



Work Health and Safety Committee (WHSC)

Terms of Reference for the 48th Parliament

Introduction

Clause 67.2 of the *Commonwealth Members of Parliament Staff Enterprise Agreement 2024-2027* (Enterprise Agreement) provides for the establishment of a Work Health and Safety Committee (WHSC), consistent with the *Work Health and Safety Act 2011* (the WHS Act), specifically s75, and the *Work Health and Safety Regulations 2011* (the WHS Regulations).

Agreement

The WHSC agrees to use its best endeavours to consult, communicate and advance matters brought before it promptly, consistent with the functions outlined in s77 of the WHS Act. This includes providing members of the WHSC access to relevant information in relation to workplace hazards and their associated risks, and the health and safety of workers, in accordance with s79(3) of the WHS Act.

Role of the WHSC

1. The role of the WHSC is to:
 - a. facilitate co-operation between the Parliamentary Workplace Support Service (PWSS), the Department of Finance (Finance) and MOP(S) Act employees in instigating, developing, and carrying out measures designed to ensure the health and safety of MOP(S) Act employees at work, to the extent practicable given the employment arrangements established by the *Members of Parliament (Staff) Act 1984* (the MOP(S) Act)
 - b. assist in developing standards, rules and procedures relating to health and safety that are to be followed or complied with at the workplaces of MOP(S) Act employees
 - c. perform other functions prescribed by the WHS Regulations or agreed between the PWSS, Finance and MOP(S) Act employees.
2. The PWSS will facilitate reasonably necessary work time for members of the WHSC to attend meetings and any other WHSC purposes, such as preparing for meetings.

Scope

3. The PWSS' capacity to influence and control MOP(S) Act employment is limited. Examples of matters within the PWSS' influence and control include conflict resolution, education, and generalist HR and WHS advice.

Examples of matters within Finance's influence and control include issues relating to building and property maintenance and the fit-out of parliamentarian's offices.

Employees should consult directly with their employing parliamentarian on matters that are under the parliamentarian's influence and control. This may include, for example, matters relating to the direction of work, and the hours and place of work.

4. Matters not directly related to the health and safety of MOP(S) Act employees will not be considered by the WHSC, and where relevant, will be referred to the [Employee Consultative Group \(ECG\)](#) or the PWSS Consultative Committee (once established).

Work groups

5. Section 51 of the WHS Act provides that work groups be established and a minimum of one Health and Safety Representative (HSR) be elected for each work group.
6. Work groups are to be structured in a way that:
- most effectively and conveniently enables the interests of the workers, in relation to work health and safety, to be represented
 - has regard to the need for a HSR for the work group to be readily accessible to each worker in the work group
 - provides employees with appropriate and convenient access to their HSR and Deputy HSR either directly (face-to-face) or indirectly (via email or telephone) and that the communication process is an open one.
7. Regulation 17 of the WHS Regulations outlines the matters to be considered when determining work groups. These include, but are not limited to:
- the number of workers
 - the nature of each type of work carried out by the workers
 - the number and grouping of workers who carry out the same or similar types of work
 - the areas or places where each type of work is carried out
 - the nature of any hazards at the workplace or workplaces
 - the nature of any risks to health and safety at the workplace or workplaces.
8. Taking into consideration the above and following consultation with relevant stakeholders, the MOP(S) Act employees' work groups consist of workers who share similar safety and work concerns.
- The work groups reflect political sensitivities and physical location e.g. State/Territory.
 - This approach enables work group members to elect a HSR who understands their unique challenges.
 - It also ensures that both workplace health and safety risks and political considerations are appropriately addressed in decision-making processes.

Attachment A details each work group and its Electorate Offices.

HSR and Deputy HSR Allocation

9. HSRs and Deputy HSRs are allocated based on the number of seats held by the work group, and the associated number of employees employed.
10. Workers within each work group are responsible for electing their representatives, with assistance available for independent parliamentarians and minority parties.
11. In the current 48th Parliament, the allocation of HSRs and Deputy HSRs is as follows:

Party	HSRs	Deputy HSRs
Australian Labor Party	8	8
Liberal/National/LNP	4	4

Party	HSRs	Deputy HSRs
Australian Greens	1	1
Independents/Minority Parties	1	1
TOTALS	14	14

12. There may be one representative on the WHSC from each union covering MOP(S) Act employees.
13. There will be no more than five management representatives at any meeting of the WHSC, including a nominee of the Minister and/or representatives from the PWSS and Finance.

