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# **COAL WORKERS' PNEUMOCONIOSIS SELECT COMMITTEE**

## **Members present:**

Mr JP Kelly MP (Acting Chair)  
Mr JN Costigan MP  
Mr CD Crawford MP  
Hon. LJ Springborg MP  
Mr J Pearce MP

## **Counsel assisting:**

Mr B McMillan (Barrister at Law)

## **Staff present:**

Dr J Dewar (Research Director)

## **PUBLIC HEARING—INQUIRY INTO COAL WORKERS' PNEUMOCONIOSIS**

### **TRANSCRIPT OF PROCEEDINGS**

**THURSDAY, 24 NOVEMBER 2016**

**Middlemount**

## THURSDAY, 24 NOVEMBER 2016

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### **Committee met at 7.02 am**

**ACTING CHAIR:** Good morning, ladies and gentlemen, I declare open the public hearing of the coal workers' pneumoconiosis inquiry. Thanks for coming along today. I am Joe Kelly, member for Greenslopes and acting chair of the Coal Workers' Pneumoconiosis Select Committee. The chair, Mrs Jo-Ann Miller, member for Bundamba, is unfortunately not well. We wish her a speedy recovery. I would like to introduce the other members of the committee: the Hon. Lawrence Springborg, member for Southern Downs and the deputy chair; Mr Craig Crawford, member for Barron River; Mr Jason Costigan, member for Whitsunday; and Mr Jim Pearce, the member for Mirani.

I just want to let you know who we are and what we are doing visiting your community. The purpose of this public hearing today is to receive evidence on the committee's inquiry into the emergence of coal workers' pneumoconiosis, or black lung disease, amongst coalminers. We are a bipartisan committee. Our purpose is to assess whether the current arrangements to eliminate and prevent CWP are adequate. We want to look at the roles of government, agencies, mine operators, dust monitoring procedures, medical officers and unions in these arrangements now and into the future.

The committee is very keen to hear from people who work in the industry doing the sorts of jobs that you do. If you are interested in stepping forward and giving testimony to the committee, you are most welcome to speak to our research director, Jacqui, and we can arrange that.

We recognise that some people may not feel comfortable speaking in public. There are a couple of things we can say in relation to that. Firstly, we can arrange confidential hearings, and we do have some of those scheduled for later this morning. Secondly, I would like to reinforce to everybody that, should anybody who appears before this committee cop negative outcomes or consequences from the statements that you make here, the committee would take an extremely dim view of that. We would encourage anybody who is in that situation to contact the committee and we will investigate that matter and take appropriate action if that occurs. We would hope and expect that that does not occur.

This is a formal proceeding of parliament and is subject to the rules and standing orders of parliament. The committee will not require evidence to be given under oath, but I remind you that intentionally misleading the committee is a serious offence. Those here today should note that the hearing is being transcribed by Hansard and that the media may be present, so you may be filmed or photographed. Before we commence, I ask that all mobile devices be switched off or put on silent mode. For the benefit of Hansard, I ask that when witnesses come forward they state their name and position when they first speak and speak clearly into the microphones. I would now like to invite Mr Grant Hedley and Mr Gavin Adams to come forward.

### **ADAMS, Mr Gavin, Private capacity**

### **HEDLEY, Mr Grant, Private capacity**

**ACTING CHAIR:** Thank you, gentlemen, for making yourselves available this morning. Could I ask for the record that you state your name and the capacity in which you are appearing here today and then please make a short opening statement, if you will? We will then open it up for general questions.

**Mr Hedley:** My name is Grant Hedley. I am employed at Grasstree Mine for Anglo American. I am the Grasstree lodge secretary for the CFMEU.

**CHAIR:** Would you like to make a short opening statement?

**Mr Hedley:** I have been here in Middlemount for 30 years. I have worked basically all my mining career with Anglo, even way back when they took over from Shell. I have been at Grasstree for five years. I was at Central Colliery for nine years and across Capcoal sites as well—Southern Colliery and German Creek during my apprenticeship. I have come to shed some light on how hard it has been to get our members' X-rays read in the US by a B reader.

**Mr Adams:** My name is Gavin Adams. I have worked at Grasstree colliery for approximately 11½ years. I am the treasurer for the CFMEU Grasstree lodge. I am here with Grant on behalf of the CFMEU Grasstree lodge.

**ACTING CHAIR:** Did you want to make an opening statement?

**Mr Adams:** No. I am here in conjunction with Grant.

**ACTING CHAIR:** I might start with some questions then, gentlemen. You are both underground miners. Could you describe your role at Grasstree Mine currently?

**Mr Hedley:** I am a mechanical technician. I am in the service workshop at the moment out at the production districts servicing a diesel fleet.

**Mr Adams:** I am employed as a mine technician in the outby sector. Basically we look after roads, dusting and outby infrastructure.

**ACTING CHAIR:** Mr Hedley, you said that you wanted to highlight the difficulty that you have had getting your members' X-rays read in the United States. Could you step us through what those challenges have been?

**Mr Hedley:** I see that Anglo has highlighted that they have offered our members the chance to have their X-rays taken and read in December last year. There was no offer. On 4 December 2015 a crew walked off the job under section 274 of the act and withdrew their labour to a place of safety until they could get those X-rays taken and read by a B reader. Gavin Foster was the SSE at the time. He came to site at 10.30 that night to sit down and negotiate with me some sort of agreement on how we were going to get people checked. That happened. It went well.

Further to that, obviously when more cases came forward—our X-rays were only read by a doctor on the Sunshine Coast. We did not know whether they were qualified to do the job. We thought at the time it was okay. More evidence came forward and there were more concerns about Australian readers. Obviously more cases of black lung came forward, so more questions got asked.

