

WORKSAFE

Working Together on Health and Safety

CPD WORKSHOP 2020

Presented by:
High Hazard Unit - Extractives



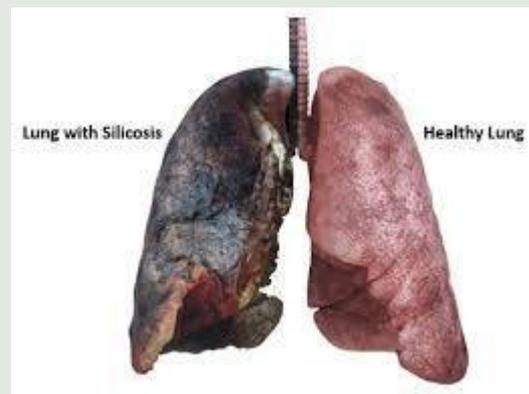
Today we'll be covering:

- 1 Extractives Trends and Focus Areas
- 2 Board of Examiners – CPD Review and CoC Renewals
- 3 Regulations Review
- 4 Risk Management

1 Extractives Trends And Focus Areas

Worker Health

- Legal requirements
- Work Safe Strategy
- Air Quality



Worker Health

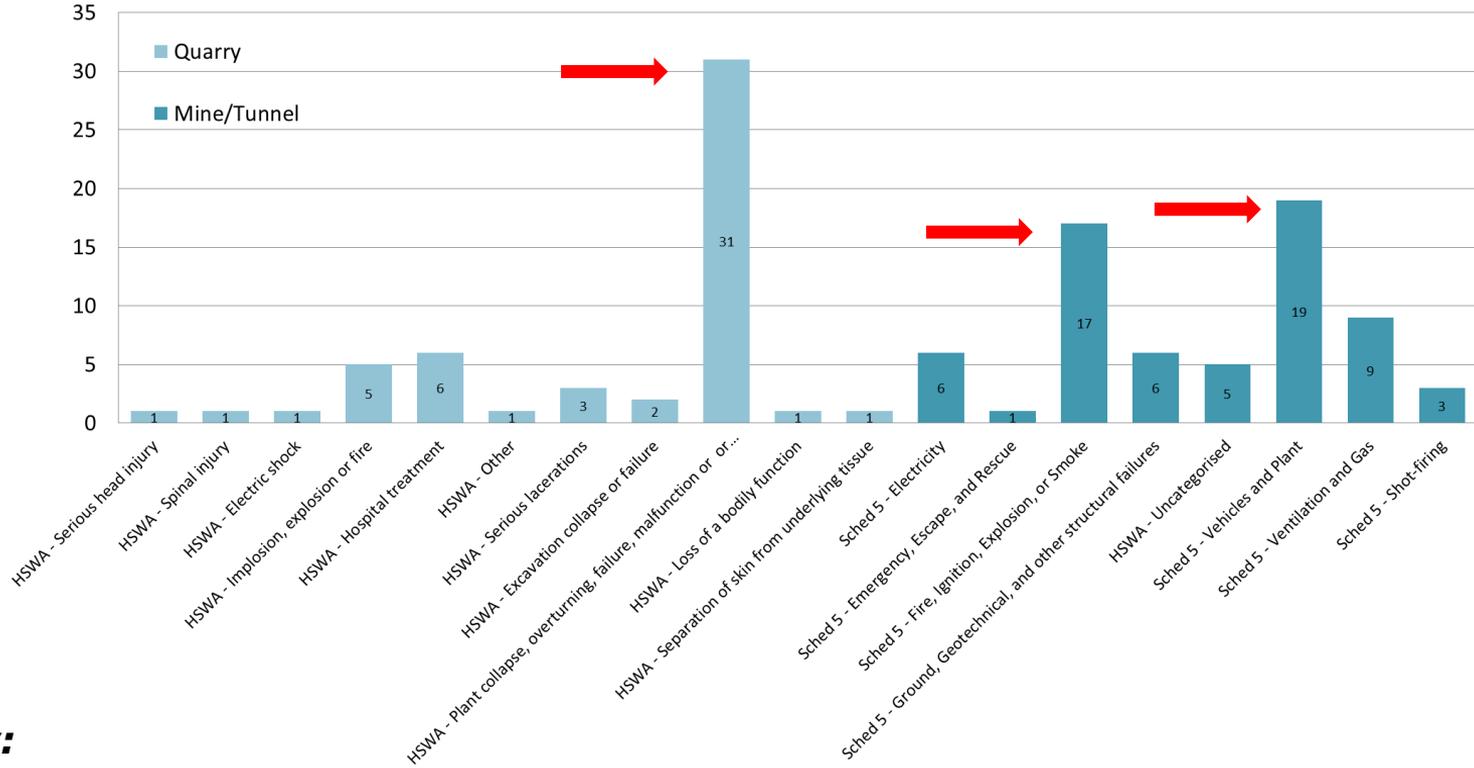
WorkSafe Strategy

1. Highest harm and small businesses
2. Key health risks for Extractives
3. Workers with greater needs
4. Leadership to integrate health with safety
5. Lifting the capability of H&S professionals
6. Worker engagement
7. Quality data



Focus areas

Notifiable Events by Category 2018/19 YTD



Primarily:

- **Vehicles & Plant**
- **Fire, Ignition, Explosion or Smoke**

Roads and vehicle operating areas

Key learnings

- Contractor Management
- Maintenance of plant
- Safety by design
- Needs of modern workforce
- Worker Engagement
- Safety leadership
- Seatbelts & OEP
- Training of Operators





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Highline

KOMATSU

**Seatbelt
Seatbelt
Seatbelt**

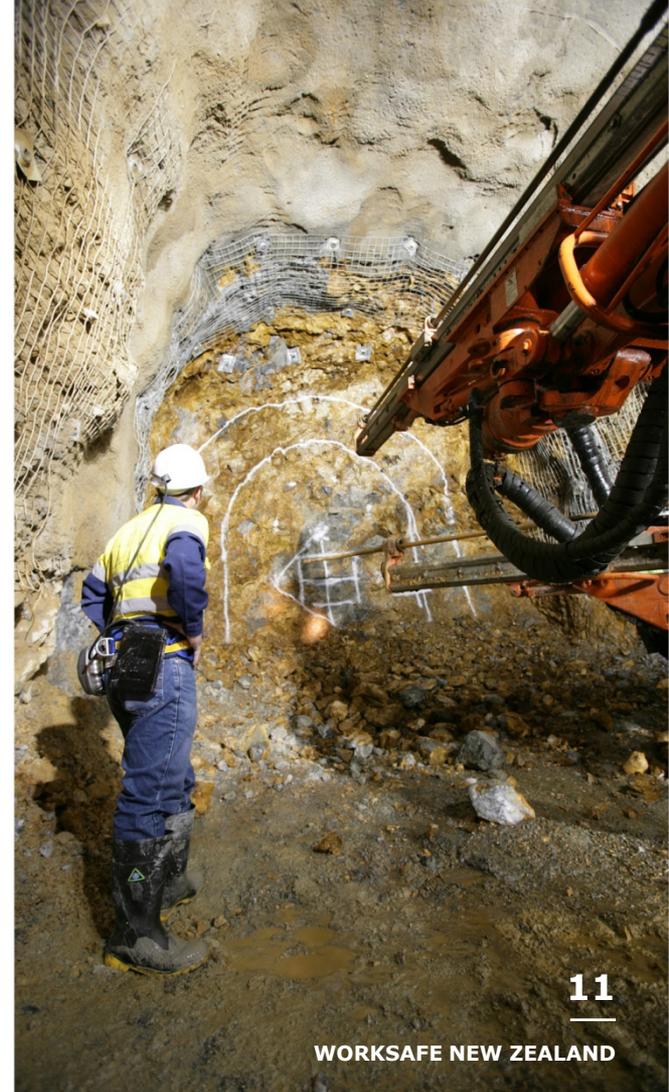


2 Board of Examiners

Why was the BoE established?

