

# UNION FACT SHEET 4 - TAS

## Occupational Health & Safety



### Election of Employees' Safety Representatives (ESR)

*Workplace Health and Safety Act 1995, Workplace Health and Safety Regulations 1998*

An ESR is an employee elected under section 32 of the Act to represent the health and safety interests of their co-workers within a specific workgroup in their workplace. In doing this, an ESR has certain functions and powers that they are able to use within the workplace that ensure their employer involves the ESR to resolve health and safety issues. An ESR is normally appointed for a period of 3 years.

Once it has been decided to elect an ESR, the Regulations require the election to follow a specific process.

**STEP 1.** An employee gives 14 days notice to the employer and employees of a meeting to discuss the election of an ESR.

**STEP 2.** At the meeting, everyone must decide:

- **How many ESRs will be elected?** One ESR may be elected in each workplace, unless there is agreement from the employer for additional representatives.
- **The manner of the election:** Secret ballot on ballot paper, email, a show of hands or any other accepted method of election.
- **The election date**
- **Who will be appointed as the Returning Officer:** It may be either an employee or a union official relevant to the workplace.

**STEP 3.** The Returning Officer is to call for nominations as agreed to by everyone at the meeting.

**STEP 4.** Once nominations have been received and the election date set, the Returning Officer must:

- Tell the employer of the election date
- Display a notice in the workplace 14 days before election date, advising all employees of the nominations and the election date
- If the election is to be held by secret ballot, distribute ballot papers to employees 14 days before the election.

**STEP 5.** All employees are entitled to vote in the election and more than 50% must vote for it to be valid. The Returning Officer should supervise the election as agreed and count the votes.

**STEP 6.** After the election, the Returning Officer will declare the election results and send all the required documents to the Director of Industry Safety, within 14 days

For more information call WorkCover Tasmania on 1300 776 572

**Contact us on 1800 060 556 Free call**

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