WORKSAFE
Mahi Haumaru Aotearoa

Businesses working together to manage health and safety

Working together when multiple businesses have the same duties

A business (PCBU) may have more than one duty. More than one business may have the same duty.

When multiple PCBUs have the same duty, each PCBU must, so far as is reasonably practicable cooperate with each other. This means to:

- consult with each other
- cooperate with each other
- coordinate their activities.

These requirements apply to all PCBUs that have the same duty. However, PCBUs do not always have the same obligations.

Small PCBUs (fewer than 20 workers)

Small PCBUs are only required to meet specified HSWA duties in relation to critical risks, including sections 36–43 (excluding section 36(3)(e)) and regulations 9, 15(2), and 19 of the Health and Safety at Work (General Risk and Workplace Management) Regulations 2016.

When complying with other duties, small PCBUs must manage critical risks first. Where PCBUs have the same duty, small PCBUs are required to cooperate with other PCBUs for critical risks. Small PCBUs may choose to cooperate in relation to risks other than critical risks.

Large PCBUs (20 or more workers)

Large PCBUs must manage both critical and other risks, but are required to give priority to critical risks. Where PCBUs have the same duty, large PCBUs are required to cooperate with other PCBUs for all relevant risks.

For more information about small and large PCBUs and critical risks, see our guidance:

- Am I a small or large PCBU?
- What is a critical risk?
- Managing critical risks for small PCBUs
- Prioritising critical risks for large PCBUs

Blue shading is used to denote content based on the changes to the Health and Safety at Work Act that come into effect on 1 April 2027.

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Businesses can have the same duties when sharing a workplace

Businesses do not need to have a contract with each other to have the same duties. This can happen in shared workplaces, such as when different contractors work close to each other.

FIGURE 1:
Contractors working in proximity

Businesses can have the same duties when in contracting chains

More than one business can have same duties in a contracting chain. This happens when contractors and subcontractors provide services to a principal contractor or client. This can happen in both simple and more complex contracting chains.

Simple contracting chain

More complex contracting chains

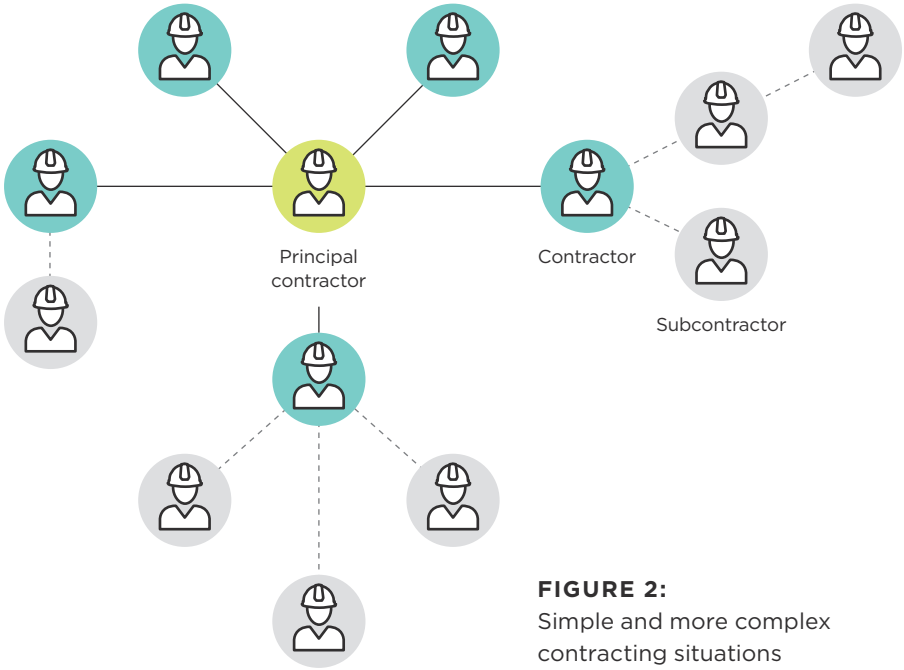

FIGURE 2:
Simple and more complex contracting situations

Principal contractors, contractors, and subcontractors will have duties for the same workers

As shown in Figure 3, under the Health and Safety at Work Act 2015 (HSWA):

- contractors and their employees are considered workers of the principal contractor
- subcontractors and their employees are considered workers of both the principal contractor and the contractor.

