

Guide to Order 45



This document is designed to support the NSW coal industry in understanding the Coal Services Health Monitoring Requirements for Coal Mine Workers Order No. 45 (Order 45).

1. Name of Order This Order is the Coal Services Health Monitoring Requirements for Coal Mine Workers Order No. 45.	As stated.
2. Commencement This Order commences on 1 January 2026.	As stated.
3. Revocation The Coal Services Health Monitoring Requirements for Coal Mine Workers Order No. 43 published in the NSW Government Gazette No. 48 on 4 May 2018 at pages 2776-2781, including any associated schedules made or published on or after that date is revoked.	As stated. Order 45 will replace Order No. 43.
4. Interpretation In this Order:	
<i>AHPRA</i> means the Australian Health Practitioner Regulation Agency.	As stated.
<i>airborne contaminant</i> means airborne contaminant as defined in the Work Health and Safety Regulation 2025 (NSW) (as amended from time to time or replaced).	An airborne contaminant is a fume, mist, gas, vapour, or dust, and includes micro-organisms that can be harmful to health when breathed in. They may not be visible or detected by odour. They may arise from chemicals or materials used in the workplace, generated by work processes, or arise naturally. These airborne contaminants may have potential health impacts on a coal mine worker's overall health.
<i>approved health professional</i> means: a) an accredited exercise physiologist who is registered by Exercise and Sports Science Australia (ESSA) to practice as an exercise physiologist in Australia; or b) an occupational therapist who is registered by the AHPRA to practice as an occupational therapist in Australia; or c) a physiotherapist who is registered by the AHPRA to practice physiotherapy in Australia; or d) a registered nurse (Division 1) who is registered by the AHPRA to practice nursing in Australia; and who complies with the Clinical and Service Standard; and is approved by Coal Services.	This definition outlines the specific qualifications and standards an individual must meet to be an approved health professional under Order 45. An approved health professional is an individual who meets specific qualifications determined by the appropriate regulatory body (as outlined in the definition) and must comply with the Clinical and Service Standard issued by Coal Services.

<i>approved medical practitioner</i> means a medical practitioner who is registered by the AHPRA to practice medicine in Australia, complies with the Clinical and Service Standard, and is approved by Coal Services.	This definition outlines the specific qualifications and standards an individual must meet to be an approved medical practitioner under Order 45. An approved medical practitioner is an individual who meets specific qualifications determined by the AHPRA and must comply with the Clinical and Service Standard issued by Coal Services.
<i>audiometry</i> means a pure tone audiogram examination conducted by an approved health professional or an approved medical practitioner who has completed an approved course in audiometry and complies with the Clinical and Service Standard.	Audiometry is a health examination to assess a coal mine worker's hearing. It must be carried out by an approved health professional or approved medical practitioner who has completed appropriate training and follows established standards and guidelines. The approved health professional or approved medical practitioner must comply with the Clinical and Service Standard issued by Coal Services to perform the examination.
<i>Category A: Safety critical</i> means a coal mine worker or prospective coal mine worker whose immediate action or inaction from an unavoidable and/or sudden medical incapacity may lead directly to a serious incident affecting others in the workplace.	This category does not refer to the risks that a coal mine worker or prospective coal mine worker will be exposed to at work. This category refers to the risk a coal mine worker poses to others from an unavoidable and/or sudden medical incapacity. This category will provide guidance to the assessing approved medical practitioner regarding the level of investigation and follow-up required (if necessary).
<i>Category B: Safety sensitive</i> means a coal mine worker or prospective coal mine worker whose immediate action or inaction from an unavoidable and/or sudden medical incapacity may lead directly to a serious incident affecting themselves and is not likely to affect others in the workplace.	This category does not refer to the risks that a coal mine worker or prospective coal mine worker will be exposed to at work. This category refers to the risk a coal mine worker poses to themselves from an unavoidable and/or sudden medical incapacity. This category will provide guidance to the assessing approved medical practitioner regarding the level of investigation and follow-up required (if necessary).
<i>Category C: Non-safety sensitive</i> means a coal mine worker or prospective coal mine worker whose immediate action or inaction from an unavoidable and/or sudden medical incapacity will not lead to a serious incident affecting others in the workplace and their work environment will not contribute adversely to the outcome.	This category does not refer to the risks that a coal mine worker or prospective coal mine worker will be exposed to at work. This category refers to the risk a coal mine worker poses to themselves from a medical condition(s) where the workplace and their work environment is unlikely to increase the risk to themselves. This category will provide guidance to the assessing approved medical practitioner regarding the level of investigation and follow-up required (if necessary).

