

WHS Issue Resolution

As per the WA Work Health and Safety Act 2020, sections 80–82, supported by Part 2.2, regulations 22–23 of the Work Health and Safety (General) Regulations 2022

Parties to an issue:

PCBU	any person conducting a business or undertaking that is involved in the issue
PCBU Representative	any representative of the PCBU who is representing the person or persons in relation to the issue
Worker	any worker affected by the issue
Worker Representative	any representative of a worker or workers who is representing the worker or workers in relation to the issue.

One party determines that there is a WHS Issue

The party must inform the other parties that there is an **issue to be resolved** and the **nature and scope** of the issue

As soon as parties are informed of the issue - all parties must **meet or communicate** with each other to **attempt to resolve** the issue.

Parties review the following factors:

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

Issue Resolved?

Yes

Details of the issue and its resolution must be set out in a written agreement if any party 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 given to —
a) all parties to the issue; and b) if requested, the health and safety committee for the workplace

No

A party to an issue may ask the regulator to appoint an inspector to make a decision resolving the issue

No later than 2 days after the day on which the request is made, an inspector must make a decision resolving the issue

If the deadline of no later than 2 days is not practicable in relation to a request under section 82(1), the regulator must apply to the Tribunal to set a new deadline, and the Tribunal may set a new deadline that it considers to be practicable

The regulator's application must be made as soon as the regulator realises that the deadline is not practicable or that no decision has been made within the deadline.

Before setting a new deadline, the Tribunal must give any party to the issue who wants to make submissions on the matter an opportunity to do so.

- Hazards, risks, and unsafe work conditions (including psychosocial hazards) are managed through the WHS Issue Resolution Process.
- Behaviour or conduct issues involving a specific person are managed under the Grievance Resolution Policy and Procedure.



Contact us for practical workplace safety assistance - hello@safetech.com.au