



AMWU

Australian Manufacturing Workers' Union

Provisional Improvement Notice (PIN) Flowchart

01 CONSULT

- A health and safety representative must not issue a provisional improvement notice to a person unless he or she has first consulted, or attempted to consult.

02 HSR

- To serve a PIN on an employer/PCBU a HSR must be:
 - Elected and in term.
 - WA - be a qualified representative having completed a course of training prescribed under the Act.
 - NSW/QLD/ACT/TAS/SA/NT - completed initial training prescribed by the regulations.
- The issue must affect workers in the HSRs (Designated) Workgroup.

03 SERVING

- A PIN may be served (issued/given) either;
 - directly to the person
 - electronically/email
 - by leaving it for the person at the workplace to which the notice relates with a person who is or appears to be the person with management or control of the workplace.

04 COMPLY OR REVIEW

- The person/employer/PCBU commits an offence if the person fails to comply with a provisional improvement notice issued to the person.
- A person to whom a provisional improvement notice is issued must as soon as practicable display and maintain a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (except WA).
- The person/employer/PCBU may ask the regulator to appoint an inspector to review the PIN within 7 days of it being issued (this will effect a stay on the requirements of the PIN).

05 INSPECTOR REVIEW

- An inspector appointed to review a PIN must—
 - (a) confirm the provisional improvement notice, or
 - (b) confirm the provisional improvement notice with changes, or
 - (c) cancel the provisional improvement notice.

06 INTERNAL REVIEW

- If an inspector cancels a PIN, the HSR and all workers affected by the PIN may request the Regulator to review the decision of the Inspector.

07 EXTERNAL/ TRIBUNAL REVIEW

- If the internal review upholds the inspectors decision, the HSR and all workers affected by the PIN may request the Tribunal or relevant Comission to review a decision made, or taken to have been made, on an internal review. This review may, confirm, vary or revoke the decision concerned.



Call the AMWU today:
1300 732 698

E: amwu@amwu.org.au
A: 4/133 Parramatta Rd, Granville NSW 2142

Authorised by Dave Henry, National Health & Safety Co-ordinator,
AMWU National Office, Granville.