

# OHS Consultation Procedure

## Section 1 - Background and Purpose

(1) The purpose of this procedure is to provide practical guidance on meeting the requirements of the Occupational Health and Safety Act and Regulations, Collective Agreement or its successors, which require employers to consult with employees and Health and Safety Representatives on health and safety matters.

(2) Consultation should not be seen as a legal requirement, but an essential part of managing health and safety in the university.

(3) Consultation is a two-way exchange between employers and employees that involves sharing information about health and safety, giving employees a reasonable opportunity to express views about the matter and taking those views into account when making decisions.

(4) Effective consultation can lead to:

- a. More informed management decisions that take into account a wider range of issues about health and safety and how to fix them.
- b. Stronger commitment to decisions.
- c. A tried and tested way of dealing with health and safety problems.
- d. More openness, respect and trust because employees have a better understanding of each other and other's point of view.

## Section 2 - Scope

Refer to the OHS Policy.

## Section 3 - Policy Statement

(5) Refer to the OHS Policy.

## Section 4 - Procedure

### Responsibilities

(6) Head of School, Divisional Directors, or where an employer representative is not readily identifiable, the College General Managers or Vice-President (Administration) are responsible for consulting employees when;

- a. Identifying hazards or risks, assessing the risks, and deciding how to control the identified risks;
- b. Making decisions on the adequacy of facilities for employees' welfare;
- c. Determining the membership of health and safety committees;
- d. Making decisions on health and safety policies and procedures including;

- i. issue resolution of OHS matters;
  - ii. consultation on health and safety;
  - iii. monitoring health of employees and conditions at work;
  - iv. providing information and training to employees;
- e. Proposed changes to the workplace that could affect the health and safety of employees, including changes to plant and equipment and substances used or how work is to be undertaken;
- f. When final decisions are made and the reasons for the decisions.

(7) In accordance with the La Trobe University Issue Resolution procedure, Health and Safety Representatives (HSR) are to be involved in the consultation process.

## **Description**

(8) A safe workplace is more easily achieved when employees talk to each other about potential problems and work together to find solutions. It is important to provide reasonable time to allow adequate feedback.

## **Ways to Consult Directly with Employees**

(9) Employees can be consulted about matters which affect their health and safety, through various mechanisms such as:

- a. Direct consultation (team meetings or face to face discussions);
- b. Consulting with and through the Health and Safety Representative;
- c. Discussion at health and safety committees or other regular scheduled meetings.

## **Consultation with Health and Safety Representatives**

(10) Where employees have elected a HSR the HSR must be involved in consultation.

(11) Managers are required to:

- a. Provide all information on the particular issue or matter to the HSR which will be provided to employees.
- b. Provide that information to the HSR a reasonable time before distributing it to other employees if possible.
- c. Meet with the HSR on the particular matter or issue if they accept an invitation to meet or if a meeting is requested by the HSR by way of consultation.
- d. Give the HSR the opportunity to express views.
- e. Take the HSR's views into account as part of the consultation process.
- f. Provide final decisions with the HSR and post on notice boards and or send via email where appropriate.

(12) If there is no elected health and safety representative for the designated work group concerned, or if it is impractical to consult with the health and safety representative, managers and supervisors must ensure that employees have been provided with the opportunity to express their views about decisions which may affect their health and safety.

(13) Where appropriate and required, independent contractors will also be consulted.

# **Section 5 - Definitions**

(14) For the purpose of this Procedure:

- a. Health and Safety Representative (HSR): An employee elected by members of a designated work group to be the group's health and safety representative.
- b. Employer Representative: The employer representative is the senior manager for the nominated area with management and control of the area or functions at issue within the designated work group. University employer representatives are listed in the Register of Designated Work Groups
- c. Health and Safety Committees: Health and Safety Committees bring together a group HSR's employees and employer representatives to discuss and develop ways to improve health and safety across the faculty, division or zone.
- d. Issue Resolution: The framework within which the university, employees and health and safety representative work to deal with health and safety issues when they arise.

## Status and Details

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