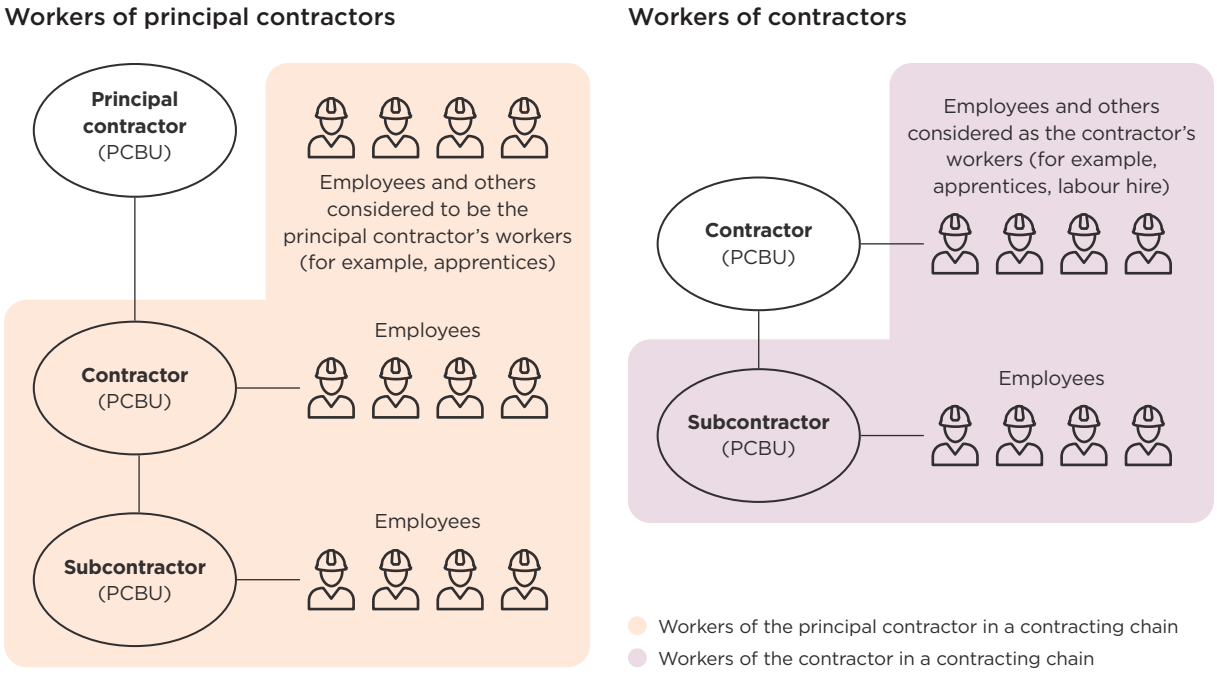

FIGURE 3: Workers for principal contractors and contractors

Also, a person self-employed as a sole trader is a worker as well as a principal contractor, contractor or subcontractor.

What does it mean to consult, cooperate and coordinate?

Figure 4 explains how to consult, cooperate and coordinate.

Consulting, cooperating and coordinating

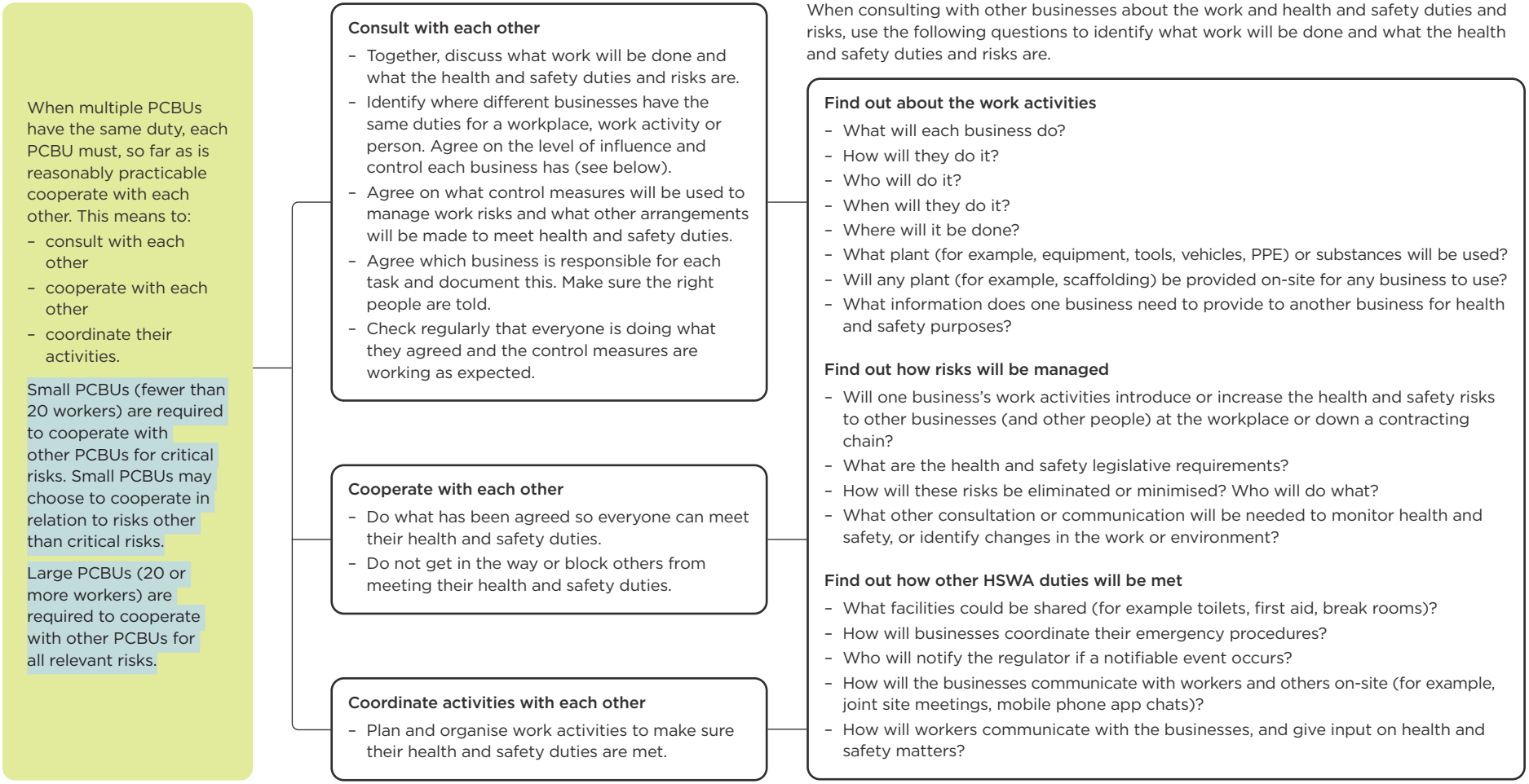

FIGURE 4: How to consult, cooperate and coordinate with other businesses

Each business's responsibilities will depend on its ability to influence and control

When PCBUs have the same health and safety duties, each PCBU **must** meet these duties to the extent it can (or would have but for an agreement or arrangement purporting to limit or remove that ability) influence and control the matter (the workplace, work activity or person).

