

Mine Inspections

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Mine inspections are essential for protecting miners, whether they are working in a coal or metal/non-metal mine. A hazard identification survey of the mining operation should be completed before work begins, whether by the operator or another qualified person, but it is the responsibility of the operator to ensure that the inspection is completed.

One item that needs specific attention is the guarding of return belts on the lower section of a conveyor. Generally these are not guarded, even though they are moving. Specifics on the guarding of moving machine parts is spelled out in 30 CFR 56.141.07, which states: "Moving machine parts shall be guarded to protect persons from contacting gears, sprockets, chains, drive, head, tail and takeup pulleys, flywheels, couplings, shafts, fan blades, and similar moving parts that can cause injury."

Typically, all moving machine parts are guarded, but the last part of that sentence, "similar moving parts that can cause injury," unfortunately leaves room for many different interpretations. This can even apply to the moving conveyor belt.

You need to ask yourself, is there a hazard with the moving return belt in the travelway? If so, guard it!

If you have any other questions, please contact your AGC safety and loss control consultant.

Oregon OSHA Adopts New Employee Involvement Rule *Changes Involve More Small Employers*

The Oregon Occupational Safety and Health Division (OR-OSHA) has revised a key rule to provide greater clarity and flexibility to employers seeking to involve their workers in discussions of health and safety on the job.

The rule puts into action a legislative change adopted in 2007 requiring all employers to have a safety committee or hold safety meetings with their employees. Previously, a stricter set of safety committee requirements applied to employers with more than 10 employees. Smaller employers also had to have a safety committee, regardless of size, if they were in a high-risk industry or if they had a high rate of claims requiring time off work, compared to their industry as a whole.

The new rule takes effect on January 1, 2009, for large employers and employers in the construction industry. On Sept. 19, 2009 the rule will take effect for small employers (10 or fewer employees) not in construction. The rule change also

eliminates the mandatory penalty of at least \$100 for not having a safety committee.

Facts on the New Rule

If you are an employer in Oregon, your business must have a safety committee or hold safety meetings unless:

- You are a sole owner and the only employee of a corporation.
- You are a board or commission member who doesn't participate in the daily affairs of your business.
- Your employees are covered by agriculture rules.
- Your employees are covered by forest activities rules.

Safety Committee Members

Your safety committee must have an equal number of employer-selected members and employee-selected (or volunteer) members.

Safety Committee Tasks

- Meet monthly (if employees do mostly office work, then your safety committee can meet quarterly)
- Keep a record of each meeting for three years
- Conduct workplace safety and health inspections at least quarterly (mobile and infrequently-visited sites can be inspected less frequently)
- Work with management to establish accident investigation procedures that will identify and correct hazards
- Establish a system for employees to report hazards
- Establish a procedure for reviewing inspection reports
- Evaluate all accident and incident investigations
- Make safety committee meeting minutes available to all employees
- Recommend ways to strengthen the overall safety effort of the business

Centralized Safety Committees

If your business has more than one location, you can have a centralized safety committee that represents all of the locations. A written safety and health policy is required. You can conduct meetings with a conference call, if necessary.

For more information contact your AGC safety and loss control consultant or visit www.cbs.state.or.us/osha to download a fact sheet.

MSHA Alcohol and Drug Free Mines

Many companies already have a drug free workplace. On September 26, 2008 MSHA published a notice of public hearing in the Federal Register (73 FR 55800) pm Alcohol and Drug Free Mines. Although not completely through the process, we can expect the proposed rule to be adopted.

Section 66.202 Education and Awareness Program for Nonsupervisory Miners

Under this section of the proposed rule, each mine operator would be required to implement an education and awareness program for nonsupervisory miners to provide the information needed to fully understand and comply with the rule. Those miners currently required to take comprehensive safety training under parts 46 and 48 would be required to take the training required by the proposed rule. The proposed required amount of time for this training would be 60 minutes for new hires and 30 minutes annually for all nonsupervisory miners. Topics addressed would include a review of the policy requirements; generalized information about the nature of alcoholism and drug addiction; its impact on work performance, health, and personal life; and types of help available for individuals with alcohol and/or drug problems.

Section 66.203 Training Program for Supervisors

Under this section of the proposed rule, each operator would be required to implement a training program for supervisors to make them aware of their responsibilities in ensuring compliance with the rule; recognize and deal with miners who have performance problems that may be related to alcohol and/or drugs; understand how to refer miners to available assistance; and know how to make determinations for requiring a reasonable suspicion or post-accident test.

Section 66.204 Miner Assistance Following Admission of Use of Prohibited Substances

This section of the rule discusses actions that must be taken by mine operators following the admission of use of prohibited substances by miners. Mine operators are required to make such miners aware of available assistance through an employee or miner assistance program, a Substance Abuse Professional (SAP), and/or other qualified community-based resources.

For more information on the proposed rule, visit www.msha.gov.