

**COAL SERVICES HEALTH MONITORING REQUIREMENTS FOR
COAL MINE WORKERS ORDER No. 43
under the
COAL INDUSTRY ACT 2001**

Coal Services Pty Limited (A.C.N 099 078 234), an approved company under the *Coal Industry Act 2001* (“the Act”), with the approval of the Hon. Don Harwin, MLC, Minister for Resources, and in pursuance of section 13 of the Act, makes the following Order.

Dated this 28th day of March 2018.

Peter Jordan
Chair
Coal Services Pty Limited

Lucy Flemming
Managing Director/CEO
Coal Services Pty Limited

Approved by the Hon. Don Harwin, MLC, Minister for Resources,
on this 23rd day of April 2018.

The Hon. Don Harwin, MLC
Minister for Resources

**COAL SERVICES HEALTH MONITORING REQUIREMENTS FOR
COAL MINE WORKERS ORDER NO. 43
under the
COAL INDUSTRY ACT 2001**

1. Name of Order

This Order is the Coal Services Health Monitoring Requirements for Coal Mine Workers Order No. 43

2. Commencement

This Order commences on 1 July 2018.

3. Revocation

The Coal Services – Health Surveillance Requirements for New South Wales Coal Workers Order No. 41 published in the NSW Government Gazette No. 14 on 11 February 2011 at pages 565 – 567, including any associated schedules made or published on or after that date, is revoked.

4. Interpretation

In this Order:

Annual Calibration Statement means a statement provided every 12 months by a doctor (or the medical practice at which the doctor practices) certifying that the equipment the doctor will use to perform medical assessments in accordance with the requirements of this Order has been properly calibrated and attaches any evidence of such calibration.

approved medical practitioner means a doctor who:

- a) is registered by the Medical Board of Australia to practice medicine in Australia; and
- b) has completed the NSW Coal Industry Medical Induction Program run by Coal Services; and
- c) has provided an Annual Calibration Statement to Coal Services; and
- d) has completed a course in spirometry interpretation included in the 'List of spirometry interpretation training courses' published on the Coal Services website (as may be updated from time to time); and
- e) is listed in the Register of Approved Medical Practitioners published on the Coal Services website, as may be updated from time to time.

approved radiologist means a radiologist listed on the Coal Workers Pneumoconiosis Register published on the Royal Australian and New Zealand College of Radiologists website at <https://www.ranzcr.com/fellows/clinical-radiology/quality-assurance-and-accreditation>, as may be updated from time to time.

coal mine worker means a person who carries out work at a coal mine for a person conducting a business or undertaking. It does not include a person who works in an environment in which they are not exposed to coal dust, unless the person has previously worked in an area of a coal mine in which they were exposed to coal dust.

Coal Services means Coal Services Pty Limited (A.C.N 099 078 234).

Coal Services website means the website maintained by Coal Services at www.coalservices.com.au.

Respiratory fit-testing means a quantitative assessment of the fitting of personal respiratory protective equipment to ensure that it fits closely to a person's face so as to minimise the risk of exposure to airborne contaminants.

person conducting a business or undertaking has the same meaning given to that term under section 5 of the *Work Health and Safety Act 2011*.

registered nurse means a Registered Nurse (Division 1) registered by the Nursing and Midwifery Board of Australia to practice nursing in Australia and who has completed a course in audiometry included in the 'List of audiometry training courses' published on the Coal Services website (as may be updated from time to time).

spirometry means:

- a) testing carried out by an approved medical practitioner or registered nurse who has completed a course in spirometry included in the 'List of spirometry training courses' published on the Coal Services website (as may be updated from time to time); and
- b) interpretation of the results of such testing by an approved medical practitioner.

worker means a person who is about to commence work at a coal mine for a person conducting a business or undertaking, including a person who has previously worked at a coal mine and is about to commence work at a different coal mine.

5. Application of this Order

This Order applies to a person conducting a business or undertaking that employs, contracts or otherwise engages a worker or coal mine worker to carry out work for the business or undertaking at a coal mine.