A business with the most influence and control is likely to be in the best position to deal with the matter.

Figure 5 shows how to work out the level of influence and control each business has. The level of influence and control can change as the work progresses.

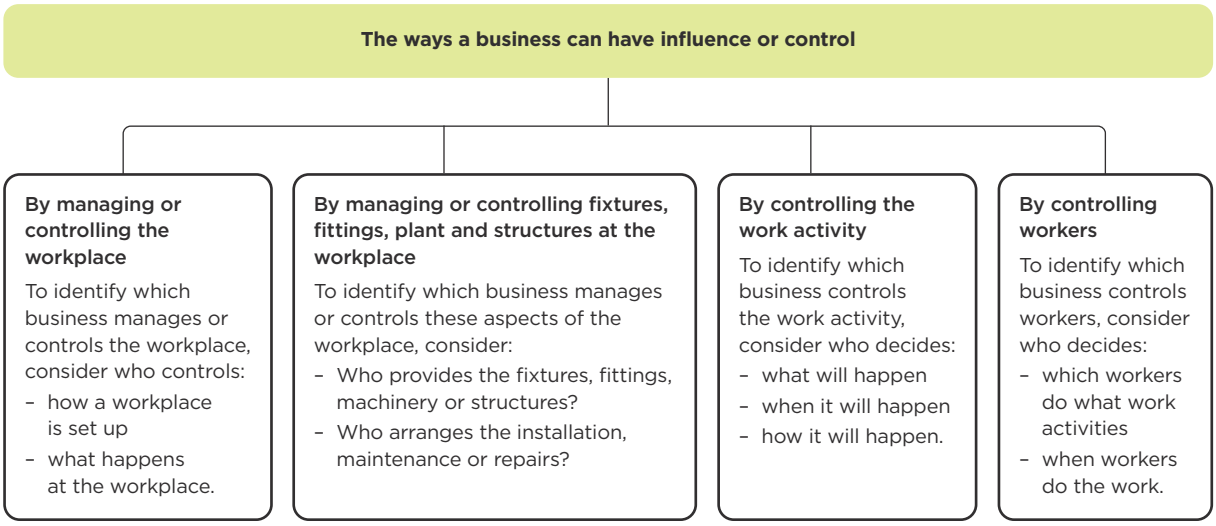

FIGURE 5: How businesses can have influence and control

Businesses working together cannot transfer their health and safety duties to other businesses

Each PCBU is still responsible for meeting their own duties.

Duty holders may not their transfer health and safety duties to others.

PCBUs of different sizes may enter into agreements or contracts that set out how they will work together.

These arrangements can require small PCBUs to cooperate on all relevant risks, provided that they do not limit or remove duties under HSWA.

For more information

For guidance about small and large PCBUs and critical risks, see:

- Am I a small or large PCBU?
- What is a critical risk?
- Managing critical risks for small PCBUs
- Prioritising critical risks for large PCBUs

For help with roles and responsibilities, see:

- Approved code of practice: Identifying health and safety roles and responsibilities on a residential construction site

Examples of health and safety duties that may apply to multiple businesses

Figure 6 shows examples of duties that more than one business may have.

Multiple business can hold the same health and safety duty for the workplace, for the work carried out or for specific workers

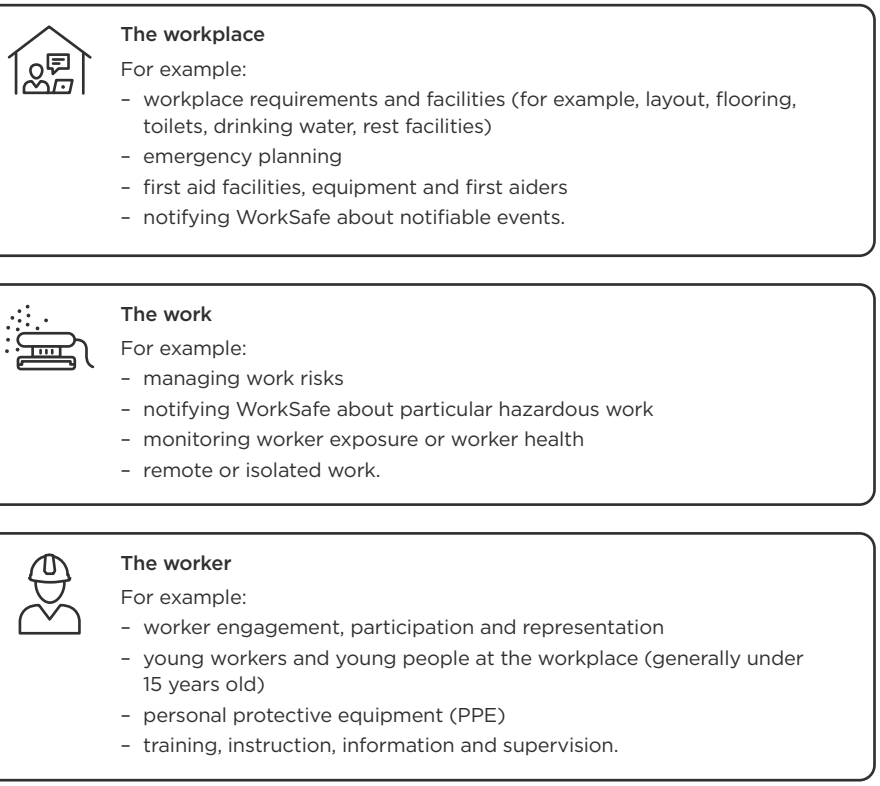

FIGURE 6: Examples of duties that more than one business may have

The following tables have more detail about these duties and what health and safety activities on residential construction sites could fall under these duties. The duties described in these tables are not an exhaustive list.