Term of Office

14. In accordance with s64 of the WHS Act, HSRs will serve terms of three years, unless:
 - work groups are restructured
 - the HSR ceases to be a worker for the work group
 - the HSR resigns from the role
 - the HSR is disqualified under s65 of the WHS Act
 - the HSR is removed by a majority of members of the work group.

WHSC Representation

15. Each elected HSR is automatically a MOP(S) Act employee representative on the WHSC, in accordance with s76(2) of the WHS Act.
16. In addition, Deputy HSRs from each work group may attend the WHSC as a substitute employee representative if an HSR for their work group is unavailable.
 - It is the responsibility of a HSR to arrange for a Deputy HSR to attend any meetings that the HSR is unable to.
 - Where a Deputy HSR attends a meeting in place of an HSR at the HSR's request, they are counted as a MOP(S) Act employee representative for their work group for the duration of the meeting.
 - HSRs who will be absent from a WHSC meeting are asked to advise the PWSS prior to the meeting of any substitution arrangements they have made, to ensure that relevant information is provided to the substitute employee representative.
17. Where a general election or other circumstance occurs that changes the numbers of MOP(S) Act employee positions in a party or grouping, to the extent that the number of HSRs and Deputy HSRs allocated to each work group is no longer representative of the total number of employee positions in a work group, work groups will be restructured.
18. It is a requirement under s75 of the WHS Act that a WHSC be established within two months of a request from either a HSR or five employees at a workplace.

Operations of the WHSC

19. Meetings will be held on a regular basis as agreed by the WHSC, with a minimum of one meeting every three months as required by s78 of the WHS Act.
20. Meetings may be held any other reasonable time at the request of at least half of the WHSC members.
21. WHSC meetings will not be held following the dissolution of the Parliament, except by urgent request.

22. A formal meeting of the WHSC will only be constituted when there is attendance from at least:
 - a. five employee representatives; and
 - b. one union representative; and
 - c. one management representative
23. The date of each meeting will be agreed during the previous meeting.
24. The PWSS will provide secretariat support and chair each meeting as facilitator.
25. MOP(S) Act employees, employed under the terms and conditions of the [Enterprise Agreement](#), or their representatives (including union representatives), may attend meetings of the WHSC in the capacity of observers, noting they may be requested to provide information about specific issues, or to leave for discussions of a confidential nature.
26. The PWSS will call for agenda items at least two weeks before the meeting. Agenda items and any relevant papers should be provided to the PWSS so that they may be distributed to members as early as possible prior to the meeting. The PWSS will distribute the meeting agenda to members at least five working days prior to the meeting.
27. Meetings may need to be called in addition to the four meetings per calendar year and this may necessitate compressed timeframes for the calling of agenda items and submission of papers.
28. Matters may also be required to be considered out of session, with specific consultative timeframes advised. Recognising that the WHSC role is in addition to the day-to-day role of members, matters to be considered out of session will be kept to a minimum where possible, with guidance on documents requiring feedback and those provided for information and interest only.
29. In the interest of achieving the best possible health and safety outcomes for all MOP(S) employees, regardless of their work group, all members of the WHSC agree to engaging and consulting in positive, outcomes-focussed and mutually respectful discussion.
30. The PWSS will endeavour to distribute the record of discussion of a meeting to the WHSC within five working days of the meeting being held. WHSC members will provide comments or suggested changes as soon as practicable to the PWSS. The record of discussion will then be finalised and posted on the [PWSS website](#).

