

MONITOR

Official publication of the
Mining and Resource Contractors Safety Training Association

Review of the Mines Safety and Inspection Act 1994

The Review by Commissioner Kenner was tabled in Parliament and it provides interesting reading for the genuine student of occupational safety and health. It is a thorough and competent effort to both review the legislation and also take into consideration the additional matters requested by the Minister.

Quite clearly the Mines Safety and Inspection Act is attaining its objectives to promote safety and health, assist in reducing hazards and protecting employees, facilitate co-operation and consultation and provide procedures for employers and employees to contribute to the development and formulation of safety legislation.

The safety and health performance of the mining industry provides irrefutable evidence that this is the case.

The Management Committee was well pleased with the acceptance of the positions put forward in its submission. These included retention of most of the current structure of the inspectorate and the management arrangements for mining operations and retention of separate OHS legislation for the mining industry. The recommendation that a safety case regime be optional for those with the resources to comply with the strict requirements it imposes was predictable.

Whether any action will be taken by the Minister to implement the recommendations in the near future is uncertain given the looming draft legislation for national harmonisation of OHS laws.

While commending the thoroughness of Commissioner Kenner it needs to be said that he was somewhat reluctant to acknowledge the extent of the improvement in occupational safety and health performance by the mining sector.

His conclusions (p46) that the mining industry's performance '...now rivals many other industries' understates its actual safety record. His reference to 'the recent plateau' needs revision after including ample evidence that the injury trend actually continues downwards.

The Workers' Compensation in Western Australia Statistical Report 2003-04 to 2006-07 which provides data on the 17 industry classifications places the mining sector down the list at 13th in the table of frequency rates of lost time claims by industry in 2006-07. Only electricity, gas and water, property and business services, finance and administration and government administration have lower rates.

All other major industry sectors have rates of two to three times that of mining.

Another opportunity to commend the mining industry has been lost.

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MARCSTA is a not-for-profit Association. All proceeds are reinvested into the industry for future development of safety and training.



NATIONAL HARMONISATION OF OHS LAWS

The Workplace Relations Ministers Council (WRMC) has agreed that Safe Work Australia proceed with the drafting of legislation reflecting most of the recommendations of the National Review into Model OHS Laws completed in January 2009.

The WA Minister, Troy Buswell, while supporting the principle of nationally harmonised laws, has expressed concern at a number of the recommendations which almost certainly will be opposed by the tripartite Commission of Occupational Health and Safety.

The WA Government has informed the WRMC that it is unable to support the following recommendations:

- The introduction of a conciliation concept for the resolution of issues.
- Giving safety and health representatives the power to stop work.
- Reversing the onus of proof for discrimination issues.
- Increasing the level of penalties.
- Giving right of entry to workplaces for elected officers and/or employees of unions.

It is important to understand that final decisions on the Review recommendations can be carried by a two-thirds majority of members of the WRMC which means that the views of the WA Government are likely to be ignored.

While the WA Government may well decline to adopt the national harmonisation laws, industry needs to recognise that a change of Government could see the current consultative/co-operative philosophy of the demonstrably successful occupational safety and health legislation taking on a confrontational industrial relations tone.

Occupational health and safety professionals and dedicated safety and health representatives must be allowed to continue to work to improve occupational safety and health in working environments which are not contaminated with industrial relations motives.

This misuse of occupational safety and health to justify industrial relations disruption elicits negative responses by employers to a science

which plays such a significant role in the well being and long term health and safety of the majority of the population.

Every support should be given to the position taken by the WA Government.

MARCSTA has been consistently supportive of the role of consultation with, and participation of, the workforce in improving occupational safety and health performance in the workplace.

There can be no doubt that the continual commitment of the mining industry to the training of safety and health representatives has been a major factor in the overall improvement in performance over the last two decades.

The recommendations in the national harmonisation review reflect an appreciation of the important role of consultation and participation.

Recommendation 96 says that consultation should occur when any of the following activities is undertaken.

