Appendix 1 HUPP2.10.1

Extract of Workplace Health and Safety Act 1995

**Division 4 Workplace health and safety committees**

**86 Workplace health and safety committees**

(1) An employer or principal contractor may establish a workplace health and safety committee for a workplace.

(2) An employer or principal contractor must establish a workplace health and safety committee for a workplace if—

(a) a workplace health and safety representative for the workplace asks the representative’s employer or the principal contractor to establish a committee; or

(b) for a workplace where work of a particularly hazardous nature is carried out—the chief executive directs by written notice given to the employer or principal contractor.

(3) An employer or principal contractor must establish the workplace health and safety committee within 28 days of the request or direction.

Maximum penalty—10 penalty units.

**87 Membership of committee**

(1) A workplace health and safety committee for a workplace consists of at least 2 members.

(2) The members are—

(a) any workplace health and safety officer and workplace health and safety representative for the workplace; and

(b) other members negotiated by the employer, any principal contractor, and workers at the workplace.

(3) A committee member must be an employer, principal contractor or worker at the workplace.

(4) At least half the committee members must be workers other than workers nominated by the employer or principal contractor.

(5) Workers may be represented during negotiations by the union of which they are members if they have told the employer or principal contractor that they want to be represented by their union.

(6) To remove any doubt, if the workers are members of more than 1 union, each of the unions asked may be involved in the negotiations.
88 Times of meetings
(1) Meetings of a workplace health and safety committee are to be held at the times it decides.
8 For information about workplace health and safety officers, see part 8 (Workplace health and safety officers).

s 89 65 s 90
Workplace Health and Safety Act 1995
(2) The times the committee are to meet are issues to be negotiated between the employer or principal contractor and the committee members.
(3) However, the committee may meet during ordinary working hours at the workplace and must meet at least once every 3 months.
(4) Also, the committee must meet when asked by the member who is the workplace health and safety officer.

89 Proceedings at meetings
A workplace health and safety committee may conduct its proceedings in the way it decides.

90 Functions of workplace health and safety committees
(1) The primary function of a workplace health and safety committee is to assist cooperation between employer, principal contractor and worker in developing and carrying out measures to ensure workplace health and safety at a workplace.
(2) Also, a workplace health and safety committee may give information and advice to an employer or principal contractor about workplace health and safety.
(3) Without limiting subsection (1) and (2), a committee may seek to discharge its functions by—
(a) encouraging and maintaining at the workplace an active interest in workplace health and safety; and
(b) considering measures for training and educating persons at the workplace about workplace health and safety issues; and
(c) telling workers about the formulation, review and distribution (in appropriate languages) of standards, rules and procedures about workplace health and safety at the workplace; and
(d) reviewing the circumstances surrounding workplace incidents referred to the committee for review; and

s 90A 66 s 90B
Workplace Health and Safety Act 1995
(e) telling the employer or principal contractor of the results of the review and making recommendations arising out of the review; and
(f) helping in the resolution of issues about workplace health and safety at the workplace.