ORGANISING AND WORKERS RIGHTS IN THE PANDEMIC

A BEGINNER'S GUIDE

BY
JEROME
SMALL
FOR

WORKERS

ORGANISING

RESISTANCE

DURING the COVID-19 PANDEMIC

Published on 25 March 2020

By

Workers Organising Resistance in the Pandemic (WOR)

Find our page on Facebook:

https://www.facebook.com/WorkersOrganisingResistance/

Join the Facebook Action Group:

https://www.facebook.com/groups/workersorganisingresistance/

We are Australian-based workers and unionists organising resistance in our workplaces in the face of the global crisis triggered by the COVID-19 pandemic.

This page has been set up to help us share our experiences of organising and fighting for safety, dignity, and so that we are not made to pay for a crisis that the system of profit-making has produced.

A note from the author

This guide was compiled by Jerome Small, for Workers Organising Resistance in the Pandemic.

I'm a long time socialist and construction worker, who for the past few years has been the industrial organiser of Socialist Alternative. I've helped workers to organise in warehouses, call centres, universities, public transport and many other industries.

Obviously the situation is changing incredibly rapidly. I'll try to update this resource regularly. Contacting the WOR page is the easiest way to get in touch.

Table of Contents

Call centre workers in Melbourne

Part A
Workplace organising for beginners

English language teachers in Melbourne

1. Introduction: a glaring contradiction

Workers who are still required to show up to work are being put in an awful situation. On the one hand, politicians and health authorities are reading the riot act on social distancing when it's on Bondi Beach or in social situations. But for some reason, when we're being crowded in to work sites to make profit for a boss, different rules often seem to apply.

Scott Morrison tried to talk himself out of this glaring contradiction by declaring that *all* workers are essential workers:

 "Everyone who has a job in this economy is an essential worker. Every single job that is being done in our economy with these severe restrictions that are taking place is essential."

This is just bullshit.

There's nothing to say that building a skyscraper has to be done this week rather than in a few months time. Or that some piece of market research has to be completed to a deadline. Plenty of employers have just been lazy or negligent about putting measures in place to work online. Plenty of others want to keep making a profit for as long as possible.

The obvious solution should be – a comprehensive shutdown of all work not essential to keeping food, utilities, public health etc going, with income support for all until the virus is stopped. Every worker still genuinely needed in an essential industry has to have the most stringent health and safety protections. If that means each worker is less productive, more workers have to be employed.

Instead of that, Australian governments are allowing many industries to proceed pretty much as "business as usual". And in the rush to provide "essential" services (legitimately essential or Scott Morrison "essential"), health and safety is being compromised in many workplaces.

This guide is intended as a brief "how to" for workers stuck in this situation, who want to start organising our fellow workers around health and safety issues.

No one will save us, except ourselves

The first thing every worker has to understand is, that there is no one going to ride to our rescue here. There are no easy fixes. There is no 1800 number we can call to get some government authority to come down and force our employers to implement stringent health and safety measures, or even (in most circumstances) to shut down our workplaces.

The second part of this document is a short explainer on some workplace health and safety laws. It's useful to know these laws, but the reality is that we're going to have to organise our fellow workers if we're going to effectively enforce most of these provisions.

Not every struggle will be successful. Not every non essential workplace will be shut down. Not every casual worker will be looked after. That's a tragedy, but we can't let that demoralise us. Even if we can't achieve everything, by organising with our workmates we'll be able to achieve some measures which could be the difference between life and death in this situation. We'll be having an experience of workplace organisation which has been all too rare in Australia in recent years – and win lose or draw, we'll need every ounce of that experience in the struggles to come.

The only thing worse than organising to fight and then losing, is not fighting or organising at all. As the Builders Labourer's Federation put it

If you don't fight, you lose.

2. Basic workplace organising: the open letter

In some parts of the world such as Italy, with a more militant recent union tradition, workers have taken strike action to shut down non essential work. These stories are an important source of inspiration for workers everywhere.