- Identifying hazards and assessing risks
- Making decisions about ways to eliminate or control those risks
- The adequacy of facilities for the welfare of workers
- Proposing changes that may directly affect health and safety
- Making decisions regarding:
 - resolution of health and safety issues and consultation mechanisms
 - monitoring the health of workers
 - conditions in the workplace
 - the provision of information
 - the training of workers

Should all of the recommendations be incorporated in their entirety there will be a considerable shift towards more involvement of employees in the decisions about safety and health in the workplace.

Employers should carefully study the details of the consultation/participation-related recommendations because they appear to have the general support of the WRMC.

Changes to the Construction Safety Awareness Training (51466)

Regulatory changes are being progressed to recognise the nationally accredited training construction induction unit Work Safely in the Construction Industry CPCCOHS1001A a unit of competency from the Construction, Plumbing and Services Integrated Framework Training Package CPC08 in Western Australia. Successful completion will entitle students to a 'White Card'.

Both the current 'Blue Card' and the new national 'White Card' (when it becomes available) will be acceptable in WA.

In addition to recognising the new unit the changes will remove the regulatory requirement for repeat training and the requirement for the course to be a mandatory four hours in length.

On-line training will meet regulatory requirements in WA.

The new national unit has 14 performance criteria and stipulates the required skills and knowledge for completion of the unit.

The National Code of Practice recommends a minimum of six hours of classroom type delivery.

A perusal of the critical aspects for assessment and evidence required to demonstrate competency in this unit will convince the reader that the national recommendation for six hour delivery is the bare realistic minimum.

MARCSTA now has the new national unit of competency on its scope and will issue Statements of Attainment for all students completing its updated program.

Queensland health and safety representatives to issue personal improvement notices

New Queensland laws will for the first time enable health and safety representatives to issue Provisional Improvement Notices (PINS) in their own workplaces provided they have received the necessary training and following consultation which has not reached a satisfactory outcome.

Similar powers already exist in Western Australia.

Source: Queensland Department of Employment and Industrial Relations



Australian Industrial Relations Commission rules that Shell cannot take urine samples

The AIRC has ruled that Shell cannot take urine samples when it introduces random drug testing of employees in safety critical areas of its facilities and should instead test saliva – a less intrusive method used by police to test motorists for drugs.

The Commission found that “a positive oral fluid test is far more likely to indicate actual impairment than a positive urine test.”

Source: Sydney Morning Herald, 3 June 2006

MARCSTA members

ORDINARY MEMBERS

Alpha Safety Management
Ausdrill Ltd
Barmenco Limited
BGC Contracting Pty Ltd
Cape
Cemex Australia Pty Ltd
GFR Group

GR Engineering Services

GRD Minproc
Kellogg Brown & Root Pty Ltd
Roche Mining Process Engineering
Skilled Group Ltd
Terex Materials Processing and Mining
Australia
Thiess Pty Ltd
Westrac Equipment Pty Ltd

ASSOCIATE MEMBERS

AVELING
Jako Industries Pty Ltd
Mandurah Safety and Training Services
Pty Ltd
Mine SafeGear
Strudwick HR

KCGM achieve important safety milestone

The Kalgoorlie Miner of 4 April 2009 reported that Kalgoorlie Consolidated Gold Mines, jointly owned by Barrick Gold and Newmont, took out the global award for best safety performance at a large gold site in 2008.

In December 2008, KCGM reached three million hours worked without a lost time injury, an achievement spanning more than 12 months.

Barrick Gold Corporation is the world's pre-eminent gold mining company with 27 operating mines and 20000 employees worldwide.

Winning this award in such a competitive environment is an outstanding achievement.

Source: Kalgoorlie Miner 4 April 2009 p6

The future of safety and health in Europe

The European Commission has announced its intention to introduce "better regulation" which could result in a 25% reduction in the administrative burden on business.

Many of the matters being considered would reverse the reforms of health and safety at work legislation implemented since the 1970's. These include reducing the requirements for information provision, the conduct of risk assessments, the protection of workers from carcinogens and the exemption from regulation for "small" organisations.

It is worth noting that there is little, if any, evidence that the so-called "administrative burden" imposed by occupational safety and health legislative has ever been burdensome.

In fact, a report published by the UK Health and Safety Executive in 2007 dismantled the myth that small-medium entities are crippled by their health and safety management obligations.

