



## Factsheet Nine

# WORKPLACE HEALTH AND SAFETY

One of your fundamental rights as a worker is to work in a place that is healthy and safe.

Under the *Work Health and Safety (National Uniform Legislation) Act 2011* your employer has a duty to ensure, so far as is reasonably practicable, the health and safety of its workers. This means your employer must provide and maintain a healthy working environment and ensure that the health and safety of workers is not adversely affected by their work. Find out more from [www.worksafe.nt.gov.au](http://www.worksafe.nt.gov.au)

You have the right to be protected from injury and all other mental and physical health risks whilst at work. This includes things like the correct storage of chemicals and limits on lifting heavy loads, as well as the right to work in an environment free from harassment or bullying.

### Employer Duty of Care

A duty of care exists to provide for the protection to the health, safety and welfare of workers and others within a workplace. An employer's responsibility includes:

- ensuring employees receive sufficient information, training, instruction or supervision so a job can be performed correctly and safely;
- ensuring that workplace infrastructure or equipment, and workplace materials are maintained in a safe condition;
- ensuring the safe handling, packaging, storage and transport of chemicals such as dangerous goods and other harmful materials;
- providing adequate facilities that workers can access while at work (such as clean and hygienic toilets and eating areas);
- monitoring the health of workers and the conditions at the workplace for the purpose of preventing illness or injury;
- providing training to staff on issues such as discrimination, workplace bullying and sexual harassment; and
- providing a contact person for staff to discuss issues of safety with (i.e. a harassment contact person).

## Employee Duty of Care

Employees also have a duty of care. An employee should ensure that they:

- take reasonable care for their own health and safety, and for the health and safety of others around them;
- take reasonable care that their acts or omission do not adversely affect the health and safety of others around them;
- follow reasonable directions given by their employer on issues related to health or safety;
- cooperate with any reasonable policy or procedure of the employer on issues related to health and safety;
- use relevant safety equipment; and
- report all workplace accidents to management immediately.

An employee must not:

- intentionally or recklessly interfere with or misuse safety equipment provided by the their employer;
- intentionally create a risk to the health or safety of another at the workplace; or
- bully, harass or treat another person in the workplace in a less favourable manner.

## Health and Safety Representatives

The *Work Health and Safety (National Uniform Legislation) Act 2011* provides a real focus on consultation between the employer and workers on health and safety issues. As a worker, you have the right to be represented on health and safety matters in the workplace. Health and safety representatives can make a real difference in having safety issues addressed and can help the employer achieve improved health and safety outcomes.

The role of a health and safety representative is to represent the workers who elected them on health and safety matters to their employer or in interviews with workplace safety inspectors. Speak with your employer if your workplace does not have a health and safety representative. NT Worksafe provides training in health and safety.

## Where can I get more help?

### **NT Working Women's Centre**

Freecall: 1800 817 055

Web: [www.ntwwc.com.au](http://www.ntwwc.com.au)

### **Your Union**

Unions NT

Ph: 8941 0001

Web: [www.unionsnt.com.au](http://www.unionsnt.com.au)

### **NT WorkSafe**

Ph: 1800 019 115

Web: [www.worksafe.nt.gov.au](http://www.worksafe.nt.gov.au)

### **Comcare (workers' compensation for Commonwealth employees)**

Local call: 1300 366 979

Web: [www.comcare.gov.au](http://www.comcare.gov.au)

### **To access an interpreter**

Interpreting and Translating Service NT

Ph: 1800 676 254

Web: [www.itsnt.nt.gov.au/](http://www.itsnt.nt.gov.au/)

Aboriginal Interpreter Service

Ph: 8999 8353

Web: [www.ais.nt.gov.au/](http://www.ais.nt.gov.au/)

### **For people with a hearing and/or speech impairment**

National Relay Service

Ph: 133 677

Freecall: 1800 555 677

The NT Working Women's Centre provides free and confidential information, advice and assistance to women about work related matters. The NT Working Women's Centre gratefully acknowledges funding provided by the NT Department of Business for this factsheet. The information, opinions and advice contained have been prepared with due care and are believed to be correct at the time of printing. The publishers expressly disclaim any liability whatsoever to any person who suffers any loss arising from the contents of, errors in, or omissions from this publication. This factsheet is not intended as a substitute for legal advice. Please seek advice for further information about your situation. October 2015.