But the reality is that, in most workplaces in Australia, we are far short of the sort of collective worker organisation that can achieve that. So we have to keep our eyes on the prize, but then look down at our feet to see where we are, and take a single step forward.

In many places, this will be writing a collective letter to management, from as many workers as possible, expressing our demands.

Open letters have been a tried and true organising method used by militants (especially in unorganised workplaces) over the past hundred years. Coming up with the demands creates a collective discussion, the first essential small step towards action. Writing those demands down and circulating them to other workers means you can spread that discussion all over the workplace. Presenting those demands to management shows that it's not just one or two workers that have concerns, so it's a form of pressure. And an open letter can be a springboard, hopefully, to next steps.

Here's the basic idea:

2.1 Form a core team

This should include one or two of your workmates with a decent attitude. You might be able to link up and form a Facebook chat with workers in similar situations in different workplaces. If you can include an experienced organiser in that chat, so much the better. But the main thing is to get moving.

2.2 Come up with demands

Talk with your core team. What should be the main things we demand?

You have a legal right to a healthy and safe workplace. Mention that. A lot of these measures are mentioned specifically in government safe working guides (see part B) – use this where you can.

There has been a huge variety of demands in these letters during this crisis, depending on the industry. Here are just a few – use these to spark a discussion with your core team.

Prioritise the demands that will be the most widely and deeply felt. Don't feel you have to include every single demand – the most important thing is to get discussion and organisation going. You can always add or modify as you go.

Basic sanitation measures

An astounding number of workplaces still lack

- hot and cold running water,

- hand towels,

- soap,

- hand sanitiser,

- flip top bins (so you don't have to use your hands)

Cleaning and cleanliness

- Most employers say they are stepping up cleaning. Great. Show us the timetable for that.

•All commonly touched surfaces should be disinfected regularly. (Don't just settle for "regularly" though – Coles claims it is disinfecting commonly touched surfaces hourly. This should be our minimum.)

•Gloves for those who want them, in sufficient quantities – you might need a new set after every transaction.

•Sanitiser readily available at multiple points including cash registers etc

•Personal supply of sanitiser for workers required to move around from point to point (eg maintaining equipment)

Work spaces and processes

•In retail, some workplaces have banned cash transactions. In supermarkets, maybe all or most customers could all go through self-checkout so there is no requirement to handle cash.

•Is online work possible? If it is, there should be a definite timetable for introducing it, prioritising those most at risk.

•What is the timetable for introducing protecting screens on checkouts (Woolworths did two stores the other day).

•Are there restrictions on the number of people in the workplaces that accord with the social distancing guidelines (four square metres per person, or 1.5 metres between each worker as a minimum)?

•Can the work space be reorganised, eg by taping lines on the floor to enforce distance between workers, customers etc

•Enforcement of social distancing in break rooms by staggering break times

Workers' rights

The key provision is paid leave for everyone who needs it, including casuals, for illness or self-isolation. Obviously this is essential for us and our fellow workers – and it's also a crucial public health measure. If workers don't have access to sick leave for the smallest sniffle, or when they need to go into self isolation, it impacts all of us.

Ideally this should be special pandemic leave, which some state governments such as Queensland and NSW have provision for. (The Queensland government provisions are worth looking act, though they don't go far enough – they only apply to casuals after they have been employed for a year or more; they require workers to use up all their personal leave before accessing pandemic leave; and they only extend for four weeks, which will be nowhere near enough). Crucially, special pandemic leave has to extend to casuals and to outsourced workers (eg casual relief teachers, before- and after-school care workers, outsourced IT workers in universities, etc).

As the colossal dimensions of the economic crisis opening up have become clear, some workers have understandably lost their appetite for putting some of these demands on particular bosses. It's worth having a frank discussion with your core team about this. There's no point in having the world's most perfect set of demands if most people in your workplace thinks they are ridiculous.

So you'll have to judge what you can push for that will be widely supported. For instance, some hospitality workers initially raised a demand for paid leave for all workers. However since a week ago, fewer workmates are supporting this – or at least, they support it in principle but don't see this as practical.