6. Requirement for Pre-Placement Medical Assessment

- a) A person conducting a business or undertaking must ensure that, before a worker commences work for the business or undertaking:
 - i. the person has caused the worker to undergo (or is satisfied the worker has undergone) a medical assessment in relation to the matters specified in Schedule 1, carried out by an approved medical practitioner within the previous 12 months (a "*Pre-Placement Medical Assessment*"); and
 - ii. a report of that assessment (a "*Pre-Placement Medical Assessment Report*") has been provided to the Senior Medical Officer, Coal Services.
- b) The Pre-Placement Medical Assessment Report must be in the form and contain the information (including

results) required by Coal Services.

- c) The person conducting a business or undertaking who causes a worker to undergo a Pre-Placement Medical Assessment under (a) (i) must provide the following information to the approved medical practitioner:
 - i. the name and address of the person conducting the business or undertaking;
 - ii. the name and date of birth of the worker;
 - iii. whether the person conducting a business or undertaking is a mine operator, a contractor carrying out work at a mine or a labour hire company; and
 - iv. the work that the worker will be carrying out.

7. Requirement for Pre-Placement Chest X-Ray

- a) A person conducting a business or undertaking must ensure that, before a worker commences work for the business or undertaking:
 - i. the person has caused the worker to undergo, or is satisfied the worker has undergone, a chest x-ray (a "*Pre-Placement Chest X-Ray*"); and
 - ii. a report of that x-ray (a "*Pre-Placement Chest X-Ray Report*") has been provided to the Senior Medical Officer, Coal Services.
- b) The Pre-Placement Chest X-Ray must have been done:
 - i. for a worker who has previously carried out work at an underground coal mine – within the previous 3 years or the shorter interval recommended in the worker's last Pre-Placement Medical Assessment Report or Periodic Medical Assessment Report (whichever was completed later);
 - ii. for a worker who has previously carried out work at a surface coal mine and was involved in production, processing or maintenance tasks – within the previous 3 years or the shorter interval recommended in the worker's last Pre-Placement Medical Assessment Report or Periodic Medical Assessment Report (whichever was completed later);
 - iii. for all other workers – within the previous 6 years.
- c) The reference to a time interval in (b) (for example, 3 years, 6 years, or other recommended interval) means by 31 December of that year.
- d) The Pre-Placement Chest X-Ray Report must:
 - i. be in the form and contain the information (including results) required by Coal Services; and
 - ii. have been prepared by an approved radiologist in accordance with the International Labour Organisation (ILO) International Classification of Radiographs of Pneumoconioses.

8. Requirement for Periodic Medical Assessment

- a) A person conducting a business or undertaking must ensure that:
 - i. every 3 years each coal mine worker carrying out work for the business or undertaking undergoes a medical assessment carried out by an approved medical practitioner or a registered nurse supervised by an approved medical practitioner in relation to the matters specified in Schedule 2 (a "*Periodic Medical Assessment*"); and
 - ii. a report of that assessment (a "*Periodic Medical Assessment Report*") is provided to the Senior Medical Officer, Coal Services and to that coal mine worker within 4 weeks of the assessment taking place.
- b) The reference to 3 years in (a) (i) means by 31 December of that year.
- c) The person conducting a business or undertaking who has caused a coal mine worker to undertake a Periodic Medical Assessment must provide the following information to the approved medical practitioner carrying out or supervising the assessment:
 - i. the name and address of the person conducting the business or undertaking;
 - ii. the name and date of birth of the coal mine worker;
 - iii. whether the person conducting a business or undertaking is a mine operator, a contractor carrying out work at a mine or a labour hire company;
 - iv. the work that the coal mine worker is carrying out; and
 - v. how long the coal mine worker has been carrying out that work.
- d) The person conducting a business or undertaking must allow a coal mine worker to undertake a Periodic Medical Assessment during their normal weekly roster (except where this conflicts with a registered enterprise agreement, in which case the terms of the registered enterprise agreement will prevail).
- e) The person conducting a business or undertaking must pay for all costs in relation to the coal mine worker's attendance at any Periodic Medical Assessment.

