



Construction
Civil & Rail



Trade
Services



Mining Resources
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Landscaping



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Health



WHS Issue Resolution Policy

Purpose of Policy

(1) This Policy is the procedure for WHS Issue Resolution for the purpose of section 81(2) of the Act

Commencement of Policy

This Policy will commence from February 2018. It replaces all other WHS Issue Resolution Policies of New Start Recruitment Pty Ltd ("New Start") (whether written or not).

Application of the Policy

This Policy applies to employees of New Start. It does not form part of any employee's contract of employment.

Dealing with WHS Issues

Where a WHS Issue arises, New Start will endeavour, if appropriate, to resolve the dispute in line with the following procedure:..

(2) Any party to the issue may commence the procedure by informing each other party:

- a) that there is an issue to be resolved; and*
- b) the nature and scope of the issue.*

(3) As soon as parties are informed of the issue, all parties must meet or communicate with each other to attempt to resolve the issue

(4) The parties must have regard to all relevant matters, including the following;

- a) the degree and immediacy of risk to workers or other persons affected by the issue;*
- b) the number and location of workers and other persons affected by the issue;*
- c) the measures (both temporary and permanent) that must be implemented to resolve the issue;*
- d) who will be responsible for implementing the resolution measures.*

(5) A party may, in resolving the issue, be assisted or represented by a person nominated by the party

(6) If the issue is resolved, details of the issue and its resolution must be set out in a written agreement is any party to the issue requests this.

Note

Under the Act, **parties** to an issue include not only a person conducting a business or undertaking, a worker and a health and safety representative, but also representatives of these persons (see section 80 of the Act)

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

(8) A copy of the written agreement must be given to:

- a) all parties to the issue; and*
- b) if requested, to the health and safety committee for the workplace.*

(9) To avoid doubt, nothing in this procedure prevents a worker from bringing a work health and safety issue to the attention of the worker's health and safety representative

Other Actions

Referral to external regulator

Where all parties to the WHS issue agree that mediation may be appropriate in resolving the issue, the issue may be referred to an external regulator.

Variations

New Start reserves the right to vary, replace or terminate this policy from time to time.

Daniel Phillips
Managing Director
Dated February 2018