So the core of activists in some places have shifted focus to other measures – for instance, payment in advance (so if the business goes belly up, at least the workers have something to survive on in the short term). So what

to demand is a very concrete discussion, and the answer will shift – sometimes quite rapidly.

Also, when we're demanding things with a public health rationale, it's important to explain that – to actually spell that out. Everyone reading the open letter should get an argument from it about why the measures are important, not just what they are.

Consultation

Workplace law requires the employer to consult with workers about health and safety measures and concerns (see legal rights section) – you might want to remind everyone of this in your open letter. You might also want to elect representatives for consultation.

To sum up – talk with your core group about what's appropriate. Don't agonise, just discuss a bit, then jump in and get moving.

2.3 Circulating the open letter

Once you've come up with a list of demands with your core team, it's time to print them out and ask people to sign.

- Ideally, make a list of every worker and allocate someone to talk with them.

- You might want to be a bit organised about who you approach when – eg avoid the boss' cousin, or leave someone who is a bit intimidated until later so you can say "fifty people have already signed", etc

- You might want to set a target, for instance "we won't send this letter until eight workers (or 20 or 100) sign it", so people feel some safety in numbers.

- Have a conversation with each person. Very briefly explain what you're doing and why, and ask them what they think. Generally, you want feedback and people's thoughts, not just a yes or no.

•Regularly keep working on your pitch with your core team – what is everyone saying? Are we pitching it right? Are we missing a demand? Are we aiming too high or too low?

2.4 Delivering the open letter

•In an ideal world, you'd deliver the open letter to the boss in the form of a delegation (ie, give a hard copy), which underlines that people are very concerned. But this isn't essential, the main thing is to have the letter signed by plenty of people and get it to management.

•Even if you have a hard copy you also want to email it to them (you can photograph it and attach, including signatures), so there is a paper trail showing workers asking for these basic and important measures.

•You should request a response within a set time.

•You should also think about whether there a point in delivering the open letter not just to your immediate supervisor, but to other levels of management. If you work for an outsourced provider, can you cc people connected to the institution that does the outsourcing. If you're in touch with a union, you might want to cc them.

Again, this is a pretty concrete discussion.

3. Next steps

This will vary enormously depending on the workplace, your bosses response, etc. Once the deadline has past you should meet with your core team to consider their response and decide on next steps.

Here are a few ideas, adapted from advice I gave yesterday to a worker in an office setting:

- One possibility is just to continue the classic office passive aggressive paper war, ie emails with a well thought through cc

list. This is not nothing -- it can make a semi public issue of it and keep the collective discussion going, which is better than everyone just stressing out individually.

- Do you have staff meetings? What happens when the issues are raised there? Preparing people to intervene with pointed questions and suggestions can be very useful

- And/or, maybe not straight away but is there a mood for a protest out the front in a lunch hour?

- Do you have set breaks or take a break whenever? Taking a coordinated break is a step some call centre workers etc have done -- it effectively shuts down production while still being able to say "nah we're just taking our break". You might want a critical mass to sign up to this before launching. You can use the break to hold a meeting, implement some measures, distribute stickers, or pass a motion.

- Stickers, if they are worn by most people on a floor, can be a really good visual manifestation of "we all want the same thing" (be careful with this one though – nothing shows weakness worse than only a handful of people wearing a sticker) One possibility is initiating the process to elect health and safety reps. There's a bit about that in the law section of this document.

- I guess my default strategy is, go through the proper channels, but not in the proper way. i.e. write the boss a letter but get everyone to sign (which you're doing), get everyone to sign a letter to initiate HSRs (or just elect them, the boss will push back and it will be a shitfight, but at least it gets the ball rolling)

- Going public is something to consider. Bear in mind that most companies have strict social media policies. Also bear in mind that media and social media is flooded with coronavirus stories at

the moment, so you are entering a crowded field. The same applies to change.org or Megaphone petitions.

