

**An Introduction to  
Draft Code of Practice on Safety and Health in Underground  
Coal Mines  
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### ***Introduction***

In February 2006, the International Labour Organization (ILO) released a Draft Code of Practice on Safety & Health in Underground Coal Mines (COP). This was brought to the attention of the Underground Coal Mining Safety Research Collaboration (UCMSRC) who then requested an informal overview be prepared for information, hence this briefing note.

The format is simple, following some informal comments by the Technical Advisor to UCMSRC, Dr. Dave Forrester, there are a few direct quotes from the introductory sections of the COP, followed by an Appendix giving the list of contents. They give a sense of the context and intent of the COP. They seem particularly aimed at bodies like UCMSRC and our stakeholders and to be used maybe as a measuring stick when performing regulatory comparison or review/updating.

Web links to the document are given in a Reference Section.

### ***2) Informal Comments by DJF***

Several informal comments are offered to prompt discussion within UCMSRC.

- 1) It is interested to note that the whole document is structured around 'risk', quote:  
"Each section describes hazards, assesses risk and provides guidance on eliminating or controlling risk." This reflects a trend in the industry in many western countries in the last two decades away from prescriptive legislation. It is noted however that only one of our 4 jurisdictions involved in underground coal mining clearly and directly adopts that basis. That is Alberta, but they have adopted an emphasis more focussed on 'hazard assessment and control' rather than on 'risk assessment'. This begs a question: would an emphasis on risk rather than on hazards in related regulations and codes imply that the liabilities arising from management and control of Occupational Safety & Health (OSH) on work sites is not solely that of the employer but also shared by the regulator and if so would this be prudent in the overruling cause of improving OHS in u/g coal mines?

- 2) A foundation to the COP is the stated expectation of joint commitment and cooperation to OSH of competent authorities (inspectors, etc), employers and workers, as seen in the elimination or control of hazards or risks to OSH and in clearly defined rights/duties/responsibilities of the 3 key parties and in OSH management and reporting.
- 3) Generally the COP refers to specific standards elsewhere e.g. ISO documents e.g. 8.3.6. However, specific numbers *are* mentioned in context [e.g. 12.5.4(2); 12.9.2/6 (CH4 at 1.5 5 and 2.0%); 12.12.15 CO alert at 5ppm and alarm at 10ppm; 14.5.1(2) respirable dust 2mg/m<sup>3</sup>].
- 4) The COP assumes that competent authorities will approve documents e.g 17.3.2(2) undersea mining plans and 20.2.1 explosives.
- 5) Another basic assumption is the use of Job Site Analysis (JSAs)

### **3) Direct Exerpts from the COP**

#### **a) Introduction - Meeting of Experts on Safety and Health in Coal Mines**

In accordance with the decision taken by the Governing Body of the ILO at its 288<sup>th</sup> Session in November 2003, a Meeting of Experts on Safety and Health in Underground Coal Mines was convened in Geneva from 8 to 13 May 2006 to draw up and adopt a revised code of practice on safety and health in coal mines. The Meeting was composed of 24 people (8 experts appointed following consultations with Governments, 8 experts appointed following consultations with the Employers' group and 8 experts also appointed following consultations with the Workers' group of the Governing Body).

The original code of practice on safety and health in coal mines was adopted at a meeting of experts in 1985. This new code, which reflects the many changes in the industry, its workforce, the roles of the competent authorities, employers, workers and their organizations, and on the development of new ILO instruments on occupational safety and health, focuses on the production of coal from underground mines. Surface mining is covered by the code of practice, *Safety and health in open-cast mines* (1991).

This code of practice is based on principles established in international instruments relevant to the protection of workers' safety and health. The first two chapters deal with the objectives and application of the code. The next two chapters address, within a national framework, the responsibilities, duties and rights of the competent authority, the labour inspectorate, employers, workers and their organizations, suppliers, manufacturers and designers, and contractors, and occupational safety and health (OSH) management systems and services and OSH reporting.

Part II of the code addresses different operations commonly used in the production of

coal from underground mines – from coke ovens to steel furnaces and foundries, to rolling mills, coating lines and recycling. It also covers transport, competence and training, personal protective equipment (PPE), emergency preparedness, and special protection and hygiene issues. Each section describes hazards, assesses risk and provides guidance on eliminating or controlling risk.

Where appropriate, the code draws on relevant parts of existing ILO instruments, including: *Safety and health in coal mines* (Geneva, 1986), *Management of alcohol- and drug-related issues in the workplace* (Geneva, 1996); Technical and ethical guidelines for workers' health surveillance (Geneva, 1998); Guidelines on occupational safety and health management systems (Geneva, 2001); Ambient factors in the workplace (Geneva, 2001); HIV/AIDS and the world of work (Geneva, 2001). The annexes include information on hazard identification, risk assessment and control and, drawn from relevant ILO instruments, information on workers' health surveillance, surveillance of the working environment and on establishing an OSH management system. There is also information on exposure limits.

