

## Working together on the new regulations

*Chris Baker, chair of the Mining/Extractives Health and Safety Council, responds to CoC concerns and comments as reported in in the February issue of Q&M magazine.*

The article ***Concern over CoC's continues*** in the February/March 2016 issue of Q&M raised the cost of CoC compliance and pressure on small quarry operators.

It was suggested that the extension to CoC timeframes was to give WorkSafe more time to enforce the regulations. In fact, the year long extension to January 1, 2017 was sought by MinEx and AQA to allow CoC holders to complete the extra units required. WorkSafe plays no role in training and this extension was an acknowledgement that the timeframes were too tight.

And yes, some of the training has been poorly structured and written materials have not always been ideal. That, in part, reflects the fact that this whole exercise to get serious about health and safety has been a pressure cooker after years of 'hands off', and 'industry knows best' approach.

What is underway is a process establishing minimum safety standards for those who work in quarries. If they have a serious accident or a fatality then the time lost and cost will be immeasurably greater than that required to properly train people. Let's not forget we had four quarry deaths last year, including two in unregistered quarries. MinEx is making a particular effort to identify and assist other unregistered extractions.

MinEx believes that safety performance must improve, and there is a real need to improve training for those who work in quarries to achieve that goal. Last year we brought together a training leadership group with wide representation from the quarry, mining and training sectors. This is an excellent forum for training issues to be aired, and resolved. It is well underway on its task.

The article also raised concern that many small quarry operators still don't know about the new regulations and were too busy running businesses to find out.

Every business owner has a responsibility to themselves, their staff, their customers and the wider community to know, understand, and implement the new regulations.

It's not as if there's a shortage of information. MinEx sends regular safety alerts and newsletters out to 1000 email addresses. We are also revamping our website and improving other communications. These activities require funding and technically capable resources and it's a credit to the quarry and mining sectors that, in challenging times, those funds are made available.

Last year MinEx and WorkSafe ran six H&S forums in regional centres. A further three are planned early this year. Unfortunately some quarry operators are not engaged with industry organisations such as the AQA and MinEx, and don't seem to place a high priority on seeking to learn about new regulations and requirements. It's acknowledged that some of the training is demanding – especially if you've done very little over the past years. However, meeting the basic safety requirements in the legislation is not an expensive exercise. There are around 2000 CoCs and about half are B-grade quarry (or B-grade coal.) Most quarries are managed by B-grade holders and they will need to complete one risk management unit at a cost of less than \$1000. A-grade holders have to complete four units.

Furthermore, the new mining and quarrying regulations that underpin the new legislation were developed with considerable industry input. The quarry and alluvial gold sectors are only covered by the requirements on safety critical roles, so most of the regulations thus far don't apply to the quarry sector.

It was suggested that some small operators did not know they needed a "current quarry ticket". I believe this has been a requirement since at least 1982.

As for the need for farmers with quarry operations to have CoCs, that actually depends on the scale of their operation and who is running it. It's usually a contractor on a farm running a quarry, not the farmer.

MinEx has used a number of farmer organisations to get out the message about quarry legal obligations. In essence, if a farmer is extracting a bit of gravel or rock for themselves and not using explosives, there's no requirement. If they are supplying a range of others, that may be a different story. Check the self-assessment tool – Am I a Quarry Operator? on the MinEx website. [www.minex.org.nz](http://www.minex.org.nz)

If readers have concerns over any new regulation then please let MinEx know, as we can influence changes much more effectively as an organisation, than a single person or company. A recent example of an inconsistency that MinEx was able to get corrected in the new Health and Safety at Work (Mining Operations and Quarrying

Operations) Regulations 2016 was that you need to be an A Grade CoC if using explosives; previously an A Grade was only triggered if you had four plus workers. Of course there remain some inconsistencies to be worked out as we bed in a whole new approach to health and safety management in the quarry sector – and issues to resolve in the current regulations before they apply, with suitable modifications, to the quarry sector in 2017. This is not a trivial exercise, and it's not a pleasant process for all involved, especially those typically smaller operators who've done things their own way for decades.

Safe operations require safe work practices, fit for purpose equipment, and competent people operating in a controlled environment and these factors need a systematic approach to health and safety. Lets all work together on this.