

The Health and Safety Amendment Act 2002 requires that systems of consultation be developed for all workplaces and must be reviewed annually.

Where there are less than 30 staff (whether at one or several workplaces) the process can be relatively informal and existing systems may be adopted to continue.

Where just one member of staff does not accept existing systems and wants a safety rep, then a formal meeting must be held and a secret ballot held to elect at least one safety rep.

For sites with more than 30 staff (whether at one or more locations) then it is obligatory to have a formal meeting and secret ballot to elect one or more safety reps.

Where this is not achieved prior to November 5th 2003, or within six months of when an organisations grows to 30 staff, then a union or any member of staff can arrange a meeting to elect up to five safety reps.



Where the consultative process fails to achieve agreement, then an OSH inspector can issue a compliance notice requiring compliance to the procedures under section 19. Failure to take action can lead to an infringement notice (instant fine) of up to \$4000.

All clients are invited to contact our Head Office for a kit relating to the annual systems review process. For clients that are paying an annual fee this kit is free. It will provide you with valuable information on all the steps to take.

Consultant Name _____
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All information in this newsletter is to the best of our knowledge true and accurate. No liability is assumed by the author, or publisher, for any losses suffered by any person relying directly or indirectly upon this newsletter. Please call our Head Office for specialist advice.

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For Business Qualifications and Risk Management

News & views from Summit Spring 2003

SUMMIT SYSTEMS IS APPROVED TO RUN SAFETY REP COURSES

We are pleased to announce that we are able to offer all clients formal safety rep training courses. We expect to obtain subsidy from the Dept of Labour and we have applied for extra subsidy for clients as opposed to non-clients.

THE FIRST NON UNION SAFETY REP COURSE FOR NZ

Mike Dawe of Dunedin completed our first course. It was held in Nelson at the Waimea Club from noon Thursday 25 September to noon Friday 26th. Congratulations to Mike and all the participants who made history.



WORKPLACE ASSURANCE PLANS FROM WORKERS COMPO

There are two valuable assurance plans available. One is designed to offer income protection in the event of sickness, accident or hospitalisation. It is designed for sole traders and key staff that need to be supported and rehabilitated as quickly as possible.

The other package is designed for those employers who cannot fathom the need to have formal procedures for OSH protection. This plan offers them a rescue plan once they have had a serious accident and need immediate help to avoid prosecution. In fact it is far better to have formal procedures in place, but the reality is that more than 60% of employers have nothing that will work and are relying on good luck.

WEB SITE UPDATED AND IMPROVED

Doris Zeng has helped us improve our website so that it offers details about the wider range of services that we now offer. We suggest that you visit our website and get up to date with our new products.



MANDATORY INFORMATION SIGNS

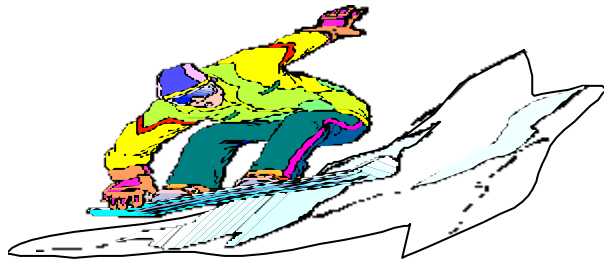
Nearly all hazardous sites have displayed a warning sign relating to safety regulations. This sign was designed by me in 1992 for site entry warning. At the time of design, there were in fact no regulations. They came into force in 1995. The warning sign has little if any legal merit even though it might look impressive. We have now produced four large mandatory information signs for clients. These do have legal merit and are essential for all hazardous sites.

SIGNIFICANT HAZARDS 400 mm x 750 mm. This sign is designed to overcome the problem where employers and site owners must notify all procedures to workers, visitors and contractors coming on site.

SITE SAFETY RULES 400 mm x 750 mm. This sign is designed to notify the rules that apply where employers and site owners must notify all important rules to visitors and contractors coming on site.

EMERGENCY PHONE NUMBERS 300 mm x 600 mm. This sign is designed to list to staff all essential emergency phone numbers. There are fifteen of them in total that must be communicated to staff and visitors.

SAFETY FIRST 400 mm x 750 mm. This sign is designed to inform visitors and contractors of the need to report to the office and details of personal protective equipment required for entry to the site.



LEGAL CASE NOTES FROM THE COURTS

Some clients fail to notify us until they get a notice to go to court. It is imperative to remind all clients that in the event of a serious harm, the procedures are as follows:

1. ring the ambulance
2. ring Summit Head Office 03 33 888 20 (oh 3, double 3, triple 8, twenty)

It is not a good idea to take a serious risk and rely on your own skills and try for good luck. We can tell you of the stories relating to three clients that tempted fate - and they all lost when they decided to attempt their own OSH defence.



EMPLOYEE PARTICIPATION SYSTEM AND PROCESS FOR THE ELECTION OF WORKPLACE SAFETY REPRESENTATIVES

19C (1) This section applies if an employer employs - (a) fewer than 30 employees, whether or not at a single location, and 1 or more of the employees, or a union representing them, requires the development of a system for employee participation; or (b) 30 or more employees whether or not at a single location.

(2) The following persons must co-operate in good faith to seek to develop, agree, implement, and maintain a system that sets out the ways in which the employer must seek to comply with section 19B (1): (a) the employer. (b) the employees who wish to be involved. (c) a union or unions representing any of the employees.

(3) A system must specify a process by which it must be reviewed but otherwise may include any matters on which the employer, employees, and any union representing them, agree complies with this Part: provided that in doing so they must take into account Part 1 of schedule 1A and Part 2 of Schedule 1A; and provided further that, at any time after the expiry of 12 months from the date the system is agreed, 1 or more employees or a union on their behalf may initiate the development of a new employee participation system in accordance with this Act.

(4) A system may include a provision increasing or decreasing the maximum - (a) number of days paid leave that the employer is required to allow a health and safety representative to take for health and safety training under section 19E (1); (b) total number of days paid leave that the employer is required to allow health and safety representatives to take for health and safety training under sections 19E (2) and 19F.

(5) A system may allow for more than 1 health and safety representative or health and safety committee and, in that case, each representative or committee may represent a particular type of work, or place of work of the employer, or another grouping.