

Health and Safety Action Team (HSAT)

TERMS OF REFERENCE

1. Purpose

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;
- 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;
- 1.3 To make recommendations relating to work health and safety;
- 1.4 To perform any other functions that are agreed between KiwiRail, the RMTU and the Health and Safety 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 2015 (HSWA); and
- 1.6 This Terms of Reference (TOR) is to be read in conjunction with:
 - (a) the TOR of the Tunnel Focus Groups;
 - (b) KiwiRail/RMTU Workers Participation Agreement 2024 (WPA);
 - (c) KiwiRail/RMTU Collective Agreements;
 - (d) Individual Employment Agreements,
 - (e) the KiwiRail Health and Safety Toolkit; and
 - (f) 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 the best practice across the work sites and share learnings for the whole business unit of KiwiRail sites.
- 2.3. On a planned basis, conduct or assist in safety inspections and audits using mini Control Verification checklists
- 2.4. Consult on health and safety policies, standards, procedures, and codes developed by KiwiRail in consultation with the RMTU.
- 2.5. Participate in applying risk assessment tools for all health and safety risks identified in the workplace and make recommendations regarding the management of risks.
- 2.6. Monitor and participate in the assessment of 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 recommend 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 external inspection and audit programme, such as ACC Accredited Employer and those undertaken by NZTA Waka Kotahi.
- 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 Personal Protective Equipment (PPE) and participate in selection, provision, proper use and maintenance of protective clothing and equipment.
- 2.12. Liaise with employees in the work area 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; identify and address the systemic issues as per the KiwiRail Just Fair Culture Policy.
- 2.16. Assist in identifying any site trends and problem solving of issues arising from incident investigation as appropriate.
- 2.17. Receive, review health and environmental monitoring information from KiwiRail such as noise or air sampling, and recommend environmental monitoring where it is needed.
- 2.18. Consider and respond to reports from union delegates and employee health and safety representatives.
- 2.19. 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 the Worker Participation Agreement)
 - Sponsor Manager
 - Union contact
 - Chairperson
 - Secretary
 - Contractor representative

- 3.2. At least half of the members of the HSAT must be the workers and represent the workers at workplace and must not be nominated by PCBU.
- 3.3. 11 HSAT meetings are held every year. HSAT could choose to skip December or January meeting due to Christmas/New Year.
- 3.4. An open invitation is extended to senior managers, union officers and organisers to attend HSATs.
- 3.5. The minutes of all HSAT meetings will be uploaded to HSAT Portal/SharePoint and made accessible to all including senior KiwiRail management and RMTU.
- 3.6. 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.

4. Functions

- 4.1. Every HSAT will create an annual work plan detailing local HSAT Operational Objectives aligned to the Safety, Health and Wellbeing strategy and related site safety plan(s) and participate in the review and maintenance at least annually.

5. Election of Health and Safety Reps

- 5.1. Election of Health and Safety Reps (**HSR**) is to be held every three years and following the written resignation of a current HSR. Refer to the Worker Participation Agreement (2024) 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 HSR is required to attend the Health and Safety Rep training stage 1. For additional training, HSRs are entitled to two days paid training per year. *(Refer to the HSAT Training matrix in the HSAT Handbook or SharePoint).*
- 6.2. Each HSAT will review the quarterly Health and Safety Rep training report, identify any training requirements, and notify KiwiRail Learning and Development to arrange training.
- 6.3. For the avoidance of doubt the RMTU nominated representatives on the Tunnel Focus Groups are to be regarded as HSRs.

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 KiwiRail Business Units 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 HSRs by providing:
 - (a) sufficient rostered paid time to attend the monthly meetings and to undertake HSAT duties;
 - (b) resources and access to a computer and email address;
 - (c) SharePoint, and internet access;

- (d) training and access to health and safety information;
- as may be required 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 HSR 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, and the SHW Business Partner is to be addressed. If there is an inability to resolve via the Line Management, then a separate escalation route is available via Union Representatives to the appropriate Industrial Council or 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 Tunnels Critical Risk Network. The Tunnel Focus groups can escalate issues to the Tunnels CRN, and to the relevant SHW BP.

10. Review of the Terms of Reference

- 10.1. The HSAT Governance Committee provides oversight of the HSATs. It will review HSATs effectiveness regularly and share findings with HSATs.
- 10.2. HSATs will undertake a yearly review at HSAT Forum regarding the applicability of HSAT Terms of Reference and advise any additional support that is required.
- 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. All ToRs will be reviewed concurrently with the Worker Participation Agreement review in May 2027.

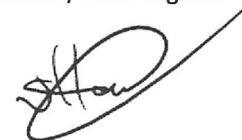
RMTU General Secretary
Officer



Signature / Date signed

KiwiRail Chief SHW

Signature / Date Signed



James House – 19/12/2024