PIN / Stop Work decision tree

Assumes HSR has received training as per section 90(4) of the WHS Act Is there a breach of the WHS Act or Has there been a breach of the WHS Act that will be repeated **Section 90** NO YES Is the breach in my work group, or if not Go back to work have we made a reasonable attempt to Sec 69 contact the HSR for the work group NO YES Is the risk serious and of such significance that control of the risk could not be delayed by at least 8 days Section 92(d) YES NO Consult with the PCBU that is Consider a stop work order in breach of the WHS Act Sec 90(3) Is there time to consult and follow the issue Has regulator already made a ruling Sec 90(5) resolution process **ISSUE PIN** NO **YES** Go back to work Be in writing Sec 91 Quote the breach Issue Resolution Sec 92 Process and then May give a remedy **Sec 93** Stop work Must give at least 8 Sec 92(d) Sec 80/81/82 days notice Can withdraw the PIN Sec 96 Stop work and then Can ammend the PIN Sec 94 commence issue resolution Sec 85(3) **PCBU** process **Sec 97** Must display the PIN Must comply with the PIN **Sec 99** if not appealed NOTIFY PCBU (Sec 85(5)) Worker to be available for Has 7 days to appeal **Sec 100** other suitable duties Sec 86 & 87 if appealed, WorkCover NSW can:-Cancel the PIN Sec 102 Ammend the PIN Sec 102 Confirm the PIN Sec 102 Ceases to be a PIN and becomes an improvement notice and the PCBU Must give notice in writing Sec 102(2) of the decision to all parties must comply with regulators direction

Sec 102(3)

to the PIN