**ACTING CHAIR:** When those members did finally get an X-ray, did the doctor who read them read the current X-ray and then have a look at the X-ray that was done, say, some time in the last five years?

**Mr Hedley:** No.

**ACTING CHAIR:** They just looked at one X-ray.

**Mr Hedley:** Yes.

**ACTING CHAIR:** Were those members offered a spirometry test?

**Mr Hedley:** No.

**ACTING CHAIR:** That was not considered?

**Mr Hedley:** No.

**ACTING CHAIR:** Did any of you physically see a doctor?

**Mr Hedley:** No.

**ACTING CHAIR:** There was no history taken in terms of time in the mining environment and underground?

**Mr Hedley:** No, nothing—and still not to this day almost 12 months later.

**ACTING CHAIR:** Do you need to have a coal workers health certificate?

**Mr Hedley:** Some people have been through that process since 4 December last year when they got their X-rays.

**ACTING CHAIR:** Is that something you have had to do? Is that part of your role? Do you not require that in your role?

**Mr Hedley:** No, I do require it.

**ACTING CHAIR:** Mr Adams, have you done that as well?

**Mr Adams:** Not in the last 12 months, no.

**ACTING CHAIR:** When you have done it, have you physically seen a doctor and been interviewed about your overall health?

**Mr Hedley:** Yes and did a spirometry test at that time. The conversation about X-rays did not happen. All that was written on section 4 was 'X-ray reviewed by B reader'.

**ACTING CHAIR:** When did that happen?

**Mr Hedley:** From memory, my Coal Board Medical was in July.

**ACTING CHAIR:** In your role, you are the president, did you say?

**Mr Hedley:** Secretary.

**ACTING CHAIR:** Secretary of your union. Is that a role that involves being a workplace delegate?

**Mr Hedley:** Yes.

**ACTING CHAIR:** If members bring their concerns to you about safety, particularly dust, and you take those concerns to management, how would you characterise their response to those concerns?

**Mr Hedley:** I will give you my history. I used to be a fitter on the longwall. This is before I was a lodge secretary—just a worker. I made many complaints about dust. This is before black lung raised its ugly head. I had many, many arguments with management because I was not happy about things that were going on when we ramped up production and we started to produce big tonnes—seven to 10 million tonnes. I constantly made complaints. I was removed from the longwall. That is the response you get.

**ACTING CHAIR:** No action was taken in relation to the issues that you were raising?

**Mr Hedley:** No.

**ACTING CHAIR:** Mr Adams, are you a delegate in the workplace?

**Mr Adams:** Yes, I am the treasurer and I basically have a role as a delegate, too.

**ACTING CHAIR:** Have you had similar experiences when trying to raise safety issues?

**Mr Adams:** Yes. I have raised them before. Approximately 3½ to four years ago I was in a development role and I was removed to an outby sector to meet company needs, as per usual. We have raised issues, but that seems to be the sentiment.

**ACTING CHAIR:** Dust is not the only hazard in a mine. Have you raised other safety issues and have they been taken seriously and dealt with?

**Mr Hedley:** I cannot say—no, they probably were not.

**ACTING CHAIR:** Are there signs up or statements made by the company that safety is their first priority et cetera?

**Mr Hedley:** Yes.

**Mr Adams:** Yes, everywhere.

**ACTING CHAIR:** I will take the laughter as an indication of how other people in the crowd feel. How do you feel that your company approaches safety issues?

**Mr Hedley:** Poorly, reactive.

**Mr Adams:** Instead of proactive.

**Mr PEARCE:** Grant, do you keep a record of when you go and make a complaint? Do you keep minutes of it or anything?

**Mr Hedley:** Some, yes—probably more so since I have taken on the secretary role.

**Mr PEARCE:** Being secretary is a good job.

**Mr SPRINGBORG:** Thank you very much, gentlemen, for assisting us this morning. Last evening we had some of your work colleagues here. I think they were predominantly open cut. Can I ask for a show of hands this morning? Are people predominantly underground here or a mixture? We have a mixture here this morning. Grant, with regard to your circumstances, you said a moment ago that you were moved from the longwall to somewhere else when you made complaints. Was it an equivalent position or was it seen as a demotion? What was the situation? I suppose when you are moved anything is seen as a demotion.

**Mr Hedley:** I was there for five years in the longwall—same crew, same lifestyle, same roster, friends, a small business my wife runs. Everything was disrupted. Yes, I saw it as a demotion. It was a kick in the guts.

**Mr SPRINGBORG:** Whilst it may not have impacted on your pay, it impacted on everything else that you got used to doing—the whole network? It impacted on the way you had worked at the mine and also your broader family circumstances?

**Mr Hedley:** Yes, definitely.

**Mr SPRINGBORG:** So a significant impact. When it comes to the issue of dust, both of you gentlemen have obviously worn monitors over a period of time?

**Mr Adams:** Yes.

**Mr Hedley:** I cannot say I can remember ever wearing one. Tradesmen were always sort of left out. Operators seemed to get the task.

**Mr SPRINGBORG:** So tradesmen were always left out—or are you aware of any circumstances where tradesmen—

**Mr Hedley:** In recent times, no. They do wear them now. I would not say always, but me personally, I have never worn one that I can remember.

**Mr SPRINGBORG:** Okay. I would have thought that if you are a tradesman and basically you are down there in high dust conditions, you are basically down there at the longwall or wherever the case may be—where the action is—assisting keeping things running and all those sorts of things. Your dust exposure would be equivalent to or very, very similar to an operator in that circumstance, would it not?

