

**2019 review of the Dust Diseases Scheme
Chair's additional proposed pre-hearing questions
SafeWork NSW**

While the committee has asked these questions of icare, it also wishes to hear from SafeWork NSW in regard to these matters, if you have any information to add.

1. Could you provide the committee with an update on SafeWork NSW's work to determine the best way of identifying instances of silicosis in the manufactured Stone industry.

SafeWork NSW have visited every manufactured stone site in NSW and issued 123 notices for health monitoring to be undertaken. To support this inspection program and compliance with the notice, icare Dust Diseases Care are providing free screening if the business received a notice and has fewer than 30 workers, and will apply a 50 per cent discount if the business received a notice and has more than 30 workers. The business is responsible for paying the costs of the screening, as per the requirements outlined within the *Work Health and Safety Regulation 2017* (the Regulation). The cost of screening without the subsidy is \$100 per worker, plus GST. Workers are not charged for screenings.

A total of 3,563 workers had silica screening with icare in 2018/19, an increase from 2,076 in 2017/18, noting workers can also go to their local medical practitioner. The increase is attributed in part to the awareness campaigns and forums SafeWork NSW has been delivering, as well as the issuance of notices to undertake health monitoring where it has not been undertaken within site visits. Effectively, SafeWork NSW considers this as its contribution to a case finding study within the confines of its legislation.

This is supported by clause 376 of the Regulation, which requires the employer to provide a copy of the health monitoring report to the regulator (SafeWork NSW), regardless of whether they used icare or their own medical service, if the report contains:

- (a) any advice that test results indicate that the worker may have contracted a disease, injury or illness as a result of carrying out the work using, handling, generating or storing hazardous chemicals that triggered the requirement for health monitoring, or*
- (b) any recommendation that the person conducting the business or undertaking take remedial measures, including whether the worker can continue to carry out the work using, handling, generating or storing hazardous chemicals that triggered the requirement for health monitoring.*

It should be noted that, while a “case finding study” has been described as a deliverable of the Taskforce, this is not the case. The Taskforce was a recommendation of the first Review that was completed on 30 June 2019. The case finding study is a recommendation of the Second Review, and was accepted in principle by the NSW Government on 8 July 2019 for icare to coordinate, after the Taskforce was completed.

2. Is SafeWork NSW aware of standardised information collection via standardised respiratory questionnaires, spirometry and other pulmonary function assessments?

SafeWork NSW does not undertake these assessments. This question would be more appropriately directed to icare Dust Diseases Care.

However, SafeWork NSW can advise that the requirements to undertake health monitoring under the WHS laws are supported by the following Safe Work Australia Guides, which include two examples (two sample templates) of internationally-accepted standardised respiratory questionnaires:

- Health Monitoring for Exposure to Hazardous Chemicals – Guide for medical practitioners.
- Health Monitoring for Exposure to Hazardous Chemicals – Guide for persons conducting a business or undertaking.

These documents are enclosed, and are also available on the Safe Work Australia website: www.safeworkaustralia.gov.au

3. Does SafeWork NSW have a view on the proposed exposure standard of 0.05 mg/m³ and compliance with the exposure standard in dusty workplaces? Should the lower standard of .02 mcg/ m³ be adopted.

In July 2019 SafeWork NSW supported the following for the silica standard for Australia:

- A reduction in the workplace exposure standard to a time-weighted average (8 hour working shift) of 0.05 mg/m³.
- That the reduction be implemented as soon as practicable but by a date no longer than three years from any Ministerial decision, and
- That investigation be undertaken into measurement and practical considerations that would enable a future reduction to 0.02 mg/m³ by WHS Ministers.

It is expected that WHS Ministers will consider the issue in late 2019.