The practical recommendations of ILO codes of practice are intended for the use of all those, both in the public and private sectors, who have responsibility for safety and health management in relation to specific occupational hazards (e.g. chemicals, heat, noise and vibration), sectors of activity (e.g. construction, forestry, mining), or equipment. Codes of practice are not intended to replace national laws or regulations or accepted standards. They are drawn up with the objective of providing guidance, in accordance with the provisions of national laws and regulations, to all those who may be engaged, through social dialogue, in the framing of provisions of this kind or in elaborating programmes of prevention and protection at the national or enterprise levels. They are addressed in particular to governmental and public authorities, employers and workers and their organizations as well as management and safety and health committees in related enterprises.

Codes of practice are primarily designed as a basis for prevention and protective measures and are considered as ILO technical standards in occupational safety and health. They contain general principles and specific guidance which concern in particular the surveillance of the working environment and of workers' health; education and training; record-keeping; the role and duties of the competent authority, employers, workers, manufacturers and suppliers; and consultation and cooperation. The provisions of this code of practice should be read in the context of the conditions in the country proposing to use the guidance it contains, the scale of operation involved and technical possibilities. In this regard, the needs of developing countries are also taken into consideration.

## b) 1. General provisions

### 1.1. Objectives

1.1.1. This code of practice, which is a revision of the one adopted in 1985 and published in 1986, provides practical guidance on the implementation of the provisions of

the Safety and Health in Mines Convention, 1995 (No. 176), and its accompanying Recommendation No. 183.

1.1.2. This code of practice should contribute:

- (a) to protecting workers in underground coalmines from workplace hazards and to preventing or reducing work-related injuries and diseases, ill health and incidents;
- (b) to assisting and facilitating the improved management of OSH issues at the workplace;
- (c) to promoting effective consultation and cooperation between governments, employers, workers and their organizations in the improvement of OSH in the production of coal from underground mines.

1.1.3. This code of practice should assist in:

- (a) establishing a coherent national policy and principles on the occupational safety and health and welfare of workers in underground coalmines and on the protection of the general working environment;
- (b) establishing the respective duties and responsibilities for occupational safety and health of the authorities, employers, workers and others involved and making arrangements for a structured cooperation between them;
- (c) improving knowledge and competence;
- (d) promoting the implementation and integration of consistent OSH management systems with a view to improving working conditions.

1.1.4. This code of practice provides practical guidance on the role and obligations of the competent authorities and the responsibilities, duties and rights of employers, workers and all other parties involved, with regard to workplace hazards. In particular it covers:

- (a) the setting up of legal, administrative and effective frameworks for the prevention and reduction of hazards and risks;
- (b) the aims of any mechanisms for identifying, eliminating, minimizing and controlling hazards;
- (c) the assessment of risks and hazards to the safety and health of workers and the measures that need to be taken;
- (d) the surveillance of the working environment and workers' health;
- (e) emergency procedures and first aid;
- (f) the provision of information and training to workers;
- (g) the establishment of a system to record, report and monitor occupational accidents and diseases, and dangerous occurrences.

## 1.2. Application and purpose

1.2.1. This code of practice, which is applicable to all operations in underground coalmining, should provide guidance, in accordance with the provisions of national laws and regulations, to:

- (a) all those government authorities, workers' and employers' organizations and industry associations, whether legislative or advisory, whose activities influence the safety, health and welfare of workers in underground coalmines;
- (b) all those individuals at the level of the coalmine, i.e. employers, persons in control of premises, and workers and contractors, as appropriate to their duties and responsibilities for safety and health.

1.2.2. A number of OSH measures implemented to protect workers' health and safety in underground coalmining may have an effect, directly or indirectly, on the general environment. This relationship should be taken into account by both the competent authorities and employers in designing and implementing their respective policies and programmes.

1.2.3. The provisions of this code should be considered as a minimum. They are not

intended to replace applicable laws, regulations or accepted standards laying down higher requirements. More stringent applicable requirements should have priority over the provisions of this code. In the absence of national laws and regulations on a particular OSH issue, guidance should be drawn from this code of practice, as well as from other relevant nationally and internationally recognized instruments.

1.2.4. The code contains references to those institutions responsible for the delivery and award of vocational qualifications. Such institutions are urged to review existing curricula in the light of the code's recommendations for training and the allocation of worksite responsibilities.

## **References**

1) ILO publications can be obtained through major booksellers or ILO local offices in many countries, or direct from ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland. Catalogues or lists of new publications are available free of charge from the above address, or by email: [pubvente@ilo.org](mailto:pubvente@ilo.org). Visit our web site: [www.ilo.org/publns](http://www.ilo.org/publns).

2) <http://www.ilo.org/public/english/bureau/inf/pr/2006/17.htm>.

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