**Mr Hedley:** That is right, yes.

**Mr SPRINGBORG:** On the occasions when you have worn a dust monitor, Gavin, have you ever been made aware of the results?

**Mr Adams:** Not directly, but I had been informed that we could seek that information.

**Mr SPRINGBORG:** Are you aware, either anecdotally or factually, about the results coming back consistently above the recommended safe levels for dust?

**Mr Adams:** I could not say.

**Mr SPRINGBORG:** In the mine site where you work, do you have on your board the dust readings on an updated basis for people to see?

**Mr Hedley:** We do now.

**Mr SPRINGBORG:** 'Now' being since which period of time?

**Mr Hedley:** Probably more so since the department is putting directives on us. It was not done voluntarily, that is for sure.

**Mr SPRINGBORG:** When did that happen, Grant?

**Mr Hedley:** Probably six months ago.

**Mr SPRINGBORG:** Based on that, it would only be the rediscovery of black lung that has seen people spring into some form of action on this?

**Mr Hedley:** Yes.

**Mr SPRINGBORG:** If you have read those results that are on the board, what sort of levels are they showing? Are they above or below?

**Mr Hedley:** In recent times?

**Mr SPRINGBORG:** Yes.

**Mr Hedley:** We seem to be passing. We have not produced for the past three months but before that, yes, there were some pretty horrible readings.

**Mr SPRINGBORG:** Are you aware, gentlemen, of circumstances where you or your work colleagues have worn dust monitors and there has been significant disputation of the results when they have come in where they have read high and whoever has done the analysis has said, 'They have been contaminated' or there has been something else that has influenced that result—like, the worker may have put them down in a high-dust situation or there was some obscurity?

**Mr Hedley:** Yes.

**Mr Adams:** Yes.

**Mr SPRINGBORG:** So that is generally the excuse, or is that occasionally the excuse?

**Mr Hedley:** I do not know if that is an excuse; they are just the results that come back.

**Mr SPRINGBORG:** I am sorry: I should not say 'excuse'. That is the reason put forward?

**Mr Adams:** Yes.

**Mr SPRINGBORG:** And in your own personal circumstances when you work underground, you obviously end up significantly covered in dust? What sort of dust suppression happens under there?

**Mr Hedley:** Since I have been removed from the longwall I could not really tell you.

**Mr SPRINGBORG:** Are you aware?

**Mr Adams:** Just your basics, as per all coalmines: salting regime of the roads to try to reduce—just engineering stuff. Effectiveness is questionable.

**Mr SPRINGBORG:** What about water sprays in the cutting environment? Is that something new or has it been there for a while?

**Mr Hedley:** It has been there for as long as I have been there.

**Mr SPRINGBORG:** Would you rate that as hopeless? Semi-useful?

**Mr Hedley:** It was hopeless. I believe in more recent times they have made improvements, but I have not seen it.

**Mr SPRINGBORG:** I would be interested to know from others who work in that environment if they are actually seeing any significant improvement. Last night I asked those in the room if they had been subject to a chest X-ray since they have commenced their work as a coal worker. If you do not mind, again, ladies and gentlemen, if I could ask for a show of hands? One would assume that underground workers have been required to have a chest X-ray every five years at least. Let us hope that has happened. If it has not, please let us know. For those who work in an aboveground or open-cut environment, other than your pre-employment, where you may have had an X-ray, can people indicate if they have had one since they have commenced work above ground? Has anyone actually had one? Are there any aboveground workers who had one at pre-employment? We keep being told that a significant number of the coal workers in Queensland who work in a non-underground environment have had chest X-rays. It is just that we cannot find them—or we are finding very few. We also hear that since this has become an issue that has been freely offered to aboveground workers but we are still having trouble finding them. Thank you for your assistance.

**Mr PEARCE:** I direct this to the Grasstree guys at the moment—or those in the audience itself. We are all told when we walk into a mine that safety is the most important thing, that we all have to be switched on about safety. Have you found in recent years that there is a split in the overall workforce of the mine with regard to those who are prepared to step forward and talk about safety issues and those who are concerned but are not saying anything?

**Mr Adams:** Definitely.

**Mr PEARCE:** Can you give us a little bit more background on that?

**Mr Hedley:** Pre-start meetings.

**Mr PEARCE:** You can give us a case study if you want to.

**Mr Hedley:** In recent times, like I say, I (inaudible) myself, being removed. I am not an isolated case. Anybody that speaks out at a pre-shift meeting is frowned upon, basically. It got to a stage there where our safety record was—and probably still remains—appalling and two fatalities. People just did not raise concerns at pre-start meetings, for how big or little the issue was. They just did not say a word. It got to the point where management were actually coming out and asking people to open their mouths and talk. It was too little too late.

**Mr Adams:** Basically with your pre-start meetings, any questions—very rarely. You get the odd member who is willing to put their hand up and bring something up, but a lot of the time—I am sure Grant will concur with this—they will come to us personally and say, 'Hey, what about this?' In our roles as executive/delos, we can then take that further or escalate it, but they feel intimidated and afraid to say anything.

**Mr PEARCE:** My feeling is—I guess you would agree—that if you do not have people talking about issues in the mine, those risks that are there, it actually reduces the overall safety of the mine, does it not—because you are not prepared to talk about it?

**Mr Hedley:** Yes.

**Mr PEARCE:** The duty of care. Do people not realise that under the principles of duty of care they need to be speaking up?

