



VNZ Brief: HSWA info for volunteers

Everyone has a role to play in making work safer at your volunteer organisation (PCBU). As a volunteer, you have a right to be in a safe and healthy workplace. You also have obligations under the new Health and Safety at Work Act (HSWA).

As a volunteer, please learn the health and safety requirements of your volunteer organisation and follow their rules.

Useful terms

HSWA: The Health and Safety at Work Act 2015, from here referred to as “the Act”.

PCBU: Person Conducting a Business or Undertaking. A volunteer-involving organisation is a PCBU if it employs one or more staff no matter how many volunteers it has. From here, referred to as “your organisation”.

Volunteer-involving organisations (VIOs): This is the term Volunteering NZ uses to describe non-profit organisations with a volunteer component.

Volunteer association: An organised group of volunteers who do not employ any staff. Volunteer associations do not have health and safety duties under the Act.

Volunteer worker

The Act makes a distinction between casual volunteers and ‘volunteer workers’. You are a volunteer worker if:

- Your organisation has knowledge you are doing work or has given consent for you to do the work
- you work for your organisation on a regular basis
- the work you do is an integral part of your organisation.

As a volunteer worker you should receive the same treatment as your organisation’s paid workers with regard to health and safety. For example, you should receive the necessary training to do your work safely.

Casual volunteer

A casual volunteer is someone who volunteers once in a while. The following activities are all considered to be those of a casual volunteer:

- fundraising
- assisting with sports or recreation for a club
- helping schools and educational groups outside their own premises
- providing care in a volunteer’s home.

A casual volunteer may not be required to undergo the same level of training as a volunteer worker.

A volunteer-involving organisation has duties to casual volunteer to ensure their safety just as they do to other members of the public.

A casual volunteer also has responsibilities. As a casual volunteer or visitor, you have an obligation to take reasonable care for your own health and safety and to make sure you don't affect the health and safety of others at the volunteer organisation.

The distinction between volunteer worker and casual volunteer does not apply if the organisation is a volunteer association. The Act does not apply to volunteer associations.

Your responsibilities

Familiarise yourself and follow the instructions given to you by your organisation as part of their health and safety policies and rules. You must cooperate with any reasonable health and safety policy or procedure of your organisation.

You must take reasonable care -- you should do what a reasonable person would do under the circumstances by:

- only doing tasks that have been assigned to you
- only doing tasks you have been trained to do, or are familiar with
- not doing tasks you think are unsafe
- reporting hazards and risks to your organisation
- providing feedback on health and safety issues: speak up if you have safety concerns
- using the personal protection equipment (PPE) if it is required, and using it as instructed.

A major departure from reasonable care (eg, recklessness or deliberately putting yourself or another in danger) could be grounds for prosecution under the Act.

Your organisation's obligations to you

A volunteer organisation must ensure as is reasonably possible that as a volunteer worker you are provided with:

- a work environment free from risks to health and safety
- the necessary information, training, instruction, or supervision to do work safely
- a workplace with adequate and accessible facilities (such as toilets, drinking water)
- equipment such as vehicles, appliances, and tools that are safe to use
- protection from toxic chemicals
- monitoring of worker health and workplace conditions to prevent injury and illness
- required safety gear, such as gloves or goggles.

For more information

Visit Worksafe New Zealand at <http://www.business.govt.nz/worksafe/hswa>

Please note: The information provided in this information sheet does not substitute as legal advice.