Specific response to the Royal Commission into the Pike River Coal Mine Tragedy recommendation that the regulator should have a greater role in **setting** and **assessing competencies**

WorkSafe was required to establish the BoE under clause 27 of Schedule 3, of the Health and Safety at Work Act 2015.

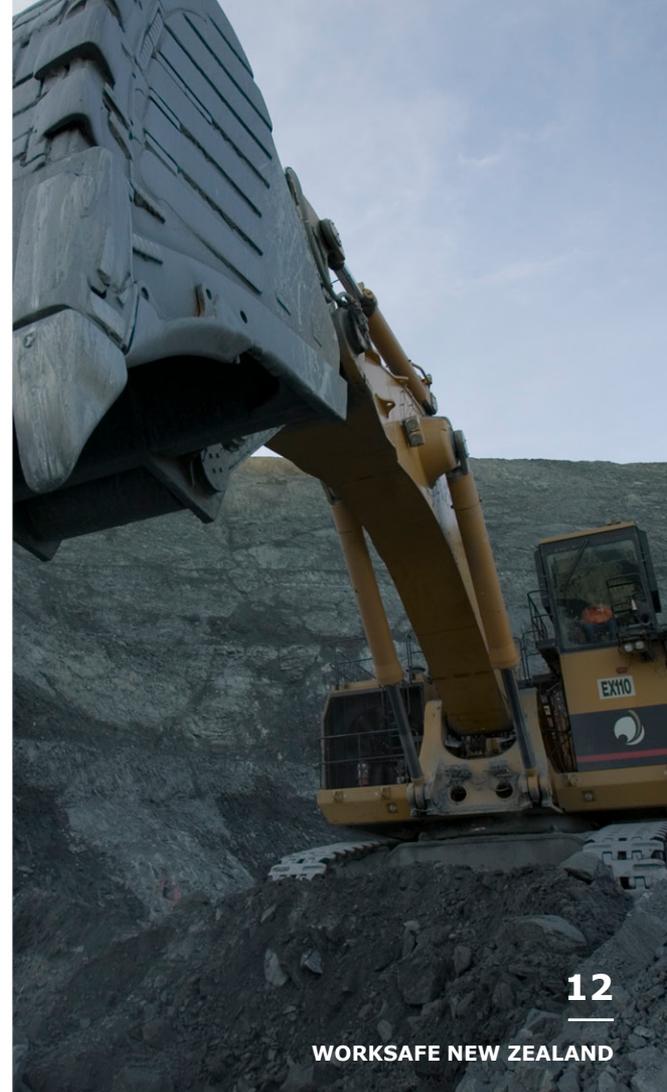


What's the difference between WorkSafe and the BoE?

The role of WorkSafe and BoE are often confused.

Both are governed in the case of the Extractives industry, by the Health and Safety at Work (Mining Operations and Quarry Operations) Regulations 2016 as well as the Health and Safety at Work Act 2015.

WorkSafe sets the CoC and CPD requirements.



What's the difference between WorkSafe and the BoE?

BoE

- Part of WorkSafe – members are appointed by WorkSafe
- Provides recommendations to WorkSafe
- The functions of the Board are:
 - To **advise** WorkSafe on competency requirements for mine workers.
 - To **examine** applicants, or have applicants examined, for certificates of competence.
 - To issue, renew, cancel, and suspend certificates of competence.
 - Any other function relating to training and competency requirements for participants in the extractives industry conferred on the Board by regulations made under the Act.



BoE members



Bernie O'Leary



Dave Stewart



Garth Elliott



Brian Bouzaid



Marianne Rogers



Michelle Crompton



Paul Hunt
CHAIR



Rory Bishop



Stephen Bell



Steve Ellis



Timothy Kennedy

WORKSAFE

Background – CPD Review



Background

- CPD requirements were introduced by WorkSafe in 2016 in response to Royal Commission findings
- Very tight deadline to introduce CPD requirements
- No opportunity to test, pilot or gradually introduce requirements
- WorkSafe and BoE recognised:
 - Concept of CPD new to industry
 - A review would be required after a period of time



Background Continued

- Anecdotal feedback and results of verification indicated there could be an issue with CPD requirements
- BoE conducted a short (3 questions) online survey to get an initial feel for industry sentiment in August 2018
- BoE initiated a CPD Review project in early 2019 with consultation workshops being held in May/June 2019



Consultation

- 10 workshops were held around the country where feedback was provided in small group sessions, written submissions were also received
- Secretariat, BoE members and WorkSafe Extractives Inspectors were present at all workshops to hear feedback
- Feedback received was genuinely insightful, helpful and well-appreciated



What happened after consultation?

- BoE took into account feedback and further refined requirements
- Targeted consultation was undertaken with key stakeholders on the revised requirements
- The BoE recommended a new set of CPD requirements to WorkSafe
- WorkSafe accepted the BoE's recommendation. A new CPD requirements Gazette Notice was drafted, published in December 2019 coming into force 1 February 2020.



New CPD Requirements



What was the outcome of the CPD review?

A new set of requirements:

- A CoC holder can complete their CPD hours over the five year renewal period
- Actual hours for CPD activities can be claimed except for a small group of restricted activities
- All CPD activities require evidence of attendance or completion
- CPD activities must be recorded on a WorkSafe or WorkSafe endorsed logbook with a strong emphasis on key learnings
- CPD activities must fall into one or more of the four areas of learning



CPD hours over the five year renewal period

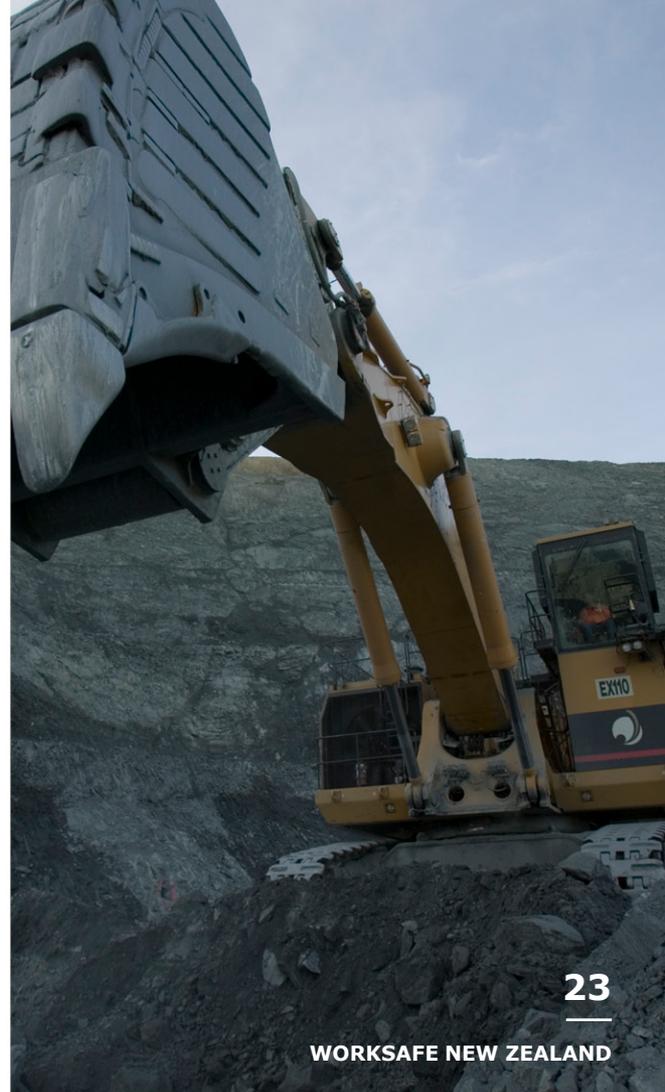
Certificate of Competence	Hours Required	Specialist requirements
Site senior executive	120 hours	
First class mine manager	120 hours	
First class coal mine manager	120 hours	
A grade opencast coal mine manager	120 hours	
A grade quarry manager	120 hours	
A grade tunnel manager	120 hours	
Coal mine underviewer	120 hours	
Electrical superintendent	120 hours	A minimum of 30 hours must be from CPD activities that are directly subject-related to the area of specialisation
Mechanical superintendent	120 hours	A minimum of 30 hours must be from CPD activities that are directly subject-related to the area of specialisation
B grade opencast coal mine manager	60 hours	
B grade quarry manager	60 hours	
B grade tunnel manager	60 hours	
Coal mine deputy	60 hours	
Mine Surveyor	60 hours	A minimum of 15 hours must be from CPD activities that are directly subject-related to the area of specialisation
Ventilation officer	60 hours	A minimum of 15 hours must be from CPD activities that are directly subject-related to the area of specialisation
Winding engine driver	40 hours	A minimum of 15 hours must be from CPD activities that are directly subject-related to the area of specialisation
Manage to manage the quarrying operation specified in the certificate	30 hours	