**Mr Adams:** Well, they should.

**Mr PEARCE:** Are they made aware of their duty of care when they come to the mine?

**Mr Adams:** Yes, definitely.

**Mr PEARCE:** I do not know whether you were in the room yesterday when I read the—

**Mr Hedley:** No, we were not.

**Mr PEARCE:** I will not put you on test today. Do you have a dust champion at your mine?

**Mr Hedley:** No.

**Mr PEARCE:** I do not know what they mean. Are they supposed to be gearing you up every day? The Anglo submission to this committee states—

... Anglo American group underground mine has created a specific additional position (Dust Champion) and appointed specific persons to these positions. These persons have responsibility for overseeing, aligning and coordinating all of the various dust improvement management initiatives on the site. In addition, each site has a Dust Committee chaired by the SSE with representatives comprising coal mine workers, supervisors, process owners and technical specialists.

Do you have that in place?

**Mr Hedley:** They have a graduate engineer who would run a dust committee. He would go down to the longwall crib room and discuss failures and improvements. Whether he was the best person for that job, I would question that.

**Mr Adams:** With 20 years experience straight out of university, he knows what he is talking about, obviously, Jim.

**Mr PEARCE:** Been there. Okay. So you do not really have a dust committee that is functioning, operating, where you take up issues and report back to the workforce?

**Mr Adams:** Well, it is operating, put it that way.

**Mr PEARCE:** If you ever get your dust champion, can you just let me know? I would like to meet that person.

**Mr Hedley:** Yep.

**Mr Adams:** He is a true champion!

**Mr PEARCE:** Again from the Anglo submission—

Each of our mines has worked rapidly to implement industry best practice engineering controls to reduce dust generation, suppress and capture airborne dusts and remove dust deposits from underground equipment and roadways.

Do you want to comment on that?

**Mr Adams:** Ever since the re-emergence of pneumoconiosis, that would be—

**Mr PEARCE:** A big improvement?

**Mr Adams:** Well, an improvement.

**Mr PEARCE:** An improvement.

**Mr Adams:** 'Big' is overstated.

**Mr COSTIGAN:** Good morning, Mr Adams and Mr Hedley. Thank you for joining us here today. I wanted to start by asking your opinion in relation to Anglo American's reaction to the latest threat posed by CWP. In your own words, how would you describe the company's reaction and addressing of the issue?

**Mr Hedley:** They are under a directive.

**Mr COSTIGAN:** I beg your pardon?

**Mr Hedley:** The company's response to what, sorry?

**Mr COSTIGAN:** To black lung disease.

**Mr Hedley:** Well, they are under a directive from the mines department to fix these things. They are not going to do it on their own. That is my opinion. They have not done it up until black lung re-emerged. They are under directive. They are on a level 4. They have no choice. If they have another failure, the mines department is directing them that they will stop production.

**Mr Adams:** So to fix it or shut it.

**Mr COSTIGAN:** Gentlemen, how well do you know Mr Keith Stoddard?

**Mr Adams:** Very well.

**Mr COSTIGAN:** How do you feel he has been treated in relation to support services by his employer and by his union?

**Mr Adams:** With the union side of things, it was voted at a monthly meeting, upon a positive confirmation of Keith's pneumoconiosis, that any assistance or out-of-pocket expenses would be wholly and solely looked after by the union, which he was a proud member of for many decades.

**Mr COSTIGAN:** Do you have anything to add, Mr Hedley?

**Mr Hedley:** No, Gav sorts out that side of things for Keith.

**Mr COSTIGAN:** As I recall, when addressing the Senate inquiry, Mr Stoddart spoke about the testing of dust being done at low times. Is it fair to say that that came as no surprise to either of you gentlemen?

**Mr Adams:** No.

**Mr Hedley:** No.

**Mr COSTIGAN:** Do you believe the government's awareness program in relation to CWP has been adequate?

**Mr Adams:** It could be better at times, I believe.

**Mr COSTIGAN:** How do you think the coalmining communities of the Bowen Basin would have fared had it not been for the CFMEU campaign?

**Mr Adams:** Very poorly.

**Mr COSTIGAN:** We have canvassed this issue at other hearings, including last night here in Middlesbrough. The minister indicated some months ago that he was of the view that a national screening program was in order. Do you concur with that?

**Mr Adams:** Yes.

**Mr Hedley:** Yes.

**Mr COSTIGAN:** What is your view in terms of the timetable for screening? Should it be done every couple of years or every five years? Is it something that you have canvassed with your colleagues within the lodge or in the wider community?

**Mr Adams:** Personally I believe that only medical experts could tell you whether the regime of every five years is adequate. There are all the changes that have happened since the re-emergence—the B Reader equivalent, the ILO standards and all those sorts of thing. My personal perspective—in the underground environment we have the catch phrases around PPEs, dust masks and all that sort of thing—is that the sooner you capture this insidious disease the better off you are going to be.

As you would be aware, just recently there has been a positive case in the open-case arena. I have a lot of friends who work out there. Prior to my starting in the industry 14-odd years ago, it was common practice to do it in the open cut too. It is airborne. As the experts will tell you, it is not what you can see it is what you cannot see that is the issue. Basically, it should be done across-the-board every two years or something like that. Medical experts would have more of an idea than me.

**Mr COSTIGAN:** What would you be comfortable with, Mr Hedley?

**Mr Hedley:** If mines are going to get more efficient and produce tonnes like we produce—10 million tonnes a year—then obviously the gap is going to have to be shortened. Ten years ago we were high-fiving if we got three million tonnes and now we are at 10 million tonnes. The exposure is greater so surely people need to be tested more often—at 2½ or three years.

