

Definition of a worker

Coal Services Health Monitoring Requirements for Coal Mine Workers Order No. 43 (Order 43) came into effect on 1 July 2018. It sets out specific health monitoring requirements for workers and coal mine workers in the NSW coal industry.

We have worked with the NSW Resources Regulator to review and clarify these definitions for practical application to your workforce.

Order 43 definitions:	Health monitoring requirements:
<p>‘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.</p>	<ul style="list-style-type: none"> Must attend a pre-placement medical and pre-placement chest x-ray before commencing work at a coal operation only if their health is likely to be at risk due to exposure to coal or by any conditions at the mine or methods in operation at the mine. <p>For example, a person who carries out work at a coal mine, usually involved in the production, maintenance and processing of coal.</p>
<p>‘Coal mine worker’ means a person who carries out work at a coal mine for a person conducting a business or undertaking.</p> <p>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.</p>	<ul style="list-style-type: none"> A person who carries out work at a coal mine, usually involved in the production, maintenance and processing of coal, must attend a periodic health surveillance medical and chest x-ray every three years thereafter. They must be offered the opportunity to attend an exit medical when retiring or otherwise ceasing work in the industry.

What about contractors and non-coal workers?

Workers who are not exposed to dust or other workplace hazards will not be required to attend an Order 43 pre-placement medical assessment.

These workers may include, but are not limited to, delivery drivers, forklift service personnel, electricity supply companies that read meters, communication supply technicians, cleaners and workers in an administration office.

Each employer should assess the worker’s level of risk when determining whether a worker may require a pre-placement medical assessment. An employer may wish to have these workers assessed as part of their own site requirements, but this will be outside of the requirements of Order 43.

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