Small PCBUs (fewer than 20 workers) are only required to meet specified HSWA duties in relation to critical risks, including sections 36 -43 (excluding section 36(3)(e)) and regulations 9, 15(2), and 19 of the Health and Safety at Work (General Risk and Workplace Management) Regulations 2016. When complying with other duties, small PCBUs must manage critical risks first.

Where PCBUs have the same duty, small PCBUs are required to cooperate with other PCBUs for critical risks. Small PCBUs may choose to cooperate in relation to risks other than critical risks.

Large PCBUs (20 or more workers) must manage both critical and other risks, but are required to give priority to critical risks. Where PCBUs have the same duty, large PCBUs are required to cooperate with other PCBUs for all relevant risks.

Primary duty of care HSWA Section 36

HSWA REQUIREMENTS	WHO HAS THESE DUTIES?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS
A PCBU must ensure, so far as is reasonably practicable, the health and safety of workers, and that other people are not put at risk by its work. This means ensuring, so far as is reasonably practicable: – the health and safety of workers who work for the PCBU (for example, employees or contractors, including their subcontractors or workers) while they are at work in the business or undertaking – the health and safety of workers whose work activities are influenced or directed by the PCBU while the workers are carrying out the work (for example, a franchise company whose franchise requirements influence or direct the workers of the franchisee) – that other persons are not put at risk by the work of the business or undertaking (for example, a visitor to the workplace, or members of the public who could be affected by a work activity).	**All PCBUs have this overarching duty.** This duty could apply: – down a contracting chain – when different businesses work in the same workplace– do not need to be in a direct contractual relationship (for example, subcontractors working onsite but may not have contracts with each other (for example, plumber, quantity surveyors, electricians). The extent of this duty depends on a business' influence and control of the matter.	The health and safety activities at residential construction sites described in this Appendix could all fall under this overarching duty (depending on the specific context).
A PCBU, who is a self-employed person, must also ensure, so far as is reasonably practicable, his or her own health and safety while at work.	**All self-employed PCBUs have this duty for themselves.**	

HSWA REQUIREMENTS	WHO HAS THESE DUTIES?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS
The primary duty of care is a broad overarching duty. It includes, but is not limited to, so far as is reasonably practicable:	**All PCBUs have these overarching duties.** These duties could apply: – down a contracting chain – when different businesses work in the same workplace – do not need to be in a direct contractual relationship. Many of these have specific regulation requirements and certain PBCUs have specified duties related to these.	
– providing and maintaining a work environment that is without risks to health and safety (applies to a small PCBU only in relation to critical risks)	The GRWM Regs 10–12 for workplace facilities have specific requirements for all PCBU (See the Workplace and facilities table). There are also duties for PCBUs who manage or control the workplace. They must ensure that, so far as is reasonably practicable, the workplace, the means of entering and exiting the workplace, and anything else arising from the workplace are without health and safety risks to any person (HSWA Section 37) (applies to a small PCBU only in relation to critical risks).	See the Workplace and facilities tables.
– providing and maintaining safe plant and structures (applies to a small PCBU only in relation to critical risks)	There are duties for PCBUs who manage or control fixtures, fittings or plant at a workplace. They must, so far as is reasonably practicable, ensure that the fixtures, fittings or plant are without risks to the health and safety of any person (HSWA subsection 36 (3), and Section 38) (applies to a small PCBU only in relation to critical risks).	When setting up requirements for use/maintenance/checking equipment provided on-site (mobile scaffolding platforms, scaffolding) and what to do if modifications are needed). When organising temporary works (design, approvals, verifications, requirements for safe use for example, scaffolding set up).
– providing and maintaining safe systems of work (applies to a small PCBU only in relation to critical risks)	There are no overarching regulations for safe systems of work.	See the Management of Risk table.
– ensuring the safe use, handling and storage of plant, structures and substances (applies to a small PCBU only in relation to critical risks)	There are no overarching regulations for plant and structures. There are regulations for substances harmful to health and hazardous substances.	See the Management of Risk table.
– providing adequate facilities for the welfare at work of workers in carrying out work for the business or undertaking, including ensuring access to those facilities (this requirement – section 36(3)(e) – applies to a small PCBU in relation to **all risks**)	GRWM Regs 10–12 for workplace facilities have specific requirements.	See the Workplace and facilities tables.

HSWA REQUIREMENTS	WHO HAS THESE DUTIES?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS
– providing any information, training, instruction, or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking (applies to a small PCBU only in relation to critical risks)	GRWM 9 have specific requirements for worker training etc.	See the Training, instruction, information and supervision table.
– monitoring the health of workers and the conditions at the workplace for the purpose of preventing injury or illness of workers arising from the conduct of the business or undertaking (applies to a small PCBU only in relation to critical risks).	GWRM Part 3 have specific requirements for health monitoring and exposure monitoring.	See the Monitoring worker exposure for worker health table.

