



FACT SHEET

SAFEWORK NSW

THE BASICS: YOUR RIGHTS AT WORK

AUSTRALIA'S WORK HEALTH AND SAFETY LAWS

If you are a temporary working visa holder, a permanent resident, or an Australian citizen, you are covered by work health and safety laws that apply to everyone in Australia.

As a worker in Australia you have rights.

THE RIGHT TO BE SHOWN HOW TO WORK SAFELY

When you start a job you should be:

- Shown how to use any equipment that you will be operating.
- Trained in how to use equipment safely.
- Provided with safety equipment appropriate to your job. This is called personal protective equipment (PPE). PPE needs to be in good condition and you need to know how to use and wear it.
- Shown the workplace including entry and exit points, amenities and first aid areas.
- Told about emergency evacuation procedures.

- Introduced to your immediate supervisor, health and safety representative and people you will be working with.
- Told about the safety policies and procedures in place, including how to report problems or injuries.
- Clear about everyone's role and responsibility for safety in the workplace.

This is called a workplace induction. If you are not sure about something during your induction or while you are working, ask your supervisor for help. If you are still concerned, your health and safety representative (HSR) may be able to help.

THE RIGHT TO SPEAK UP

If you are not sure how to do something safely, ask your supervisor for help or training. If you are concerned about a health and safety issue, talk to your supervisor or HSR. If you are not satisfied with their response, contact SafeWork NSW on 13 10 50. You may request a translator to help you communicate.

For mental health support:

- Lifeline 13 11 14
- Beyond Blue 1300 224 636.

THE RIGHT TO SAY NO TO UNSAFE WORK

You have the right to refuse unsafe work. If you are asked to do something that you think may be unsafe, stop and talk to your supervisor or HSR.

THE RIGHT TO BE CONSULTED

Consultation gives people the opportunity to participate and share information about work health and safety.

THE RIGHT TO WORKERS COMPENSATION

Your employer must be insured so if you get injured you can get the medical treatment you need and compensation for loss of income. This is called workers compensation insurance. If you get injured you need to make a workers compensation claim through your employer.

Find out how to make a claim or call Workers Independent Review Office (WIRO) on 13 94 76.

THE RIGHT TO A FAIR AND JUST WORKPLACE

You have the right not to be bullied at work. Bullying is repeated and unreasonable behaviour directed at a worker or group of workers. If you are unsure, seek advice from a person who is objective and impartial, has knowledge of the options and whom you trust. This may include a trusted supervisor, manager or health and safety representative (HSR). Or get more information from [this guide](#). If that doesn't work you can contact us to [make a complaint](#).

If you think you are being bullied for a discriminatory reason (such as your gender, race or religion), this may be a breach of human rights or equal opportunity laws.

You can:

- visit the [Human Rights Commission](#) website
- or speak to the [anti-discrimination board](#) in your state or territory

THE RIGHT TO FAIR PAY AND LEAVE

For information about rates of pay contact the Fair Work Ombudsman on 13 13 94. You may request a translator on 13 14 50.

YOUR SAFETY RESPONSIBILITIES AT WORK

As a worker you are required to take reasonable care of yourself, and not do anything that would affect the health and safety of others at work.

You must follow any reasonable health and safety instructions from your employer. It is important that you:

- ask if you are not sure how to safely perform the work
- follow instructions and work safely
- report unsafe and unhealthy situations and injuries to your immediate supervisor.

Remember, HSRs represent the health and safety issues of a work group and can talk to your employer on your behalf. If you work through a group training organisation or labour hire agency, you can also report any work health and safety concerns to them.

YOUR EMPLOYER'S DUTIES

Your employer must provide:

- a safe and healthy workplace, remember, health includes psychological and physical
- safe equipment, structures, and systems of work
- adequate workplace amenities and facilities
- induction information, training and supervision
- the opportunity for you to talk about work health and safety.

WE CAN HELP

SafeWork NSW is NSW's work health and safety regulator. It is our responsibility to educate, ensure compliance with the work health and safety legislation and enforce the law in NSW.

For more information, call 13 10 50 or visit www.safework.nsw.gov.au.

Disclaimer

This publication may contain information about the regulation and enforcement of work health and safety in NSW. It may include some of your obligations under some of the legislation that SafeWork NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate legislation.

Information on the latest laws can be checked by visiting the NSW legislation website www.legislation.nsw.gov.au

This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

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