**Mr Adams:** Definitely.

**Mr COSTIGAN:** Mr Adams, your last response leads into my next question. Given what the member for Southern Downs and deputy chair of this committee did earlier with a show of hands and with the mixed crowd we have here today, gentleman how would you describe the level of concern and anxiety in the Middlesbrough community or more broadly across mining communities in the Bowen Basin and further afield since it has been revealed that at least one aboveground miner has been diagnosed with CWP?

**Mr Adams:** Yes, it is a very big concern. It is quite often talked about. I have friends in the industry in both the open cut and underground. I personally dealt with Keith before he left town. It nearly brought me to tears to see somebody who had worked hard, raised his children, has grandchildren, like this. It is very contentious. It is a very scary thing.

**Mr Hedley:** I totally agree with Gav. The problem with our members at the moment is that they have been waiting 12 months to their get X-rays read by a B reader in the US. They have just about run out of patience and interest.

**Mr Adams:** The irony of the specific case of Mr Stoddart is that if this had been picked up however long ago he would not be where he is today. He still wanted to get several years out of the industry to then depart the industry and enjoy the old grey nomad lifestyle and watch his grandchildren grow up. His son is still in the industry with us. He has been robbed of that.

**Mr COSTIGAN:** Mr Hedley, do you think Mr Adams's assessment of the situation in relation to Mr Stoddart would be shared by the people of Middlesmound and further afield?

**Mr Hedley:** Yes, definitely.

**Mr COSTIGAN:** Mr Adams's comments in relation to the anxiety levels in the community raise the issue of mental health. This is something that was not talked about many years ago in various industries—in fact, most industry sectors, I dare say. Do we have a mental health issue emerging here in the Bowen Basin coalmining communities on the back of the threat of black lung?

**Mr Adams:** Yes. I have only been an underground coalminer for about 14½ years. We are big, tough, hard-as-nails men. If the truth be known, I work with a lot of blokes and at times the industry does pose a lot of issues in terms of being a mate, a father, a brother, and the amount of depression is unbelievable. The number of blokes I work with who have confessed to me that they are suffering from depression is unbelievable. I think this situation only exacerbates it. It definitely would be increasing.

**Mr COSTIGAN:** Are the support services for those suffering from mental health or depression in Middlesmound adequate?

**Mr Adams:** I have never actually asked anybody if they are getting all the support they need. Like the old common cold, you have to treat it like it is a medical condition. The best they can do is consult a doctor and be put on medication and their mates and their family are their network. You would have to actually ask somebody who is affected directly.

**Mr COSTIGAN:** Whether it is mental health or you are wanting to find out about what is inside your lungs, if you are a concerned miner at this public hearing today or were at work this morning and you wanted an X-ray or to have some help with mental health issues—but certainly X-rays—what is the procedure? If someone wanted to walk out of the public hearing this morning Mr Hedley and Mr Adams and say, 'I am going to get onto this,' what would they be do, where would they go, who would do it?

**Mr Hedley:** They would come and speak to us, I would imagine. We would probably go to work and waste our time, as I have done for the last six months. They make it that hard.

**Mr COSTIGAN:** If they wanted to do something off their own bat—

**Mr Hedley:** They would probably contact the union and get them to send their results to the US. They would send them to the district office in either Mackay or Rockhampton and they would organise the consent and they would be sent and paid for by the union. That would be the easiest option and the quickest.

**Mr CRAWFORD:** Can I dive onto the comment that you just made. You are telling me that in order to get the X-rays read the CFMEU is actually having to take it on board and organise and pay for those to be sent to the US, is that correct?

**Mr Hedley:** That is correct.

**Mr CRAWFORD:** The mine is not doing it?

**Mr Hedley:** Up until last week, no.

**Mr CRAWFORD:** I am interested in the contract workforce and labour hire. Can you give me a ballpark figure of how many employees in total there are at Grasstree?

**Mr Hedley:** We have 260 members. We believe that there are somewhere in the vicinity of 300 contractors and probably the equivalent in staff.

**Mr CRAWFORD:** Do contractors outweigh the permanent employees?

**Mr Hedley:** Yes.

**Mr Adams:** Yes, they do.

**Mr CRAWFORD:** What is the ratio? We have heard a number of different ratios at different mines?

**Mr Adams:** Probably around two to one or maybe better.

**Mr CRAWFORD:** They are coming in from labour hire companies, is that generally the situation?

**Mr Adams:** Yes, that is correct for the ones we have on site. At times I have had them approach me given my role. They have raised concerns with me about their companies. Unfortunately, the best advice you can give them is to go and see them. They are obligated to get them X-rayed if they have any concerns. They are very concerned about it too. Our boys have a voice given that they are in the union. Some of those contractors have had it drummed into them that if they open their mouth and say anything they are gone.

**Mr CRAWFORD:** We have heard similar testimony from other mines. Sometimes the words cannon fodder are raised. There was testimony the other day that interested me. Staff were saying that one of the measures for measuring the amount of dust for contractors was to stick a pogo stick in the ground. That was about 100 feet or something away from where they were. They were told that if they cannot see the stick anymore that is their indication that there is too much dust and they have to leave. Have you ever witnessed or ever heard of any similar cases of ludicrous safety statements like that amongst your staff or the contractors?

**Mr Adams:** No, surely that pogo stick would be IP rated.

**Mr Hedley:** No, we have not.

**Mr CRAWFORD:** Grant, you said earlier that you were working underground and you said something about how you spoke up and you got shifted.

**Mr Adams:** Yes.

**Mr CRAWFORD:** How do you think you would have fared if you were a contractor?

**Mr Adams:** I would not be there anymore.

**Mr CRAWFORD:** In relation to mines inspectors, do you guys ever have any interactions with the department’s mine inspectors or anything like that?

