

## **The ILO code of practice on safety and health in underground coalmines**

Coalmining is a significant activity in some 50 countries and has historically been one of the highest risk activities as far as the safety and health of the workforce are concerned. It is, therefore, not surprising that the International Labour Organization (ILO) has given particular attention to this economic sector for more than 70 years.

In order to foster the widespread adoption of good safety and health practices, ILO published a code of practice on safety and health in coalmines in 1986. Since the code had been successfully applied in many cases over the years, the Governing Body of the ILO decided that it should be revised in view of the considerable changes in the industry, its workforce, as well as significant developments in safety and health standards.

### **The new code's intended audience and use**

The resulting new *code of practice on safety and health in underground coalmines*, adopted by a meeting of experts on safety and health in coalmines in May 2006, reflects all these developments and provides up-to-date guidance to all those concerned with safety and health in coalmining.

Unlike other UN specialised agencies, the ILO has a unique tripartite structure, which brings together governments, employers and workers. This characteristic of the ILO was reflected in the composition of the meeting of experts, which comprised an equal number of government, employer and worker experts to ensure that input from all those involved in the industry could be included. The meeting's tripartite composition was important, because of the wide audience the new code is targeting; namely all those, both in the public and private sectors, who have responsibility for safety and health management in underground coalmines.

In convening the meeting, ILO and the Employer and Worker groups of the Governing Body gave particular attention to achieving a regional balance, allowing the meeting to draw on the experience made in 13 major coal-producing countries, including China. Mindful of regional and national differences, the experts clarified that the code should be read in the context of the conditions of the country proposing to use its guidance, the scale of the operation involved and the technical possibilities.

Unlike the ILO *Safety and Health in Mines Convention, 1995 (No.176)*, which creates legal obligations upon ratification by a member State, the code of practice is non-mandatory. The code's provisions are not intended to replace applicable laws, regulations or accepted standards. This means that where more stringent requirements are applicable, they should have priority over the provisions in the code. In cases, however, where national laws and regulations do not exist on a particular issue, the code provides practical guidance in support of Convention No.176 and its accompanying Recommendation, 1995 (No.183).

### **Principles of the code**

The trend to move away from prescriptive (in other words highly detailed and specific) standards to a systems-based approach is at the heart of the new code. It,

therefore, contains a modern methodology to hazard identification, risk assessment and control.

At the same time, however, the meeting agreed that large parts of the detailed guidance found in the old code were of continuing relevance and great value. It, therefore, took the decision to carry over certain sections of the existing code's text and to shorten and amend these parts, as necessary.

By featuring a systems-based approach to OSH, while also providing concrete and detailed guidance on how safe coalmining operations can be conducted, the code of practice provides guidance to all countries, independent of their regulatory traditions.

### **Overview**

This characteristic of the code is reflected in its structure: its main part comprises three parts.

The first part sets out a national framework that specifies the roles of the competent authority, employers, workers and their organizations. It stresses the importance of cooperation between all parties and recognizes that only the joint commitment of all can foster a preventative safety and health culture.

Therefore, the code does not only focus on the competent authority, but also clearly spells out what the rights and responsibilities of employers and workers are. Their cooperation and participation is essential to creating a preventative safety and health culture that encourages proactive behaviour and goes beyond just reactive measures.

In particular workers' rights to report, access to information and participation are important elements to ensure that safety and health policies do not simply focus on mere compliance with regulations. Only by involving all of the parties concerned, safety and health hazards can be properly identified and risks minimised.

Part II contains both a list of industry-specific safety and health hazards, as well as a methodology for identifying hazards and addressing risk. The approach therein contained represents current best practice on how hazards can be identified and how risks can be reduced.

It calls upon employers to set up, in consultation with workers and their representatives, systems to identify hazards, assess risks and reduce them. These systems should take into account, among others, past incidents, as well as situations, events or combinations of circumstances that have the potential to create safety and health problems.

These identified hazards are then analysed to determine their level of risk. This assessment allows control priorities to be assigned based on the level of the risk associated with each specific hazard.

As to control measures the code sets out a clear hierarchy – it calls for employers to minimise risks by: a) eliminating the risk; b) controlling it at its source; and c) minimising the risk by means that include the design of safe work systems, or - but only as a last resort - providing personal protective equipment.

The list of industry-specific safety and health hazards in Part II details typical hazards that occur in coalmining; they are addressed specifically in Part III of the code, which contains provisions for safe underground coalmining operations.

The provisions contained in that third part address identified hazards and risks associated with underground coalmining. When used in conjunction with the code's methodology for hazard identification, risk assessment and control, these up-to-date, detailed provisions represent current best practice. At the same time, the code is drafted in a way not to inhibit the development of new technologies, better practice or the adoption of alternative measures that provide effective protection to those working in underground coalmines.

As pointed out earlier, some of this guidance was already contained in the old code; other parts are entirely new (such as the chapter on competence, education and training) or have been radically improved. Experiences made in the last 20 years in countries which were successful in reducing the occurrence of fatalities, accidents and occupational diseases, such as Australia and the United States, were incorporated. These experiences are, in particular, reflected in the provisions on dust control, ventilation and protection against methane and coal dust explosions.

#### **Availability**

Currently, the code is available online in English, French and Spanish. The English version can be downloaded at the following address:

<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/meshcm-9.pdf>

Translations into Chinese and Hindi will also be made available on the ILO website.