



Occupational Safety and Health Tribunal

What is the Occupational Safety and Health Tribunal?

The Occupational Safety and Health Tribunal (the Tribunal) assists in the resolution of some workplace safety and health issues under Western Australia's occupational safety and health laws. Issues can be referred under the *Occupational Safety and Health Act 1984*, the *Mines Safety and Inspection Act 1994* and the *Petroleum (Submerged Lands) Act 1982*.

Many of the functions to be carried out by the Tribunal were previously dealt with by safety and health magistrates. The Tribunal deals with matters such as:

- a question relating to an election for a safety and health representative that the WorkSafe Commissioner has been unable to resolve;
- a question as to whether a safety and health representative should be disqualified;
- a determination of entitlements to time off work with pay or the payments for attendance at a course of training in the safety and health representative's own time;
- a discrimination claim by a safety and health representative;
- the entitlement of an employee to wages and conditions under stop work provisions; and,
- review of the WorkSafe Commissioner's decision following an appeal of an inspector's improvement or prohibition notice

Prosecutions continue to be dealt with by safety and health magistrates in the Magistrates Court of Western Australia.

How do I access the Occupational Safety and Health Tribunal?

The Tribunal shares a website, reception counter, and hearing rooms with the Western Australian Industrial Relations Commission which is located at:

16th Floor, 111 St George's Terrace,
PERTH, WA 6000.
Telephone (08) 9420 4444 - Free call 1800 624 263
Fax 9420 4500.

A matter is referred to the Tribunal by completion of a Notice of Referral to the Occupational Safety and Health Tribunal, which can be obtained directly from the Western Australian Industrial Relations Commission by phone or fax or downloaded from the website.

How do I get more information?

The Tribunal has a section on the website of the [Western Australian Industrial Relations Commission](#)

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