**Mr Hedley:** No.

**Mr CRAWFORD:** Have you ever seen them come to Grasstree?

**Mr Hedley:** Yes, quite a bit.

**Mr CRAWFORD:** Do you know if they give any notification to the company that they are arriving?

**Mr Adams:** I am pretty sure they do.

**Mr Hedley:** I believe at times they do. There have been a couple of unannounced visits.

**Mr CRAWFORD:** What is the company’s reaction generally to notification that a mines inspector is coming?

**Mr Adams:** Get in and clean the joint up.

**Mr Hedley:** Yes.

**Mr CRAWFORD:** We are going to look at Grasstree on a Tuesday in a couple of weeks. I imagine the crews are probably spit polishing it as we speak.

**Mr Adams:** Tuesdays are maintenance days. That is just coincidence, though.

**ACTING CHAIR:** Yesterday we heard testimony from a woman who works as a lab assistant and she was describing her exposure to dust levels in the environment that she was in and drawing a link between an illness that she was diagnosed with and CWP. My research last night suggests that there is a possibility that that could be verified, but I am certainly not saying that that is the case. I am interested in the people who are not necessarily down on the longwall or in the outby, I think you call it, but in other sections of the mine above ground. Are they similarly exposed to dust in your opinion and are they raising concerns with you about that exposure?

**Mr Adams:** Yes.

**ACTING CHAIR:** What specific sections would you say have risks of dust exposure?

**Mr Hedley:** I work in the workshop on the surface and Grasstree’s stockpile is 300 metres from the workshop. You get a decent northerly blowing and that stockpile comes into the workshop.

**ACTING CHAIR:** When the winds are blowing in the right direction, is there any remedial action taken by management to try to prevent you being exposed?

**Mr Hedley:** No. They have done sampling and the sampling has passed, so all you can do is wear a dust mask.

**ACTING CHAIR:** Is it mandatory for you to wear a dust mask or is that at your own discretion?

**Mr Hedley:** Our own discretion.

**ACTING CHAIR:** I would like to introduce Mr Ben McMillan, who is the legal counsel assisting the committee. I now hand over to Mr McMillan for his questions.

**Mr McMILLAN:** Gentlemen, can I ask you, first of all, about the Coal Board medical screening process or the Coal Board medical process that you have been through? Over the years that you have worked underground, you would have had, or you should have had, one of those medicals every five years?

**Mr Hedley:** Yes

**Mr McMILLAN:** That has happened?

**Mr Hedley:** Yes.

**Mr Adams:** Yes.

**Mr McMILLAN:** If I can take you to before the reidentification of the first case of CWP in or about the middle of last year when some awareness changed, I want to ask you about the medicals you had before that. Apart from your initial pre-employment or first chest X-ray, at any stage prior to the middle of last year were you offered another chest X-ray for review?

**Mr Hedley:** No.

**Mr McMILLAN:** Neither of you?

**Mr Adams:** No.

**Mr McMILLAN:** At any time during those periodic five-yearly medicals did the person who was assessing you for the purpose of that medical ask you for a history of your occupational dust exposure at work?

**Mr Adams:** No.

**Mr Hedley:** No.

**Mr McMILLAN:** Do you know or do you remember whether the nominated medical adviser for the mine was the person who actually did the assessment when you went for those medicals?

**Mr Hedley:** Yes.

**Mr Adams:** Yes.

**Mr McMILLAN:** They were?

**Mr Adams:** With the chest X-ray component of that—with the exception of one I have done in town here—you have to go over to Tieri. They are not able to do it here.

**Mr McMILLAN:** When you attend at the NMA's office for that assessment, there is a particular form they have to sign off on. Do they go through the form with you during the assessment?

**Mr Adams:** No, it is just a tick and flick.

**Mr McMILLAN:** There is a series of boxes that the doctor has to tick. As part of that process, did they ask you questions about your medical history and your occupational history?

**Mr Adams:** No.

**Mr Hedley:** No.

**Mr Adams:** Not unless there is an abnormality there obviously.

**Mr McMILLAN:** If you are willing to say, have either of you had any abnormalities shown prior to last year?

**Mr Hedley:** No.

**Mr Adams:** No.

**Mr McMILLAN:** Have both of you now had follow-up X-rays that have been B read in the United States?

**Mr Hedley:** No.

**Mr Adams:** No.

**Mr McMILLAN:** I should have broken that into two questions. Have you both had a follow-up X-ray in the last couple of years?

**Mr Hedley:** Yes.

**Mr Adams:** Yes.

**Mr McMILLAN:** But you have not had the results from the B reading yet?

**Mr Hedley:** No.

**Mr Adams:** No.

**Mr McMILLAN:** I want to take you through some of the things that Anglo American have put in their submission to this committee and ask for your comment and, wherever possible, confirmation as to whether in your experience those things are accurate or not. First of all, in relation to the B reader program, Anglo write—

... Grasstree has recently offered all employees the opportunity to have the abovementioned chest X-rays— that is, the ones that have been offered in the last 12 months—

read by a 'B Reader' as per the recently updated Coal Mine Worker Health Scheme's 'New Chest X-Ray ... Process'. However, uptake of this offer has been slow.

Can you offer any light about whether the uptake of that offer by Anglo has been slow by workers?

**Mr Hedley:** After the dual-reader process came out in July, the company released its own consent form that we had to sign so our X-rays could be sent to Miami, Florida accompanied by the name of Premier Radiology Services and refused to accept the department of mines' consent form. I forwarded this to Stephen Smyth and asked who Premier Radiology Services was and I also asked the company. I did not get an answer from the company. I believe Stephen spoke to the International Labour Organization and found out that Premier Radiology Services were not affiliated with the ILO and were not trained to read X-rays to the B reader standard. That is why the uptake has been slow, because these are the continual things—dodgy consent forms—we get thrown at us.

