

GOOD FAITH CHALLENGE

Work description: Good Faith Challenge

Scope: Any work activity where an employee considers in good faith, any hazardous condition or practice to be an unacceptable risk to their health or safety.

References:

HNL-09625 Incident Report Form

PPE and precautions

N/A

Competencies or qualifications

 Good Faith Challenge Training – for HSQE
 Department and Line Management

Licenses or permits required

N/A

Tools and equipment required

N/A


Note

This Work Instruction describes the actions to be taken when an employee considers in good faith, any hazardous condition or practice to be an unacceptable risk to their health or safety.

Any employee has the right to stop work or ask for alternative work where we they reasonable grounds to believe that they, or others, are in serious or imminent danger.

Invoking a Good Faith Challenge

Where an Employee perceives in good faith, an unacceptable hazard or is asked to undertake work that they have reasonable grounds to believe may endanger themselves or others they shall:

- Stabilize the situation / environment such that it is safe to leave.
- Remove themselves and, if necessary, others to a safe place pending further investigation.
- Report the circumstances to their immediate supervisor or manager.
- Complete and submit an Incident Report Form as soon as practicable.

If there is an immediate risk to the safe running of rail vehicles the matter must be treated as an emergency and reported to the Operations Control Centre by the quickest possible, prior to contacting the relevant manager.

If, upon investigation, it is determined the hazard does not present a danger, they shall return to work.

Responding to a Good Faith Challenge

 Manager /
 Supervisor

Whenever the Good Faith Challenge is used the relevant manager must review the circumstances as soon as possible, and determine what immediate steps need to be taken to resolve the situation.

If the concern cannot be resolved satisfactorily the matter must be raised with the next level of management as soon as possible. The relevant manager at the next level will review the situation, seeking advice from the SSQHE Department.

Until the matter has been resolved to the satisfaction of the person raising the concern the work activity must not continue, unless the system of work can be modified, or additional temporary controls introduced to address the concern and reduce the risk so far as is reasonably practicable.

Where a confirmed hazard has implications for more than one location, the responsible Line Manager, in conjunction with the SSQHE department shall immediately advise all other functions that might be similarly affected.

Approved By:
☐ Director, Operations and Maintenance

☐ Department Manager

☐ Manager, HSE (Operations and Maintenance)

Signature:
Date:

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Page 1 of 2

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Dispute Resolution <i>Manager / Supervisor and SSQHE</i>	<p>Should there be a dispute between the person raising the incident and their manager following the initial investigation, and that person continues to believe the work or condition presents a danger to themselves or others.</p> <p>The person raising the issue shall remain in a place of safety or undertake reasonable alternative work as directed.</p> <p>The manager shall request the attendance of their Manager and a member of the SSQHE Department to investigate the reported hazard.</p> <p>The line manager and the SSQHE Department representative will investigate the reported hazard together with the complainant, manager and health and safety representative if available.</p> <p>If the line manager and SSQHE Department representative determine the proposed work or conditions are not hazardous as they are satisfied the level of risk is controlled to an acceptable level, the person(s) raising the issue shall return to work.</p> <p>Where the work or conditions are deemed hazardous, work shall be suspended until such time as the condition is corrected is reduced to a reasonably practicable level; as agreed with the SSQHE Department representative.</p> <p>Where, following investigation by the SSQHE Department representative, the complainant feels the condition has not been adequately dealt with to remove the perceived hazard and enable work to continue, and then the formal grievance procedure will be initiated.</p>				
	<table border="1"> <tr> <td data-bbox="336 770 560 902">  </td><td data-bbox="560 770 1482 902"> Note <i>No person refusing to work as the result of making a genuine and reasonable complaint of a condition relating to health and safety at work shall be subject to any disciplinary or retributive action.</i> </td></tr> <tr> <td data-bbox="336 902 560 1070">  </td><td data-bbox="560 902 1482 1070"> Note <i>If the Good Faith Challenge Procedure is invoked outside of normal office hours and dispute resolution is required, the matter should be referred to the on-call managers for the discipline concerned and SSQHE.</i> </td></tr> </table>		Note <i>No person refusing to work as the result of making a genuine and reasonable complaint of a condition relating to health and safety at work shall be subject to any disciplinary or retributive action.</i>		Note <i>If the Good Faith Challenge Procedure is invoked outside of normal office hours and dispute resolution is required, the matter should be referred to the on-call managers for the discipline concerned and SSQHE.</i>
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Reporting <i>All</i>	<p>The Good Faith Challenge is usually initiated by a verbal notification of health, safety or environmental issues requiring attention. Once the Good Faith Challenge is initiated, the local manager must be informed and an Incident Report Form (IRF) shall be completed to record the details. It must clearly state on the Incident Report Form that it is recording a Good Safe Challenge incident.</p>				