**Electing a Health and Safety Representative**

**Process for electing HSR**

***Step one: request for a HSR***

Any worker may ask a Person Conducting the Business or Undertaking (PCBU) for whom they carry out work to facilitate elections for one or more HSRs.

***Step two: a PCBU must commence negotiations for work groups within 14 days***

HSRs represent work groups, therefore work groups must be determined before a HSR can be elected.

Within 14 days of receiving a request from a worker, the person conducting a business or undertaking must commence negotiations with workers about the number and composition of work groups that should be formed. If a worker requests that their representative, for example a union official, be involved in these negotiations, they must be included in the negotiations.

The negotiations must take into account a number of matters including:

* the number of workers within the business or undertaking
* the number and grouping of workers who carry out the same or similar types of work, and
* the diversity of workers and their work.

If negotiations fail, including that the person conducting a business or undertaking has not commenced negotiations within 14 days of a request from a worker, anyone who is or would be a party to the negotiations may request that an inspector be called in to determine work groups.

***Step three: workers must be notified***

As soon as reasonably practicable after the negotiations are completed, the PCBU must advise workers of the outcome of negotiations and of the work groups determined.

***Step four: election of HSRs***

The workers within each work group can determine the procedure by which a HSR will be elected, but must comply with any requirements set out in the regulations.

The PCBU must provide resources, facilities and assistance that are reasonably necessary to enable the election to be conducted.

The election may be conducted by the work group or, if a majority of members agree, with the assistance of another person or organisation such as a union.

Each work group member is entitled to one vote in the election. However, if the number of candidates is equal to the number of vacancies, each candidate is taken to be elected as a HSR for the work group without an election.

***Step five: work group notified of election outcome***

As soon as reasonably practicable after the election, the person who conducted it must advise the members of the work group and the PCBU of the results.

The following forms will assist through the process:

1. Nominations for HSR (019F)
2. Ballot for Election of HSR (065F)
3. Notice of result HSR (078F)