- Simply starting to implement your own collectively decided measures can definitely work in some situations. Some groups of workers have effectively reorganised sanitation, breaks, even work areas, creating facts on the ground that the boss has to accept or respond to.

- Walkoffs might be possible in some places – an open ended walkoff is a big step. A meeting with appropriate social distancing outside to discuss health and safety is also big – but not quite as big.

- Work to rules might be possible in some places. Or an informal agreement not to work overtime, to limit exposure to unsafe practices.

As always, we should be discussing these and other options with our core team.

We also want to be building our core team by including workers with a decent attitude and a bit of energy. Especially important is looking out for respected workplace leaders (the sort of people that co-workers go to with a work problem, or a hassle with payroll etc, in normal times). If these workplace leaders can be seriously won to the organising project, it dramatically increases the chances of success.

A few other general points:

Importantly, make sure that your core group is building up Facebook chats or other means of staying in touch with workers for once a workplace is shut down, or if people are off the job for some other reason. You might not want every single worker in the most sensitive chats, but you do want to be able to stay in touch with people no matter what – and we can't

always rely on seeing workers the next day at work in current circumstances.

Of course, individuals have to take their own circumstances into account. Some workers with compromised immune systems or other circumstances might have to make difficult choices about giving up work. In this case, best to get a letter from your doctor about your situation, that you can email to management after calling them for a discussion. If there is no leave available, some employers can give leave without pay so that at least, in theory, your job is still open. You can stay in touch with and encourage workplace organising efforts even though you can't be on the job.

In circumstances where there are sackings: is everyone getting a separation certificate? The [government website](#) outlining the changes say there is no requirement for a separation certificate, but only after April 27. Without detailed knowledge, my feeling is that it's prudent to ask for a certificate (or a letter with the [same info](#)). It might also be wise to demand that getting a separation certificate won't prejudice a worker being re employed, if and when work picks up.

And finally, and importantly: We are in a difficult situation, confronted with a massive medical and economic crisis made much worse by years of casualisation, cutbacks, and disorganisation defeat and retreat in the workers movement. So missteps will happen. And we won't win every fight.

But organising *at all* in these incredibly tough situations is vitally important work. Many open letter / organising efforts have already achieved concrete gains, at least around sanitation – incredibly valuable in the current crisis. And every ounce of experience in organising to stand up to management is going to be crucial in the struggles ahead.

4. Linking up with others

Workers Organising Resistance in the pandemic – WOR is a [Facebook page](#) and [discussion group](#) set up to act as an organising space and clearing house. Use it! And invite workmates to join. Post what you're doing, ask for advice, and jump in on other people's threads.
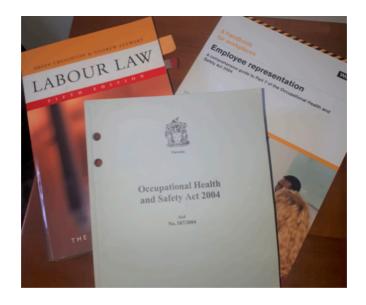
Reach out to other workers in similar situations. The comments section on union Facebook pages can be useful for finding some workers. For hospo workers there are bartender networks which can be used for discussion of common issues, spread a petition, or identify people who might help organise a sector. There will be similar groups in other industries.

In terms of the unions – my basic advice is, don't wait for them. Invite them to be part of the process, ask for their insistence, lobby them to take a decent position, but don't expect them to ride to the rescue.

Plenty of unions are being overwhelmed by the flood of enquiries from members in desperate situations. Others have actually sided with employers in a rush to keep production going, with only a gloss of health and safety. Others again have basically gone to ground, issuing a few dot points but basically ducking for cover.

Unions have won every decent workplace condition we have. They're essential defence organisations for workers. But in the current situation, don't wait for them. They can be useful if they can help put you in touch with other workers in the same situation, and in representing your concerns to employers (especially if you work for a major employer), but it will be workers in our workplaces that have to provide the drive.

Part B
Some notes on health and safety laws

Health and safety laws are NOT a silver bullet for dealing with the negligence of our governments and employers. No one is going to save us, except ourselves.

