



## COMMUNIQUE

10 April 2024

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The Mining and Petroleum Advisory Committee (MAPAC) met on 10 April 2024. Discussion focused on the *Psychosocial hazards at work for Fly-in Fly-out (FIFO) work arrangements* and *Accommodation* codes of practice, mine statutory position transitional arrangements and mine safety statistical information.

### **Psychosocial hazards at work for Fly-in Fly-out (FIFO) work arrangements**

WorkSafe expects the updated *Psychosocial hazards at work for Fly-in Fly-out (FIFO) work arrangements (FIFO) Code of Practice* to be available for consideration by the MAPAC and Work Health and Safety Commission (WHSC) in May 2024.

A formal public consultation period will occur following consideration by the MAPAC and WHSC.

### **The Accommodation code of practice**

The scope of the Accommodation Code of Practice is expected to address all employer provided accommodation that is covered by the legislation across multiple sectors, for example farm worker accommodation.

The Accommodation Code of Practice is to complement the FIFO code.

The Code is in the early development stage. To assist in the development of the code, worker representatives offered to provide details of accommodation issues that they consider should be addressed.

### **Mine safety statistical information**

Statistical information on mine safety was provided to members, with discussion around the mechanisms of fatalities, including the possible linkages to the principal mining hazards.

Employee representatives highlighted the observation that half of the fatalities resulted from moving objects (mainly vehicles).

A/Commissioner WorkSafe acknowledged two recent fatalities in general industries, both resulting from moving objects (elevated work platform and forklift).

PCBUs were urged to consider available guidance available and refresh how they manage risks.

### **Statutory Positions examinations update**

The transition period for statutory positions holders certified under the *Mine Safety and Inspection Act 1994* (MISA) to transition to requirements of the *Work Health and Safety Act 2020* has been extended to 30 March 2026.

Transitional requirements include completion of a WHS legislative examination, facilitated by the DEMIRS. To date, around 1,900 Statutory Position holders have completed the legislation examination.

WorkSafe is considering a range of options to ensure there is capacity for the timely completion of the legislation examination by MSIA Statutory Position holders that wish to transition.

WorkSafe reminds all mine operators the requirement for Statutory Position holders to pass the exam is an administrative requirement. No person should be in the role without being competent. The lack of examination positions should not be seen as reason to delay obtaining the risk management units.

MAPAC noted the addition of the requirement for individuals being appointed to Surveying Statutory Positions to be certified in work health and safety risk management, in line with other Statutory Position requirements.

### **Prohibition on smoking underground**

MAPAC welcomed the end of the transitional provisions, meaning the provisions prohibiting tobacco smoking in underground workings of mines will now be enforced.

A PCBU representative raised the matter of vaping. The WorkSafe website provides guidance and recommends vaping be included in policies with a similar approach to tobacco smoking.

WorkSafe continues to review the options available to provide clarity on vaping within the regulations and monitors the progression of other legislation to ensure a consistent approach.

### **Memorandum of Understanding between AMSA and State WHS regulators**

MAPAC noted the MOU between the Australian Maritime Safety Authority and state and territory WHS regulators is now available online. The schedule on operational jurisdictions for various notifications may be relevant to some members.

## **MEMBERS REPORTS AND UPDATES**

### **Employee representatives**

WorkSafe confirmed the Australian Human Rights Commission's (AHRC) has provided permission to adapt its [Guidelines on the use of confidentiality clauses in the resolution of workplace sexual harassment complaints](#) for the Western Australian context.

### **WorkSafe**

WorkSafe Mine Safety's development of self-assessment tools for Safety Management Systems and Principal Mining Hazard Management plans is progressing well.

On 27 March 2024, Mine Safety hosted a Radiation Protection in Mining forum, with 55 attendees where the NORM II guide was formally released.

### **Independent expert member**

The release of the technical report of the Mental Awareness, Respect and Safety (MARS), Landmark Study, a four-year research and evaluation project led by the Centre for Transformative Work Design (CTWD) within the Future of Work Institute, Curtin University was raised for discussion.

The Landmark Study was commissioned by the WA Government to assess three focus areas: 1) mental health and well-being, 2) sexual harassment, assault, and a respectful culture, and 3) the future of work in mining, within the mining industry.

[MARS - Landmark Study Report: Insights from the worker survey and interviews \(www.wa.gov.au\)](https://www.wa.gov.au)

The report establishes a baseline of current practices and experiences.

MAPAC discussed the indications that while unwanted sexual attention and sexual coercion are decreasing, put downs and, condescending comments based on gender, are still common themes.

The observation drawn was that while industry has gotten better with managing the physical hazard, there is still work to be done on the psychosocial aspect.

MAPAC looks forward to reviewing the summary of findings from the report in the near future.

**Next meeting** of MAPAC is to be held on 14 June 2024.