**Mr Adams:** When is that paperwork dated?

**Mr McMILLAN:** Sorry, I should have told you that. It is dated 16 November this year.

**Mr Adams:** It has literally just been a whimsical farce. Grant has been taking care of it personally in conjunction with our district president, Stephen Smyth, to make it clear and transparent that that is exactly how it works. They go over there, they get read and they come back to your nominated medical practitioner that you personally use. The only information disclosed is either 'yes' or 'no' for pneumoconiosis—no other health concerns.

**ACTING CHAIR:** Mr McMillan, are we able to get copies of any documentation to support those claims?

**Mr McMILLAN:** Absolutely. If the union or any members have any documentation about that, please let us know.

**Mr Adams:** We will chase it up.

**Mr Hedley:** I have personally handed out the department of mines' consent form to employees to sign, I have got it back off them and I have handed them to the safety team personally, and they have refused to accept them.

**Mr McMILLAN:** So it is accurate to say that the uptake of Anglo's system has been slow—

**Mr Hedley:** Yes.

**Mr McMILLAN:**—but your evidence is that the reason for that uptake being slow is that essentially you and your colleagues have no faith in it?

**Mr Hedley:** That is correct.

**Mr Adams:** Yes.

**Mr McMILLAN:** Anglo also submit to the committee in relation to ex-employees that all Anglo American ex-employees have been offered chest X-rays if they have concerns about their respiratory health. Are you aware of that?

**Mr Hedley:** That is complete rubbish.

**Mr Adams:** It is bullshit.

**Mr McMILLAN:** As members of the local lodge and officials of the local lodge, is that something that would have come to your attention in relation to ex-employees?

**Mr Hedley:** My father is an ex-employee. He worked for Anglo from when they took over in '97 until he retired two years ago and, no, he has not been contacted.

**Mr Adams:** I keep in very close contact with our ex-president of the CFMEU Grasstree lodge and he has never brought anything to my attention that he has been approached to be able to have that done. He took it upon himself to go and get it done after the re-emergence of pneumoconiosis.

**Mr McMILLAN:** In relation to dust monitoring, Anglo American have made a submission to the committee that reads as follows—

In order to obtain a more detailed understanding of dust emissions profiles at all Anglo American underground mines, the frequency of dust sampling campaigns and the numbers of dust samples taken during each dust sampling campaign period have been increased dramatically in the past two years. In 2016 dust sampling campaigns in Anglo American underground mines are typically conducted on a weekly or fortnightly basis during routine mine production periods.

Is that an accurate statement in your experience over the last two years?

**Mr Hedley:** I would say 'over the last two years' is a bit of a stretch. Maybe in the last 12 months and, again, it is because they are under directive. They are not doing this out of the goodness of their heart.

**Mr Adams:** Reactive.

**Mr McMILLAN:** In fairness, Grant, how long has it been since you have worked in the longwall production area?

**Mr Hedley:** Nearly 12 months.

**Mr McMILLAN:** But neither of you have seen a dramatic increase in sampling prior to the issuing of directives by the department?

**Mr Hedley:** That is correct.

**Mr Adams:** Yes.

**Mr McMILLAN:** The submission continues—

Where any personal dust sampling result exceeds the site's dust exposure standards a formalised response to these exceedances has been implemented at each site.

That includes the exceedance being treated as an incident resulting in an investigation being initiated, particularly to identify whether more than one worker was exposed to that exceedance; a review of the dust mitigation engineering controls at the time of the exceedance being undertaken; and dust sampling during the next dust sampling period being mandatory to ensure that no further exceedances occur. First of all, are you aware of that regime in response to exceedances in the dust monitoring process?

**Mr Hedley:** I was asked to represent one of our longwall operators that had an exceedance. He had to go and do an exceedance interview form. I sat in on the process with SSHR as well. The operator had to be very careful as to how he answered the questions. They were very coercive. It seemed like the questions were trying to prompt him to lay blame on himself for the exceedance. That was the way the questions were structured, I believe.

**Mr Adams:** The way these forms work is that anybody who has been in a development environment, a longwall environment development specifically—I have done it prior to outby for about nine years—knows it is a very repetitious format. Basically, as I have said, in the last 11½ years that I have been out there it has been done the same. From time to time they will get one of these higher exceedances or an exceedance and these questions are asked, but at the end of the day very rarely are they doing anything different than they have for the last however long.

**Mr McMILLAN:** The committee has heard evidence from a worker at another underground mine that when an exceedance is recorded the approach, first of all, is to ask what the worker did wrong—

**Mr Adams:** Yes.

**Mr McMILLAN:**—to cause him to fail the test.

**Mr Adams:** Absolutely.

**Mr McMILLAN:** There is an approach that, if there is an exceedance of the dust standard, it must be because the worker has somehow failed to meet his safety obligations or put himself in a position where he exposed himself to that risk.

**Mr Adams:** I couldn't agree more.

**Mr Hedley:** Yes.

**Mr McMILLAN:** That is the same approach that occurs at Grasree, in your experience?

**Mr Adams:** Yes.

**Mr Hedley:** Yes.

**Mr McMILLAN:** One expects that what follows from that is that where there is an exceedance the company can respond by taking action against the employee for this perceived or established breach of their own safety obligations under the legislation.

**Mr Adams:** They can try.

**Mr Hedley:** That was the concern. That is why operators started to ask to have a union representative in the meetings with them.

**Mr McMILLAN:** Where that operator is a contract employee or perhaps not a member of the union, what would you expect to be the result of that process?