Source: HESA Newsletter 35, March 2009

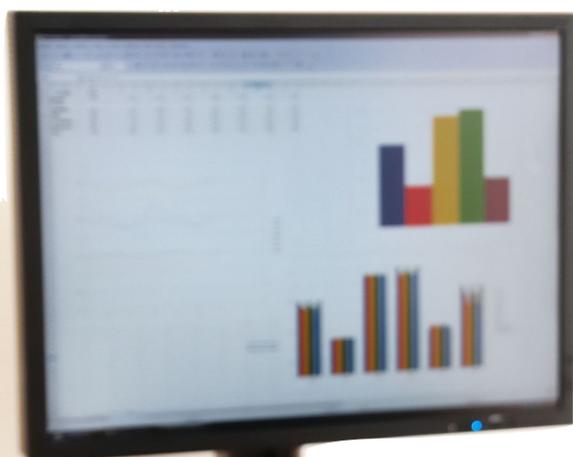
Muscle soreness linked to workload

Back and neck soreness in office workers is more likely to be caused by high workloads and tight deadlines than by posture or other physical factors, a new study has found.

Researchers from the University of Sydney have found that unmanageable workloads and unrealistic deadlines were among the stronger predictors of reported neck and back pain.

The study also found a correlation between hours in front of a computer and reporting of musculoskeletal problems. Working six or more hours per day with a computer increased the risk of neck and back problems by up to 230% while working eight hours or more increased the risk by up to 500%.

Source: Risks 405



Confined space precautions start with safe entry

In a recent article in British Columbia's WorkSafe magazine a training instructor reported that he spends too much time trying to get students to understand why safe work procedures for confined space entry are far more important for OHS people to worry about than rescue procedures.

He adds that there is too much focus on the "excitement" of confined space rescue work and too little about the "non-excitement" of carrying out correct confined space entry procedures.

Source: BC WorkSafe Magazine May/June 2009

Dangers of working alone

WorkSafe WA has issued a safety alert following recent fatalities of isolated workers.

In both cases the employees had been provided with mobile phones but were unable to activate them.

The Safety Alert contains the following recommendations:

- persons working alone must have an effective means of communication available at all times
- there must be a procedure for regular contact with the isolated worker including regular contact throughout the day as well as at the end of the day
- the procedure for regular contact must include what action is to be taken in the event that contact cannot be made with the worker.

Source: 11/09 Safety and Health Alert, WorkSafe WA



MARCSTA training providers currently delivering

Dennis Aitken (U)
Jayson Aveling
Graham Bailey
Carl Berglin
Wayne Berkrey
Danny Bogнар
John Christie (C)
Stacey Clark
Brian Cloney
Dale Cocker (U) (S)
Jim Dandie

Geoff Day
Vlad Dogilev
Peter Dowding
Linda Elezovich
Donelle Fraser (C)
Ross Graham
Brett Green
Sheryl Henley (C)
Jeffrey Hickin
Peter Jones
Ralph Keegan (S)

Joe Maglizza
Les McIntyre
Neil McMeekin
Guy Mead
Katherine Montague
John Preston
Merryn Richards
Jason Roberts
Victor Roberts
Shane Salt (C) (S)
Grant Shearwin (C)

Marcus Taylor
James Titmus
Peter Tynan
Micheal White
Graham Williams
Paul Willoughby
All training providers listed provide general inductions.
C denotes the Work Safely in the Construction Industry program
U denotes the underground program.
S denotes the extended working hours program.



Issue 2/2009

Worker Health and Wellbeing

Obesity lowers productivity

According to a new study appearing in the May/June issue of the American Journal of Health Promotion, obese workers with type 2 diabetes report less productivity on the job than their normal-weight co-workers. Diabetes itself also has an effect on work impairment.

In a survey of 7,338 working adults with, or at risk for, diabetes, participants answered questions about missed work time, reduced on-the-job effectiveness and impairment in daily activities. The analysis found that being obese and having diabetes are predictors for on-the-job problems with productivity.

Source: EHS Today, 5 May 2009

Do shiftwork effects warrant extra pay?

The NSW Nurses Association has launched a claim in the Industrial Relations Commission, calling in experts to cite studies linking shift work with higher rates of breast cancer, heart disease, miscarriage, clinical depression and divorce.

