



HEALTH AND SAFETY AT WORK ACT: LEARN THE LINGO

The new Health and Safety at Work Act came into effect on April 4, 2016.

As attention around the new law continues to grow you'll probably hear a range of acronyms and new terms being used on sites and by health and safety managers. Here's Site Safe's cheat sheet for understanding some of the new words and acronyms that you're likely to hear.

HSWA

The name for the new act is the Health and at Work Act 2015.

Duty holder

There are four types of duty holders under the new act, PCBU's, officers, workers and other persons, which are described below.

PCBU

'Person conducting a business or undertaking' - despite the name a PCBU is not usually an actual person, (it is a legalism referring to a business entity) in most cases the PCBU will be the business itself, e.g. a company or an organisation.

Officer

These are people in senior positions who have a significant influence over the way the business is run. The includes CEO's, directors, sole charge owner operators and anyone else at that level.

Worker

This is the new term for employees. Workers are individuals who carry out work for the PCBU. A manager who only has influence over daily operational matters is also classed as a worker.

Other person

This is the term for visitors or customers entering the workplace.

Upstream PCBUs

This term means upstream in the supply chain, for example architects and designers can be upstream PCBU's.

HSR

Health and Safety Representative - this is a worker who has been elected by the members of their work group to represent them in health and safety matters. Under the new law if a worker requests an HSR then the PCBU must have an election. PCBU's that are excluded from having this requirement are those with less than 20 workers who do not operate in a high risk sector or industry.

HSC

Health and Safety Committee - a committee that includes PCBU and worker representatives and meets regularly to work to improve health and safety at the company. Under the new law a HSC can be requested by five or more workers. PCBU's that are excluded from having this requirement are those with less than 20 workers who do not operate in a high risk sector or industry.

SWMS

Safe Work Method Statement - this is a template often used in Australia and it's likely to become more common here. It is similar to a task analysis but is more detailed and specific. It's a document that sets out the high risk construction work activities, the hazards arising from these activities and the measures that need to be put in place to control the risks.



Notifiable event

There are three types of workplace occurrence that are considered to be notifiable events that WorkSafe NZ must be informed of; death, notifiable injury or illness and notifiable incidents. These terms are explained below.

Notifiable injury or illness

Relates to serious injuries and illnesses as listed in Section 23 HSWA.

Notifiable incident

Relates to serious near-miss incidents where people could have been seriously harmed, but by luck, weren't. Notifiable incidents are listed in Section 24 HSWA.

Control measure

A way of eliminating or minimising the risks that you have identified.

Toolbox Talk

This is a communication tool which often takes the form of a short group meeting or discussion about a work related topic and includes a relevant health and safety issue or topic. They are a way for information to be provided to workers, and for workers to have their say.

Worker engagement and participation

This is a key focus under the Act. It means that PCBU's must engage with their workers on health and safety matters and provide opportunities for workers to participate in improving health and safety.

Reasonably practicable

This term is used throughout the Act to talk about the duties people have for health and safety. It means that you don't have to do absolutely everything to get rid of risk, but you do need to do what's reasonable and prudent in the circumstances. What is reasonably practicable will be a judgement call that you make as a PCBU, it will involve weighing the risk against the resources and knowledge needed to manage it. This will also include risk assessment.

Risk Assessment

Every risk identified must be assessed to determine the level of risk it poses. If the level of risk is high, the work may not be able to progress until controls are put in place that lower the risk to a more acceptable level.

Regulator

New Zealand's work health and safety regulator is WorkSafe New Zealand. They exist to educate duty holders about their responsibilities and to enforce the law. WorkSafe can be contacted on 0800 030 040.