



February 2019

WORKSAFE POSITION

Visitors at work

Purpose

Visitors at work and those responsible for visitors have duties under the Health and Safety at Work Act 2015 (HSWA).

This position sets out what we expect of:

- a person conducting a business or undertaking (PCBU) and workers when other people visit their place of work
- visitors at a place of work.

What do we mean by visitors at work?

Visitors and other people may be present at a place of work when they:

- use a shared place of work (eg a construction site or hospital)
- work in a public space (eg work in a street, or services provided at a client's site)
- visit the place of work for a limited period of time (eg a courier making deliveries).

What does the law require when visitors are at work?

PCBUs and workers must make sure that the health and safety of visitors is not at risk from their work.

What you do depends on how much influence and control PCBUs, workers and people visiting a place of work have over what has created the risk.

While a PCBU has the primary duty of care, visitors at a place of work must help to achieve health and safety. Everyone must keep in mind potential risks at work and take care that their actions don't put them or anyone else in harm's way.

The special guide *Introduction to the Health and Safety at Work Act 2015* has more information about the duties to other people at work: [worksafe.govt.nz/managing-health-and-safety/getting-started/introduction-hswa-special-guide](https://www.worksafe.govt.nz/managing-health-and-safety/getting-started/introduction-hswa-special-guide)

What should duty holders focus on?

Focus for PCBUs

PCBUs must make sure that the health and safety of other people is not put at risk from their work or from anything else at the workplace (so far as is reasonably practicable).

PCBUs have the primary duty of care. We expect all PCBUs to think broadly about the impacts of their activities on the health and safety of everyone at a place of work. People potentially at risk from work activities include volunteers, customers, passers-by, visitors, PCBUs, or workers of another entity.

When several businesses share a workplace, the PCBUs should talk to one another, because they have a duty to consult, co-operate and co-ordinate their health and safety responsibilities.

WorkSafe provides more information on working with other businesses: [worksafe.govt.nz/managing-health-and-safety/businesses/working-with-other-businesses](https://www.worksafe.govt.nz/managing-health-and-safety/businesses/working-with-other-businesses)

PCBUs should take a pragmatic approach to their duties regarding visitors and contractors. For example, with a visitor, the PCBU may record their presence and provide them with their health and safety rules. However, a PCBU may not do so for a courier, who is just dropping off a package and then departing.

Focus for workers

Workers must take reasonable care to make sure their action or inaction does not adversely affect the health and safety of others.

We expect workers to take care of their own health and safety and follow instructions from the PCBU. We expect them to think about how their actions (or inaction) at work might harm the health and safety of others at work.

Focus for visitors and other people

Visitors and other people at the workplace must take reasonable care for their own health and safety. They must make sure that their action or inaction does not adversely affect the health and safety of others. They must also follow any reasonable instruction from the PCBU.

WorkSafe may consider enforcement action

WorkSafe will consider everyone's duties and actions at a place of work. We will focus our attention on those people who have the most control or influence. We usually focus on the PCBU, as they are responsible for the health and safety of all people at a place of work.

WorkSafe will be balanced when assessing what action to take if visitors and other people have been harmed, or put at risk of harm from work carried out. We will consider the cause of the risk. We expect visitors and other people to follow reasonable instructions (including on any signs), and not to act recklessly. However, we do not expect visitors and other people to know more about a place of work than is reasonable for them to know.