RELATED WORKSAFE GUIDANCE OR WEB CONTENT

For more information about these requirements, see our guidance:

- Introduction to the Health and Safety at Work Act 2015 – special guide
- Reasonably practicable

Management of risks HSWA Section 30

HSWA REQUIREMENT	WHO DOES THIS?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS
– All duty holders under HSWA **must** eliminate risks so far as is reasonably practicable. If they cannot eliminate the risk, they must minimise it so far as is reasonably practicable. – All duty holders **must** do this to the extent to which they have, or would reasonably be expected to have, the ability to influence and control the matter to which the risks relate. – Small PCBUs (fewer than 20 workers) are only required to meet specified HSWA duties in relation to critical risks, including sections 36–43 (excluding section 36(3)(e)) and regulations 9, 15(2), and 19 of the Health and Safety at Work (General Risk and Workplace Management) Regulations 2016. – When complying with other duties, small PCBUs must manage critical risks first. Large PCBUs (20 or more workers) must manage both critical and other risks, but are required to give priority to critical risks.	**Duty holders under HSWA have this general duty to manage risks.** This duty could apply: – down a contracting chain – when different businesses work in the same workplace – do not need to be in a direct contractual relationship. The extent of this duty depends on a business' influence and control of the matter. **Example** PCBUs in a contracting chain working together to create a fatigue management policy or agreement. The PCBUs agreed not to create situations where there is pressure on PCBUs further down the contracting chain to meet requirements that are likely to result in fatigue or unhealthy work pressures for workers. They developed a fatigue management agreement that included: – minimum hours of sleep opportunity between shifts and at least two full nights between each week of work – maximum shift length, considering: – time of day – type of work – maximum travel time before and after a shift – maximum hours to be worked in a week – maximum hours to be worked in a month – procedures for detecting, reporting, and addressing fatigue. The PCBUs together monitored and reviewed the agreement to make sure fatigue is being managed effectively. If needed, the PCBUs would together investigate incidents where fatigue may be involved.	– When identifying hazards, risks and effective control measures (including site processes contingency plans, what to do if things go wrong/ not what is planned). – When communicating to contractors/ subcontractors/visitors. – When monitoring performance of control measures/SWPs. – When continuing risk management to ID and manage new or changed risks (for example, gales forecasted, changes to phasing, timings, contractors' work affecting other contractors). – When communicating changes in a timely manner.

RELATED WORKSAFE GUIDANCE OR WEB CONTENT

For more information about these requirements, see our guidance:

– Identifying, assessing and managing work risks

– General risk and workplace management – part 2

Involving workers: worker engagement, participation and representation HSWA Part 3 HSWA Section 60

HSWA REQUIREMENT	WHO HAS THESE DUTIES?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS
– A PCBU must, so far as is reasonably practicable, engage with their workers (or their workers' representatives) about health and safety matters that will directly affect the workers. – Engagement is required: - when identifying hazards and assessing risks - when making decisions about ways to eliminate or minimise those risks - when making decisions about the adequacy of facilities for the welfare of workers - when proposing changes that may affect the health or safety of workers. – A PCBU must have worker participation practices that give their workers reasonable opportunities to participate in improving health and safety on an ongoing basis.	All PCBUs have these duties for their workers. These duties could apply: – down a contracting chain – when different businesses work in the same workplace – do not need to be in a direct contractual relationship). The extent of this duty depends on a business' influence and control of the matter.	– When identifying hazards and assessing risks. – When making decisions about ways to eliminate or minimise those risks. – When making decisions about the adequacy of facilities for the welfare of workers. – When proposing changes that may affect the health or safety of workers.

RELATED WORKSAFE GUIDANCE OR WEB CONTENT

For more information about these requirements, see our guidance:

– Worker engagement and participation

– Good practice for worker engagement, participation and representation

Workplaces and facilities
General workplace requirements GRWM Regulation 10

HSWA REQUIREMENT	WHO HAS THESE DUTIES?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS
– Workplaces **must** be clean, healthy, safe, accessible, and kept in good working order so work can be carried out without risks to worker health and safety. – There are requirements for the workplace including for the layout, flooring, lighting, and ventilation. – A PCBU **must** ensure, so far as is reasonably practicable, the following: - Layout and workplace maintenance: People must be able to enter, exit and move about in a healthy and safe way, including in an emergency. - Work areas: Workers **must** have enough space to carry out the work in a healthy and safe way. - Floors and other surfaces: Surfaces **must** be designed, installed and maintained so work can be carried out in a healthy and safe way. – Lighting: Lighting **must** be suitable and sufficient to enable: - work to be carried out in a healthy and safe way - people to move around the workplace in a healthy and safe way - safe evacuation in an emergency. – Ventilation: Ventilation **must** be suitable and sufficient so work can be carried out in a healthy and safe way (for example, provide workers with safe clean air). – Temperature: Work in extreme hot or cold conditions must be able to be carried out in a healthy and safe way.	**All PCBUs have these duties for their workplaces.** These duties could apply: – down a contracting chain – when different businesses work in the same workplace – do not need to be in a direct contractual relationship. If PCBUs share the same workplace (even for a short time), they have health and safety duties in relation to the same matter. The extent of this duty depends on a business' influence and control of the matter. **A PCBU who manages or controls the workplace** has a separate but related entry/exit duty. They **must** ensure that, so far as is reasonably practicable, the workplace, the means of entering and exiting the workplace, and anything else arising from the workplace are without health and safety risks to any person.	– When organising site layout including entry, exit, temporary traffic management, unloading zones, signage, fencing/security. – When setting up procedures for site access/waste management.

