# Consultative Process

1. **The employer’s rights and duties**

* To permit access to certain categories of information
* To consult with the representative on certain matters
* To provide such facilities and assistance as are necessary to enable the representative to carry out the relevant functions and duties

## OHS Responsibilities

### Responsibilities as a Head Office:

* Providing the information, instructions, training and supervision necessary to ensure the health and safety of the employees to ensure procedures are follow at all times and any risk is minimised.
* Maintaining places of work under their control in a safe condition, and ensuring safe entrances and exits.
* Providing and maintaining systems of work, and working environments that are safe and without risks to health.
* Must ensure the health and safety of people visiting or working at their places of work, and who are not members of the employees, by not exposing them to risk.
* Developing and implementing local safe work instructions and operating procedure for employees, contractors and visitors.
* Consulting with employees and their health and safety representatives on all matters that may affect their health and safety

### Responsibilities as an employer:

* Take care that the employees are following the OHS rules at their workplace.
* Provide OHS information, training and supervision and inform the employees of the safety policy.
* Provide some break to the employees to limit risks and hazards problems.
* Ensure the material used by the employees is in a good quality.
* Must ensure that the rules of the company are followed by the employees

### Responsibilities of the Supervisor:

* Providing information instructions, training and supervision to all persons under their control, including contractors and visitors to ensure procedures are follow at all times and any risk is minimised.
* Ensuring the work environment (including facilities and equipments) is safe and healthy and that work tasks can be performed safely.
* Promptly notifying any incidents or occurrences in accordance with Company procedures.(La Trobe University, 2010)

|  |  |
| --- | --- |
| See Graphic. | **Points to remember** |
| 1. Occupational health and safety encompasses the social, mental and physical well-being of workers in all occupations. 2. Poor working conditions have the potential to affect a worker's health and safety. 3. Unhealthy or unsafe working conditions can be found anywhere, whether the workplace is indoors or outdoors. 4. Poor working conditions can affect the environment workers live in. This means those workers, their families, other people in the community, and the physical environment around the workplace, can all be at risk from exposure to workplace hazards. 5. Employers have a moral and often legal responsibility to protect workers. 6. Work-related accidents and diseases are common in all parts of the world and often have many direct and indirect negative consequences for workers and their families. A single accident or illness can mean enormous financial loss to both workers and employers. 7. Effective workplace health and safety programmes can help to save the lives of workers by reducing hazards and their consequences. Effective programmes can also have positive effects on both worker morale and productivity, and can save employers a great deal of money. | |

1. **Duty to Consult**

The OHS Act places a duty to consult on Simwen Consulting Group.

Under the duty, employer must consult with their employees to enable them to contribute to the making of decisions affecting their health, safety and welfare at work [Act: 13].

The purpose of the duty to consult is to ensure there is meaningful and effective consultation about matters that may affect employees’ health, safety and welfare so there is reduced injury and disease.

Relevant information about OHS and welfare should be shared with employees. The views of the employees are valued and taken into account.

Occupational Health and Safety items in Simwen Consulting Group would include the following:

* Ergonomic (material handling, posture, etc)
* Office environment
* Fire hazard
* First aid
* Slips and trips
* Lighting
  1. **When to Consult**

As required by the Occupational Health and Safety Act 2004, Simwen Consulting Group will consult with its employees when any of the following are undertaken:

* When making decisions about procedures for consultation.
* When risks to health and safety arise from work or when risks are assessed or reviewed
* When decisions made about how to control those risks.
* When introducing or altering procedures for monitoring those risks.
* When proposed changes to the premises, methods of work or substances used at work, will affect health, safety or welfare.
  1. **Who to Consult**

The OHS Act requires employers to adopt an OHS consultation arrangement to assist with meeting their duty to consult. The OHS Act provides three options:

1. An **OHS Committee** comprised of employer and employee representatives.

2. **OHS Representatives** elected by employees.

3. **Other Agreed Arrangements** agreed to between the employer and their employees.

1. **Establishing Consultative Structures**

The OHS Act provides choices on how consultation can occur. An OHS Committee,

OHS Representative or Other Agreed Arrangements may be established. The legislation

allows choice to enable the employer and their employees/ students to adopt the consultative

arrangement which they believe will best ensure effective and meaningful consultation.

An OHS Committee is an option where there is a desire for a representative group to come

together in a co-operative way to improve the employer’s or student’s systems of managing health and safety. An OHS Representative is an option where there would be a benefit from having an individual employee representative for a designated group of workers. Under other agreed arrangements, the employer and their employees may agree on a consultative framework that is different to having an OHS Committee or OHS Representative structure.

1. **Health and Safety Representatives**

Health and safety representatives are employees elected or selected for the role, who represent the health and safety interests of employees within their designated work group in their organization or campus. Simwen views the role HSRs play in developing and maintaining a partnership between managers and students on occupational health and safety issues as a significant contribution and an integral component in maintaining one of Australia’s better known education departments.

Election to the position of health and safety representative is open to all members of staff. The names of the elected health and safety representatives and their deputies are to be displayed prominently on notice boards around the campus.

* 1. **What do they do?**

The steps that an OHS Representative should take to review the measures that are in place to ensure the health and safety of employees/ students include:

* Conducting inspections of their workgroup.
* The Representative and the employer should agree on how the inspection is carried out.
* The frequency of inspections will be determined by the frequency of consultation and or problem solving needs.
* Providing input into the ongoing development and improvement of the employer’s

systems for managing safety, including indicators for measuring OHS performance.

* Providing input and consultation about emergency procedures.
* Providing input and being consulted about the well being of employees.
* To assist in the development of arrangements for recording hazards and

accidents to promote improved health and safety.

* To make recommendations on their training needs as an OHS Representative.
* To make recommendations on the OHS training of employees.

1. **How the Consultation Process Works**

When a health or safety issue is raised by a company, employee or the OHS Committee, health and safety representatives will meet with members of a workplace and discuss how to fix the problem. They will gather feedback from the affected parties and report their findings during meetings of the OHS Committee.

Employees should immediately inform their supervisor that the company is suffering from health and safety concerns and they would like the issue solved as soon as possible. If the supervisor is unavailable the issue should be referred to either the health and safety representative or an OHS Committee member.

* 1. **How to Ensure Effective Consultation**

To have effective consultation, management must listen to the views of employees and inform them of any changes that have been made in the workplace due to issues discussed during consultation. There are key areas that

should be addressed in every OHS Committee meeting to ensure effective communication.

It is important to write down what is agreed upon at each OHS Committee meeting. The minutes shall reflect the Agenda

items, taking care to include:

* Date, time, persons attending meeting
* Issues raised
* Topics discussed
* Actions to be taken, by whom and by when
* Any workplace inspections (that have occurred or are to occur)
* Planned changes discussed
* OHS consultation feedback
* Information required to be obtained for next meeting
* Unresolved issues
* Actions previously taken