<i>Clinical and Service Standard</i> means the Clinical and Service Standard developed and approved by Coal Services, as amended from time to time or replaced. The Clinical and Service Standard outlines the training and requirements for approved health professionals and approved medical practitioners to conduct health assessments, health assessment reviews, and retirement health assessments.	The Coal Services Clinical and Service Standard is designed for approved medical practitioners and approved health professionals. It informs health assessments by referencing regulations, guidelines, and best practice standards. It supports approved medical practitioners and approved health professionals to comply with the necessary accreditation, approvals, certification, and quality assurance processes to deliver high-quality health assessments. The Clinical and Service Standard is available on the Coal Services website.
<i>coal mine</i> carries the same meaning as defined in the <i>Work Health and Safety (Mines and Petroleum Sites) Act 2013</i> (NSW) (as amended from time to time or replaced).	As stated.
<i>coal mine worker</i> means a person who carries out work at a coal mine or a coal handling preparation plant 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 airborne contaminant, hazardous chemicals, and/or occupational noise unless the person has previously worked in an area of a coal mine or coal handling preparation plant in which they were exposed to airborne contaminant, hazardous chemicals, and/or occupational noise.	The requirement for health monitoring in the NSW coal industry depends on the frequency, duration, and likelihood of a coal mine worker's exposure to airborne contaminants, hazardous chemicals, and/or occupational noise. A worker would generally not be considered a coal mine worker for the purposes of health monitoring under Order 45 if the person conducting a business or undertaking (PCBU) determines that: • exposure to airborne contaminants and hazardous chemicals is rare; or • exposure to airborne contaminants and hazardous chemicals is unlikely and the duration of the work onsite is occasional. Similarly, as detailed in the <i>Work Health and Safety Act 2025</i> (NSW), a worker who is not frequently required to use personal protective equipment (PPE) to mitigate the risk of hearing loss from noise exceeding the exposure standard would not be considered a coal mine worker under Order 45. However, where a worker's current position is not defined as a coal mine worker, but they have previously been employed in a position with exposure to airborne contaminants, hazardous chemicals, and/or occupational noise, they are still considered a coal mine worker and are required to undergo ongoing health monitoring (e.g. Order 45 health assessments). The Australian Institute of Occupational Hygienists (AIOH) Simplified Occupational Hygiene Risk Management Strategies guidebook defines: • rare as <10% of the mean TWA-OEL and, • unlikely as between 10% to 50% of the mean TWA-OEL. The U.S. Bureau of Labor Statistics defines occasional duration in a work schedule as duties or activities performed between 2% and 33% of the time. PCBUs may also refer to other recognised Occupational Hygiene or Health and Safety Guidelines to inform their own health risk assessments.

