

Ngā mōhiohio mā ngā pārurenga me ngā whānau kia mārama ai ki ngā oati whakatikatika

He mea hanga ngā oati whakatikatika (EU) hei hāpaiora kē e wātea ana ki te hunga i takahi (ahakoa he mea whakapae) i te Ture Hauora me te Haumaru i te Mahi 2015 (HSWA).

E whakaaetia ana ngā EU i raro i te HSWA, ā, he mea hanga hei whakaea i te raru. E herea ana ki te whakarerekē i te hauora me te haumaru mā te whakapai ake i te hauora me te haumaru i tō rātau wāhi mahi, te rāngai whānui, tō rātau hapori, otirā mōu tonu – te whakarite i ō hara ki ngā pārurenga me tō rātau whānau. E herea ana te whakatikatika i raro i te ture, ā, ko ngā mahi me mātua ‘hiki i te taumata’, te hāpai rānei kia teitei ake ngā paerewa o te hauora me te haumaru i roto i taua wāhi mahi, te ahumahi, te rāngai rānei. Ehara tēnei i te kōwhiringa māmā ake.

Kāore e whakatauhia ngā EU ki tētahi kaitukumahi ka mutu kāore e tukuna ana e mātau – he take tūao tēnei. Me mātua tono tētahi kaitukumahi mō tētahi EU mā te ‘rēhita i tētahi hiahia’, whai muri i te tono mō tētahi EU. Mēnā ka whakaaetia e mātau te EU, ka pērā i te mea he whai hua ki ō mātau whakaaro. Ka āta tirotiro mātau i te EU me te whakarite ka tutuki ki tētahi taumata teitei. Ki te kore e eke i te kaitukumahi ō mātau hiahia, kei a mātau ētahi kōwhiringa, me te āhei hoki ki te tirotiro anō i te hāmene.

Ngā wā me te mahi a ngā pārurenga me te whānau

Mō te whakaae ki tētahi EU me unu ngā hāmene (mēnā kua kōkiritia te hāmene). Ko te tikanga ka whakaritea e te Kōti kia whai wā ai te kaitukumahi ki te whai i te hātepe EU. Me kī he maha ngā āhuatanga o te EU me mātua whakarite, otirā he roa pea te wā mō te whakarite me te tuku kia whiriwhiria.

Ina tukuna ana, ka whiriwhiria e te Rōpū EU te tono. Ko te Rōpū ko ētahi kaitohutohu matua me ngā kaiārahi matua hunga whai pānga e whakakanohi ana i ngā kaupapa matua rautaki, whakahaere hoki a Mahi Haumaru Aotearoa (WorkSafe). Ko te whakaaetanga whakamutunga kei waenga i te kaitukumahi me Mahi Haumaru Aotearoa. Otirā he tūao te whai i te whakaaetanga, ā, he maha ngā āhuatanga ka whiriwhiria. Ka whakamāramahia whānuitia tēnei i raro.

I roto i te hātepe, ka whiriwhiria ō whakaaro, ā, he hira ēnei, e te Rōpū. Ahakoa i rapua e te kaitukumahi ō whakaaro i te wā e whakaritea ana tana tono, ina whiwhi te Rōpū i te tono, ka rapua, whiriwhiria hoki e rātau/mātau ō whakaaro mō te tono. Ka kōrero mātau ki a koe mēnā e tautoko ana koe i te EU, ā, mēnā e tika ana, ō whakaaro mō ngā mahi tauwhāiti, ngā kaupapa rānei e marohitia ana. Ka āhei hoki te Rōpū ki te whiriwhiri i ngā mōhiohio mai i a koe e pā ana ki te raru, ā, i pēhea te pā ki a koe.

Ehara te EU i tētahi putanga māmā, ngāwari rānei. He herenga nui, ture hoki. Me mātua ū te kaitukumahi ki ngā ture me ngā here o te EU kua whakaaetia, ā, ka āta tirotirohia e mātau tēnei. Ki te takahia e rātau ēnei ture, ka āhei a Mahi Haumaru Aotearoa ki te kōkiri tonu i te hāmene me te whiriwhiri hoki i ētahi atu hāmene e pā ana ki te takahi i te EU. E herea ana hoki te kaitukumahi ki te tuku pūrongo tautuku auau, whakamutunga hoki ki Mahi Haumaru Aotearoa. Ka mana tonu te EU tae noa ki tōna makeretanga.