CPD hours over the five year renewal period

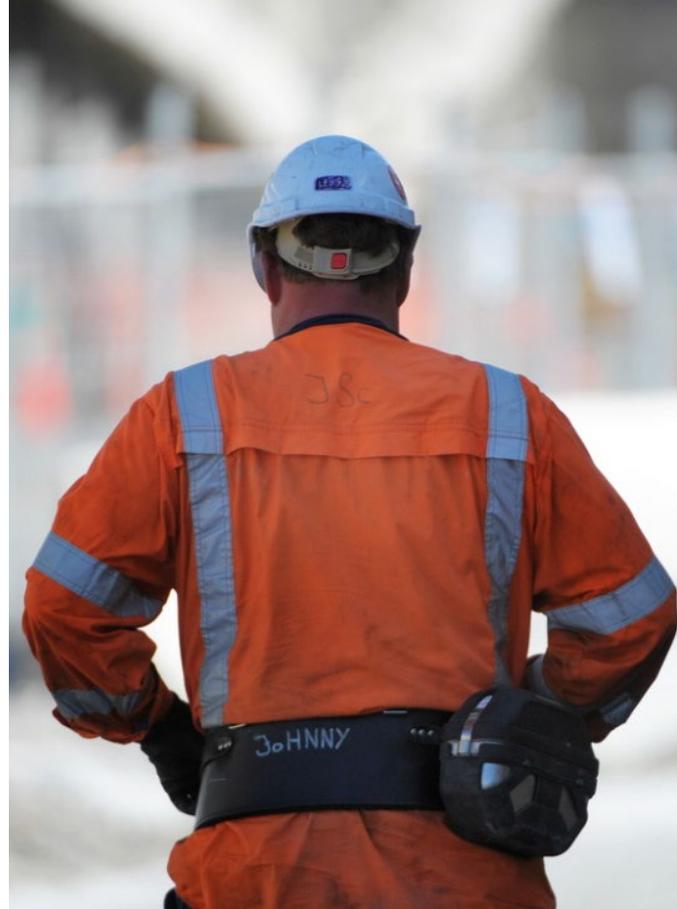
- No roll over to the next renewal period
- Multiple CoCs:
 - Required to complete requirements for the CoC with the most hours
 - Specialist requirements must be met for all CoCs

<https://worksafe.govt.nz/topic-and-industry/extractives/cocs-and-cpd/>



Transitional Arrangements

- Only apply to CoCs gained before 1 Jan 2018
- WorkSafe and BoE acknowledge confusion and limited CPD activities initially
- CoC holders can disregard CPD requirements for first two years after introduction on 1 January 2016
- Check tables to see what your pro rata requirements are



Transitional arrangements

This section on transitional arrangements only applies to CoC holders who gained their CoC before 1 January 2018.

WorkSafe and the New Zealand Mining Board of Examiners (The Board) acknowledge the difficulties for industry when CPD was introduced. Initially there was confusion and difficulty in understanding the requirements and for some, very limited opportunities to attend CPD activities.

For that reason, CoC holders are able to disregard the CPD requirements applying to the two years following their introduction on 1 January 2016 (ie 1 January 2016 to 1 January 2018) and are only required to meet the requirements on a pro rata basis for the remaining period of their CoC.

The following table will assist in working out how many pro rata hours the CoC holder will be required to do in their five year renewal period.

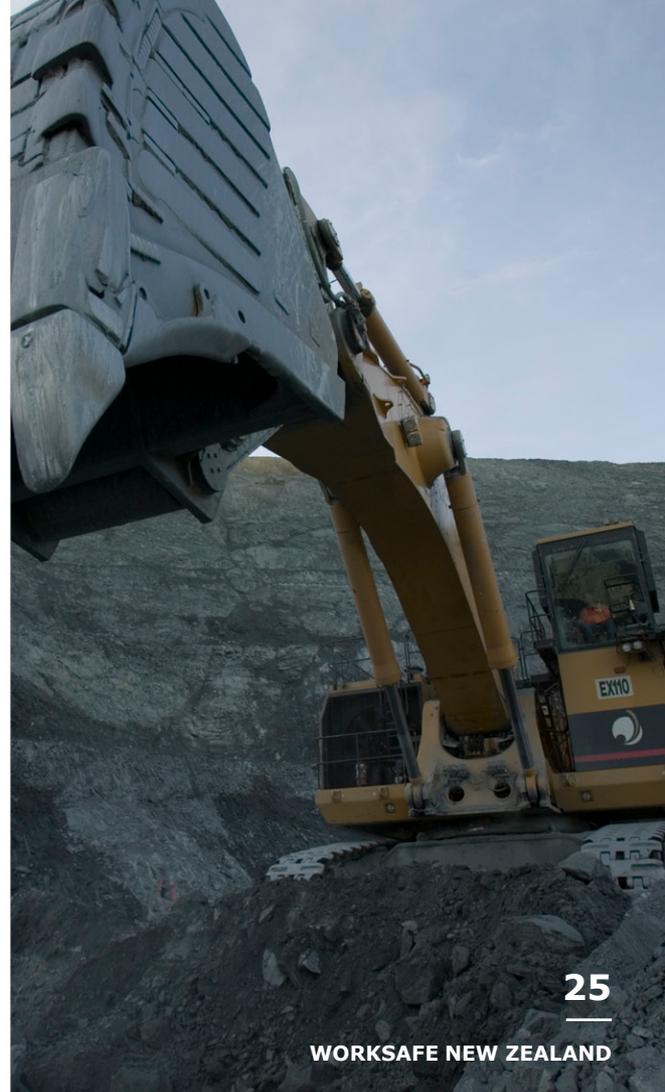
Transitional arrangements calculations tables²

IF YOUR COC WAS AWARDED IN	PRO RATA HOURS REQUIRED IF THE COC HOLDER IS REQUIRED TO DO 120 HOURS OVER 5 YEARS	PRO RATA HOURS REQUIRED IF THE COC HOLDER IS REQUIRED TO DO 60 HOURS OVER 5 YEARS
July 2015	62	31
August 2015	64	32
September 2015	66	33
October 2015	68	34
November 2015	70	35
December 2015	72	36

² Formula used to calculate pro rata hours.