<i>coal mine worker chest imaging</i> means a radiological image and report of the chest which complies with the Clinical and Service Standard.	A coal mine worker's chest radiological image refers to an x-ray or other radiological image(s) like a high-resolution computed tomography (HRCT) and a report of the chest of a coal mine worker or prospective coal mine worker. It is a chest scan of a coal mine worker or prospective coal mine worker that meets strict quality and accuracy standards detailed in the Clinical and Service Standard. This ensures that the images and reports are precise, which is crucial for assessing the lung health of NSW coal mine workers. The image and report must comply with the Clinical and Service Standard issued by Coal Services.
<i>Coal Services</i> means Coal Services Pty Limited (ACN 099 078 234).	As stated.
<i>Coal Services website</i> means the website maintained by Coal Services at www.coalservices.com.au .	As stated.
<i>deferred health examination</i> means where one or more health examination(s) was not undertaken in a health assessment due to the approved medical practitioner determining that a health examination(s) would be adverse to the health of the coal mine worker or prospective coal mine worker at that time, but is completed within twelve (12) months from the date of the health assessment.	A deferred health examination is a health examination that has been postponed when the approved medical practitioner determines that completing it is not suitable on the day of the assessment due to the coal mine worker's or prospective coal mine worker's clinical finding(s) and/or medical condition(s). The deferred health examination must be completed within 12 months from the date of the health assessment. Examples include but are not limited to: • deferring a chest image of a pregnant coal mine worker • deferring spirometry of a coal mine worker recovering from a respiratory infection • deferring an audiometric test of a coal mine worker with an ear infection.
<i>hazardous chemical exposure</i> means exposure to a hazardous chemical as defined in the Work Health and Safety Regulation 2025 (NSW) (as amended from time to time or replaced).	A hazardous chemical is a substance, mixture, or article that coal mine workers may be exposed to at work through either contact or absorption via inhalation, dermal exposure, ingestion, or injection. Exposure to hazardous chemicals could have health impacts on a coal mine worker's hearing and health.

<i>health assessment</i> means the health examinations of a coal mine worker or prospective coal mine worker that meets the following criteria: has been completed within the previous three (3) years; is assessed against the position and risk category; is completed by an approved medical practitioner; which includes all of the matters specified in Schedule 1 excluding any deferred health examination(s); is in the form approved by and provided to Coal Services; and is approved by Coal Services. The reference to three (3) years means by 31 December of that calendar year.	A health assessment is a series of health examinations conducted on a coal mine worker or prospective coal mine worker. For a health assessment to be valid, it must meet certain criteria. The health assessment must: • have been completed in the previous three (3) years • be assessed against position and risk category • be completed by an approved medical practitioner • include all health examinations in Schedule 1 of Order 45, except for any deferred health examinations • be approved by Coal Services.
<i>health assessment certificate</i> means a certificate issued by an approved medical practitioner after the completion of a health assessment, health assessment review, or retirement health assessment, and must contain the information in response to items 1 to 13 in Schedule 2 and is provided to the person conducting a business or undertaking who requested the health assessment, health assessment review, or retirement health assessment; and is in the form approved by and provided to Coal Services; and is approved by Coal Services.	A health assessment certificate is a document completed by an approved medical practitioner after completing any health assessment which details the health certification and includes items 1 to 13 listed in Schedule 2 of Order 45.
<i>health assessment review</i> means a review of a health condition(s) identified in a health assessment or a health assessment review of a coal mine worker as a one off or at defined intervals, or a health examination(s) including a deferred health examination(s) that meets the following criteria: is assessed against the position and risk category; is completed by an approved medical practitioner; is in the form approved by and provided to Coal Services; and is approved by Coal Services.	A health assessment review is a reassessment of a health examination and/or health condition(s) identified during a health assessment or health assessment review. The health assessment review can be one-off or at regular intervals, depending on the specific health condition(s). The health assessment review may involve a series of health examinations and may include any deferred health examinations not conducted during the health assessment. For a health assessment review to be valid it must meet certain criteria. The review must be: • assessed against the position and risk category • completed by an approved medical practitioner • in the form approved by and provided to Coal Services and approved by Coal Services. A health assessment review is a conditional clearance for the review period stated on the health assessment certificate. If the health assessment review is not completed within the timeframe, the health assessment certificate will expire.

