

Model Work Health and Safety Regulations for Mining - Public Comment Response Form

Individual/Organisational name: Coal Services Pty Ltd (Standing Dust Committee)	
Regulations Chapter 9: Mines	
Part 9.1	
Regulation	Comment
Part 9.2	
Regulation	Comment
Part 9.3	
Regulation	Comment
9.3.4 (2a)	You would presume that before a worker starts work at the mine they are a 'candidate' or 'applicant'. Many mines conduct a pre-placement medical assessment but as this isn't mentioned in the Regulation it could be assumed that a pre-placement assessment would fall outside the Regulation (the term pre-placement medical isn't used in the Regulation). If this is the case then no summary would need to be supplied to the candidate, but if then employed, would the pre-employment comply with the Regulation? The worker would have had no say in the assessor or timing as required under the Regulation. Does this mean that the now 'worker' would have to re-attend, after consultation, for the specific purpose of health surveillance. This process seems confusing and doesn't fit with what is standard industry or pre-employment processes.
9.3.4 (3b)	This is ambiguous and open to interpretation. Within the NSW coal industry, health surveillance includes assessments and questions around such health areas as heart disease, Blood Pressure, diabetes, epilepsy, fatigue and alcohol use. One may argue that these should not be included as they are not directly related to work. Experience shows though that many health issues that could be deemed 'personal health issues' have the potential to be catastrophic in the workplace if not considered.
9.3.4 (6)	Does the term 'all cost associated with health monitoring' include time off work to attend a Doctor.
9.3.5 (1,2,3)	There seems to be no distinction in the reporting section between what is reported to the employee and the employer. In the current OHS Regulation, only generalised results are reported back to the employer. Under the proposed Regulation, the summary, with all the results it seems, goes straight to the employer to be then handed on to the employee. This would have significant privacy implications and we believe many workers would have concerns in discussing health issues, which traditionally would remain with the Doctor.
Other Comments	

Ventilation of Underground Mines	
Section/page number	Comment
Survey and Drafting Directions for Mine Surveyors	
Section/page number	Comment
Health Monitoring	
Section/page number	Comment
1.5 (page 9)	You would presume that before a worker starts work at the mine they are a 'candidate' or 'applicant'. Many mines conduct a pre-placement medical assessment but as this isn't mentioned in the Regulation it could be assumed that a pre-placement assessment would fall outside the Regulation (the term pre-placement medical isn't used in the Regulation). If this is the case then no summary would need to be supplied to the candidate, but if then employed, would the pre-employment comply with the Regulation? The worker would have had no say in the assessor or timing as required under the Regulation. Does this mean that the now 'worker' would have to re-attend, after consultation, for the specific purpose of health surveillance. This process seems confusing and doesn't fit with what is standard industry or pre-employment processes.
3.4 (page 15)	Must an organisation actually be accredited, or have in place a quality system such as those outlines in relevant standards.
4 (page 17)	There seems to be no distinction in the reporting section between what is reported to the employee and the employer. In the current OHS Regulation, only generalised results are reported back to the employer. Under the proposed code, the summary, with all the results it seems, goes straight to the employer to be then handed on to the employee. This would have significant privacy implications and we believe many workers would have concerns in discussing health issues, which traditionally would remain with the Doctor.
Mine Closure	
Section/page number	Comment
Ground Control in Open Pit Mines	
Section/page number	Comment
Ground Control for Underground Mines	
Section/page	Comment

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Codes of Practice	
Roads and Other Vehicle Operating Areas	
Section/page number	Comment
Managing Naturally Occurring Radioactive Materials in Mining	
Section/page number	Comment
The Mine Records	
Section/page number	Comment
WHS Management Systems in Mining	
Section/page number	Comment
Inundation and Inrush Hazard Management	
Section/page number	Comment
Emergency Response in Australian Mines	
Section/page number	Comment
Strata Control in Underground Coal Mines	
Section/page number	Comment

number	
Underground Winding Systems	
Section/page number	Comment