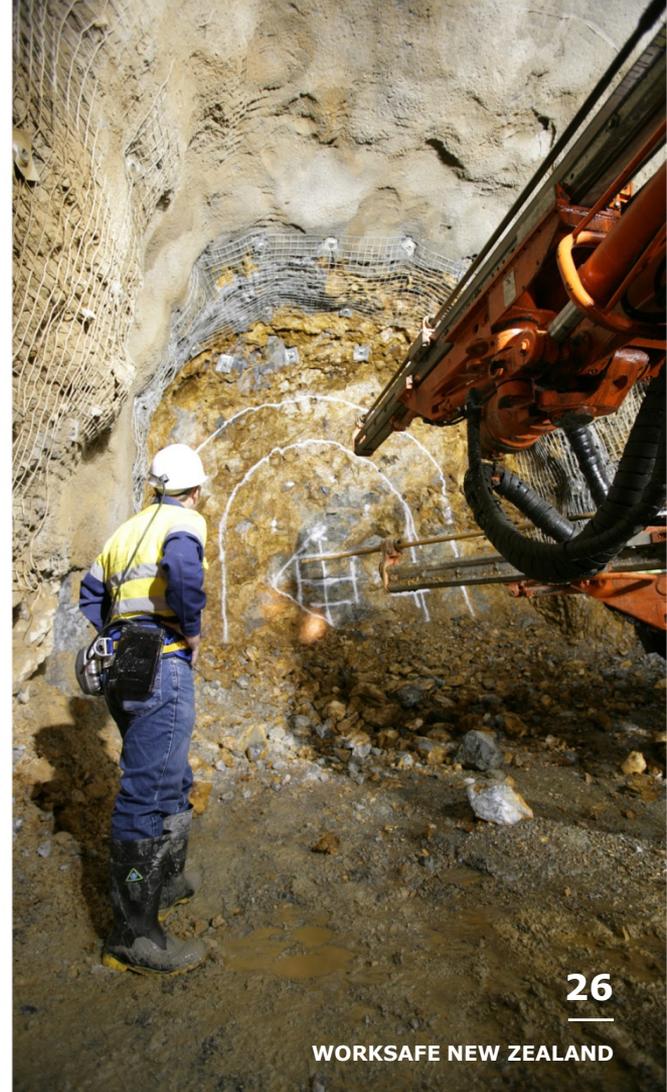
- If you have a CoC which requires 120 hrs CPD, multiply the number of full months the CoC was held prior to January 2018 by 2 and subtract from 120.
- If you have a CoC which requires 60 hrs CPD, multiply the number of full months the CoC was held prior to January 2018 by 1 and subtract from 60.

*Refer to page 21
CPD guidelines
book*



Actual hours for CPD activities

- Most activities are unrestricted and actual hours can be claimed – this includes an other activities category
- A small portion of activities are restricted and have a limit on claimable hours



Examples of unrestricted activities

- MinEx workshop – 8 hours
- OEM training 4 hours – 4 hours
- Panel member for oral exams – 7 hours
- IoQ committee meeting – 3 hours
- Emergency exercise – 6 hours
- First Aid refresher training – 8 hours
- Quarry conference CPD workshops - 8 hours
- Field trip – 1.5 hours
- Significant overhaul of bespoke equipment – 16 hours
- Development of health and safety policies – 5 hours
- Attend a industry representative meeting – 6 hours



Examples of restricted activities

- Attendance at Quarry conference – 4 hours

Example 1

Reading 10 hours

Podcast 4 hours

Mentoring 6 hours

Total 20 hours

Example 2

H&S Committee 20 hours

Total 20 hours

Example 3

Reading 2 hours

H&S Committee 10 hours

Total 12 hours

(120 hour requirement)

Example 4

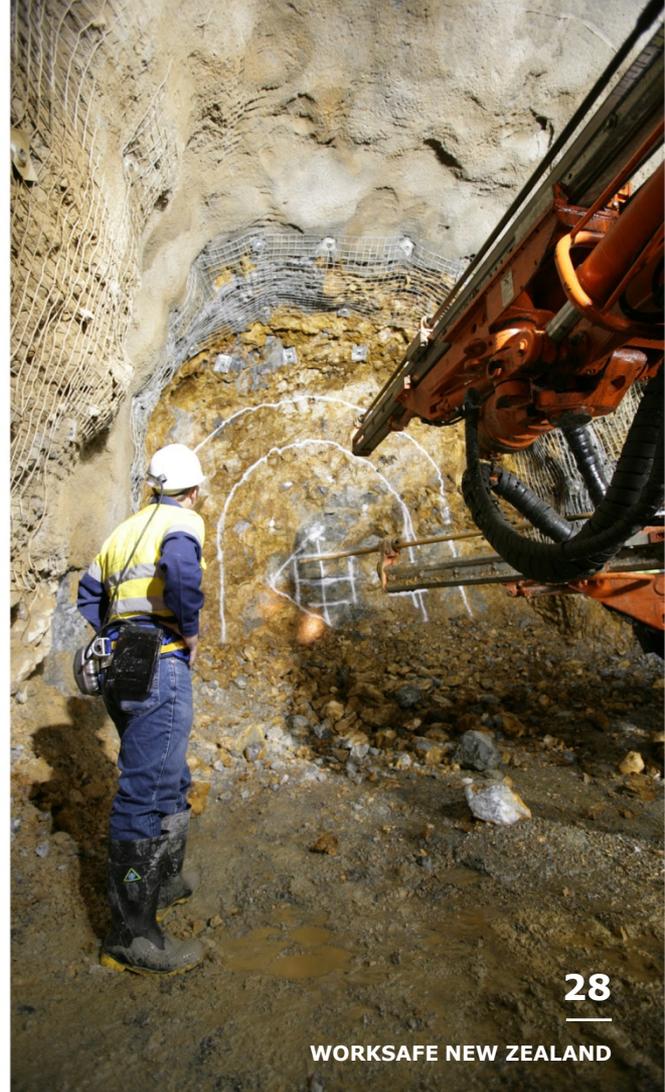
Reading 6 hours

Podcasts 5 hours

Mentoring 4 hours

H&S Committee 5 hours

Total 20 hours



Examples of restricted activities that are not allowed

Example 1

Reading 20 hours

Podcast 12 hours

Mentoring 20 hours

Total 52 hours

Example 2

Reading 15 hours

H&S Committee
10 hours

Total 25 hours

(120 hour requirement)

Example 3

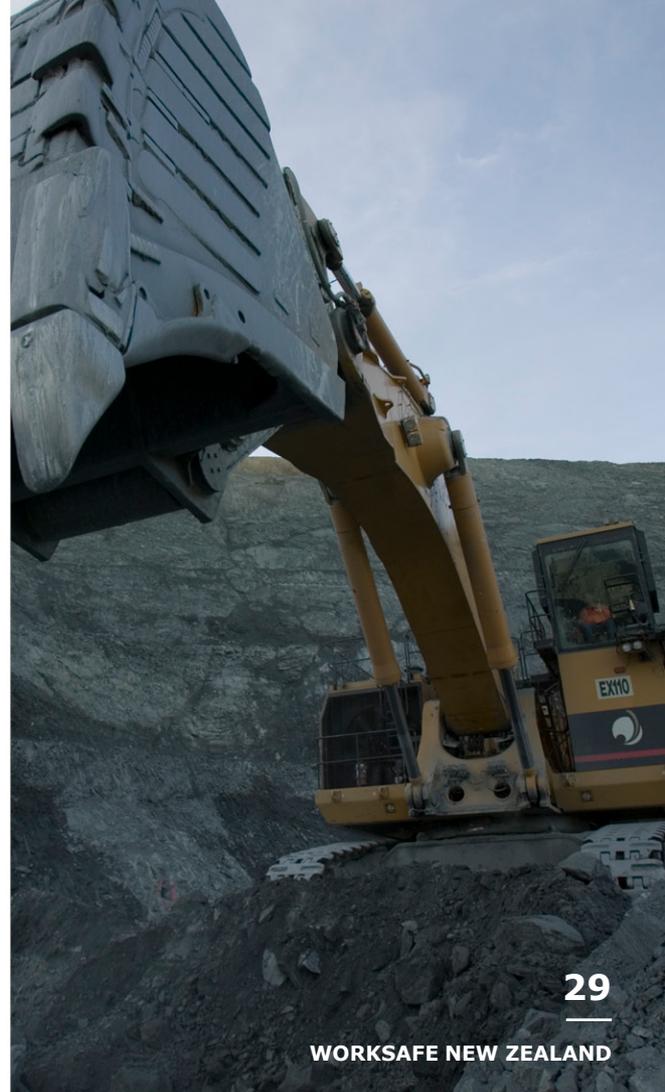
Reading 20 hours

Podcasts 20 hours

Mentoring 20 hours

H&S Committee
20 hours

Total 80 hours



Evidence

- All CPD activities require suitable evidence, which must include:
 - CoC holders name
 - Date of activity
 - If possible number of hours
- List of suitable evidence in Guidelines
- What if I don't have any suitable evidence?
 - Alternative evidence form
 - If you have 'informal' CPD hours recorded that did not require evidence – use the alternative evidence form.
 - Tip – transitional arrangement pro rata hours mean you may not need to use those 'informal' hours