It is claimed that the test case could improve conditions for thousands of shift workers in other professions who have spent decades battling its effects.

For the first time the physical and psychological effects of shift work are being used to push for bigger pay packets for nurses and midwives in NSW.

Source: Sydney Morning Herald 15 May 2009

Long working hours a high risk in the security industry

WorkSafe WA has issued a safety and health alert following the death of a young security worker on a student visa on his way to work.

The employee, in the preceding 24 hours, had finished a seven hour shift for one employer, had a five hour break, then worked a further 12.5 hours night shift for a second employer which finished at 6:30 am. His death occurred while travelling to work another three hour shift commencing at 9:00 am.

It would seem that neither employer concerned nor the employee were aware of the 2006 Code of Practice on Working Hours which emphasises the consequences of employee fatigue resulting from work schedules and long working hours.

It will be interesting to see whether either employer provided the employee training required under the Code of Practice which could have prevented the unnecessary loss of life.

Source: WorkSafe Safety and health alert 10/09

Lack of sleep increases the risk for attention deficit disorder

In a cross-sectional study of 280 children born in Helsinki, Finland, in 1998 (consisting of approximately even numbers of boys vs. girls) sleep quality was measured by using actigraphs. The Sleep Disturbance Scale for Children and the Attention-Deficit/Hyperactivity Disorder Rating Scale were administered to parents.

The objective was to evaluate whether short sleep is associated with behavioural symptoms of attention-deficit/hyperactivity disorder in 7-8 year old children.

The study concluded that children's short sleep duration and sleeping difficulties increase the risk of attention-deficit/hyperactivity disorder.

Source: American Academy of Pediatrics, Short Sleep Duration and Behavioral Symptoms of Attention-Deficit/Hyperactivity Disorder in Healthy 7-to-8-Year-Old Children, E. Juulia Paavonen et al.

Insomnia and your immune system

One of the greatest mysteries about the human body is why it needs to sleep. From an evolutionary perspective it is hard to see why we need sleep as an adaptation to help survival.

The latest evidence suggests that sleep is the body's way of recharging its immune system and that insomnia and poor sleep contribute to a range of diseases from acute conditions, like the common cold and chronic diseases like rheumatoid arthritis and heart disease.

Other research has linked poor sleep patterns with abnormalities of glucose metabolism, hypertension, inflammation and obesity.

The key message is that people who are sleep deprived have abnormalities of their immune function, reduced amounts of white blood cells, poorer production of chemicals that reduce inflammation (interleukins) and increased levels of chemicals that promote inflammation (cytokines).

Source:

Dealing with employee fatigue

WorkSafe Victoria has published a Handbook for Earth Resources – Fatigue in Mines in February in which it is pointed out that by law mine operators must develop and implement strategies that control any risks to health and safety associated with employee fatigue.

Strangely the document fails to address the key concept of training of managers, supervisors and employees which is given due emphasis in the WA Code of Practice on Working Hours produced in 2006 by the Commission for Occupational Safety and Health.

Educating and training managers, supervisors and employees to understand and recognise the hazards associated with long working hours is essential to safe working practice.

Source: A handbook for earth resources: Fatigue in mines, February 2009. WorkSafe Victoria

Denmark compensates night workers after breast cancer link

Women in Denmark have won the right to compensation after claiming that their breast cancer was linked to their long-term night shift work.

The National Board of Industrial Injuries is awaiting a report from the International Agency for Research on Cancer on recent studies before deciding whether the effects of night shift work should be included on the list of occupational diseases.

The amount of compensation paid out varied from case to case and was financed by the employees' insurance.

Source: HESA March 2009



T-LINE SAFETY SYSTEM



A REVOLUTIONARY
NEW DEVICE FOR
USE IN THE FIELD OF
FALL PROTECTION.

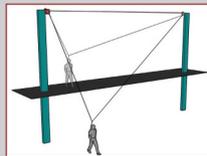
The system offers a
level of versatility and
safety that is unmatched
by any other temporary
fall protection system.

