

# Roles & Responsibilities of an OCE

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## Understanding the legislative requirements of an OCE / Supervisor

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# **Presence of, and access to, open-cut examiner**

## **Queensland Coal Mining Safety & Health Regulation 2001**

### **Section 104 Presence of, and access to, open-cut examiner**

The site senior executive must ensure, when mining activities are carried out in or around the surface excavation—

- (a) at least 1 open-cut examiner is present at the mine; and
- (b) the open-cut examiner is contactable by a person working in or around the excavation.

# Open-cut examiner's responsibilities and duties—general

**Queensland Coal Mining Safety & Health Regulation 2001**

## **Section 105 Open-cut examiner's responsibilities and duties—general**

- (1) The site senior executive must ensure—
  - (a) the main responsibility of an open-cut examiner for the mine is the safety and health of persons in or around the surface excavation during mining activities in or around the surface excavation; and
  - (b) the open-cut examiner's main duties relate to the main responsibility.
- (2) Subsection (1)(b) does not prevent the open-cut examiner having other duties at the mine, including, for example, duties given to the examiner under the mine's safety and health management system.

# Inspecting Surface Excavations

## Queensland Coal Mining Safety & Health Regulation 2001

### Section 106 Inspecting surface excavations

- (1) An open-cut examiner must inspect a surface mine excavation and the part of the mine near the excavation where activities, including mining activities, are to be, or are being carried out, to decide whether the level of risk is acceptable.
- (2) The inspection must be done—
  - (a) before the activities start in or around the excavation; and
  - (b) periodically, as required under the mine's safety and health management system.
- (3) Before carrying out the inspection, the examiner must—
  - (a) read the latest open-cut examiner's report in the mine record; and
  - (b) acknowledge, in writing, in the mine record, that the examiner has read the report.

# What are Mining Activities?

# Mining Activities

**Queensland Coal Mining Safety & Health Regulation 2001**

## Schedule 9 Dictionary

***mining activities***, for a surface mine, means activities that relate to the winning of coal and include the following—

- (a) preparing for the extraction of overburden or coal;
- (b) preparing and firing shots;
- (c) loading and transporting overburden or coal;
- (d) dumping overburden on spoil heaps.

# Unacceptable Level Of Risk

## Section 107 Reducing unacceptable level of risk

- (1) This section applies if, after inspecting a surface mine under section 106, the open-cut examiner decides an unsafe thing at the mine causes an unacceptable level of risk.
- (2) If it is practicable, the examiner must ensure the thing is made safe immediately.
- (3) If it is not made safe immediately, the examiner must immediately notify persons at the mine who may be exposed to the risk.
- (4) Until it is made safe, the examiner must—
  - (a) erect a barrier to prevent persons from unknowingly entering the part of the mine where the unacceptable level of risk exists; and
  - (b) stop coal mining operations in, and withdraw all persons from, the part.
- (5) If the thing is not made safe by the end of the shift in which the inspection was made, the examiner, at the end of the shift, must report the matter to the following persons—
  - (a) the examiner's immediate supervisor at the mine;
  - (b) an open-cut examiner who is required to make a similar inspection during the next shift.

# Role in developing and reviewing safety and health management system

**Queensland Coal Mining Safety & Health Regulation 2001**

**Section 108 Role in developing and reviewing safety and health management system**

- (1) The site senior executive must ensure at least 1 open-cut examiner is involved in developing, reviewing and auditing the part of the mine's safety and health management system relating to the mining activities in and around the mine excavation.
- (2) Subsection (1) does not require the examiner to be involved in a matter that is not within the examiner's competency.

# Giving Technical Directions to an open-cut examiner

**Queensland Coal Mining Safety & Health Regulation 2001  
Section 109 Giving technical directions to open-cut examiner**

A person must not give a technical direction about a safety and health matter to an open-cut examiner unless the person has competencies for the matter at least equivalent to those of the open-cut examiner.