Key Learnings

There are two components to key learnings:

1. What did you learn?
2. How will you apply what you learnt?

- Key learnings are individual to a CoC holder. Everyone attending the same activity will have different key learnings.

TIP: Use the questions in the guidelines to help you write your key learnings

In groups

Look at each example in the guidelines and identify the two key components



Areas of Learning

All your CPD activities must be based on topics that fall into one or more of the areas of learning:

- Operating and safety systems
- Legislation
- Emergency Management
- Leadership

There are no hourly requirements for areas of learning

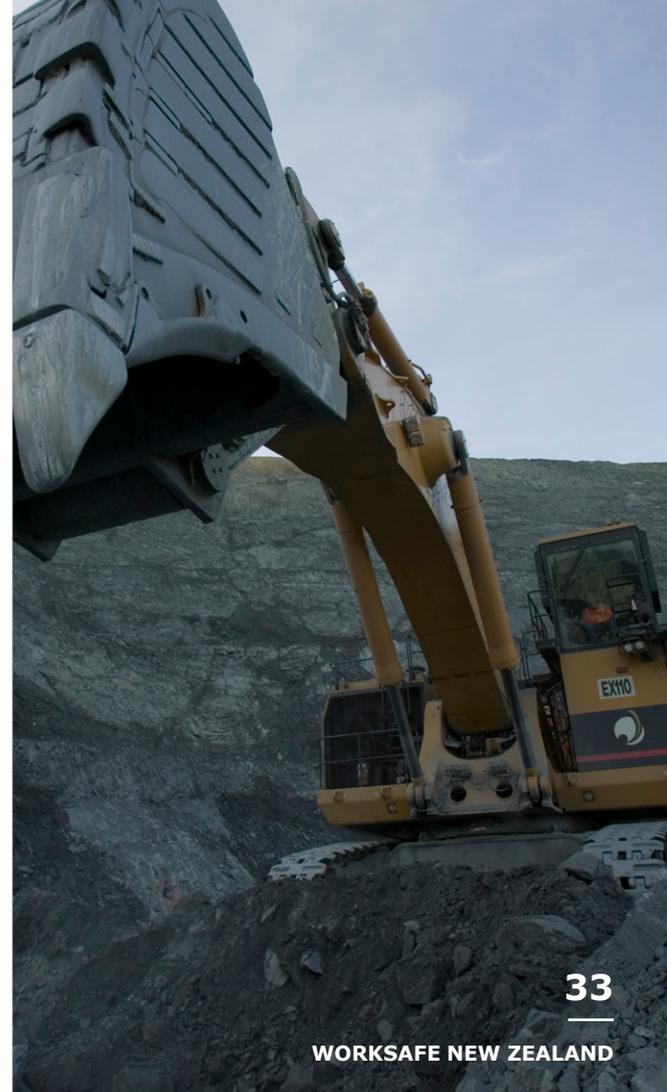
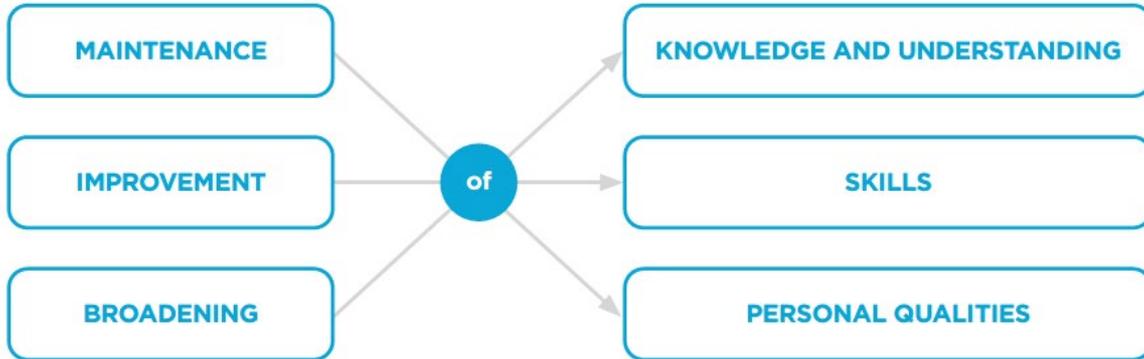


When is an activity CPD?

1. It must be an activity that:

- Can be defined in terms of a specific time
- Is different to normal day to day work
- Provides a specific learning

2. It is an activity that provides one of the following outcomes:



CPD activity examples

Use the following matrix as a tool to help understand when an activity is CPD such as the examples below.

	MAINTENANCE	IMPROVEMENT	BROADENING
Knowledge and understanding			***
Skills	*		
Personal qualities		**	

- * An eight hour first aid certificate refresher course **maintains** a CoC holder's **skills** in first aid
- ** An eight hour course on how to have a difficult conversation **improves** a CoC holder's **personal qualities**
- *** A four hour training session provided by a mobile crushing plant supplier on the care, maintenance and safety systems associated with new crushing equipment **broadens** a CoC holder's **knowledge and understanding** of crushing plant



How do I record my CPD?

WORKSAFE
Mahi Haumarū Aotearoa

LOGBOOK

Extractives continuing professional development (CPD)

This logbook is for holders of a New Zealand Extractives Certificate of Competence (CoC).

It is important that you read the guidance at the back of this logbook before you start recording any CPD activities.

More detailed information is available in the CPD Guidelines booklet. Keep the guidelines with you when you are recording your CPD.

If you have any questions about your CPD Logbook or the requirements please refer to the CPD Guidelines for more detail or contact: BoE_Secretariat@worksafe.govt.nz

Name:	Mobile phone:	Email:
CoC held: (most senior)	Renewal date:	

CPD entry number: Allocate a CPD entry number for this activity

DATE	ACTIVITY	RESTRICTED/UNRESTRICTED	AREAS OF LEARNING	HOURS	EVIDENCE
20/01/2020	Refer to the list of activities on page 4				Please describe what evidence you are providing and note on the evidence itself the CPD entry number

KEY LEARNINGS

Refer to the questions on page 1 to help you think about your key learning(s)