RELATED WORKSAFE GUIDANCE OR WEB CONTENT

For more information about these requirements, see our guidance:

– General risk and workplace management – Part 1 – Workplace and facilities requirements

General workplace facilities requirements GRWM Regulations 10–12

HSWA REQUIREMENT	WHO HAS THESE DUTIES?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS
– Facilities **must** be clean, healthy, safe, accessible, and kept in good working order – A PCBU **must** ensure, so far as is reasonably practicable adequate facilities are provided for workers at a workplace: - toilets - drinking water - hand washing facilities - eating and taking break facilities - rest facilities (if it is not reasonable for workers to leave the workplace). – Also, if the work means these are reasonably likely to be required: - showers - changing facilities and places to keep worker's non-work clothing clean and dry.	**All PCBUs have these duties for their workplaces.** These duties could apply: – down a contracting chain – when different businesses work in the same workplace – do not need to be in a direct contractual relationship. If PCBUs share the same workplace (even for a short time), they have health and safety duties in relation to the same matter. The extent of this duty depends on a business' influence and control of the matter. **Example** If toilets (or the other facilities) are provided for the site by the PCBU controlling or managing the site, the other PCBUs still have to confirm that they are clean, accessible, and kept in good working order to meet this duty.	– When organising facilities including toilets and break facilities.

RELATED WORKSAFE GUIDANCE OR WEB CONTENT

For more information about these requirements, see our guidance:

– General risk and workplace management – Part 1 – Workplace and facilities requirements

Emergency planning GRWM Regulation 14

HSWA REQUIREMENT	WHO HAS THESE DUTIES?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS
– A PCBU **must** ensure that **an emergency plan** is prepared for the workplace. – The plan must include: - emergency procedures - plans for testing these procedures - information, training and instruction for workers implementing the emergency procedures. – The PCBU must take into account: - the nature of the work being carried out at the workplace - the nature of the hazards - the size and location of the workplace - the number of the workers. – The plan **must** be maintained so that it remains effective. – The plan **must** be implemented if an emergency occurs.	**All PCBUs have these duties for their workplaces.** These duties could apply: – down a contracting chain – when different businesses work in the same workplace – do not need to be in a direct contractual relationship. If PCBUs share the same workplace (even for a short time), they have health and safety duties in relation to the same matter. The extent of this duty depends on a business' influence and control of the matter.	– When organising the workplace emergency plan and emergency equipment available onsite.

RELATED WORKSAFE GUIDANCE OR WEB CONTENT

For more information about these requirements, see our guidance:

– General risk and workplace management – Part 1 – Emergency plans

First aid facilities and equipment, and access to first aiders GRWM Regulation 13

HSWA REQUIREMENT	WHO HAS THESE DUTIES?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS
– A PCBU **must** ensure adequate first aid equipment is provided for the workplace. – A PCBU **must** ensure workers have access to first aid equipment and facilities. – A PCBU **must** ensure that there is an adequate number of workers trained as first aiders or that workers have access to an adequate number of other first aiders.	**All PCBUs have these duties for their workplaces.** These duties could apply: – down a contracting chain – when different businesses work in the same workplace – do not need to be in a direct contractual relationship. If PCBUs share the same workplace (even for a short time), they have health and safety duties in relation to the same matter. The extent of this duty depends on a business' influence and control of the matter. **Example** If first aid equipment, facilities or first aiders are provided for the site by the PCBU controlling or managing the site, the other PCBUs still have to confirm: – the equipment is adequate – their workers can access equipment/facilities – their workers have access to adequate number of first aiders to meet this duty.	– When organising first aid facilities, equipment and first aiders.

RELATED WORKSAFE GUIDANCE OR WEB CONTENT

For more information about these requirements, see our guidance:

– General risk and workplace management – Part 1 – First aid
– First aid at work

Training, instruction, information and supervision GRWM Regulation 9

HSWA REQUIREMENT	WHO HAS THESE DUTIES?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS

– A PCBU **must** ensure that every worker:
  - has adequate knowledge and experience to carry out the tasks safely or
  - is adequately supervised by someone with that knowledge and experience.
– Workers **must** receive training in the safe use of the equipment, machinery, or substances they will use.
– There are requirements for ensuring the training is suitable and adequate.
(applies to a small PCBU only in relation to critical risks)
– Primary duty of care (HSWA Section 36)
– A PCBU must give all people (for example, 'other persons at the workplace') the information, training, instruction or supervision they need to protect them from health and safety risks arising from the work.
(applies to a small PCBU only in relation to critical risks)
	All PCBUs have these duties for their workers and other persons in the workplaces. These duties could apply:
	– down a contracting chain
	– when different businesses work in the same workplace – do not need to be in a direct contractual relationship.
	The extent of this duty depends on a business' influence and control of the matter.
		– When establishing training and supervision requirements.