- f) The Periodic Medical Assessment Report must be in the form and contain the information (including results) required by Coal Services.

9. Requirement for Periodic Chest X-Rays

- a) The person conducting a business or undertaking must ensure that:
 - i. each coal mine worker carrying out work for the business or undertaking undergoes a chest x-ray:
 - I. for an underground coal mine worker – every 3 years or the shorter interval recommended in the worker’s last Pre-Placement Medical Assessment Report or Periodic Medical Assessment Report (whichever was completed later);
 - II. for a surface coal mine worker involved in production, processing or maintenance tasks – every 3 years or the shorter interval recommended in the worker’s last Pre-Placement Medical Assessment Report or Periodic Medical Assessment Report (whichever was completed later);
 - III. for all other coal mine workers – every 6 years;
(a “*Periodic Chest X-Ray*”); and
 - ii. a report of that x-ray (a “*Periodic Chest X-Ray Report*”) is provided to the Senior Medical Officer, Coal Services and to that coal mine worker within 4 weeks of the x-ray taking place.
- b) The reference to a time interval in (a) (i) (for example, 3 years, 6 years, or other recommended interval) means by 31 December of that year.
- c) The Periodic Chest X-Ray Report must:
 - i. be in the form and contain the information (including results) required by Coal Services; and
 - ii. be prepared by an approved radiologist in accordance with the International Labour Organisation (ILO) International Classification of Radiographs of Pneumoconioses.

10. Requirement for Exit Medical Assessment

- a) The person conducting a business or undertaking must ensure that:
 - i. a medical assessment in relation to the matters specified in Schedule 2 (excluding Respiratory fit-testing) is offered to each coal mine worker who is retiring or otherwise ceasing work for the business or undertaking (an “*Exit Medical Assessment*”); and
 - iii. a report of any such assessment (an “*Exit Medical Assessment Report*”) is provided to the Senior Medical Officer, Coal Services and to that coal mine worker within 4 weeks of the assessment taking place.
- b) The Exit Medical Assessment must be carried out by an approved medical practitioner or a registered nurse supervised by an approved medical practitioner.
- c) The person conducting a business or undertaking who has commissioned an Exit Medical Assessment must provide the following information to the approved medical practitioner carrying out or supervising the assessment:
 - i. the name and address of the person conducting the business or undertaking;
 - ii. the name and date of birth of the coal mine worker;
 - iii. whether the person conducting a business or undertaking is a mine operator, a contractor carrying out work at a mine or a labour hire company;
 - iv. the work that the coal mine worker has been carrying out; and
 - v. how long the coal mine worker has been carrying out that work.
- d) The Exit Medical Assessment Report must be in the form and contain the information (including results) required by Coal Services.

11. Requirement to provide list of coal mine workers

- a) The person conducting a business or undertaking must provide a list containing the full name and date of birth of each coal mine worker who has carried out work for the business or undertaking in the previous 12 months, to the Senior Medical Officer, Coal Services, by 31 October each year.

SCHEDULE 1

Pre-Placement Medical Assessment

1. Name and date of birth of the worker.
2. Name and registration number of the approved medical practitioner carrying out the Assessment.
3. Name and address of the person conducting the business or undertaking who requested the Assessment.
4. Date(s) the Assessment was carried out.
5. Detailed work history of the worker.
6. Detailed medical history, including any past or present disease or injury and any use of medication.
7. Spirometry and a review of the respiratory system, including the completion of a standardised respiratory questionnaire based on the MRC (UK) Respiratory Questionnaire 1986.
8. Hearing assessment, including audiometry.
9. Vision assessment, including visual fields and colour vision.
10. Full musculoskeletal assessment that pays particular attention to any previous injury or underlying condition.
11. Cardiovascular assessment.
12. Blood pressure assessment.
13. Urinalysis.
14. Body Mass Index (BMI).
15. Waist/Hip ratio.
16. Clinical examination and general health review, including tobacco smoking history, alcohol consumption and physical activity.
17. Neurological examination with particular attention to sensory or balance disorders, including the Romberg test for balance.
18. Respiratory fit-testing for a worker who will undertake tasks relating to production, processing or maintenance at a coal mine for the first time
19. Review of any previous chest x-rays carried out in relation to the worker.
20. Conclusions and recommendations including:
 - a. any advice that test results indicate that the worker may have contracted a disease, injury or illness as a result of carrying out the work;
 - b. overall fitness of the worker for the proposed position, including any recommendations or work restrictions.