However, knowing relevant clauses from laws and regulations can help in pushing back against employers, organising our workmates to change work procedures to keep ourselves safe, and to refuse unsafe work. This brief compilation will hopefully help in these tasks.

This compilation is mainly focused on Victorian law, but it's also relevant interstate. Every state in Australia apart from Victoria and WA has identical, "harmonised" health and safety laws. These are based pretty closely on the Victorian laws I discuss here (eg, duty of employer to

provide a healthy and safe workplace, duty of employer to consult, and elected worker health and safety reps with legal powers). There a few differences, as noted below.

1. National laws (not applicable in Vic)

84 Right of worker to cease unsafe work

> *A worker may cease, or refuse to carry out, work if the worker has a reasonable concern that to carry out the work would expose the worker to a serious risk to the worker's health or safety, emanating from an immediate or imminent exposure to a hazard.*
>
> – Work Health and Safety Act, NSW

https://www.legislation.nsw.gov.au/#/view/act/2011/10/part5/div6/sec84

This is from the NSW Act, but there is exactly the same clause in the same law in Qld, SA, Tas, NT, ACT.

2. Victorian law

Victorian workers also have the right to refuse unsafe work – both in legislation and in common law.

Unfortunately, Victorian law doesn't have a clause as clearly straightforward as the nationally "harmonised" law quoted above.

However clause 25 (1) (a) and (b) of the Vic OHS Act makes it clear workers have a duty to take reasonable care for our health and safety, and those of others.

https://www.legislation.vic.gov.au/in-force/acts/occupational-health-and-safety-act-2004/031

OCCUPATIONAL HEALTH AND SAFETY ACT 2004 - SECT 25

25   Duties of employees

(1)   While at work, an employee must—

(a)   take reasonable care for his or her own health and safety; and

(b)   take reasonable care for the health and safety of persons who may be affected by the employee's acts or omissions at a workplace; and

(c)   co-operate with his or her employer with respect to any action taken by the employer to comply with a requirement imposed by or under this Act or the regulations.

Workers also have the right to refuse unsafe work under "common law". Our employers aren't legally entitled to tell us to jump off a cliff, for instance. If they do, we're legally entitled to refuse. The same applies to other reasonable concerns for our health and safety.

Victorian Trades Hall Council's health and safety unit has a useful explainer on this:

https://www.ohsrep.org.au/right_to_refuse_unsafe_work

Does a worker have the right to refuse dangerous work?

The answer is YES, every individual worker has the right to refuse to do dangerous work. Workers have this right under the Common Law Contract of Employment. This applies to all employment relationships, irrespective of what is written down. Common Law was set by judges in courts and comes from hundreds of years of history (mainly in Britain). Common Law

lays down very basic rights and duties for both the employer and employee. ...

3. Social distancing guidelines

On Wednesday 18 March Australia's chief health advisors announced new social distancing guidelines that require four square metres of space for each person. Strictly speaking, they don't legally apply to workplaces – just to "indoor gatherings"(one of the many contradictions in Morrison's "business as usual policy").

However several workplaces are implementing the four square metre rule as best practice. And because they have been widely publicised, and people such as Bondi Beach goers have been publicly chastised for not following them, they have a bit of moral/ political force.

It's worth measuring your workplace – how many square metres? Does each worker have at least four square metres? Does everyone have *at least* 1.5 metres on every side to the next worker? Can you and your workmates reorganise things so these minimum guidelines apply?
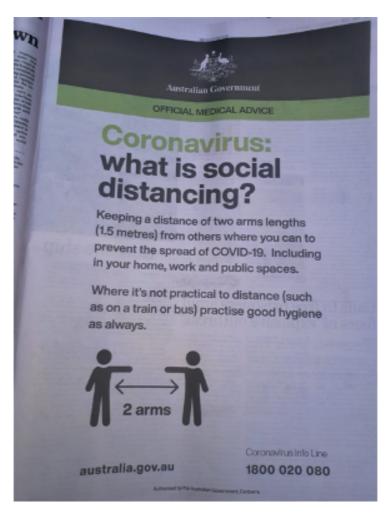
https://www.health.gov.au/news/australian-health-protection-principal-committee-ahppc-coronavirus-covid-19-statement-on-18-march-2020-0

Non-essential indoor gatherings of greater than 100 people will no longer be permitted. Risk mitigation should be applied to gatherings of fewer than 100 people including the following:

In a given occupied space, there must be a density of no more than one person per four square metres of floor space.

