SAFETY ALERT

DATE: 25 March 2020

COVID-19 related worker complaints

This safety alert provides safety advice for the NSW mining industry.

Issue

The NSW Resources Regulator has received several enquiries and complaints from mine workers who are alleging that mine operators are not implementing effective controls to minimise the risk of exposure to the COVID-19 virus in the workplace.

Circumstances

The allegations made to the Regulator include:

- workers with a requirement to self-isolate, being directed by supervisors to attend work

- workers not complying with self-isolation requirements after being overseas or in close contact with confirmed cases

- workers being compelled to use breath-testing stations, with no mitigating controls in place

- workers being told that social distancing requirements to do not apply at a mine site because mining is considered essential

- workers being compelled to travel in groups in personnel transports and vehicles, with no possibility of maintaining social distancing

- less than adequate arrangements for maintaining the prescribed standard of personal hygiene.

Investigation

The Regulator is following up on all COVID-19 related worker complaints, contacting mine operators who are the subject of these allegations.

Recommendations

Under NSW WHS legislation, employers must have measures in place to eliminate or manage the risks arising from COVID-19.

Workers also have obligations to protect themselves and others. If a worker believes they or their colleagues are at risk of being infected with the COVID-19 virus while at work, they should raise their concerns with their manager as soon as possible. If they are not satisfied with the response, they can contact the Regulator on 1300 814 609 to raise their concerns.

Controls to mitigate the risks of being infected with the COVID-19 virus, such as social distancing and stringent hygiene practices, apply regardless of whether a business is considered essential or not.

Mine operators should:

- review information prepared by SafeWork Australia on ways to meet their obligations:

- keep up to-date with NSW Health advice in regard to controls to prevent the spread of COVID-19, including any restrictions on normal business activities and following this advice accordingly

- develop and implement safe systems of work (in consultation with workers and MSHR's), including directions and advice provided by health authorities

- review their exposure and infection control policies and procedures on an ongoing basis, actively promoting social distancing, good hand and respiratory hygiene and increasing the frequency of cleaning common areas (including vehicle and plant cabins) within the work environment

- monitor the implementation of controls on a continuous basis

- educate all workers and supervisors on these controls, including actions to be taken if they identify a control has not been implemented effectively

- prepare or review their business continuity plans

- seek advice from NSW Health immediately if they become aware of a confirmed or suspected case of COVID-19 amongst their workforce (including contractors).

Several mines have provided information to the Regulator on the controls they have implemented to minimise the risk to workers. These include:

- significant changes to roster patterns

- staggered shift start and finish times

- travel restrictions

- restrictions on visitors coming to site

- checks for potentially symptomatic workers and visitors

- making alternate work arrangements for high-risk workers.

The implementation of these types of changes demonstrate a serious commitment to mitigating risk, and recognition that a "business as usual" approach can no longer be tolerated.

NOTE: Please ensure all relevant people in your organisation receive a copy of this safety alert and are informed of its content and recommendations. This safety alert should be processed in a systematic manner through the mine's information and communication process. It should also be placed on the mine's common area, such as your notice board where appropriate.

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