

November 2022

## Your health and safety rights and responsibilities






Every year too many people are killed or injured in workplace incidents and hundreds more die an early death from work-related ill-health. Everyone has a responsibility to help prevent harm.<sup>1</sup>

If you work in New Zealand, you need to know your health and safety rights and responsibilities, so everyone can stay healthy and safe at work.



You have the right to

RIGHTS		<b>Work in a healthy and safe environment</b> There are things at work that might hurt you or make you sick. The business you work for, or the business that controls where you are working, is responsible for managing its work-related health and safety risks.
		<b>Get appropriate training before you start work</b> The business you work for must make sure you have been trained to carry out your work in a healthy and safe way. Make sure you understand the risks and how to keep yourself and others healthy and safe at work.
		<b>Work with safe machinery, vehicles, tools and equipment</b> The business needs to make sure that the tools, equipment, vehicles and machinery you use at work are safe for you to use and in good working condition.
		<b>Stop or refuse to carry out dangerous work</b> You have the right to stop work, or refuse to carry out work, if you believe that doing the work would expose you, or anyone else, to a serious health or safety risk. If you have stopped work, you need to let your manager know as soon as possible.
		<b>Access to health and safety information</b> The business you work for must provide you with information about staying healthy and safe at work, in a way that you can understand.
		<b>Personal Protective Equipment (PPE)</b> In most cases the business you work for must provide you with personal protective equipment (PPE) if it's needed to keep you safe and healthy, for example, hard hats, ear muffs and safety glasses. Your business should train you in how to properly use, clean and maintain your PPE. The business you work for cannot charge you for PPE. You can voluntarily provide your own PPE but this must be checked and approved by your business.

<sup>1</sup> Health and Safety at Work Act 2015.

RIGHTS		<p><b>Speak up</b></p> <p>You are the eyes and ears of your business. Telling your business about your ideas, experiences or concerns and those of your fellow workers helps keep you and others safe.</p> <p>Your employment or contract can't be terminated if you report or act on a health and safety concern. It's against the law for anyone to discriminate or take other negative steps against you because you've spoken up about health and safety at work.</p>
		<p><b>Be given a chance to have a say</b></p> <p>You must be given reasonable opportunities to express your views and contribute to decision making on health and safety at work. This includes decisions about:</p> <ul style="list-style-type: none"> <li>- your health monitoring</li> <li>- conditions at your workplace</li> <li>- information and training for workers.</li> </ul>
		<p><b>Health and Safety Representatives (HSRs) and Health and Safety Committees (HSCs)</b></p> <p>You can ask your business for an HSR or an HSC, to help workers and the business work together to improve health and safety. You can also choose to join a union.</p> <p>For more information see the <i>Worker Engagement, Participation and Representation</i> good practice guidelines available on the WorkSafe website: <a href="https://worksafe.govt.nz">worksafe.govt.nz</a></p>
		<p><b>Be provided with</b></p> <ul style="list-style-type: none"> <li>- toilets and hand-washing facilities</li> <li>- clean drinking water</li> <li>- first aid facilities</li> <li>- a place to have a meal break in reasonable comfort and shelter.</li> </ul>
		<p><b>Understand what to do in an emergency</b></p> <p>Your employer is required to ensure you know what to do in an emergency, for example how to escape if there's a fire or what to do if an earthquake occurs.</p>

## Your responsibilities at work

RESPONSIBILITIES		<p><b>As a worker you have a responsibility to</b></p> <ul style="list-style-type: none"> <li>- take reasonable care of your own health and safety</li> <li>- take reasonable care that what you do or don't do does not adversely affect the health and safety of other people</li> <li>- cooperate with any reasonable workplace health and safety policy or procedure that your business has</li> <li>- comply with any reasonable instructions given by the business you work for.</li> </ul>
		<p><b>What can you do if you have a health and safety concern?</b></p> <ul style="list-style-type: none"> <li>- Tell your manager or your Health and Safety Representative.</li> <li>- Ask a workmate or community member to raise the concern on your behalf.</li> <li>- Contact your union, who can act on your behalf.</li> <li>- Contact WorkSafe on 0800 030 040.</li> <li>- Visit our website: <a href="https://worksafe.govt.nz">worksafe.govt.nz</a> (search 'concern')</li> </ul>

For more information on worker rights and responsibilities visit the WorkSafe website: [worksafe.govt.nz](https://worksafe.govt.nz)