<i>health certification</i> means a health determination with limited medical information to support the person conducting a business or undertaking to create a safe system of work, and is documented on a health assessment certificate by an approved medical practitioner following the completion of health examinations as outlined in Schedule 1, and any health assessment reviews which assesses the ability of a coal mine worker or prospective coal mine worker to perform the position and risk category as outlined in clause 6(b) (iii) and (iv).	The health certification must include the health determination and limited health information of the coal mine worker or prospective coal mine worker to perform the position and risk category, including any recommendations or work restrictions in accordance with any NSW Coal Industry Health Standard(s).
<i>health counselling</i> means health information, education, and guidance provided to the coal mine worker or prospective coal mine worker by an approved health professional or approved medical practitioner in relation to a health issue(s) identified in the health assessment, health assessment review, or retirement health assessment and at the time of the health assessment, health assessment review, or retirement health assessment.	Health counselling is when an approved health professional and/or approved medical practitioner provides education and/or guidance to a coal mine worker or prospective coal mine worker. This may include discussing any health concerns, explaining health conditions and treatments, and promoting preventative measures. It may also involve lifestyle-related health promotion such as diet, exercise, alcohol reduction, and smoking cessation. Additionally, health counselling may include support for mental health issues, such as recommending that a coal mine worker seek appropriate mental health support or services. The aim of health counselling is to empower coal mine workers or prospective coal mine workers to make informed decisions and positive choices that enhance their overall health and wellbeing.
<i>health examination</i> means an examination or test listed in Schedule 1 that forms part of a health assessment.	A health examination refers to the specific tests, examinations, or health tools listed in Schedule 1 of Order 45. These examinations are conducted as part of a health assessment, health assessment review, or retirement health assessment and must be completed by an approved health professional and approved medical practitioner.
<i>industry health standard</i> means any health standard approved by Coal Services and published on the Coal Services website (as amended from time to time or replaced).	The NSW Coal Industry Health Standards stipulate the framework that Coal Services requires approved medical practitioners to operationalise to ensure consistent and uniform delivery of quality Order 45 health assessments. They are a practical, risk-based assessment tool designed to assist an approved medical practitioner in evaluating the fitness for work of a coal mine worker or prospective coal mine worker for the position and risk category.
<i>occupational noise exposure</i> means the level of noise that a coal mine worker may be exposed to at work.	Occupational noise exposure is the level of noise that coal mine workers may be exposed to during work activities, which could potentially impact their hearing and health.
<i>person conducting a business or undertaking</i> has the same meaning given to that term under section 5 of the <i>Work Health and Safety Act 2011</i> (NSW) (as amended from time to time or replaced).	As stated.

<i>prospective coal mine worker</i> means a person who is seeking to commence work for the first time at a New South Wales coal mine or coal handling preparation plant for a person conducting a business or undertaking. It does not include a person who will work in an environment in which they are not exposed to airborne contaminant, hazardous chemicals, and/or occupational noise.	A prospective coal mine worker is a person who is seeking work for the first time at a coal mine or coal handling processing plant in NSW. It does not include a person who will work in areas where they are not exposed to airborne contaminants, hazardous chemicals, and/or occupational noise exposure.
<i>remedial measures</i> means any actions recommended by the approved medical practitioner to be undertaken by the person conducting a business or undertaking with respect to a medical condition identified in the health assessment or health assessment review(s) as detailed on the health assessment certificate.	A remedial measure refers to any recommended actions by the approved medical practitioner that the PCBU may implement with respect to a medical condition identified during a health assessment or health assessment review. The approved medical practitioner needs to clearly state on the health certificate the remedial measures the PCBU may need to consider, e.g. airborne containments (dust) restrictions, or equipment rating for coal mine workers who weigh >120 kg.
<i>respirator fit testing</i> means a quantitative assessment of the fitting of personal respiratory protective equipment to ensure that it fits closely to a person's face to minimise the risk of exposure to airborne contaminants. It is undertaken by a person who has completed an approved respirator fit test course and complies with the Clinical and Service Standard.	Respirator fit testing ensures that a respirator (a device worn over the nose and mouth to filter air) fits properly and effectively seals around a coal mine worker's face to provide the intended protection against airborne contaminants. This testing can be completed by someone other than an approved health professional or approved medical practitioner if they have completed an approved respirator fit testing course and complies with the Clinical and Service Standard. Respirator fit testing is an optional service in Order 45.
<i>retirement health assessment</i> means the health examinations of a coal mine worker who intends to or has retired or ceased work in the New South Wales coal industry that meets the following criteria: completed by an approved medical practitioner; which includes all the matters specified in Schedule 1, excluding any deferred health examination(s); in the form approved by and provided to Coal Services; and is approved by Coal Services.	A retirement health assessment is a health assessment available to coal mine workers who intend to, or have retired or ceased work in the NSW coal industry. It is an optional health assessment for coal mine workers who are retired, retiring, or ceasing to work in the NSW coal industry.
<i>risk category</i> means the category of risk determined by the person conducting a business or undertaking of a coal mine worker's or prospective coal mine worker's position as one of the following: Category A: Safety critical, Category B: Safety sensitive, or Category C: Non-safety sensitive.	Including these categories in Order 45 does not refer to the risks that a coal mine worker or prospective coal mine worker will be exposed to at work. The categories refer to the risk a coal mine worker poses to themselves and/or others from an unavoidable and/or sudden medical incapacity. These categories will provide guidance to the assessing approved medical practitioner as to the level of investigation and follow-up required (if necessary) as outlined in the NSW Coal Industry Health Standards.