SCHEDULE 2**Periodic Medical Assessment and Exit Medical Assessment**

1. Name and date of birth of the coal mine worker.
2. Name and registration number of the approved medical practitioner carrying out the Assessment.
3. Name and address of the person conducting the business or undertaking who requested the Assessment.
4. Date(s) the Assessment was carried out.
5. Detailed work history of the coal mine worker.
6. Detailed medical history that pays particular attention to any disease or injury, both work and non-work related. It must also include a review of any medication usage.
7. Spirometry and a review of the respiratory system, including the completion of a standardised respiratory questionnaire based on the MRC (UK) Respiratory Questionnaire 1986.
8. Hearing assessment, including audiometry.
9. Vision assessment, including visual fields and colour vision.
10. Blood pressure assessment.
11. Urinalysis, cholesterol check (non-fasting), blood sugar level, Body Mass Index (BMI), Waist Hip ratio.
12. The Kessler Psychological Distress Scale (K10): The questionnaire aims to identify workers with significant levels of psychological distress so that they may be appropriately managed with respect to their ongoing health and wellbeing.
13. The Epworth Sleepiness Scale (ESS): This assessment is intended to measure daytime sleepiness and can be helpful in diagnosing sleep disorders.
14. Alcohol Audit: The Alcohol Use Disorders Identification Test (AUDIT) was developed by the World Health Organisation (WHO) as a simple method of screening for excessive alcohol consumption. It provides a framework for intervention to help risk or high-risk drinkers to reduce or cease their alcohol consumption. It also helps to identify alcohol dependence.
15. Cardiovascular Risk Assessment: A rating based on guidelines that have been developed for use by Physicians to assess the risk of cardiovascular disease (CVD) in adults without known CVD. The ranking is based on guidelines produced by the Australian 'National Vascular Disease Prevention Alliance' and the American Heart Association.
16. Hazard exposure questionnaire identifying all potential environmental hazards a coal mine worker may be exposed to and includes information on the use of personal protective equipment.
17. Work related skin disease questionnaire.
18. Musculoskeletal questionnaire.
19. Respiratory fit-testing (excluding Exit Medical Assessment).
20. Review of any previous chest x-rays carried out in relation to the coal mine worker.
21. Conclusions and recommendations including:
 - a. any advice that test results indicate that the coal mine worker may have contracted a disease, injury or illness as a result of carrying out the work;
 - b. any recommendation that the person conducting the business or undertaking take remedial measures, including whether the coal mine worker can continue to carry out the work; and
 - c. whether medical counselling is required for the coal mine worker in relation to the work.

Notes.

1. The Act provides that a person (an individual or a corporation) must not, without reasonable excuse, refuse or fail to comply with this Order – Maximum penalty: 200 penalty units in the case of a corporation or 50 penalty units in the case of an individual.
2. The data obtained from assessments under this Order will be entered by Coal Services into its Health Assessment Database for the purpose of monitoring the health of the New South Wales coal industry. This will enable Coal Services to report on health trends, provide advice to relevant Government agencies, the Minister and to coal mines. In doing so, the provisions of the *Privacy and Personal Information Protection Act 1998* and the *Health Records and Information Privacy Act 2002* will be adhered to.
3. A hazard exposure questionnaire, work related skin disease questionnaire and musculoskeletal questionnaire have been developed by Coal Services for the New South Wales coal industry and are available on request for use in assessments.
4. The legislation referred to in this Order is available from www.legislation.nsw.gov.au. For further information contact Coal Services on (02) 8270 3200.