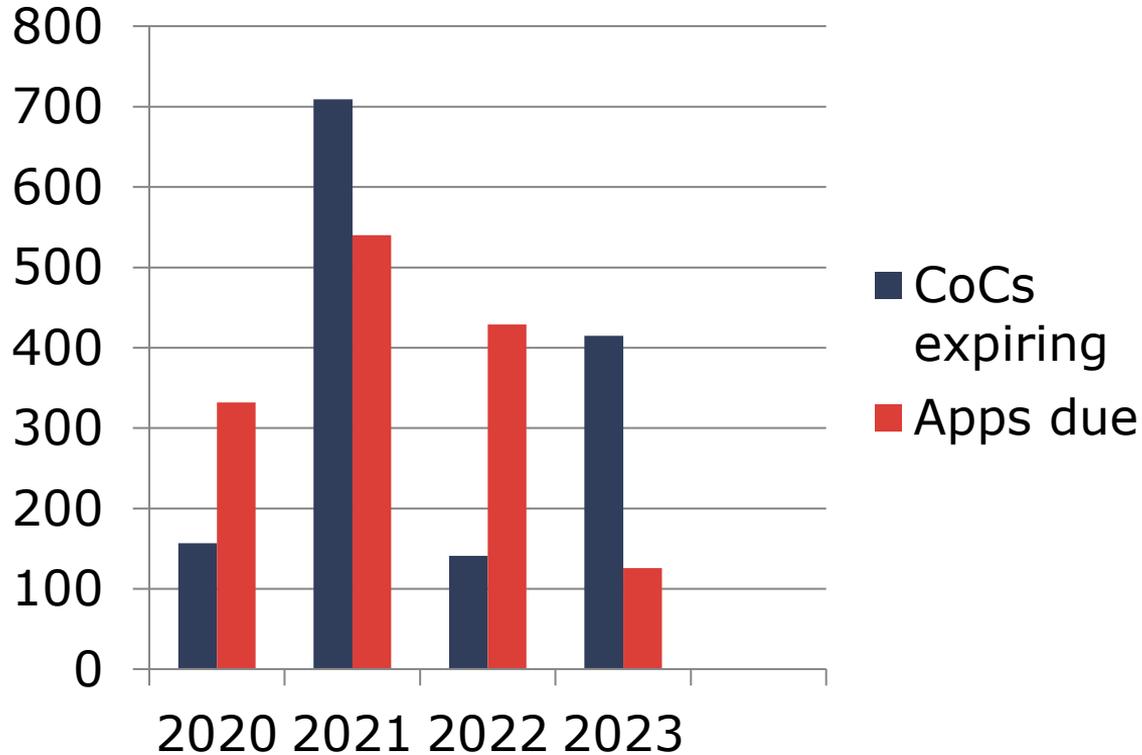


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Renewals



First set of renewals due in 2020



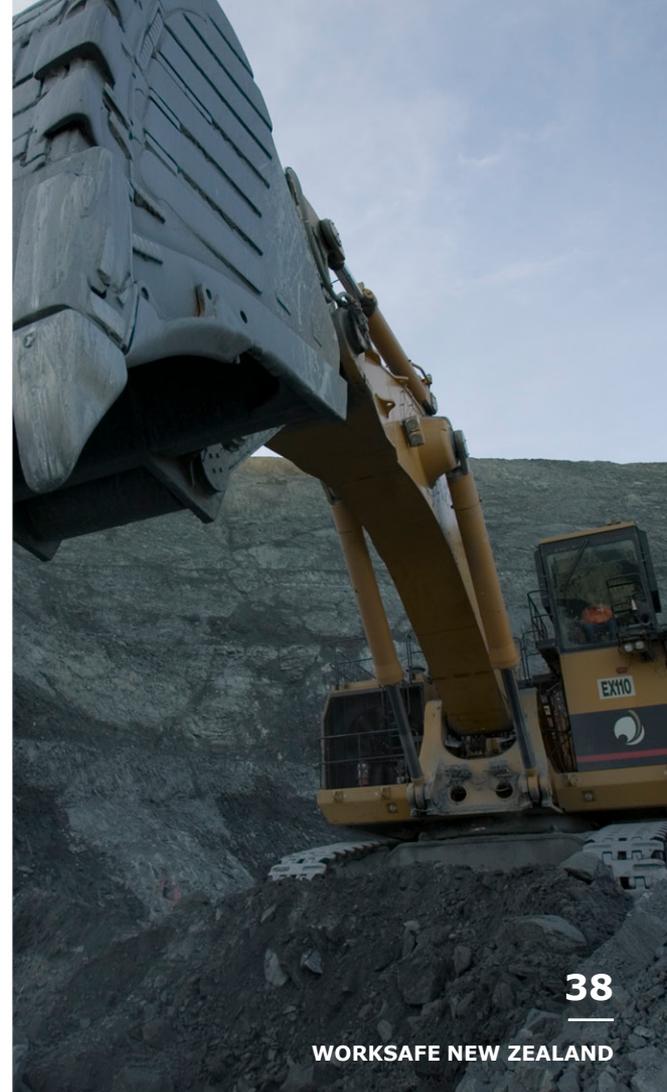
Renewal Applications

Information on renewals including application form on the website

<https://worksafe.govt.nz/topic-and-industry/extractives/cocs-and-cpd/applications-for-certificates-of-competence/renewal-applications/>

Information on Covid – 19 response including CPD exemption

<https://worksafe.govt.nz/topic-and-industry/extractives/cocs-and-cpd/news-and-updates/impact-of-covid-19-on-certificate-of-competence-holders/>



What do the regulations say?

- CoC holder must comply with CPD requirements
- Application must be made 2 months beforehand
- Application must be accompanied by
 - Evidence of compliance with CPD
 - \$80 fee
- CoC may be renewed before or after the day the certificate expires but comes into force on the date after the date it expires
- Must be a fit and proper person
- Must have the qualifications and experience prescribed for CoCs – current first aid certificate



So you are required to submit

- An application form including a fit and proper section
 - Ministry of justice criminal conviction check
 - Copy of ID
- Your CPD logbook
- First aid certificate
- \$80 fee per CoC

Relevant documents must be certified



What will the Secretariat do?

Provide you with two email reminders:

- 1st one 2 months before application due
- 2nd one 1 month before application due

Provide you with all the information you need:

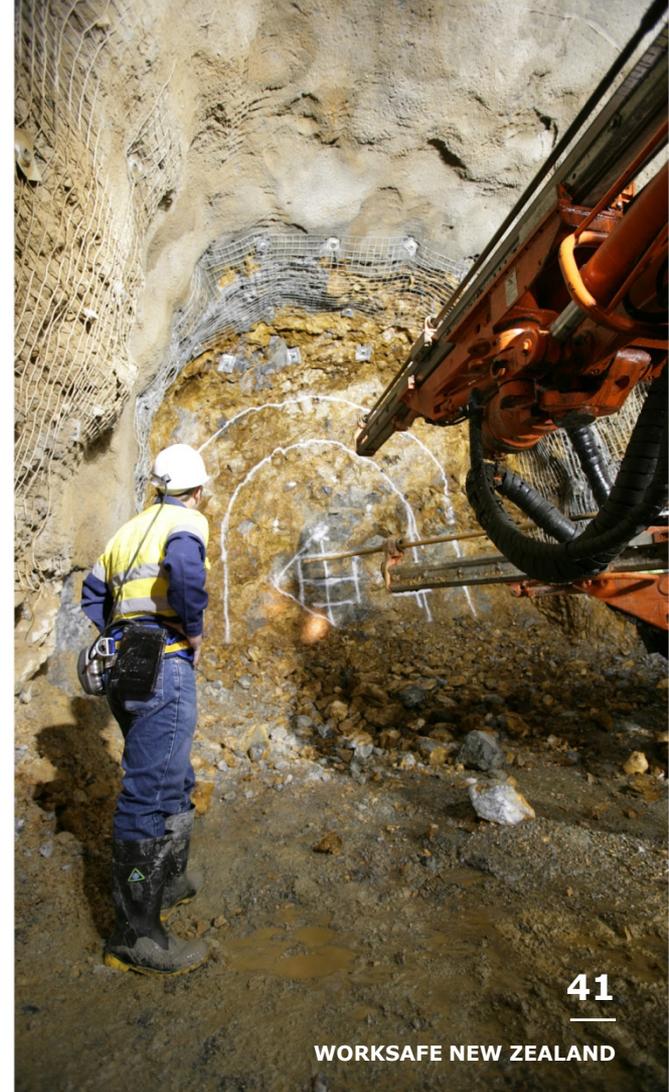
- On the website
- In your reminder

Send you a new certificate once renewal application has been approved

However

It is your responsibility to:

- Ensure your contact details are up to date
- Ensure documentation to good standard
- Ask if you are unsure

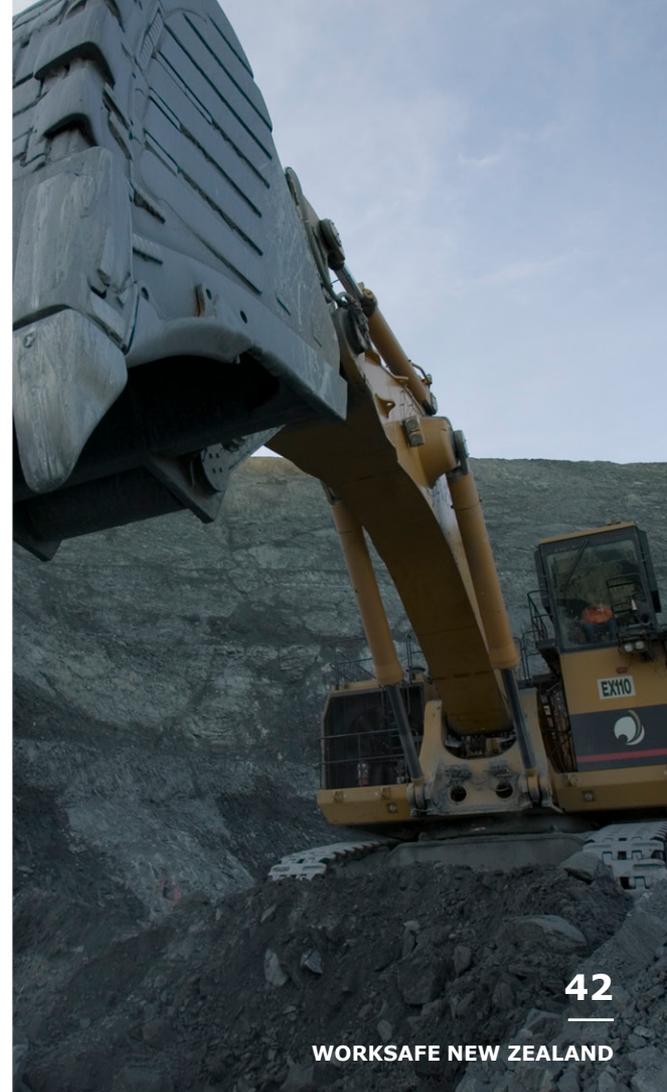


How do I get help?

Contact the BoE Secretariat, it's their job to help you!

Ph: 04 901 4980

Email: BoE_Secretariat@worksafe.govt.nz



3 Regulations Review



Regulations Review

During 2018 and 2019 MBIE did a targeted, post-implementation review of the Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016.

The review had input from key stakeholders in the mining, tunnelling and quarrying industries.

The purpose of the review was to test that the regulations are working as expected and to consider further regulation of quarries.

It fulfilled a commitment that the Government made to industry in 2013 to provide reassurance about the speed of developing major new regulations within a single year.



Regulations Review

The review found that:

- There was a case for further hazard management of quarries and alluvial mines in the regulations
- The regulations as they related to mines are robust, but that aspects of the regulations are operating in a disproportionate way, imposing processes and costs on lower-risk mines in a way that was not intended in 2013.



Regulations Review

In December 2019 Cabinet agreed to changes to the mining and quarrying regulations, which will complete the work to improve New Zealand's health and safety regime for mines and quarries that began after the 2010 Pike River tragedy

These changes will:

- Bring quarries and alluvial mines into the risk-management framework outlined in the regulations, which will require quarries with similar risks to mines to manage these risks in the same ways, and
- Fix some technical matters to ensure the regulations are proportionate for different types of mines, keep workers safe, and continue to work in the future

MBIE will work with WorkSafe to develop the regulations and determine suitable transition periods for some of the key changes. A targeted exposure draft will be released to key industry stakeholders, before the regulations are finalised mid-2020.



Regulations Review – Quarries and Alluvial Mines

- This change will introduce a graduated system of risk management requirements for quarries and alluvial mines.
- A small number of quarries and alluvial mines have similar risks to mines, and will be required to follow the same risk management process as mines.
- Lower risk quarries will also have proportionate risk management requirements.
- All quarries and alluvial mines will be required to prepare a documented health and safety management system, and to undertake baseline health monitoring for ongoing workers.



Regulations Review – Quarries and Alluvial Mines

- The threshold to determine whether an A- or B-grade quarry manager is required will be re-set.
- The reference to explosives will be removed as this is an outdated test of risk.
- Instead, A-grade quarry managers will be required for quarries where more than four workers ordinarily work doing quarrying work.
- A suitable transition period will be allowed for any quarries and alluvial mines where the manager now needs an A-grade certificate of competence.

Regulations Review – Quarries and Alluvial Mines

- Quarries and alluvial mines that require an A-grade manager will need to undertake a risk assessment to determine whether they have certain principal hazards:
 - Ground/strata instability
 - road/vehicle operating areas
 - explosives,
 - health (primarily dust)
 - emergency management
- If these principal hazards exist, the quarry or alluvial mine will need to put a principal hazard management plan in place to manage them.
- Quarries that require a B-grade manager will also be required to get geotechnical advice for high working faces.

Regulations Review – Mines

- The implementation review confirmed that the regulations and the regime introduced in 2013 is working well, but that a **small number of changes** were needed to make sure the regulations were clear to everyone.
- In particular, the regulations don't clearly reflect that some mines (such as surface mines) do **not have the same risks** as underground coal mines, and therefore do not have the same risk management needs.
- The changes are technical in nature and will ensure that it is clear the risk management requirements that are applied to mines are applied proportionately to the level of risk involved.

Regulations Review – Other Changes

- The review identified a small number of things that just needed to be fixed, including:
 - Clarifying the requirement for worker participation in the development of health and safety management systems. This builds on the requirements in the Act.
 - Clarifying that baseline health monitoring is only required for ongoing workers.
- The alluvial mine manager certificate of competence (CoC) will be separated out from the quarry mine manager. As the hazards present at alluvial mines are often different than quarries, this will allow for different competency requirements to be set.



Regulations Review – The Next Steps

- MBIE will work with WorkSafe to develop the draft regulations, and intend to finalise them in mid-2020.
- Cabinet has also agreed to the release of an exposure draft of the regulations to key industry stakeholders, including MinEx, E tū, the Mining Board of Examiners and the Extractives Industry Advisory Group. MBIE will coordinate this process, which they are aiming to do in April/May.
- MBIE know that the industry will need time to make changes, so there will be a transition period for some of the key changes.
- MBIE will work with WorkSafe to determine a suitable transition period, and discuss with stakeholders at the same time the exposure draft is discussed

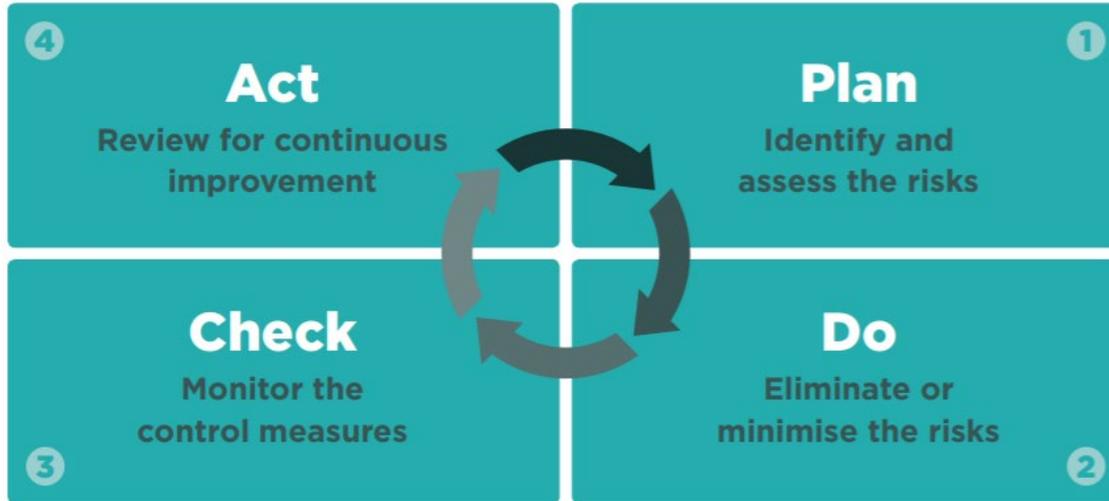
4 Risk Management

Why Complete a Risk Assessment?