RELATED WORKSAFE GUIDANCE OR WEB CONTENT

For more information about these requirements, see our guidance:

– General risk and workplace management – Part 1 – Information, training, instruction and supervision

Notifying WorkSafe about notifiable events Sections 24–25 and 55–57

HSWA REQUIREMENT	WHO HAS THESE DUTIES?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS
PCBUs **must** tell WorkSafe when certain work-related things (called notifiable events) happen. These are: – deaths – notifiable injuries or illnesses or – notifiable incidents. If a notifiable event occurs, there are requirements to: – preserve the site (by the PCBU who manages or controls the workplace) – notify WorkSafe – keep records.	**All PCBUs have these duties for their workplaces** (except for the duty to preserve the site which is the sole duty of the PCBU who manages or controls the workplace). These duties could apply: – down a contracting chain – when different businesses work in the same workplace – do not need to be in a direct contractual relationship. If PCBUs share the same workplace (even for a short time), they have duties in relation to the same matter. The extent of this duty depends on a business' influence and control of the matter. **Example: Notifying WorkSafe** – The PCBUs in the contracting chain decided which PCBU would notify WorkSafe in the event of a death, a notifiable injury or illness or, a notifiable incident (for example, a hazardous substance spill, an electric shock, or engineering failure. They agreed on the process to be followed: - If there is a death at the workplace, WorkSafe will be called immediately on 0800 030 040. - For other events, WorkSafe will be notified through the Notify WorkSafe page of the WorkSafe website. - The notifying PCBU would then tell the other PCBUs that a notification had been made. – While only one PCBU has been nominated to notify the regulator, all PCBUs are responsible for ensuring a notification has been made.	– When establishing processes to notify WorkSafe and other relevant people of a notifiable event.

RELATED WORKSAFE GUIDANCE OR WEB CONTENT

For more information about these requirements, see our guidance:

– What events need to be notified?

– Notify WorkSafe

Notifying WorkSafe about hazardous work Regulation 26 of the Health and Safety in Employment Regulations 1995

HSWA REQUIREMENT	WHO HAS THESE DUTIES?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS
– A PCBU **must** notify WorkSafe at least 24 hours before starting notifiable work. – Here, 'construction work' means work in connection with the alteration, cleaning, construction, demolition, dismantling, erection, installation, maintenance, painting, removal, renewal, or repair, of any building, chimney, edifice, erection, fence, structure, or wall, or scaffolding – Notifiable construction work includes: - work in which a risk arises that any person may fall 5 metres or more (except for work in connection with a residential building up to and including 2 full storeys, work on overhead telecommunications lines and overhead electric power lines, work carried out from a ladder only or maintenance and repair work of a minor or routine nature) - the erection or dismantling of scaffolding from which any person may fall 5 metres or more - work using a lifting appliance where the appliance has to lift a mass of 500 kilograms or more a vertical distance of 5 metres or more, other than work using an excavator, a fork-lift, or a self-propelled mobile crane - work in any pit, shaft, trench, or other excavation in which any person is required to work in a space more than 1.5 metres deep and having a depth greater than the horizontal width at the top - work in any drive, excavation, or heading in which any person is required to work with a ground cover overhead - work in any excavation in which any face has a vertical height of more than 5 metres and an average slope steeper than a ratio of 1 horizontal to 2 vertical.	**The PCBUs that carry out notifiable work have these duties.** This duty could apply: – down a contracting chain – when different businesses work in the same workplace – do not need to be in a direct contractual relationship. If PCBUs share the same workplace (even for a short time), they have health and safety duties in relation to the same matter. The extent of this duty depends on a business' influence and control of the matter.	– When establishing processes to notify WorkSafe before notifiable work is carried out.

RELATED WORKSAFE GUIDANCE OR WEB CONTENT

For more information about these requirements, see our guidance:

– Particular hazardous work (Notifiable works)

Young people (generally under 15 years old) GRWM Regulations Part 4

HSWA REQUIREMENT	WHO HAS THESE DUTIES?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS
For young workers PCBUs **must** make sure (SFARP) young workers (generally under 15 years) do not carry out certain work activities. For example: – construction work – using hazardous substances – working or assisting with (or at) machinery – driving a vehicle – ride on a vehicle with attachments (for example trailer) connected, or ride on the attachments. – working between 10pm and 6 am (for workers under 16 years) – lift any weight or perform any tasks likely to harm their health or safety. – Any other type of work likely to cause harm their health or safety. There are exceptions to these requirements. **For all young people at the workplace** PCBUs **must** make sure (SFARP) young people (generally under 15 years) (workers or not) are not present in certain work areas. For example, areas where: – there is construction work, – hazardous substances are being used or – areas where the work is likely to harm them. Exceptions to this are when the young person is: – under direct and active adult supervision that is appropriate for the age and nature of the work – on a guided tour – in retail areas – in public areas.	**All PCBUs have these duties towards their workers and other persons at the workplace.** These duties could apply: – down a contracting chain – when different businesses work in the same workplace – do not need to be in a direct contractual relationship. The extent of this duty depends on a business' influence and control of the matter.	– When establishing site requirements for young workers and young people (in general).

RELATED WORKSAFE GUIDANCE OR WEB CONTENT

For more information about these requirements, see our guidance:

- General risk and workplace management – Part 1 – Young workers and young people at workplaces
- Young people at work
- Young people in the workplace

Requirements for personal protective equipment (PPE) GRWM Regulation 15 GRWM Regulation 19

HSWA REQUIREMENT	WHO HAS THESE DUTIES?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS
The PCBU who directs the carrying of work **must** provide PPE to workers carrying out the work (applies to a small PCBU only in relation to critical risks). There are exceptions when another PCBU provides the PPE instead or when the worker genuinely and voluntarily chooses to provide their own PPE. There are also requirements around: – selecting PPE so it is suitable for the work and the worker and compatible with other PPE that must be used/worn, – maintaining, repairing and replaced PPE – making sure workers wear/use PPE (applies to a small PCBU only in relation to critical risks) – providing information, training and instruction on how to correctly use, wear and maintain it. Workers have their own duties to wear PPE, to not intentionally damage it and to tell the PCBU if it is damaged or needs to be cleaned. The PCBU who directs the carrying out of the work must ensure the PPE worn or used by 'other persons': – is capable of minimising health and safety risks – is worn or used by them.	**All PCBUs who direct the carrying out of work have this duty towards their workers and other persons at the workplace.** This duty is reflected down a contracting chain. These duties could apply: – down a contracting chain – when different businesses work in the same workplace – do not need to be in a direct contractual relationship. The extent of this duty depends on a business' influence and control of the matter.	– When establishing site requirements for PPE.

