



Health and Safety Action Team (HSAT)

TERMS OF REFERENCE

Purpose

1. The purpose of the Health and Safety Action Team (HSAT) is:
 - 1.1 To facilitate cooperation between KiwiRail and Workers in instigating, developing and carrying out measures designed to ensure the workers' health and safety at work; and
 - 1.2 To assist in development of local standards, rules, policies or procedures relating to health and safety that are to be followed or complied with at the workplace; and
 - 1.3 To make recommendations relating to work health and safety; and
 - 1.4 To perform any other functions that are agreed between KiwiRail, the RMTU and the committee or prescribed by the Regulations.
 - 1.5 The above functions of the Health and Safety Committee are prescribed in the Health and safety at Work Act (HSWA).
 - 1.6 This TOR is to be read in conjunction with the TOR of the Tunnel Focus Groups, KiwiRail/RMTU Worker Participation Agreement 2018, KiwiRail/RMTU Collective Agreements, Individual Employment Agreement, Individual Employment Agreements, the KiwiRail Health and Safety Toolkit and the current KiwiRail Policies, Guidelines and Procedures.

2. Responsibilities and Functions of the HSAT Members

- 2.1 Effective communication of health and safety information.
- 2.2 Disseminate best practice across the work site and share learnings for the whole BU or KiwiRail sites.
- 2.3 On a planned basis, conduct or assist in safety inspections and audits.
- 2.4 Consult on health and safety policies, procedures and codes developed by KiwiRail in consultation with the RMTU.
- 2.5 Apply the agreed risk assessment tools for all health and safety risks identified in the workplace, and make recommendations regarding the management of risk.



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- 2.6 Monitor new initiatives and proposals being proposed by KiwiRail that may affect the health and safety at work of those employees and contractors that the HSAT representatives represent.
- 2.7 Review the health and safety implications of any existing and new hazards which have been identified and develop suitable control measures to eliminate or control the risks.
- 2.8 Monitor, review and advise on the induction and specialist training that may be provided for staff, visitors and contractors regarding the health and safety risks which are, or may be present in the workplace.
- 2.9 Participate in the inspection and audit programme including internal audits and external audits, such as ACC Accredited Employer and those undertaken by NZTA.
- 2.10 Review the site's health and safety performance data, audit results and recommend action as appropriate.
- 2.11 Monitor and review the effectiveness of PPE and advise on selection, provision, proper use and maintenance of protective clothing and equipment.
- 2.12 Liaise with employees in the work area in order to consult on health and safety initiatives and/or concerns and report back to employees.
- 2.13 Monitor and review the arrangements for dealing with emergencies and ensure appropriate responses are known for emergency evacuation drills, first aid and reporting of accidents, incidents and non-compliances.
- 2.14 Encourage and support the reporting of incidents.
- 2.15 Receive reports (both internally and by external agencies) of accidents, near misses and work related health problems, participate in incident investigations and monitor follow up actions;
- 2.16 Assist in identifying any site trends and problem solving of issues arising from incident investigation as appropriate.
- 2.17 Participate in investigations in operating irregularities such as derailments and collisions and review the findings of incident investigation including identifying and addressing the systemic issues as per the KRG Just Fair Culture Policy.
- 2.18 Review environmental monitoring information such as noise or air sampling.
- 2.19 Consider and respond to reports from union and employee health and safety representatives;



- 2.20 Keep an updated list of HSAT representatives and display this list prominently in the workplace;

3. Structure

- 3.1 To ensure a holistic and risk based approach to the representation in a HSAT, representation is to include at least the following:
- Elected Employee Health and Safety Reps (number appropriate to the size of the site/s it represents, refer to WPA)
 - Sponsor Manager
 - Union contact person
 - Chairperson
 - Secretary
 - Contractor representative
 - Zero Harm Advisor
- 3.2 The structure and membership of the Tunnel Focus Groups is set out in the Tunnels Focus groups TOR, and it prevails over the structure set out in 3.1 for the HSATs.
- 3.3 An open invitation is extended to senior managers, union officers and organisers to attend HSATs.
- 3.4 The minutes of all HSAT meetings will be provided to the Chief Executive, the Business Unit Zero Harm Manager (or GGM-Zero harm) and the RMTU National Office) for review, the minutes are to be filed in the HSAT Portal.

4 Functions

- 4.1 Every HSAT will create an annual work plan including Key Performance Indicators (KPI's), which where possible should be aligned to the zero harm strategy and Business Unit Safety Plan, and be responsible for delivering these. These will be reviewed by the HSATs themselves and the Governance Committee on a quarterly basis.

5 Election of Health and Safety Reps

- 5.1 Election of Health and Safety Reps to be held every three years and following the written resignation of a current Health and Safety Rep. Refer to the Employee Participation Agreement 2018 for additional information.



- 5.2 RMTU representation for the Tunnel Focus Groups will be included in their nomination process, and be regarded as health and safety reps.

6. Training of Health and Safety Reps

- 6.1 Each elected Health and Safety Rep is required to attend the 2-day recommended Worksafe Reps approved stage 1, 2, 3 Health and Safety Rep training programme. Refer to Worker Participation Agreement.
- 6.2 Each HSAT will regularly review the Health and Safety Rep training requirements of the members and notify the RMTU National office to arrange training.
- 6.3 For the avoidance of doubt the RMTU nominated representatives on the tunnel focus groups are to be regarded as Health and Safety Reps.

7. General

- 7.1 The principles of the Worker Participation Agreement will be followed and each HSAT will work together in good faith.
- 7.2 Whilst this TOR is generic for all of KiwiRail BU's and sites and the agenda will be consistent in look and feel, there will be the ability for the agenda to be inclusive of Business Unit specific needs.

8 HSAT Information, Tools and Resources

- 8.1 KiwiRail supports the work of Health and Safety Reps by providing sufficient rostered paid time to attend the monthly meetings and to undertake HSAT duties; resources and access to a computer, email address, intranet and internet access; training and access to health and safety information; to undertake their role as a HSAT member effectively.
- 8.2 To be effective the members of the HSAT are required to attend at least 80% of the scheduled meetings.



9 Problem Solving Process

- 9.1 It is acknowledged that if the HSAT or Health and Safety Rep makes a recommendation regarding health and safety in the place of work, the KiwiRail Sponsor Manager or Manager of the site must either adopt the proposal or provide a written statement to the HSAT or Health and Safety Rep setting out the reasons for not adopting the proposal.
- 9.2 Where HSAT members cannot agree to a solution or the issue extends beyond the ability of the committee to rectify it will be escalated via Line Management, the Business Unit Zero Harm Manager to be addressed. If there is an inability to resolve via the Line then a separate escalation route is available via Union Representatives to the appropriate Industrial Council of Technical Committee and Governance Group for resolution. The HSAT shall be kept informed of the progress of the issue and disseminate information back to the workplace.
- 9.3 The Tunnel Focus Groups will seek co-ordination and alignment with the programmes and plan initiated by the critical risk networks tunnels (CRN-T). The Tunnel Focus groups can escalate issues to the GM of Zero Harm.

10. Review of the Terms of Reference

- 10.1 The National Governance Health and Safety Committee provides oversight of the HSATs. It will review HSATs effectiveness regularly.
- 10.2 HSATs will undertake an annual self-review regarding effectiveness and report to the HSAT Governance group.
- 10.3 The Terms of Reference for the HSAT Governance committee is attached as an appendix to this document.
- 10.4 The TOR of the Tunnel Focus Groups are attached as an appendix to this document.
- 10.5 The TOR will be reviewed concurrently with the WPA review date September 2021.

Signatories

