

By your side

AUSTRALIAN  
**SERVICES  
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VICTORIAN & TASMANIAN  
AUTHORITIES & SERVICES

## NAVIGATING CHANGE DURING THE PANDEMIC A 6 STEP PLAN FOR DELEGATES & HSRs

Like any other time, workplace change during the pandemic needs to happen in consultation with impacted staff, and their elected reps - Health and Safety Reps (HSRs) and where members appoint a union delegate or official. This includes changes to location and systems of work and increases or decreases to safety measures put in place to protect workers, services users and the community during stages of the pandemic response.

### STEP 1 WORK TOGETHER

Risk assessments are critical prior to any workplace change happening as response to COVID-19. This includes working from home arrangements and any changes to face-to-face service delivery (including office based, home visit and outreach activities). As restrictions ease in the community the Premier's advice for employers is for all staff is to keep working from home wherever possible to minimise risk. As agencies look to plan re-opening some or all service activities, it's critical this happens within government guidelines and as safely as possible. Delegates and HSRs working together can initiate risk assessments more effectively.

- If you don't have an HSR talk to your delegate or union office to get this in place.
- Ensure members know who their HSRs and delegates are.
- Ensure delegates and HSRs are meeting on a regular basis.
- Organise HSRs to meet with delegates in advance of Work Health and Safety Committee meetings to discuss the development of Re-opening Risk Assessments or better still, write to your employer and request to combine your WHS Committee and Staff Consultative Committee meetings.

### STEP 2 – KNOW YOUR RIGHTS

Employers, HSRs and employees all have rights and obligations under the Occupational Health and Safety Act 2004 (the Act). Your employer has an obligation to:

- Provide a safe workplace (as far as reasonably practicable)- Section 21
- Consult with you about matters that affect your health & safety - Section 35
- Display a list of HSR's in the workplace - Section 71
- Attempt to resolve disputes in accordance with agreed procedures or relevant regulations - Section 73

### STEP 3 – DEVELOP AN ISSUES RESOLUTION PROCEDURE

Cooperation and consultation between the employer and employees involved in the reopening process is critical for success. The aim of an issues resolution procedure is to provide guidance to the parties on how to resolve issues and provide a clear escalation pathway should an issue remain unresolved.

- Ask your employer to develop a Reopening Issues Resolution Procedure in consultation with HSRs & delegates.
- The Reopening Issues Resolution procedure may be used to resolve issues such as:
  - Hazards that have been identified by employees that have not been addressed.
  - Where employee(s) do not agree with the employer's proposed strategies to mitigate risks.
  - Where risk mitigation strategies are not practical for employees to maintain in combination with their ordinary duties.
- Any of the parties may request WorkSafe to arrange an Inspector to attend the workplace and enquire into the issue if it is not resolved – Section 73

### STEP 4 – CONDUCT RISK ASSESSMENTS

- HSRs & delegates should initiate requests for risk assessments at their workplace (do not wait for the employer to initiate)
- Ensure that requests for risk assessments are in writing and ask for a response in writing.
- HSRs must be part of the process and undertake all risk assessments pertaining to their Designated Work Group.
- Identify and prioritise work groups where public contact is most likely.
- Develop and reach agreement on Risk Assessment Templates.
- Any plans to re-open/relax restrictions should be in accordance with the directions of the Chief Health Officer <https://www.dhhs.vic.gov.au/state-emergency>
- Some specific considerations in relation to COVID-19 are:
  - Social Distancing
  - Travel to and from work
  - Cleaning at your workplace
  - Working with Clients
  - Hand Sanitizing
  - Working from home
  - Alternate Duties
  - Exclusion of ill staff and members of the public from the workplace
- Make sure everybody gets copies of all risk assessments including employees, HSRs, delegates and the employer.

### STEP 5 – FOLLOW UP

- Make sure requests are always in writing between HSRs/delegates and the employer.
- Put deadlines for a reply in your request.
- Follow up in writing if the employer does not respond.

A continued failure to respond is in Breach of Section 35 of the Act.

### STEP 6 – ASK FOR HELP

HSRs may seek the assistance of any person whenever necessary - Section 58 of the OH&S ACT 2004. This includes, but is not limited to, any of the following:

- Another HSR
- A delegate
- Your ASU Organiser
- Other ASU Officials
- WorkSafe, if required

**If you require assistance from the ASU, you should contact your ASU Organiser or ASU Member Contact Centre on [info@asuvictas.com.au](mailto:info@asuvictas.com.au)**