

# Election of Health and Safety Representative Procedure

## Section 1 - Purpose

(1) This Procedure documents key requirements for the election of Health and Safety Representatives in individual Work Groups at the University.

### Scope

(2) This Procedure applies to all staff of the University, including its Controlled Entities with the exception of MQ Health.

## Section 2 - Policy

(3) Nil.

## Section 3 - Procedures

(4) Elections for Health and Safety Representatives must be conducted in accordance with the [Work Health and Safety Act 2011](#) (the Act).

(5) Consistent with the Act, the following requirements apply to the election of Health and Safety Representatives at the University:

- a. any member of staff may request the election of one or more Health and Safety Representatives for their Work Group;
- b. the University will facilitate the determination and negotiation of Work Groups, including variations to an agreement concerning a Work Group, with relevant staff and/or their representatives (e.g., a union);
- c. any failure to determine the composition of a Work Group will be managed by the appointment of an inspector appointed by the regulator, [SafeWork NSW](#);
- d. any member of staff may nominate to be a Health and Safety Representative and, where elected, will serve a three (3) year term of office, unless they:
  - i. resign from their role as a Health and Safety Representative;
  - ii. no longer work in the Work Group;
  - iii. are disqualified from acting as a Health and Safety Representative; or
  - iv. are removed from the role by the vote of a majority of staff in the Work Group.
- e. if a Health and Safety Representative resigns as a representative, the Work Group may request that a new representative be elected;
- f. Health and Safety Representatives are eligible for re-election i.e., more than one term is allowed;
- g. staff in a Work Group may determine how the election for the Health and Safety Representative/s is to be conducted; and

h. an election is not required if the number of candidates for election as a Health and Safety Representative equals or is less than the number of vacancies.

(6) The Workplace Health and Safety Unit should be contacted for advice and assistance in relation to the determination of Work Groups. The Workplace Health and Safety Unit manages the Health and Safety Representative Master List as reported to [SafeWork NSW](#) and will notify elected Health and Safety Representatives when their terms are set to expire.

(7) Only staff in a Work Group are eligible to vote in an election.

(8) If only one (1) staff member nominates for a position they will be declared elected unopposed.

(9) All staff in the Work Group must be informed of the outcome of the election.

(10) While staff in a Work Group may determine the process of election for their Health and Safety Representative/s, the University encourages elections to be conducted in accordance with the Guidelines documented within this Procedure. Elections can be informal e.g., via a show of hands, or formal with the use of ballot papers. The University will provide any necessary resources and assistance for conducting elections through the Workplace Health and Safety Unit.

(11) The University will provide elected Health and Safety Representatives with training in accordance with the provisions of the Act (s72). Assistance and advice may be sought from the Workplace Health and Safety Unit.

(12) Any queries or concerns relating to Health and Safety Representatives should be directed to the Head, Workplace Health and Safety.

(13) If there is any dispute in relation to the election of Health and Safety Representatives the provisions of the [Work Health and Safety Act 2011](#) prevail over this Procedure and the associated Guidelines.

## **Section 4 - Guidelines**

### **Guidelines for the Election of Health and Safety Representative**

(14) The Workplace Health and Safety Unit will notify Work Groups and current Health and Safety Representatives where a vacancy exists and/or the three (3) year term for a Health and Safety Representative is due to expire.

(15) Elections for Health and Safety Representatives must be conducted in a democratic manner with all staff in the Work Group invited to nominate as a Health and Safety Representative and all staff in the Work Group invited to vote.

(16) A Returning Officer may be nominated by the Work Group. Alternatively, the Head, Workplace Health and Safety, or their nominee, may act as the Returning Officer. The Returning Officer is not eligible to vote in the election.

(17) The Work Group may choose the method of voting e.g., election via paper ballot, through an electronic vote, or by majority vote during an all staff meeting through a show of hands or voice vote. A simple majority vote is the preferred method for elections.

(18) A notice calling for nominations must be made available to all staff members within the Work Group with the date of the election clearly advertised.

# Section 5 - Definitions

(19) The following definitions apply for the purposes of this Procedure:

- a. Health and Safety Representative means a member of staff who represents a Work Group and has knowledge, expertise and the motivation to improve health and safety.
- b. Staff includes an employee, contractor, volunteer or any other individual carrying out work for the University.
- c. Work Group means a group of staff who perform similar types of work and have similar health and safety concerns and conditions.

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	3rd March 2022
<b>Review Date</b>	3rd March 2025
<b>Approval Authority</b>	Vice-President, Finance and Resources
<b>Approval Date</b>	22nd February 2022
<b>Expiry Date</b>	Not Applicable
<b>Responsible Executive</b>	Robin Payne Vice-President, Finance and Resources
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