



**Victorian  
Public Sector  
Commission**



# Understanding your role in occupational health and safety

**Your occupational health and safety (OHS) responsibilities as an employer and employee in the Victorian public sector.**

A healthy and safe workplace prioritises employee wellbeing and takes steps to prevent psychological harm.

As a Victorian public sector employee, your approach to occupational health and safety (OHS) must align with:

- the Occupational Health and Safety Act and regulations
- the [Public Administration Act 2004](#)
- the [Codes of conduct](#) and [Victorian public sector values](#).

## The Occupational Health and Safety Act 2004

The [Occupational Health and Safety Act \(OHS Act\) 2004](#) is a law designed to keep Victorian employees safe at work.

The OHS Act recognises that work environments must be safe and without risks to the health of all employees so far as reasonably practicable. This includes contractors.

The objectives of the OHS Act are to:

- keep employees and other people safe when they are at work
- find and fix hazards in the workplace before anyone gets hurt
- make sure that work activities do not endanger the public
- help employers, employees and groups that represent them work together to make workplaces safer.

## WorkSafe Victoria

[WorkSafe Victoria](#) is the government agency responsible for workplace health and safety laws in Victoria.

Their purpose is to:

- reduce workplace injuries and illnesses
- educate, support and guide workplaces to create safe work environments
- provide support and compensation to workers who are injured or become ill because of work
- support injured employees through their recovery and where possible, to return to work safely.

You can find more resources on the [WorkSafe website](#).

## Employer OHS obligations

Under the [Occupational Health and Safety Act 2004](#) (OHS Act), an employer must provide a safe working environment without risks to employees' physical and mental health so far as is reasonably practicable. This includes contractors.

You're an employer if you have one or more employees.

An employer can be a person or a:

- company, organisation or partnership
- unincorporated association
- franchising operation
- not-for-profit organisation.

Employers are responsible for the health and safety of the workplaces they manage.

They must, so far as is reasonably practicable, provide and maintain:

- safe machinery and equipment
- safe systems of work
- welfare facilities such as kitchens and bathrooms
- the information, instruction, training and supervision they give employees
- communication with employees and health and safety representatives (if applicable) who are, or are likely to be, directly affected by OHS matters.

Under the [OHS Act](#), employers also have specific obligations to, or in relation to, [Health and Safety Representatives](#) (HSRs).

## Employee OHS responsibilities

All employees have OHS responsibilities.

An employee is a person who works under a contract of employment or apprenticeship. This can include full-time, part-time, temporary and casual workers and some independent contractors. Volunteers are not employees.

Employees are hired to perform tasks or services for the employer.

Under the [Occupational health and safety act 2004](#) (OHS Act), employees must:

- take reasonable care of their own physical and mental health
- not negatively impact the physical and mental health and safety of others
- comply with any reasonable instructions, policies and procedures related OHS at work.

To do this, employees should:

- follow safety rules
- complete any mandatory OHS training
- cooperate with their employer in matters related to OHS.

## Health and safety representatives (HSRs)

Health and safety representatives (HSRs) help promote and maintain a safe work environment.

Under the [Occupational Health and Safety Act 2004](#), HSRs have certain powers and play a role in raising and resolving OHS issues with their employer. They have the right to attend approved training courses to fulfill the responsibilities of their role.

HSRs may use these powers to:

- represent members of their designated working group (DWG) on health and safety issues
- monitor the measures taken by their employer to comply with the OHS Act and OHS Regulations
- enquire about any risks to the health and safety of their DWG
- try to resolve OHS issues with their employer while following an agreed or prescribed procedure.

In certain circumstances, a HSR may issue a:

- provisional improvement notice (PIN) if an issue can't be resolved in a satisfactory or timely manner
- direction to cease work in the case of an immediate threat to the health or safety of any person.

Learn more about [the role of health and safety representatives](#) from WorkSafe Victoria.

## Role of managers in supporting OHS

Managers have additional obligations under the [Codes of conduct](#) and the [Public Administration Act 2004](#).

This includes providing a safe, encouraging and supportive work environment.

If you're a manager, your role may include:

- promoting safe work practices and understanding how the workplace operates
- inducting employees and doing safety briefings
- communicating policies and procedures with employees
- ensuring employees have the appropriate training to do their jobs safely
- identifying, managing or escalating OHS risks.