To Avoid This...



Risk Assessment Process



The Task (or Scope)

- Be clear about the task to be undertaken
- Consider your impact on anyone else working in the same area
- Consider the impact other people working within the same area might have on you

Involvement

- It is very important to ensure that all those in the team doing the task are actively involved in the preparation of the risk assessment
- Also ensure that you include other parties that will be working in, or near, the area in which you are working.
- Shift change over, ensure the risk assessment is discussed with those taking over and that they are happy with what is required



Identify Hazards

- Ensure to be focused on the significant hazards - Those that could result in serious injury or long term health effects.



Things to watch out for:

- Missing out health hazards
- Not considering the full range of people at risk
- Only considering 'normal' operation but not unplanned (yet foreseeable) events such as fires, spills and leaks

Assess the risks

Know your health and safety **Risks** ...



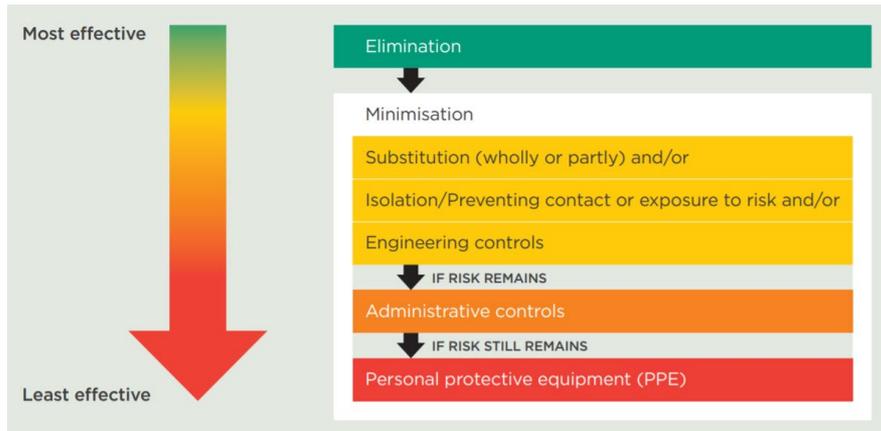
Assess the risks

- Assess work risks to decide which risks to deal with, and in what order
- Implement control measures that effectively eliminate or minimise the risk

		Severity of the potential injury/damage				
		Insignificant damage to Property, Equipment or Minor Injury	Non-Reportable Injury, minor loss of Process or slight damage to Property	Reportable Injury moderate loss of Process or limited damage to Property	Major Injury, Single Fatality critical loss of Process/damage to Property	Multiple Fatalities Catastrophic Loss of Business
0 – 5 = Low Risk		1	2	3	4	5
6 – 10 = Moderate Risk						
11 – 15 = High Risk						
16 – 25 = extremely high unacceptable risk						
Likelihood of the hazard happening	Almost Certain 5	5	10	15	20	25
	Will probably occur 4	4	8	12	16	20
	Possible occur 3	3	6	9	12	15
	Remote possibility 2	2	4	6	8	10
	Extremely Unlikely 1	1	2	3	4	5

Select and Implement Control Measures

- Ensure the hierarchy of controls is considered when selecting controls
- PPE should not be the first or only control measure considered



Things to watch out for:

Ignoring Current Standards and Guidance

Did you refer to all current relevant legislation and guidance?

Select and Implement Control Measures

- Ensure that the controls in place are specific, clear and understood by all.



Things to watch out for:

- 'We've Filled in the Form, So We've Done All We Need to Do'

Having risk assessment findings that no one's ever got round to translating into action!

- Unthinking Use of Generic Assessments

Controls need to reflect your unique local circumstances

- Failing to Communicate

Have you told affected workers about your risk assessment findings?

Select and Implement Control Measures

HAS ANYTHING CHANGED?

The following situations can potentially increase the level of risk:

- Emergency work / breakdown
- Work required outside of normal hours
- Adverse weather

Remind all those involved to STOP WORK if anything changes.

Should anything change workers should consult their supervisor before proceeding with any changes to the controls or method of work.



Monitor controls

- Implement appropriate means for workers to report incidents, near misses or health and safety concerns
- Monitor workplace conditions and worker health
- Engage with your workers and health and safety reps when making decisions about procedures for monitoring



Things to watch out for:

If you bring in new plant or equipment, a new process, new chemicals or in any way change what people do and how they do it, check your risk assessment to see if it needs updating.

Take Action on Lessons Learnt

- Regularly review the effectiveness of control measures at scheduled periods
- Review incidents or near misses and talk to you workers to check that the control measures are effectively eliminating/minimising work risks
- Use the results of your review, investigations into incidents or near misses and monitoring results to continuously improve control measures.



Workshop

What issues have you experienced with doing risk management and risk assessments at your site, in practice?

JOB SAFETY ANALYSIS (Task Analysis)

THINK ABOUT THE HAZARDS

People	Work Environment
Communication - Distractions	- Access Interactions - Air Movement - Body Positioning - Chemicals
Fatigue - Hazard Awareness	- Confined Area - Energy Release - Fumes/Vapours - Falling Objects
Human Error - Miscommunication	- Foreign Objects - Gravity - Ground Stability - Housekeeping
Not Authorized - Manual Handling	- Lighting/Visibility - Lightning - Noise - Old Greases
Not Competent - Pedestrians	- Poor Ergonomics - Pressure (fluid/ar) - Sharp Objects - Slip/Trip/Falls
Poor Decision - Stress	- Sun Exposure - Vibration - Weather Conditions - Work Surface

Environmental

Environmental	Equipment/ Plant/ Machinery
Asbestos - Dust	- Caught Between - Construction - Electricity - Guarding
Balance - Noise	- Hydraulic Injection - Isolation - Maintenance - Modifications
Chemical - Water Control/ Runoff	- Moving Parts - Object Weight - Poor Controls - Poor Signage
Disposal - Wildlife	- Pressure (fluid/ar) - Stored Energy - Tooling - Traffic Interactions

HAZARD/ RISK MATRIX

CONSEQUENCE (severity of injury or illness)

JOB SAFETY ANALYSIS

Date: _____
Task: _____
JSA Number: _____

Name: _____
Role: _____

Risk Permits/Authorizations

- Working at Heights
- High Voltage
- Confined Spaces
- Hot Work
- Crane Work
- Excavation
- Trenching

3. Identify Existing Controls
(e.g. Guards, Barriers, Isolations, Permits, PPE, etc.)

- Fall Protection
- Protective Clothing
- Dust Mask/ Respirator
- Gas Detector
- Life Jacket

4. Calculate the risk with existing controls

5. Identify additional controls
(e.g. Training, Competence, Supervision, etc.)

Workshop

What could be done differently to address the issues?



QUESTIONS?



**Getting you home healthy and safe.
That's what we're working for.**

WORKSAFE
NEW ZEALAND | MAHI HAUANARU
AOTEAROA