

## **HEALTH & SAFETY**

Creating a safe and healthy workplace is a basic part of the relationship between you and your employer

Two laws support this relationship:

The Employment Relations Act 2000 promotes good faith relationships among employers, employees and unions

The Health and Safety in Employment Act 1992 requires employers and others in the workplace to control hazards so that people are not harmed as a result of work.

### **What does your employer have to do?**

Under the Health and Safety in Employment Act 1992 employers have a range of duties to make sure people are not harmed at work.

**To do this they must have a system to manage the workplace to ensure that employees are safe. To establish a health and safety system, employers must work with employees to:**

- Identify hazards in the workplace, and then
- Ensure that those hazards are eliminated, isolated or minimised.
- Your employer is responsible for providing a safe working environment and workplace
- They must also ensure that you are properly trained and supervised so you can work safely.

If a hazard in your workplace can reasonably be eliminated, then it should be. That depends on how much harm it might cause, and how difficult and expensive it would be to eliminate the risk.

When a hazard cannot be eliminated, you have the right to know about the hazard, the level of risk, and what you need to do (or not do) in order to work safely.

The aim is to do things better in order to achieve a safe and healthy workplace – not just because that's what the law says, but because it's better for everyone.

### **You can make your workplace safer by:**

- Being involved in processes to improve health and safety
- Sticking to correct procedures and using the right equipment
- Wearing protective clothing and equipment
- Helping new employees, trainees and visitors to the workplace understand the right safety practices and why the practices exist and
- Communicating concerns to your employer.
- Are you a hazard to others at work?
- If you are tired, stressed because of family or work reasons, or under the influence of alcohol or other drugs, your practices may become unsafe.

Avoid behaviour that puts you or others at risk.

Let your employer or health and safety representative know about anything that might affect your ability to perform your work safely. That's in the best interests of everyone.

Finally, never think “just this once, because the job has to be done”. Taking a risk once is once too often.

You have a right to the information and equipment you need to be safe at work. A workplace is anywhere your employer requires you to be as part of your job, whether on-site or off-site. This includes places like the lunchroom, the car park, any motor vehicle you drive as part of work, and any equipment you use such as a crane or a ladder. Your vehicle is also a workplace while you drive from job to job while at work.

**Your employer must:**

- Provide you with information about any hazards and how to protect yourself from them. For example, you should be told how to deal with any hazardous chemicals you are using, any effects they could have on you or others, and how to get help easily if there are problems
- Ensure that you have and use the right protective equipment or clothing. You can choose to provide your own protective clothing, but if you make that decision the employer must ensure it is good enough for the job, and
- Record and investigate any accidents or “near misses” to you, your fellow employees and visitors to the workplace. When a person suffers serious harm, the Department of Labour must be advised.
- Your employer needs to manage health and safety in an ongoing way, and systems and processes for informing and involving staff should be reviewed from time to time to make sure it is working well. You can contribute to this.

If you're concerned about a safety issue, make your concern clear so it can be fixed before problems occur

All jobs have hazards, although some may be taken for granted because they are so familiar, or overlooked in order to “get the job done”.

The way to make workplaces safe is to prevent harm by controlling hazards. This is often known as a “safety system”, and both employer and employees need to make the system work.

**If you see a hazard in your workplace that you feel hasn't been addressed, you should raise it immediately. You can also be alert for:**

- Unsafe premises or equipment
- Inadequate or misused safety equipment
- Bad work practices and lack of adequate information about equipment or processes.

You can help to solve the problem before people are harmed. A good health and safety system at work will make sure you know who to tell and that your concerns are taken seriously. This will usually be your supervisor, and/or your health and safety representative

Sometimes workplace hazards can lead to illnesses, not just accidents. If you become aware of a possible problem such as a pattern of illnesses among the staff, let the right person know.

Reporting hazards and accidents is everyone's responsibility

Everyone has a part to play in improving the health and safety of New Zealand workplaces. Reporting hazards or accidents (including near misses) is part of this shared responsibility.

Any accident in your workplace, either to an employee or to a visitor to the workplace, must be recorded by your employer. These records are important to identify patterns of injury or illness so that safety can be improved.

Take responsibility for making sure your employer knows about any accidents you are involved in or aware of. Reporting processes should be explained to you when you first start a new job.

**You have a right to refuse unsafe work**

Where you have genuine concerns about your immediate safety you have the right to refuse unsafe work. This should only happen when other avenues to deal with the problem have not been successful. During the time when your concerns are being investigated you can be required to perform other duties in the workplace.

**You have a right to be involved in improving health and safety**

Because every workplace is different, employees are in a unique position to know how they and others in the workplace can be kept safe. That's why the law gives employees the right to be involved in health and safety issues at work and gives them access to information and training.

With your fellow employees, you may elect a health and safety representative for your workplace. In larger workplaces, you may elect the employees' representatives on a health and safety committee that also includes representatives of the employer.

**Your health and safety representative can have a number of roles. These could include:**

- Working with the employer on health and safety issues
- Maintaining effective communication within the workplace on health and safety matters
- Being a point of contact for other employees who have health or safety concerns
- Talking to the employer about those concerns and trying to find an agreed solution
- Talking with the union, the Department of Labour or other relevant authorities to seek solutions to problems
- Helping to induct and train other employees on health and safety issues
- Being a member of a health and safety committee if there is one.
- Everyone benefits when employees and their unions help to develop health and safety systems, and when those systems are part of the daily life of the workplace.
- When that happens, the employer, the employees and the whole community are better off. An investment in safety is an investment in the well-being of the business and its employees.