E pūmau ana ki te kōkiri i ngā huringa hauora me te haumaru me te whakatikatika

Mā tētahi EU, e whai wāhi ana te kaitukumahi ki te whai i ngā tūmomo mahi (i tua atu i ētahi atu here i roto i te whakaaetanga whakamutunga) mō te painga o ana kaimahi, te ahumahi whānui me te hapori. Me mātua uru ki te EU ko ngā whakaea tika ki ngā pārurenga. He mea hira ō whakaaro, ā, ka whakaaroarohia i te taha o ngā here me ngā mahi e rārangī ana i roto i te EU. He hira hoki te whai whakaaro ki ngā pānga whānui o te EU, kaua mō te whakatika noa iho, engari mō te whakatairanga hoki i ngā paerewa teitei ake me ngā whakapaitanga pūmau o te hauora me te haumaru i roto i ngā wāhi mahi me ngā ahumahi. **Ehara** te whiriwhiringa a te Rōpū i te whakariterite. Ka tuku tono te kaitono e whakatakoto ana i ngā mahi me ngā whakaritenga, ā, ka whakatau mātau mēnā me whakaae, kaua rānei, he pēnei te āhua o te hātepe:

1. Ka **rēhita** te kaitukumahi ki Mahi Haumaru Aotearoa i tētahi EU.
2. Ka **tukuna he tono** e te kaitukumahi.
3. Ka **whiriwhiria e tētahi rōpū** EU ā-roto te tono, kātahi ka:
 - a. whakahoki kōrero atu ki te kaitono
 - b. tuku tūtohutanga kia whakapekahia te tono, tērā rānei ka
 - c. tuku tūtohutanga kia whakaaetia rānei te tono.
4. Kātahi ka tū tētahi hātepe **whakatau tikanga** ki te whakapeka/whakaae.

He roa pea te wā o te hātepe tono EU, e hia marama i te nuinga o te wā. Me tono mātau mō ngā hikitanga kōti ki te hāmene hei whiriwhiri i te tono – ka mutu me āta whiriwhiri mātau i ngā āhuatanga katoa kia mātua tika ai i a mātau.

Ina whakaaetia he EU, ka pānuitia tūmatanuitia. E herea ana mātau e te HSWA kia pānuitia tūmatanuitia ngā whakataunga o ngā EU ki tā mātau paetukutuku. Arā, ina whakaaetia e mātau tētahi EU me ā mātau pūtake mō te whakaae.

Ngā āhuatanga i whakaaroheria

Tuatahi, ka tirohia te maiki e ai ki te horopaki:

- Iaha?
- He aha te hītori o te kaitukumahi?
- Kei reira anō ētahi pūtake tika, āhuatanga whakangāwari rānei?

Kātahi, ka whiriwhiria e mātau ngā mahi (ngā painga e marohitia ana ki te hauora me te haumaru **i runga ake i te tautuku** me HSWA).

Ko te mea whakamutunga, ka arotakehia te tono e ai ki ngā kaupapa matua ā-rautaki a Mahi Haumaru Aotearoa. Ehara i te mea he hira ērā kua kōrerohia i runga ake. Engari, ka arotakehia e mātau te katoa o te kaupapa e marohitia nā ngā āhuatanga o te maiki.

Pēhea te kapeneheiwhana?

Ka kōrero te Kōti mō te ‘paremata’ (reparation) me te whakamahi i te kupu ‘whakaea’ (amends), i te mea ka āhua whānui ake tā mātau whiriwhiri i ngā tukunga (rerekē) o te kapeneheiwhana.

Mō te taha ki te utunga katoa, ka whakatauritea e mātau te whakaea ka tukuna mā te EU ki te rahinga pe a ka whakatauhia e te kōti hei paremata. Ko tā mātau e whai ana ko te whakarite kāore koe e raru i te whiwhi whakaea mā te EU, tē haere kē atu ai mā te kōti. Engari, kia mōhio noa mai koe e kore e taea e mātau te whakariterite māu.

Me pēhea te whakaputa i ō whakaaro mō te EU

He maha ngā āhuatanga ka taea tēnei, i te mea he maha ngā āhuatanga me mātua whakaaroaro, ka mutu kei runga pea i te:

1. Hātepe: kei tēhea wāhangā te whiu? Kei tēhea wāhangā o te tono me te hātepe te EU?
2. Ngā hononga: he aha te hononga i waenga i ngā rōpū katoa kei roto, ā, me pēhea te tino toro atu ki a koe mō te rapu i ō whakaaro?

