH&S Committee or are OH&S Representatives are deemed to represent employees in particular work groups and as such, are able to undertake regular meaningful communication with the employees in their work group. These employees are then empowered to raise OH&S issues formally at meeting of an OH&S Committee and/or with a the relevant manager or supervisor and may in certain circumstances contact WorkCover NSW.

3.3 Occupational Health, Safety & Risk Unit

- (i) Co-ordinating the election of Committee members.
- (ii) Ensuring appropriate training requirements for Committee members are organized.
- (iii) Providing technical input and advise to the Committee as required.

4. OH&S Representatives

- 4.1 The OH&S Representatives have been elected in accordance with the procedures agreed between UWS, Occupational Health, Safety & Risk Unit and their own sections within Colleges/Divisions/Sections and their staff for a two (2) year term.

5. OH&S Workplace Committee

- 5.1 The OH&S Workplace Committee is a committee that is comprised of employer's representatives and employee representatives. The role of the Committee is to engage in consultation, monitoring, reviewing and evaluating of OH&S Management Systems and OH&S Procedures, and discuss "issues" that affect the health, safety and welfare of all the employees at University of Western Sydney campuses.
- 5.2 An "issue" can be an OH&S problem, hazard, condition, system, or procedure, an illness or lost time injury, an urgent, or a general OH&S issue.

6. How Employees will be consulted about OH&S

- 6.1 When an issue is raised either by the organization, an employee or the OH&S Workplace Committee, the elected Employee Representative, or the elected OH&S Representative will consult members of their workgroup. The OH&S Representative will also feedback to their workgroup the outcomes of the OH&S Workplace Committee meeting.

6.2 Employees should draw to the attention of their Supervisor/Manager in the first instance. All matters raised should be reported through the OH&S Representative in their workgroup. Matters that are unresolved, or where employees have concerns regarding the resolution of issues can be addressed to the OH&S Workplace Committee through any OH&S Representative or Employee Representative or Employer Representative or the OH&S Unit.

7. Establishment of Consultation Arrangements

7.1 The University of Western Sydney Policy Statement has established consultation arrangements with its employees in 2002. UWS senior management is in agreement that OH&S Workplace Committees and in some cases OH&S Representatives will be elected for the purpose of improving OH&S awareness throughout the organization.

8. Review of consultation arrangements

8.1 The University of Western Sydney and its employees have agreed that these OH&S consultation arrangements will be monitored and reviewed in two years, to ensure that consultation with all employees is effective and that all safety issues are being addressed.

9. Procedures

9.1. Establishment

The UWS Occupational Health and Safety Workplace Committee is established to comply with the requirements of the *Occupational Health and Safety Act 2000* ('the Act') and the *Occupational Health and Safety Regulations 2001* ('the Regulation').

9.2. Scope and function of the committee

The Scope of the committee's will include but not be restricted to the following:

- (i) Analysis and discussion of accident and near miss incident reports.
- (ii) Coordinate, conduct and report on workplace inspections.
- (iii) Review and comment of OH&S reports conducted within the organization.
- (iv) Discussion of OH&S issues and complaints raised by employees and issues referred to the Committee by management seeking the Committee's help.

- (v) Review OH&S systems, policies and procedures
- (vi) Have the authority to investigate all aspects of safety for all persons on UWS campuses.
- (vii) The Committee shall review measures taken to ensure the health and safety of persons in the work place and shall investigate matters brought to their attention, which is unsafe, or a risk to health.
- (viii) The Committee does not have the authority to hear industrial disputes, welfare issues, and welfare issues not related to safety or health issues involving negotiations over money, employee grievances, which do not affect safety and health, minor problems, which can be attended to without reporting to a meeting.
- (ix) Attempting to resolve any such matters, but if unable to do so, requesting a WorkCover NSW inspector to undertake an inspection of the workplace for that purpose.

9.3. Committee membership

- (i) Whereas the *OH&S Regulation 2001* suggests 8 members for an OH&S Committee and stipulates that the management representatives must not out number employee representatives, the composition of OH&S Committees at the UWS will be determined by consultation at committee level.
- (ii) Employer representatives must have the employer's delegated authority to make decisions on his behalf (within agreed parameters) on matters raised in committee discussions.
- (iii) Employee representatives can be elected from Academic Staff and General Staff.
- (iv) Specific employee representatives elected to Colleges/Schools/Divisions from each location may change as the proportion of staff at each location changes.

9.4. Election of members

- (i) *Employee's representatives* – election of employee representatives will be by means of nomination at a meeting of persons employed at the work place.
- (ii) Following nominations, employees of the work place shall undertake elections of nominated officers by the simple accumulative vote system.
- (iii) *Employer's representatives* – the employer's representatives shall be nominated by the employer and must include at least one member with management authority to make decisions in conference, on matters relating to OH&S. Should such decisions be outside his

delegated authority the matter involved shall be referred to a higher authority.

9.5. Election of Chairperson (Convenor), Deputy Chair and Secretary:

- (i) The employee representatives of the committee shall elect by popular vote one of their numbers to fill the position of Chairperson (Convenor) of the Committee.
- (ii) The employer may nominate from his representatives a member to fill the position of secretary.

9.6. Authority and Duties of Chairperson

The authorities and duties of the Chairperson are to: -

- (i) Arrange agenda items and ensure they are dealt with.
- (ii) Lead the meeting and ensure the overall intention of the meeting is achieved.
- (iii) The Chairperson can end discussion of any item of business only if the Chairperson is satisfied that discussion of the item has occurred.
- (iv) Ensures all committee members have the opportunity to participate in meetings.
- (v) Be familiar with the Consultation Statement and ensure the rules set out are complied with.
- (vi) Ensure agenda items are allocated in a sufficient time frame and all items should be covered.
- (vii) Seek decisions from the decision-maker.
- (viii) Ensure the secretary has correctly recorded the decisions made, what actions are to be taken, and by whom.