Full page ads from the federal government in today's newspapers (Wednesday 25 March) state that social distancing means:

Keeping a distance of two arms lengths from others where you can to prevent the spread of COVID-19. **Including in your home, work and public spaces.**

Where it's not practical to distance (such as on a train or bus) practise good hygiene as always.

4. Worksafe guides and regulations

Each state has a different workplace safety regulator (eg SafeWork NSW, Worksafe Victoria, etc), with more or less detailed advice. It's definitely worth spending some time familiarising ourselves with the contents of these publications.

The information below is from Worksafe Victoria. (I live in Victoria so that's what I'm most familiar with – if someone can assist in going through the various guidelines of different states to pull out the most useful clauses, let me know – my contact details are at the end of this document – JS)

Worksafe Victoria's publication *A guide for employers: Preparing for a pandemic* has some useful material, especially for those working on counters, or pushing for work from home:

https://content.api.worksafe.vic.gov.au/sites/default/files/2020-02/ISBN-Preparing-pandemic-guide-employers-2020-02.pdf

Important note: Worksafe guides do not have the force of law (though legally, if an employer does not comply with them and end up in court, this will count against them). However they usually sum up the common sense practice and should be adhered to unless there are exceptional reasons not to.

Some of the more useful clauses in the Victorian Worksafe guidelines include:

4.3.1 Manage the direct risks of infection ...

Social distancing

A primary transmission control measure is social distancing, that is reducing and restricting physical contact and proximity. Encourage social distancing through measures such as:

• **allowing only identified, essential employees to attend the workplace**

• **utilising alternative work options including work from home**

• *discouraging handshaking, kissing and other physical contact in the workplace*

• *maintaining a minimum distance of one metre between employees in the workplace (person-to person droplet transmission is very unlikely beyond this distance)*

• *discontinuing meetings and all social gatherings at work including informal spontaneous congregations*

• **closing service counters or installing Perspex infection control barriers**

• *using telephone and video conferencing....*

Control entry to the workplace

Guidelines should be developed for restricting entry to the workplace of persons who may have been infected with a pandemic disease or who have a relatively high risk of contracting it.

... This may include taking an employee's temperature prior to allowing them entry to the workplace.

Ventilation and air conditioning ...

All internal spaces should be well ventilated and if possible, fresh air should be allowed to flow. ...

There are a large number of other measures including prohibiting workers with pandemic-like symptoms from attendance, having masks on hand for any workers who fall ill, hand hygiene provisions including hands-free bins, and alcohol wipes for phones.

And the section on consultation is quite general, but useful. In industrial law, consultation is not just "here's what we're doing". The main legal precedent cited is CEPU v Vodafone Network (2001) which states:

Consultation is not perfunctory advice on what is about to happen. This is a common misconception. Consultation is providing the individual or other relevant persons with a bona fide opportunity to influence the decision maker.

From the Worksafe guide to employers:

3.2 Consultation with employees

Employers must consult with their employees when assessing a risk to the health and safety of employees at any workplace under the employer's control.

Consultation is also required in the selection and application of control measures. In assessing the risks posed by a pandemic, employers should consult widely using existing workplace arrangements.

The involvement of health and safety representatives (HSRs) and the health and safety committee is central to a consultative approach to risk management.