Ka whiwhi koe i tētahi whakapā matua i Mahi Haumaru Aotearoa (ko te tikanga ko te kaitūhura matua mō te kōnae e mōhiotia ana ko te Āpiha Whakahaere (Officer in Charge, OIC)). Ka whakamōhiotia atu koe mēnā kua tīmataria tētahi hātepe EU, ka whakamāramahia te hātepe, me ngā mea ka pā mai pea.

Ko te tikanga ka tukuna e te kaitukumahi ngā mōhiohio hāngai ki a koe mō te EU ina kauneke haere (i te nuinga o te wā kāore mātau i te mōhio) engari e mōhio ana mātau he uua pea tēnei hononga. Engari, i te tuatahi, koinei te wāhi me ahu mai ngā mōhiohio tauwhāiti mō ngā kaupapa e marohitia ana.

Kei konei mātau ki te āwhina i a koe kia tino māmā ai tō puta i tēnei, kia pai ai tō whakapā tonu atu ki te rōpū EU. He pai noa iho ki a mātau te īmēra, te waea atu rānei ki a koe ki te kōrero:
enforceableundertakings@worksafe.govt.nz

Ko te hiahia o te Rōpū EU kia mārama ki ō whakaaro – me kī mā te kōrero noa iho ki te OIC, te Rōpū EU rānei. Ka whakaaroarohia anō e mātau ngā tāpaetanga kōrero ā-tuhi mai i a koe, tētahi māngai rānei ka tohua e koe.

Kei roto i ngā mōhiohio whaiaro, tae atu ki ō whakaaro me ngā mōhiohio tautoko, ka tukuna e koe ki Mahi Haumaru Aotearoa i roto i te hātepe EU ka whakamahia anake e Mahi Haumaru Aotearoa mō te kaupapa o te hātepe tono EU. Kāore e tukuna e mātau ū mōhiohio whaiaro ki ētahi engari ia mēnā ka whakahautia e te ture. Ka puritia haumarutia e mātau ū mōhiohio e ai ki ū mātau here i raro i te Ture Matatapu 2020. Ka āhei koe ki te tono mō tētahi kape o ngā mōhiohio whaiaro e puritia ana e mātau mōu, me te tono kia whakatikahia mēnā ki ū whakaaro kei te hē. Mēnā e hiahia ana koe i tētahi kape o ū mōhiohio, kia whakatikahia rānei, me whakapā atu ki te rōpū EU, me whakaoti rānei i tā mātau puka tono Ture Matatapu

Mō ētahi atu mōhiohio mō te tūmataitinga, tirohia te Tauākī tūmataitinga me te kaupapahere a Mahi Haumaru Aotearoa.

He aha atu anō ngā mea hei tūmanako?

He rerekē te roa mō te whakaoti i tēnei. Me kī he nui ngā wā e whakaaro ana koe kāore i te paku anga whakamua, kātahi ka pā mai ngā mea katoa i te wa kotahi. Engari ka mahi tahi mātau me koe ki te ārahi i a koe. Mēnā i tuhituhī kōrero koe, i whai tuhitaka rānei mō ngā mea i pā ki a koe mai i te raru, ka āwhina pea tēnei ki te whakarite i a koe ki te tuku mai i ū whakaaro ki a mātau. Ka whakamōhiotia haeretia koe i te kauneke haeretanga o te EU i ngā wāhanga – engari kia mōhio mai koe ahakoa kei mua te take i te kōti, kāore e āhei a Mahi Haumaru Aotearoa ki te kōrero mō te take kei raru te hāmene.

Ko tā mātau kia kaua kē e pā mai te āhuatanga i pā kinotia koe. He arawātea ngā EU mō tētahi whakataunga kē e rapu ana kia kaua ēnei āhuatanga e pā mai anō. E whakaatu ana tētahi EU kua whakaaetia i te pūmau me te whai wāhi ki te kōkiri i ngā taumata teitei ake me ngā putanga hauora me te haumaru pai ake kia pai ake ai te hauora me te haumaru mō ngā kaimahi onāianei me āpōpō i Aotearoa.

Mō ētahi mōhiohio āmiki atu anō, tirohia ngā oatī whakatikatika