9.7. Deputy Chairperson

The authorities and duties of the Deputy Chairperson are to be as above in the absence of the Chairperson.

9.8. Duties of Secretary

The role of the Secretariat is to provide the services of the Secretary to:

- (i) Record the minutes of the meeting and distribute to committee members, Provosts, OHS&R Unit via e-mail and placed on Notice Boards within five days of the meeting.
- (ii) Maintain the records of the committee, including the minutes, and ensure that they are kept in the custody of the employer for safekeeping.
- (iii) Ensure members of the committee have access to all records of the committee.

- (iv) Assist in the compilation of the agenda and distribute to committee member's five days prior to the next meeting.
- (v) Deal with correspondence and prepare internal memos as required.
- (vi) Correspondence relating to OH&S matters should be directed to the Secretary who will be responsible for its direction to appropriate personnel.
- (vii) Minutes (either in full or edited) shall be displayed prominently in the workplace, and accessed via the OHS&R Unit web site so those employees may read them.
- (viii) Make all preparations for the meeting; reserve the meeting room for the time and date.
- (ix) Provide copies of, the UWS Consultation Statement of the Committee, the OH&S Policy, etc., as required to committee members.
- (x) Collate reports, statements papers.
- (xi) Assist as required in the election of employees' representatives.

9.9. Duties of Members

- (i) Attend the monthly meetings
- (ii) Carry out workplace inspections
- (iii) Report unsafe acts/conditions
- (iv) Report accidents and near-miss incidents
- (v) Investigate major accidents
- (vi) Suggest ideas for improving OH&S
- (vii) Refer employees' ideas/suggestions
- (viii) Conduct safety promotions
- (ix) Work safely and influence others to do so

9.10. Terms of office

- (i) Employee representatives are normally elected for a term of two years. This period however may be extended and/or reduced in accordance with consultation arrangements
- (ii) Employer representatives as determined by the employer.

9.11. Casual vacancies

- (i) *Employee representatives* - on occurrence of a casual vacancy, the Chairperson may appoint a person to the vacant office for the remainder of the term of office, unless otherwise determined by a meeting of employees of the workplace.
- (ii) *Employer representatives* - the employer shall appoint a person to the vacant office of employer representatives.

9.12. Substitute committee members

Substitute members may attend committee meetings on behalf of an absent committee member, provided the substitute is from the same department as the absent member.

9.13. Attendance of non-committee members

- (i) If agreed by the Committee, non-members who can make a special contribution to the meeting may be invited to attend.
- (ii) Advisers may include OHS&R Co-ordinator, Risk Consultants, Insurance Representatives, an Employee with special knowledge of a particular matter, a Supervisor in control of a particular section, etc. Other employees may be invited as observers.
- (iii) Specific OH&S Representatives, Observers and others including other entities e.g. Student Union, Childcare, Residential College, OHS&R Manager, may wish to/or be invited to attend from time to time, especially those to whom issues may relate.
- (iv) The presence of these people at a meeting should be organised prior to the meeting through the Chairperson.

9.14. Meetings

- (i) Committee meetings shall take place at least once a month or otherwise agreed by the campus-based committee.
- (ii) The last meeting of the Committee in a calendar year will determine the dates and times for the next years' meetings.
- (iii) All items of business that come before a meeting of the Committee are to be decided by consensus.
- (iv) The Chairperson has the authority to call an Extra Ordinary meeting at any time with notification to members being either by memorandum, e-mail or word of mouth.
- (v) Management will provide a meeting place and provide clerical assistance if required.

9.15. Order of Business

Suggested order, but may be varied by the Chairperson of Committee by census:

1. Apologies
2. Minutes
3. Reconsider items outstanding from previous meeting
4. Review and discuss inspection reports
5. Discuss matters referred to Committee
6. Talks on special subjects
7. New business items
8. Closure of meeting
9. Unless it decides otherwise, the committee is to consider items of business in the order in which they are listed on the agenda and is to

conclude its consideration on one item before proceeding to consideration of the next item listed on the agenda.

9.16. Decision making procedures

- (i) At properly constituted committee meetings the members of the Committee shall have the right to and be provided with the opportunity to report, discuss and make recommendation on matters pertaining to OH&S matters only.
- (ii) Such recommendations or decision shall be made by way of consensus.
- (iii) The decision-maker will evaluate the recommendations and will either make a decision at the meeting or refer to a higher authority.
- (iv) A decision shall be made by the OH&S Workplace Committee for the actioning of each issue at each meeting. The Committee will then make recommendations to Management (the next in line management decision-maker) on the recommended actioning of each issue. The organization will respond to OH&S Workplace Committee recommendations within a timeframe agreed by the Committee. The Committee may undertake a full documented investigation and report, and provide written recommendations, on issues raised through the OH&S Workplace Committee.

9.17. Quorum

- (i) A quorum shall consist of at least 4 employee representatives, and 1 employer representatives for decision consensus purposes.
- (ii) In the case business placed on the agenda for the next meeting has precedence over other business to be conducted unless the committee decides otherwise at that meeting.
- (iii) The Chairperson is elected from the employee representatives at the first meeting of the OH&S Committee.

9.18. Confidentiality of information

The committee will have access to all health and safety information kept by the employer. At all times, Committee members must maintain confidentiality of information.

9.19. Workplace assessments

A program of workplace assessments is to be developed to enable committee members to monitor changes in systems of work and hazard management strategies so that potential health and safety issues affecting the University community are resolved in a proactive manner.