Briefer information from Worksafe (worth a quick look but mainly summarising what's above):

https://www.worksafe.vic.gov.au/safety-alerts/exposure-coronavirus-workplaces

5. Health and Safety Reps

The best thing in both Victorian and interstate health and safety legislation is that workers can elect Health and Safety Representatives. HSRs have legal powers to (after consultation) direct unsafe work to cease if there is a serious and imminent risk, and to direct unsafe work processes to be changed. (There is also more legal protection given to HSRs compared to union delegates, so that can be very useful.)

The legal rights of HSRs are very important, but are not absolute. Employers can and will involve a Worksafe inspector in any dispute, who will often rule in favour of the employer.

Also note that, precisely because HSRs have legal powers, there is often a lot of foot dragging and pushback from employers, taking every opportunity to ignore the law, slow things down etc. Bosses will commonly get their favourite employees to stand for HSR positions. So, pushing for HSRs is usually the start of a serious contest over health and safety at the workplace – not an instant solution to every concern.

Despite all that, HSR structures are definitely worth having, especially when backed by a strong union membership – like on many construction sites etc in normal times – and especially when the HSR is staunch and super persistent. HSRs can play a crucial role in organising workers to protect our health and safety at any time – and doubly so in the current

crisis.

Workers who want to set up elect HSRs should consult with the guides below. It's also very useful to involve union branch offices in this process, especially due to the likelihood of employer pushback.

The process in brief is:

•Worker (or workers) notify an employer in writing that they want to establish designated work groups and elect HSRs. There's no set form. Just a simple letter is fine.

•Employers have 14 days to initiate discussions with workers about what the scope of designated work groups are. DWGs are the particular groups of workers who elect HSRs. So there might be one DWG per floor of an office building, electing two HSRs each, for instance.

•DWGs must be established by agreement. That is, the employer can't just unilaterally decide. If there is no agreement, Worksafe can be asked in to arbitrate.

•Once the DWGs are agreed, workers meet and elect HSRs. Again, there's no set form.

•Then you can form a Health and Safety Committee, which must have at least 50% representation from workers.

Easy!!

Of course, there are variations on this procedure. Some groups of workers just meet, elect delegates, and then notify the boss. This is a good way to initiate the procedure because it establishes some basic facts on the ground.

The employer will say that's not following the procedure, and you'd then have to negotiate on DWGs etc. So we might be forced into the bureaucratic process, but at least our side has started with a bit of momentum. Importantly, HSRs do not have legal powers (eg to direct to cease work) unless they are duly elected by agreed DWGs (interstate, HSRs must also undergo training before they have legal powers).

Sometimes, the employer will say that there are already HSRs, and it turns out that they were established 15 years ago and some middle manager has the HSR position. A letter signed by the majority of workers in the DWG saying they want to remove an HSR and hold fresh elections legally removes the old HSR. Employers are also legally obliged to negotiate DWGs if requested.

So. Plenty of work to establish HSRs, but worth pushing for. It's a useful point of organisation and agitation in many workplaces.

This is a useful resource from VTHC:

https://www.ohsrep.org.au/designated_work_groups

And here is Vic Worksafe:

explainer: https://www.worksafe.vic.gov.au/designated-work-groups

Detailed guide: https://www.worksafe.vic.gov.au/resources/employee-representation-comprehensive-guide-part-7-ohs-act-2004

6. Interstate resources

Safework NSW guidelines. On a quick look they look much weaker than the fairly detailed Victorian guide. However, they are definitely worth combing through for detail that might help you.

https://www.safework.nsw.gov.au/hazards-a-z/diseases/coronavirus-covid-19-advice-and-guidance-for-nsw-workplaces

Here is the guide to NSW procedures for electing HSRs, which are identical in the nationally "harmonised" laws that apply in NSW, ACT, Qld, NT, SA and Tasmania.

Brief explainer: https://www.safework.nsw.gov.au/__data/assets/pdf_file/0004/319855/Health-and-safety-reps-work-groups-HSR-elections-SW08660.pdf

More detailed: https://www.safework.nsw.gov.au/__data/assets/pdf_file/0017/50165/workers-rep-and-participation-guide-8410.pdf