<i>serious incident</i> means an incident resulting in the death or permanently incapacitating illness and/or injury of a person.	A serious incident refers to any situation that causes someone to die or suffer a permanent incapacitating injury or illness. For example, if a coal mine worker who is operating heavy machinery has a sudden medical emergency, their inability to act could lead to serious harm to someone onsite, resulting in a permanent incapacitating injury or illness.
<i>similar exposure group</i> is a group of coal mine workers who have the similar general exposure to hazards, and can include similarity and frequency of tasks performed, types of materials and processes used, and similarities in the way a task(s) is performed, as listed on the Coal Services website (as amended from time to time or replaced).	Similar exposure groups (SEGs) are a way of categorising coal mine workers who face similar hazards to manage health and safety measures effectively. SEGs assist the NSW coal industry in assessing and reporting on areas of work and risk exposures. The Coal Services Health SEGs are available on the Coal Services website.
<i>spirometry</i> means: a) testing of lung function carried out by an approved health professional or approved medical practitioner who has completed an approved course in spirometry and complies with the Clinical and Service Standard; and b) the results are interpreted by an approved medical practitioner who has completed an approved course in spirometry interpretation and complies with the Clinical and Service Standard.	Spirometry is a health examination that measures lung function and is listed in Schedule 1 of Order 45. Spirometry must be completed by an approved health professional or approved medical practitioner who has completed the requisite training. The spirometry findings must be assessed by an approved medical practitioner who has completed specific training to interpret the results.
5. Application of this Order This Order applies to an approved health professional, an approved medical practitioner, a coal mine worker, Coal Services, a person conducting a business or undertaking who employs or intends to employ a coal mine worker, and a prospective coal mine worker.	Order 45 applies to all parties listed in the definition, including approved health professionals, approved medical practitioners, coal mine workers, Coal Services, a PCBU, and prospective coal mine workers.

6. Requirement for a health assessment

- a) A person conducting a business or undertaking must ensure a coal mine worker or a prospective coal mine worker has, or has had, a health assessment:
 - (i) for the position of the coal mine worker or proposed position of the prospective coal mine worker;
 - (ii) for a risk category that is the same or higher than the risk category for the work to be performed by that coal mine worker or prospective coal mine worker; and
 - (iii) prior to commencing work at a coal mine or coal handling preparation plant.
- b) A person conducting a business or undertaking who causes a coal mine worker or a prospective coal mine worker to attend a health assessment or health assessment review must provide the following information to the approved medical practitioner:
 - (i) the full name and address of the person conducting the business or undertaking;
 - (ii) the full name and date of birth of the coal mine worker or prospective coal mine worker;
 - (iii) the position of the coal mine worker or prospective coal mine worker;
 - (iv) the risk category of the coal mine worker or prospective coal mine worker;
 - (v) the similar exposure group of the coal mine worker or prospective coal mine worker;
 - (vi) whether respirator fit testing is requested by a person conducting a business or undertaking; and
 - (vii) whether any health monitoring requirements in Schedule 14, Work Health and Safety Regulation 2025 (NSW) (as amended from time to time or replaced) are requested by a person conducting a business or undertaking.
- c) A person conducting a business or undertaking must allow a coal mine worker time during their normal rostered hours to attend:
 - (i) a health assessment, at least once every three (3) years; and
 - (ii) a health assessment review whenever it is related to airborne contaminant, hazardous chemicals, and/or occupational noise exposure,where reasonably practicable (except where this conflicts with an approved enterprise agreement, in which case the terms of the approved enterprise agreement will prevail).
- d) Except where the person conducting a business or undertaking complies with clause 6(c), a person conducting a business or undertaking must provide payment to a coal mine worker to undertake:
 - (i) a health assessment, at least once every three (3) years; and
 - (ii) a health assessment review whenever it is related to airborne contaminant, hazardous chemicals, and/or occupational noise exposure.
- e) A person conducting a business or undertaking must provide a coal mine worker with a copy of the health assessment certificate within four (4) weeks of receiving the health assessment certificate.