# Investigating accidents and incidents

## Queensland Coal Mining Safety & Health Regulation 2001

### Section 15 Investigating accidents and incidents

- (1) A coal mine's safety and health management system must provide for the following—
  - (a) the procedure for investigating accidents and incidents at the mine;
  - (b) making the investigation findings available to the mine's coal mine workers;
  - (c) implementing corrective action for accidents and incidents.
- (2) The procedure for investigating accidents and incidents must include the involvement of—
  - (a) for accidents and incidents in or around the surface excavation at a surface mine—
    - (i) the open-cut examiner responsible for the excavation and on duty when the accident or incident happened; or
    - (ii) if it is not practicable to involve the open-cut examiner mentioned in subparagraph (i)— another open-cut examiner responsible for the excavation;

# Emergencies

## Section 35 General

- (1) A coal mine's safety and health management system must provide for managing emergencies at the mine.
- (2) The system must include provision for the following—
  - (a) identifying, by risk assessment, potential emergency situations;
  - (b) minimising risks associated with potential emergency situations;
  - (c) carrying out aided rescue and self-escape of persons from the mine in an emergency;
  - (d) carrying out emergency exercises, including testing the effectiveness of emergency management procedures and the readiness and fitness of equipment for use in an emergency;
  - (e) auditing and reviewing the emergency exercises;
  - (f) if the mine is a surface mine— involving an open-cut examiner for the mine in—
    - (i) developing and testing the emergency management procedures for activities, including mining activities, in and around the surface excavation; and
    - (ii) auditing the documentation for the procedures;



# NOTIFICATION OF SAFETY AND HEALTH ISSUES— generally

Queensland Coal Mining Safety & Health Regulation 2001

## Section 8 Notification of safety and health issues—generally

- (1) A coal mine's safety and health management system must provide for effective notification to each person at the mine of the following matters—
  - (a) protocols for taking action in life threatening situations; *Example*—CPR protocols
  - (b) emergencies, and the location of known hazards, affecting the person's safety or health.
- (2) The system must include provision for the following—
  - (a) giving the person immediate notification of matters relevant to the person's safety and health during coal mining operations; *Example*—a notification about slippery road conditions
  - (b) the prompt summonsing of assistance in an emergency;
  - (c) assistance from external entities in an emergency;
  - (d) communicating with the external entities;
  - (e) access by inspectors to the external entities' contact details;
  - (f) access by an inspector in the district in which the mine is located to an emergency contact number for the mine;
  - (g) for a surface mine—giving notification of known hazards in and around a surface excavation, including areas where mining activities are taking place, to the open-cut examiner responsible for the excavation;

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# Meaning of *supervisor*

**Queensland Coal Mining Safety & Health Act 1999**

## **Section 26 Meaning of *supervisor***

A ***supervisor*** at a coal mine is a coal mine worker who is authorised by the site senior executive to give directions to other coal mine workers in accordance with the safety and health management system.

# Generally applicable safety and health obligations of persons

**Queensland Coal Mining Safety & Health Act 1999**

## **Section 39 Obligations of persons generally**

- (2) A coal mine worker or other person at a coal mine has the following additional obligations—
  - (b) to ensure, to the extent of the responsibilities and duties allocated to the worker or person, that the work and activities under the worker's or person's control, supervision, or leadership is conducted in a way that does not expose the worker or person or someone else to an unacceptable level of risk

# Competencies of supervisors

**Queensland Coal Mining Safety & Health Act 1999**

## **Section 56 Competencies of supervisors**

A site senior executive must not assign the tasks of a supervisor to a person unless the person—

- (a) is competent to perform the task assigned; and
- (b) if there is a safety and health competency for supervisors recognised by the committee, has the relevant competency.

# Competencies of supervisors

*What is the meaning of competency?*



# Competencies of supervisors

Competency is defined under Section 12 of the Queensland Coal Mining Safety & Health Act 1999

## Section 12 Meaning of *competence*

**Competence** for a task at a coal mine is the demonstrated skill and knowledge required to carry out the task to a standard necessary for the safety and health of persons.

# Requirements of Supervisor

## Queensland Coal Mining Safety & Health Act 1999

### **Section 99 Functions of site safety and health representatives**

- (2) The site senior executive and supervisors at the coal mine must give reasonable help to a site safety and health representative in carrying out the representative's functions.

### **105 Protection of site safety and health representatives performing functions**

A coal mine operator, site senior executive, contractor or other supervisor must not—

- (a) prevent or attempt to prevent a site safety and health representative from performing his or her functions; or
- (b) penalise a safety and health representative for performing his or her functions.

# Questions ???

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