The T-Line Safety System is a device that facilitates both horizontal and vertical movement offering unprecedented levels of freedom for the user. Just as suited to situations that require only horizontal or vertical movement, the T-Line Safety System is perfect for users with varied and often changing fall protection needs.

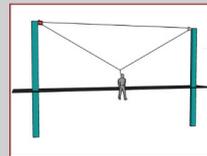
Similarly, this device is readily adaptable to highly specific fall protection needs. Operating the T-Line Safety System is comparable to a typical retractable lanyard (SRL) where the user simply connects themselves to the system, the device then automatically feeds out or retracts the safety line depending on the direction of the user's movement.

The T-Line Safety System does not restrict the user to a narrow width of work space like the retractable lanyards do.

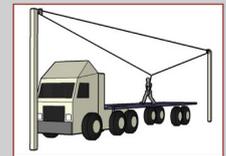
Advantages of the T-Line Safety System



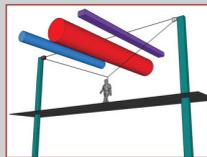
The T-Line facilitates both horizontal and vertical movement



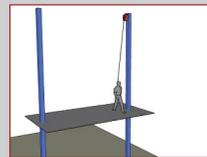
The T-Line eliminates the "Pendulum Effect" that can be experienced with single line systems enabling the user to work on a much wider workspace than with traditional retractable lanyards.



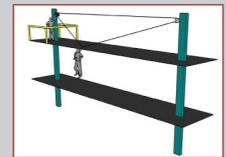
The T-Line Safety System will not deflect as much as a typical Static Line System. This enables the T-Line to be used in situations where small fall arrest distances are required.



The T-Line Safety System can be erected around obstructions without limiting the freedom of the user.



The T-Line Safety System can also operate in the same manner as a traditional single line system (SRL).



The T-Line Safety System can facilitate the rescue of a user once fallen. It can also allow the rescuer to effect the rescue from a remote and safe location i.e. they don't have to climb out onto an open edge to aid the user.

The T-Line Safety System will induce significantly lower forces into the supporting structure than a typical Static Line system, which makes it ideal for structures that cannot support a static line. The T-Line Safety System is easily assembled, removed and transported without the need for specialist involvement. The T-Line Safety System features a simple, strong and reliable construction.

New innovative safety harness

An award-winning design that allows higher mobility in harness equipment through a system that can facilitate both horizontal and vertical movement is expected to be available commercially late this year.

The Perth-based inventor, Leigh Dowie, believes that his T-line will have wide application to a range of industries including construction, mining, transport, telecommunications and aerospace.

Source: WA Business News, 23 April 2009



MERIDIAN SAFETY PTY LTD

www.meridiansafety.com

MARCSTA training packages....

As a Registered Training Organisation, MARCSTA delivers occupational safety and health units of competency for the following national training packages:

Metalliferous Mining Training Package

Work Safely – MNMC201A

Conduct Local Risk Assessment – MNMC205A

Transport and Logistics Training Package

Apply Fatigue Management Strategies – TDTF1097B

Follow Occupational Health and Safety Procedures – TDTF197B

Construction, Plumbing and Services Integrated Framework Training Package – CPC08