RELATED WORKSAFE GUIDANCE OR WEB CONTENT

For more information about these requirements, see our guidance:

- General risk and workplace management – Part 1 – PPE
- Personal protective equipment (PPE)

Monitoring worker exposure or worker health HSWA Section 36 Part 3 GRWM Regulations

HSWA REQUIREMENT	WHO HAS THESE DUTIES?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS
Primary duty of care A PCBU **must** monitor the health of workers and the conditions at the workplace for the purpose of preventing injury or illness of workers arising from the conduct of the business or undertaking. Part 3 GRWM Regulations A PCBU **must** meet specified requirements if they are required to monitor under the GRWM Regulations.	**PCBUs that need to monitor the same person's exposure or health.** These duties could apply: – down a contracting chain – when different businesses work in the same workplace – do not need to be in a direct contractual relationship. PCBUs **must** work with other businesses they share monitoring duties with. At times, PCBUs may need to monitor the same person's exposure or health (this could happen when you share a workplace or you are in a contracting chain). If this happens, talk with the other business and decide who will organise the monitoring, how information will be shared, and how costs will be split. **Example** We Build It Tough Ltd hired casual workers from the labour hire company The Very Best Labour Hire Ltd for an extended period. The workers carried out work that meant monitoring must be carried out to manage health risks to the workers. We Build It Tough Ltd and The Very Best Labour Hire Ltd came to an agreement about who would organise the exposure monitoring and pay for it. It was decided that as The Very Best Labour Hire Ltd had an ongoing relationship with the workers, it would: – coordinate the monitoring– make sure that workers received the monitoring results – make sure any remedial recommendations were actioned – keep records. It was agreed that The Very Best Labour Hire Ltd would pay 75% of the monitoring costs, with We Build It Tough Ltd paying the rest.	– When establishing site requirements for exposure monitoring or health monitoring.

RELATED WORKSAFE GUIDANCE OR WEB CONTENT

For more information about these requirements, see our guidance:

- General risk and workplace management – Part 1 – Exposure monitoring
- General risk and workplace management – Part 1 – Health monitoring
- Health and exposure monitoring

Remote or isolated work GRWM Regulation 21

HSWA REQUIREMENT	WHO HAS THESE DUTIES?	HEALTH AND SAFETY ACTIVITIES AT RESIDENTIAL CONSTRUCTION SITES THAT COULD FALL UNDER THESE HSWA REQUIREMENTS
A PCBU **must** manage H&S risks of workers who perform remote or isolated work in accordance with regulations 5 to 8 (the prescribed risk management process). A PCBU **must** provide a system of work that includes effective communication with the worker. Work can be remote or isolated from the assistance of other persons because of location, time, or the nature of the work. Work can be isolated without being remote, and be remote without being isolated. Remote or isolated work includes: – working alone or separated from colleagues – working in a geographically isolated or inaccessible area –where the nearest emergency help (for example, fire service or hospital) is some distance away – working outside normal business hours or shift/night work – working in locations where communication is difficult. PCBUs must first determine whether the remote or isolated work is necessary. For isolated or remote workers, take into account the following: – is the work suitable to be carried out by a lone worker or if the worker proposed to carry out the work has the competence to work alone and be unsupervised? – can the work be done using a buddy system? – what support systems (such as radio telephones, man-down alarms, emergency procedures and first aid kits, and safety checks) may help to reduce the risk? If remote or isolated work is to take place, PCBUs **must** follow the prescribed risk management process to manage risks to the health and safety of a worker who performs remote or isolated work. In addition, the **PCBU must** provide a system of work that includes effective communication with workers. What constitutes an effective communication system will also depend on the sorts of risks faced by the worker (and may need to include panic systems). A communication system that has gaps in coverage or cannot be used in an emergency is unlikely to be effective.	**All PCBUs that have workers that perform remote or isolated work have these duties.** These duties could apply: – down a contracting chain – when different businesses work in the same workplace – do not need to be in a direct contractual relationship. The extent of this duty depends on a business' influence and control of the matter. Examples of control measures for remote or isolated workers include to: – have a buddy system or to work together with others – be trained in emergency procedures including what to do during natural disasters – carry appropriate supplies including suitable first aid equipment – have access to adequate facilities (water, eating facilities, toilets, accommodation) at the remote location – carry communication devices that work at the remote location (for example, radio, satellite or cell phones, pagers or distress beacons) and another means to raise the alarm – contact home to check-in at specified times (or are contacted by another worker at specific times) with failure to check-in triggering the emergency response plan – be remotely monitored (for example, using CCTV.	– When establishing site processes for remote or isolated work.

RELATED WORKSAFE GUIDANCE OR WEB CONTENT

For more information about these requirements, see our guidance:

– General risk and workplace management – Part 2 – Remote or isolated work