The requirements for a health assessment are detailed below:

- a) A PCBU must ensure that a coal mine worker or prospective coal mine worker has a health assessment for the position and risk category. The PCBU must ensure this has been completed prior to commencing work at a coal mine or coal handling preparation plant.
- b) A PCBU must provide all the relevant information listed in 6(b) to the approved medical practitioner who is completing the health assessment or health assessment review.

(Coal Services can provide a Health Assessment requirements form for PCBUs to record this information to give to the approved medical practitioner)
- c) This clause refers to the responsibility of the PCBU to allow the coal mine worker paid time and cover all costs to attend a health assessment and/or health assessment review whenever it is related to airborne contaminant, hazardous chemicals, and/or occupational noise exposure during their normal rostered hours unless there is an enterprise agreement in place that details other arrangements.
- d) This clause applies when it is not reasonably practicable for a coal mine worker to attend during their normal rostered hours, it is then the responsibility of the PCBU to provide payment for their attendance and cover all costs for the coal mine worker to attend a health assessment and/or health assessment review whenever it is related to airborne contaminant, hazardous chemicals, and/or occupational noise exposure.
- e) A PCBU must provide the coal mine worker a copy of the health assessment certificate within four (4) weeks of receiving the health assessment certificate.

7. Requirement for a retirement health assessment

- a) A coal mine worker who intends to or has retired or ceased work in the New South Wales coal industry is entitled to a retirement health assessment(s).
- b) A coal mine worker may arrange their retirement health assessment(s).
- c) A person conducting a business or undertaking who arranges a retirement health assessment must provide the following information to the approved medical practitioner:
 - (i) the full name and address of the person conducting the business or undertaking;
 - (ii) the full name and date of birth of the coal mine worker;
 - (iii) the position(s) of the coal mine worker;
 - (iv) the similar exposure group;
 - (v) the work that the coal mine worker has carried out, and the duration of that work; and
 - (vi) whether any health monitoring requirements in Schedule 14, Work Health and Safety Regulation 2025 (NSW) (as amended from time to time or replaced) are requested by a person conducting a business or undertaking.
- d) A copy of the health assessment certificate will be provided to the coal mine worker within four (4) weeks of the retirement health assessment by Coal Services.

The requirements for a retirement health assessment are detailed below:

- a) A coal mine worker who is intending to retire, has retired or ceased work in the NSW coal industry can complete an optional retirement health assessment(s).
- b) A coal mine worker may organise their own retirement health assessment(s).
- c) A PCBU must provide all the relevant information listed in 7(c) to the approved medical practitioner who is completing the retirement health assessment.

(Coal Services can provide a Health Assessment requirements form for PCBUs to record this information to give to the approved medical practitioner)
- d) A copy of the health assessment certificate will be provided by Coal Services to the coal mine worker within four (4) weeks of the retirement health assessment.

8. Health assessment information

An approved health professional, approved medical practitioner, and Coal Services collects personal and health information about coal mine workers and prospective coal mine workers arising from a health assessment, health assessment review, or retirement health assessment. A person conducting a business or undertaking collects personal and health information about coal mine workers and prospective coal mine workers upon receiving a copy of the health assessment certificate pursuant to clause 6(e) above.