Work Safely in the Construction Industry (Blue Card) – CPCCOHS1001A

Business Services Training Package – BSB07

OSH for Supervisors and Managers Course

BSBOHS301B - Apply knowledge of OHS legislation in the workplace

BSBOHS303B - Contribute to OHS hazard identification and risk assessment

BSBOHS304B - Contribute to OHS hazard control

BSBOHS307B - Participate in OHS investigation

BSBOHS403B - Identify hazards and assess OHS risk

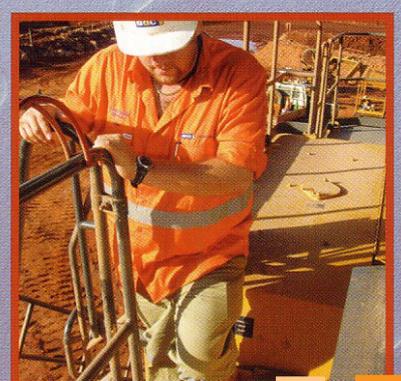
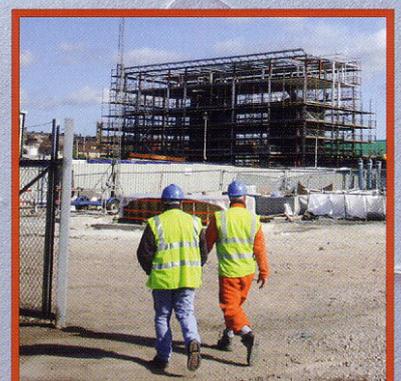
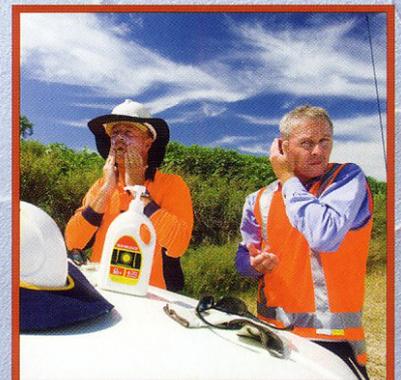
BSBOHS404B - Contribute to the implementation of strategies to control risks

BSBOHS408A - Assist with compliance with OHS and other relevant laws

Applications for recognition of prior learning may be lodged for all training programs, details available from the MARCSTA website www.marcsta.com



**Mining and Resource
Contractors Safety
Training Association**



Around the globe

China

Mercury poisoning

A large number of Chinese workers have been poisoned by mercury, which forms part of compact fluorescent light bulbs. A surge in foreign demand, set off by a European Union directive making these bulbs compulsory within three years, is already leading to the serious health problems predicted at the outset by occupational health campaigners.

The risks are illustrated by guidance from the British government, which says that if a compact fluorescent light bulb is broken in the home, the room should be cleared for 15 minutes because of the danger of inhaling mercury vapours.

Source: Risks Number 405

South Africa

Mine deaths continue to rise

The National Union of Mineworkers says that fatalities are on the rise again with the official death count already exceeding 60. The 2007 death toll exceeded 160 deaths.

Source: Risks Number 405

USA

Black lung disease on the rise in USA Coal Mines

An increase in the incidence of black lung disease, which is caused by breathing in coal dust, and which slowly robs victims of their ability to breathe, is considered to be related to increased production by fewer miners working longer hours.

Dr Edward Lee Petsonk, who has headed NIOSH's black lung program for 10 years, observes that a combination of 60 hour weeks with increased exposure and the extraction of coal from narrow seams previously uneconomic to mine are the likely causes of the increased incidence.

Source: IEHC May 2009

Musculoskeletal injuries account for one-third of all non-fatal injuries

Musculoskeletal disorders are an important workplace problem and in the USA account for approximately one-third of all non-fatal injuries.

While the rate of MSDS's in private industry decreased over the five years 2003-2007, three industry sectors reported exceeding the industry average by at least 25% - transportation and warehousing, health care and social assistance and construction.

Source: NIOSH news, May 2009

Turkey

Jeans sandblasting kills young people

The Turkish Government has banned the practice of manual sandblasting of jeans and other clothing following some 40 deaths in teenagers from silicosis.

Manual sandblasting of jeans (to give them a worn-in appearance) had become popular among youth in Turkey and the process so far led to hundreds of workers contracting the deadly lung disease, silicosis.

The Health Ministry has forbidden the use of all materials containing sand, silica powder or silica crystals to blast any form of denim or other cloth.

Source: European Respiratory Journal, Vol 28 No. 4 p885

British Columbia

Falls from height costs exceed those from other injuries

In British Columbia falls from elevations of 3 metres or more hurt more people at a higher cost than any other workplace injury. These incidents often lead to the most serious injuries with the longest recovery periods.

Source: BC WorkSafe Magazine May/June 2009

MARCSTA who's who?

Chairman

Ross Graham, Terex Materials Processing and Mining

Deputy Chairman

Joe Maglizza, Cemex Australia PL

Director Safety and Health

Patrick Gilroy AM

Training Manager

Sheryl Henley

Committee of Management

Allaine Coleman

Terry Condipodero

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The Monitor is a complimentary publication. If you wish to be placed on the mailing list contact safety@marcsta.com