

WHS Laws – New Terminology

Person conducting a business or undertaking (PCBU)

A new term 'person conducting a business or undertaking' (PCBU) that includes organisations and individuals conducting a business or undertaking. A PCBU has a primary duty of care to ensure workers and others are not exposed to risks to their health and safety while at work in the business or undertaking.

Reasonably practicable

Reasonably practicable requires a PCBU to do what is effective and possible to ensure the health and safety of workers and others.

Officers

'Officer' is a broad term that applies to people who can make decisions that significantly affect a business or undertaking. Officers must exercise due diligence to ensure their business or undertaking fulfils its health and safety obligations.

Workers

There is a new definition of 'workers' to reflect the diverse employment arrangements in many workplaces. A worker is any person who performs work in any capacity for a business or undertaking including labour hire staff, volunteers, work experience students, contractors, sub contractors, apprentices, trainees and outworkers.

Health and safety representatives (HSRs)

Health and safety representatives (HSRs) will play an important role in representing the health and safety interests of workers in a work group. They have certain powers and functions relating to work health and safety (WHS) such as:

- representing workers in a work group
- monitoring actions taken by the PCBU
- investigating complaints from workers of the work group
- looking into anything that might be a risk to the WHS of workers they represent.

Entry permit holders

To be eligible to enter a workplace, a union official must first apply for a WHS entry permit.