## Issue Resolution Process Flow Chart

Process to follow

#### Health and safety matter raising procedure for worker

In a work group:

- Worker raise the matter with WHSR
- WHSR raise the matter with PCBU or representative [1]

## Immediate health and safety risk is identified

Worker can cease unsafe work or a WHSR can issue a PIN to direct cease unsafe work



Initial discussion of a work health and safety matter through communications, consultation and cooperation of all parties with outcome documented [1]



A matter remains unresolved through initial discussion between the parties to the issue. The matter becomes an 'issue'. The issue resolution process in the WHS Act and WHS Regulation will apply [1]

y [1]

The formal issue resolution procedure may be commenced by any party telling the other party: (a) there is an issue to be resolved (b) the nature and scope of the issue [3]

### Definition of parties:

- PCBU or representative (of each business). The representative must not be a WHSR and must be senior enough and competent enough
  - WHSR or representative
- (optional) Worker or representative
  [2]



A representative of a party to an issue may enter the workplace for the purpose of attending discussions with a view to resolving the issue [2]

A party may, in resolving the

represented by a person

issue, be assisted or

# The parties must have regard to all relevant matters including the following:

- The degree and immediacy of risk to workers or other persons affected by the issue:
- The number and location of workers and other persons affected by the issue;
- The measures (both temporary and permanent) that must be implemented to resolve the issue;
- Who will be responsible for implementing the resolution measures
  [3]

For the avoidance of doubt, nothing in this procedure prevents a worker from bringing a work issue to the attention of the worker's WHSR [3] As soon as parties are told of these issue, all parties must meet or communicate with each other to attempt to resolve the issue using the issue resolution procedure [3]



A written agreed procedure by PCBU will be used. If the procedure does not include a step specified in the default procedure in WHS regulation, the step is automatically included in the agreed procedure [1]



If the issue is **resolved**, the details of the issue and the resolution must be set out in writing if any part to the issue requests this.

If a written agreement is prepared all parties to the issue must be satisfied that the agreement reflects the resolution of the issue.

A copy of the written agreement must be provided to all parties to the issue and if requested, to the health and safety committee for the workplace [3]



The parties must make reasonable efforts to achieve a timely, final and effective resolution of the issue in accordance with the relevant agreed procedure or default procedure in WHS



regulation [2]

WHS Regulation Part 2.2 contains default procedure (minimum requirement for agreed procedure) [3]

## 1

If the issue remains unresolved, any party may ask Workplace Health and Safety Queensland to appoint an inspector to attend the workplace and assist in resolving the issue [2]



Worker can cease unsafe work or a HSR can issue a PIN to direct case work. The inspector may exercise any of his/her compliance powers under the WHS Act [2]

### Reference list:

[1] WHSQ Issue resolution fact sheet

[2] WHS Act 2011

[3] WHS Regulation 2011

### Definition of unresolved:

Not resolved after reasonable efforts have been made to achieve resolution of the issue [2]

PCBU: Person Conducting a Business or Undertaking, that is the

WHSR: Work Health and Safety Representative

PIN: Provisional Improvement Notice