The majority of information collected prior to, during and/or after a health assessment is considered 'personal information' and 'sensitive information' under the *Privacy Act 1988* (Cth) (the Privacy Act), and 'personal information' and 'health information' under the *Health Records and Information Privacy Act 2002* (NSW) (HRIP Act).

For the purposes of the legislative requirements regarding privacy of that information, approved health professionals, approved medical practitioners, and Coal Services are considered to 'collect' such information.

That is, approved health professionals, approved medical practitioners, and Coal Services collect personal information for inclusion in a record, and therefore must comply with the Privacy Act and HRIP Act.

A PCBU will receive personal and health information in a health assessment certificate and is responsible for managing this information upon receipt.

9. Requirement to provide coal mine workers list

By 30 September each calendar year, the person conducting a business or undertaking who has employed a coal mine worker in the previous twelve (12) months, must provide to Coal Services, in the form provided by Coal Services, a list containing the full name, date of birth, position, risk category, similar exposure group, commencement date, and termination date where applicable.

A PCBU is required provide a list of coal mine workers to help identify which coal mine workers are due to attend a health assessment in the following year and to help a PCBU ensure all eligible coal mine workers attend as required.

The list must be submitted to Coal Services by 30 September each calendar year in the form provided by Coal Services.

The list must include the full name of any coal mine workers employed by the PCBU in the previous 12 months, including current and former coal mine workers.

The list must also include the coal mine workers' date of birth, position, risk category, similar exposure group, commencement date, and termination date (where relevant).

10.No duty or obligation to employ or engage a prospective coal mine worker

Nothing in this Order shall require a person conducting a business or undertaking to employ or otherwise engage a prospective coal mine worker for any reason.

There is no obligation or requirement by the PCBU to hire or engage a prospective coal mine worker under Order 45.

11.Transitional arrangements

- a) If a coal mine worker has a current periodic medical assessment completed pursuant to the Coal Services Health Monitoring Requirements for Coal Mine Workers Order No. 43 under the *Coal Industry Act 2001* (NSW), that periodic medical assessment is a health assessment under this Order subject to the periodic medical assessment being completed within the previous three (3) years.
- b) If a coal mine worker has entered the New South Wales coal industry within three (3) years previous to the commencement of this Order and has not completed a periodic medical assessment, then the first pre-placement medical assessment completed pursuant to the Coal Services Health Monitoring Requirements for Coal Mine Workers Order No. 43 under the *Coal Industry Act 2001* (NSW) is to be considered a health assessment for that coal mine worker under this Order.

The transitional arrangements from Order 43 to Order 45 are as follows:

- a) If a coal mine worker remains employed with their current employer, then they are due for a health assessment at the same interval as when the periodic medical would be due.
- b) For any coal mine workers who started working in the NSW coal industry within three years prior to the commencement of Order 45, and who have not completed a periodic medical assessment and remain with their current employer, the date of the first pre-placement (if there was more than one) will determine the interval for when their next health assessment is due under Order 45.

