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Thursday, 24 August 2023

Dean Barr  
Executive  
Resources Safety & Health Queensland  
Vision: Zero Serious Harm

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### **MEU RESPONSE TO VIEWS BEING SOUGHT FOR PSYCHOSOCIAL HAZARDS**

The Mining & Energy Union Queensland District Branch (“MEU”) is the principal union that represents the interests of those who work in the black coal mining industry including production, engineering and other workers. The union covers workers across a number of roles and activities in all black coal mining sites across Queensland.

In the coal mining industry, the MEU has a proud history of representing coal mine workers at all levels for over 115 years and are well placed to both provide both historical and present-day context and evidence to these subject matters.

We are the principal union who also represents the statutory people who hold competencies under the relevant Coal Mining Safety & Health Legislation who are referred to as Open Cut Examiners & Explosion Risk Zone Controllers. The MEU also has three Industry Safety & Health Representatives (“ISHRs”) with powers and functions under the Coal Mining Safety & Health Act 1999. The Industry Safety and Health Representatives all hold a third-class certificate of competency as a minimum.

The MEU has various other representatives who hold a number of competencies ranging from ventilation officer qualifications, risk management, accident investigation, to name a few.

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The MEU ISHR's have also been acknowledged as content experts to provide reports and evidence as by the Supreme Court of Queensland and provided evidence at boards of enquiry, various coronial inquests, warden's inquiries and in the Pike River Royal Commission.

The MEU understands that the RSHQ is seeking Stakeholder submissions views from all Queensland resources sector stakeholders about proposed options for amendments to clarify operator's obligations to protect workers in the resources sector from psychosocial hazards similar to the recently introduced Psychosocial Hazards Code of Practice in the *Work Health and Safety Act 2011*.

Overall, the MEU supports there being an obligation to manage psychosocial hazards in legislation. The MEU has conducted a survey of coal mine workers in Queensland about the risk of psychosocial hazards in Queensland. A copy of this survey is attached. The MEU results of this survey show that over 69% of workers surveyed had not heard the term "psychosocial hazard" in their workplace even though nearly 84% claimed that they had experienced some form of psychosocial hazard during their time in the mining industry that caused them emotional stress. Even more concerning, 80% of workers claimed to have suffered from stress related illnesses as a result of circumstances at work but nearly 45% of those workers did not seek support for their illnesses.

In the view of the MEU, this brief survey indicates that there is a real danger of coal mining employees being exposed to and being injured from psychosocial hazards at the workplace on a regular basis but there is little to no awareness of these dangers on coal mining sites and nothing appears to have been done by employers to avoid employees from suffering from these injuries. Given these findings, The MEU is strongly advocating for there to be an urgent implementation by the RSHQ to protect workers from psychosocial hazards in the coal mining industry.

In regard to the specific questions, posed by the RSHQ, the MEU submits the following.

### **1. Which part of the proposed option do you support and why?**

The MEU agrees with the proposed option to clarify operators' obligations to protect workers from safety and health risks arising from operations/operating plant also extend to related physical and psychological health risks from psychosocial hazards.

Ideally, the MEU preference is that the WHS code of practice for psychosocial hazards in its entirety is put into the *Coal Mining Safety & Health Regulations*. The adoption of this would also need to be considered in line with s.42 of the Regulations.

The MEU also supports the clarification of reporting obligations for psychosocial hazards and injures.

### **2. Which part of the proposed option do you not support and why?**

The MEU does not support a position of status quo on this issue. As seen from our survey the issue of psychosocial hazard and injury is prevalent in the mining industry and the industry cannot sit on its hands and do nothing to protect workers from the risk of further injury.

The MEU also does not support a guideline or code of practice for the coal legislation. This type of document has no legislative power, and, in this Union's experience, employers do not implement guidelines to protect their workers. The change must be a requirement and must be in a legislative obligation.

**3. If you do not support the proposed option, is there an alternate option which you do support?**

As stated above, any change must be legislated as an obligation. Further the RSHQ inspectors will have undertaken a review of all mines current FFW provisions to ensure that coal mine operators have included psychosocial hazards as part of their safety health management systems.

**4. Within the proposed option, do you support clarify reporting obligations for incidents relating to psychosocial hazards and psychological injuries?**

Yes, if a CMW has an incident relating to psychosocial hazards and psychological injuries it needs to be treated as a reportable incident to the relevant RSHQ & ISHR.

**5. Do you have any other feedback or comments about the proposed option?**

As mentioned above, the implementation of any amendments must take into account the CMSHA fitness for work provisions and in particular s.42 (1)(b)(3) which currently look at impairment from physical or psychological injury. The Union proposes the following amendments to s.42.

*Safety and health management system for personal fatigue and other physical and psychological impairment, and drugs*

*(1) A coal miner's safety and health management system must provide for controlling risks at the mine associated with the following:*

*(a) personal fatigue*

*(b) other physical or psychological impairment; Example of other physical or psychological impairment— an impairment caused by stress or illness*

*(c) the improper use of drugs*

*(2) The system must provide for the following about personal fatigue for persons at the mine—*

*(a) an education program.*

*(b) an employee assistance program.*

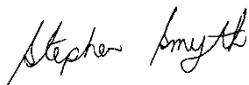
*(c) the maximum number of hours for a working shift.*

*(d) the number and length of rest breaks in a shift.*

*(e) the maximum number of hours to be worked in a week or roster cycle.*

*(3) The system must provide for protocols for other physical and psychological impairment for persons at the mine.*

Yours Faithfully



Stephen Smyth  
MEU District President Queensland