Attachment A – Work groups

HSR Group	Offices	HSR	Deputy HSR
ALP NSW 1	Banks, Barton, Blaxland, Grayndler, McMahon, Reid, Sydney, Watson, Hughes, Werriwa, Kingsford Smith	1	1
ALP NSW 2	Dobell, Hunter, Newcastle, Paterson, Richmond, Robertson, Shortland, Macquarie, Parramatta, Bennelong, Greenway, Chifley	1	1
	Sen Jennifer McAllister, Sen Anthony Sheldon, Sen Tim Ayres, Sen Deborah O'Neill		
ALP NSW, ACT	Bean, Canberra, Fenner, Eden-Monaro, Gilmore, Whitlam, Cunningham, Macarthur	1	1
	Sen Katy Gallagher		
ALP WA	Brand, Bullwinkel, Burt, Cowan, Fremantle, Hasluck, Moore, Pearce, Perth, Swan, Tangney	1	1
	Sen Varun Ghosh, Sen Sue Lines, Sen Ellie Whiteaker, Sen Dorinda Cox, Sen Glenn Sterle		
ALP SA, NT	Adelaide, Boothby, Hindmarsh, Kingston, Makin, Spence, Sturt, Solomon, Lingiari	1	1
	Sen Don Farrell, Sen Karen Grogan, Sen Marielle Smith, Sen Penny Wong, Sen Charlotte Walker, Sen Malarndirri McCarthy		
ALP TAS, VIC	Franklin, Bass, Braddon, Lyons, Calwell, Maribyrnong, Melbourne, Jagajaga, Cooper, Scullin, Wills, McEwen	1	1
	Sen Carol Brown, Sen Josh Dolega, Sen Helen Polley, Sen Richard Dowling, Sen Jess Walsh, Sen Raff Ciccone, Sen Michelle Ananda-Rajah, Sen Lisa Darmanin, Sen Jana Stewart		
ALP VIC	Ballarat, Bendigo, Hawke, Gorton, Corio, Corangamite, Lalor, Fraser, Gellibrand	1	1
	Holt, Menzies, Hotham, Aston, Bruce, Chisholm, Deakin, Dunkley, Isaacs, Macnamara		
ALP QLD	Blair, Bonner, Dickson, Oxley, Petrie, Brisbane, Forde, Griffith, Lilley, Moreton, Rankin, Leichhardt	1	1
	Sen Nita Green, Sen Murray Watt, Sen Anthony Chisholm, Sen Corinne Mulholland		
GRNs	Ryan	1	1
	Sen Allman-Payne, Sen Mehreen Faruqi, Sen Sarah Hanson Young, Sen Steph Hodgins May, Sen Nick McKim, Sen Barbara Pocock, Sen David Shoebridge, Sen Jordan Steele John, Sen Larissa Waters, Sen Peter Whish Wilson		
LNP QLD	Dawson, Fairfax, Flynn, Forrest, Wide Bay, Wright, Maranoa, Fisher, Fadden, Groom, Herbert, Hinkler, Longman, McPherson, Capricornia, Bowman, Moncrieff	1	1
	Sen Matt Canavan, Sen Susan McDonald, Sen James McGrath, Sen Paul Scarr		
LNP NSW	Farrer, New England, Page, Parkes, Berowra, Cook, Lyne, Riverina, Cowper, Hume, Lindsay, Mitchell	1	1
	Sen Dave Sharma, Sen Ross Caddell, Sen Andrew Bragg, Sen Maria Kovacic, Sen Jessica Collins		
LNP VIC, TAS	Flinders, Mallee, Monash, Nicholls, Casey, Wannon, Gippsland, La Trobe, Goldstein	1	1
	Sen Bridget McKenzie, Sen Jane Hume, Sen Sarah Henderson, Sen James Paterson, Sen Wendy Askew, Sen Claire Chandler, Sen Richard Colbeck, Sen Jonathon Duniam		
LNP SA, NT, WA	Durack, Canning, O'Connor, Barker, Grey	1	1
	Sen Michaelia Cash, Sen Kerryne Liddle, Sen Anne Ruston, Sen Andrew McLachlan, Sen Alex Antic, Sen Jacinta Price, Sen Leah Blyth, Sen Dean Smith, Sen Matthew O'Sullivan, Sen Slade Brockman		
IND. Minor	Bradfield, Calare, Fowler, Mackellar, Mayo, Warringah, Wentworth, Kennedy, Clark, Indi, Kooyong, Curtin	1	1
	Sen Ralph Babet, Sen Pauline Hanson, Sen Jacqui Lambie, Sen David Pocock, Sen Fatima Payman, Sen Malcolm Roberts, Sen Lidia Thorpe, Sen Tammy Tyrrell, Sen Warwick Stacey, Sen Tyron Whitten		
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