SCHEDULE 1

Required information and health examinations

1. Full name and date of birth of the coal mine worker or prospective coal mine worker.
2. The position, risk category, and similar exposure group of the coal mine worker or the proposed position, risk category, and similar exposure group of the prospective coal mine worker.
3. Name and registration number of the approved health professional(s) undertaking the health examinations and the approved medical practitioner completing the health assessment, health assessment review(s) or retirement health assessment.
4. Name and address of the person conducting the business or undertaking who requested the health assessment, health assessment review(s) or retirement health assessment.
5. Date(s) the health assessment, health assessment review(s) or retirement health assessment were carried out.
6. Detailed work history of the coal mine worker or prospective coal mine worker.
7. Detailed medical history, including any past or present disease, illness or injury (including work and non-work related), use of medication, alcohol intake, smoking/vaping and tobacco history, and physical activity.
8. Spirometry, a review of the respiratory system including chest examination, auscultation and the completion of a standardised respiratory questionnaire based on the MRC (UK) Respiratory Questionnaire 1986 (as amended from time to time or replaced).
9. Hearing assessment, including audiometry.
10. Vision assessment, including visual acuity, visual fields, and colour vision.
11. Full musculoskeletal assessment including any previous injury or underlying condition(s).
12. Cardiovascular assessment including assessment of heart sounds.
13. Blood pressure assessment.
14. Pulse rate.
15. Urinalysis.
16. Height, weight, neck circumference, and Body Mass Index (BMI).
17. Waist measurement.
18. Abdominal examination.
19. Random cholesterol (non-fasting) — total and HDL-C.
20. Random blood glucose test (non-fasting).
21. Neurological examination including any sensory or balance disorders, including the Romberg test for balance.
22. The Kessler Psychological Distress Scale (K10).
23. The STOP BANG questionnaire¹.
24. Alcohol Audit: The Alcohol Use Disorders Identification Test (AUDIT).
25. Cardiovascular Risk Assessment based the guidelines produced by the Australian 'National Vascular Disease Prevention Alliance' and the American Heart Association (as amended from time to time or replaced).
26. Coal Services hazard exposure questionnaire.
27. Coal mine worker chest imaging and report, including a comparison with any previous coal mine worker chest imaging reports.
28. Respirator fit testing when requested by the person conducting a business or undertaking.
29. Any health monitoring requirements in Schedule 14, Work Health and Safety Regulation 2025 (NSW) (as amended from time to time or replaced) when requested by the person conducting a business or undertaking.
30. Health certification that includes:
 - a) the health determination of the coal mine worker or prospective coal mine worker to perform the position and risk category, including any recommendations or work restrictions in accordance with any industry health standard;
 - b) any advice that examination results indicate that the coal mine worker may have contracted a disease, injury or illness as a result of carrying out the work or for a prospective coal mine worker who may have contracted a disease, illness, or injury as a result of carrying out any other work;
 - c) any recommendation(s) that the person conducting a business or undertaking take remedial measures;
 - d) whether health counselling was provided in relation to any health issue(s) identified in the health assessment, health assessment review(s), or retirement health assessment; and
 - e) the interval and nature of any health assessment review(s) including whether the health assessment review(s) is related to airborne contaminant, hazardous chemicals, and/or occupational noise exposure.

¹ A Tool to Screen Patients for Obstructive Sleep Apnea: Frances Chung, F.R.C.P.C.,* Balaji Yegneswaran, M.B.B.S.,† Pu Liao, M.D.,‡ Sharon A. Chung, Ph.D.,§ Santhira Vairavanathan, M.B.B.S.,_ Sazzadul Islam, M.Sc.,_ Ali Khajehdehi, M.D.,† Colin M. Shapiro, F.R.C.P.C.#Anesthesiology 2008; 108:812–21 Copyright © 2008, the American Society of Anesthesiologists, Inc. Lippincott Williams & Wilkins, Inc.

SCHEDULE 2

Health assessment certificate and reports

Health assessment certificate

1. Full name.
2. Date of birth.
3. Position.
4. Risk category.
5. Similar exposure group.
6. Health determination.
7. Corrective lenses or hearing aid requirements.
8. Remedial measures.
9. Any advice that examination results indicate that the coal mine worker may have contracted a disease, illness, or injury as a result of carrying out the work or for a prospective coal mine worker who may have contracted a disease, illness, or injury as a result of carrying out any other work.
10. Any health counselling provided in relation to any health issue(s) identified in the health assessment, health assessment review(s) or retirement health assessment.
11. Any health assessment(s) review(s), and whether it is related to airborne contaminant, hazardous chemical and/or occupational noise exposure and the review(s) interval(s).
12. Any deferred health examination(s).
13. Any recommended actions by the person conducting a business or undertaking in relation to the health assessment or health assessment review(s).

Reports

14. Audiometry report.
15. Coal mine worker chest imaging report.
16. Where applicable respirator fit testing report.
17. Where applicable any health monitoring results from Schedule 14, Work Health and Safety Regulation 2025 (NSW) (as amended from time to time or replaced).

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. 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.