

The basics – your rights at work

SafeWork NSW is the state's work health and safety regulator. It is our responsibility to educate and ensure compliance with work health and safety laws. There are work health and safety laws that apply to everyone when they are at a workplace. As a worker, you have rights.

If you aren't sure about something, speak up. Talk to your boss, talk to your health and safety representative or contact SafeWork NSW for information and advice.

SafeWork NSW: 13 10 50 www.safework.nsw.gov.au

Safety starts with you <http://www.safetystartswithyou.nsw.gov.au/home>

Here are some basics about your rights at work. For more information go to:

The basics: your rights at work

<http://www.safework.nsw.gov.au/media/publications/health-and-safety/the-basics-your-rights-at-work>

Case study: Cooper and the chemicals

Cooper is 16, he has just started some casual work at his local café. He cleans tables, takes customer orders, uses the cash register and takes the orders to tables. Melissa his boss, now has Cooper doing some work in the kitchen and he has been asked to do some cleaning. Cooper has been given a spray bottle with some blue liquid and a cloth and he has to wipe the grill and hotplate down. The chemical in the bottle makes his eyes water, he feels a burning feeling on his hands and it makes him cough (he also has asthma). He is worried about the chemical, but isn't sure if he's using it properly or if it is making him sick and his asthma worse.

What should he do?

Talk about this case study with your friends, teachers or parents. See below for some options.

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

Talk to your workplace health and safety representative (HSR) who 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 responsibilities

Your employer must provide:

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

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, also known as personal protective equipment (PPE) and shown how to use and wear it properly
- shown around the workplace including entry and exit points, amenities and first aid areas
- told about emergency evacuation procedures and shown the emergency evacuation point/s
- 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 responsibilities 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 appropriate safety equipment

You need to be provided with safety equipment appropriate to your job. Personal Protective Equipment (PPE), like safety glasses, gloves, masks etc needs to be in good condition and you need to know how to use it and to wear it properly.

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. Remember, health is both physical and psychological. If you are not satisfied with their response, contact SafeWork NSW on 13 10 50.

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](#) is a legal requirement that gives workers the opportunity to participate and share information about work health and safety.

The right to workers compensation

If you get injured at work you need to make a workers compensation claim through your employer. Fill in any forms you need to apply for workers' compensation. **If you are hurt, do not be afraid that you will get into trouble. Even if you have made a mistake, you should report the injury and ask for help.**

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 being bullied, you should first talk to your supervisor, HSR or another impartial person whom you trust. If that doesn't work contact SafeWork NSW for advice.

The right to fair pay and conditions

In Australia, there are minimum wages and working conditions. For information about rates of pay contact the Fair Work Ombudsman on 13 13 94. You may request a translator on 13 14 50.

Case study continued: Cooper and the chemicals. What could he do?

Cooper should talk to his boss Melissa about the chemical and let her know about his asthma and the affect it is having on him. Melissa must consult with her workers about the risk of using chemicals. Melissa must provide him with information, instruction, training and supervision so he knows what type of chemical he's using and how to use it safely. She was relieved that Cooper told her about his asthma. Melissa can refer to the 'Safety data sheet' for the chemical (written safety information) and make sure it is used safely and make sure workers are wearing any PPE required like gloves or masks. After talking with the workers, Melissa contacted her chemical supplier and has switched to different brand that isn't as damaging to the health of her workers and has made new safety rules about only using smaller containers that have proper labels about the chemical. There are gloves for using the new chemical and Cooper doesn't feel sick anymore when he uses it.

More help is out there - Department of Jobs and Small Business – Job Jumpstart

After working hard to find their first job, some young people can find it a struggle to adjust to the workforce and associated responsibilities. While it can be nerve-wracking for most, some young workers can feel more anxious than others about what they will be doing, their workplace and their new colleagues.

As a parent or friend, it is comforting to know that there is support available. The Job Jumpstart website is a good resource that can provide both yourself and young workers with a series of tips to help them prepare and succeed in their first jobs. Some of the tips included are:

- Starting Work
- Pay and working conditions

<https://www.jobjumpstart.gov.au/article/supporting-young-person-their-first-job>

<https://www.jobjumpstart.gov.au/>