**Mr Hedley:** I cannot personally say that I know a contractor who has had an exceedance or has been dealt with for an exceedance.

**Mr McMILLAN:** When you say 'dealt with', what was the action taken?

**Mr Hedley:** I don't know.

**Mr McMILLAN:** Anglo report in their submission—

... Anglo American group underground coal mines have championed the introduction and use of real time dust monitors throughout its mines ...

Have you seen the introduction of real-time dust monitors in your workplace in the last 12 months?

**Mr Hedley:** I have not personally, no.

**Mr McMILLAN:** Mr Adams?

**Mr Adams:** No.

**Mr McMILLAN:** Again, as the local union representatives, you would expect to have been made aware of a championing of the introduction of a particular piece of equipment that would keep your members safe, wouldn't you?

**Mr Adams:** Yes.

**Mr Hedley:** Unfortunately, we do not get told anything.

**Mr McMILLAN:** Finally, in relation to personal protective equipment, particularly respiratory protective equipment, Anglo submit to the committee—

'P3' Clean Space positive aspirated RPE and/or Air Stream Helmets are mandatory RPE for those coal mine workers whose primary activities are associated with longwall production ...

Is that accurate?

**Mr Hedley:** Yes.

**Mr Adams:** Yes.

**Mr McMILLAN:** They further submit—

'P2' classified RPE is the minimum mandatory RPE for all other production areas/activities and other areas of the mine where exposure to dust is possible ...

Is that accurate?

**Mr Hedley:** Yes.

**Mr Adams:** Yes.

**Mr McMILLAN:** Finally, they submit—

All coal mine workers—

in underground mines—

have received comprehensive training in the use of RPE along with 'fit' testing of all employees to ensure RPE is worn and fits the user correctly ...

Is that accurate?

**Mr Adams:** Yes.

**Mr Hedley:** Yes.

**Mr McMILLAN:** You were asked some questions by one of the committee members about inspections of the mine by the Mines Inspectorate. I think, Mr Adams, you indicated that where that inspection is announced there is a directive from the company to clean up the site beforehand?

**Mr Adams:** Yes.

**Mr McMILLAN:** Are those inspections routinely conducted on production days?

**Mr Hedley:** I could not say. I do not know.

**Mr McMILLAN:** You have heard from the member for Barron River that this committee is scheduled to attend and inspect your mine on a Tuesday and you have indicated that is a maintenance day. Do I take it that we should not expect to see similar levels of dust to the dust that you see on a maintenance day?

**Mr Hedley:** That is correct.

**Mr Adams:** Correct.

**Mr McMILLAN:** My question is: when the mines inspectors attend, do they attend on maintenance days or production days or both?

**Mr Hedley:** I would imagine by the frequency that they are there they probably would have seen both. I cannot be sure.

**Mr Adams:** I would assume that they would ask for days specifically when production is being undertaken.

**Mr McMILLAN:** Do you as workers in the underground environment have faith in the inspection regime that is established under the legislation that it will identify hazards to your health and safety and instigate an appropriate remedial action?

**Mr Hedley:** By inspectors?

**Mr McMILLAN:** Yes.

**Mr Hedley:** In recent times, yes, it has improved.

**Mr Adams:** Yes.

**Mr McMILLAN:** Would you say that there has been an increased focus particularly on coal dust in the last two years?

**Mr Hedley:** Yes.

**Mr Adams:** Definitely, but as Grant has pointed out, it has been under directive too.

**Mr McMILLAN:** Prior to the last two years do you ever recall there being a focus from mine inspectors on the level of dust exposure from a health perspective rather than from a visibility safety perspective?

**Mr Adams:** No.

**Mr Hedley:** No.

**ACTING CHAIR:** Mr Hedley, I was interested in your answer to counsel assisting regarding the failure to notify you of the introduction of a piece of safety equipment. I have been a delegate myself in a number of different workplaces over the years, some where I would characterise the relationship with management was productive and good and others where there was a much more adversarial relationship. Do you have a situation in your current workplace where you have regular meetings with management, consultation forums or regular discussions about all matters relating to your work and working conditions?

**Mr Hedley:** No.

**Mr Adams:** No, not at all.

**ACTING CHAIR:** Would it be fair to say that you almost have to demand information about anything that affects your members; it is not voluntarily offered?

**Mr Hedley:** Correct.

**Mr Adams:** Yes.

**ACTING CHAIR:** The employers do not necessarily view you and the insights that you have and the different channels of communication that you have as a potential opportunity to have a partnership relationship and try to resolve these issues?

**Mr Adams:** No way.

**ACTING CHAIR:** Are there any further questions?

**Mr PEARCE:** I am flabbergasted.

**Mr SPRINGBORG:** I have just one other question. In relation to the visit by the mines department inspectors—and I think, Mr Adams, you indicated that you assumed that they had turned up on production and non-production days to get a better picture—were you aware of when they were actually down there when there is full production going on?

**Mr Hedley:** No.

**Mr SPRINGBORG:** Have you ever seen them?

**Mr Adams:** Not unless you see them on the surface prior to them going underground.

**ACTING CHAIR:** Mr Adams and Mr Hedley, you have the mining inspectors that come on site. You have I assume local safety inspectors that play a role—worker representatives—and then I assume there are union officials that are able to and on occasions have visited your mine?

**Mr Hedley:** Yes.

**Mr Adams:** Yes.

**ACTING CHAIR:** What is the sort of response from management to, say, the union official inspectors versus the mines department inspectors? Do they treat them the same? Do they show them the same things? Do they allow them to have the same freedom of movement on inspection?

**Mr Hedley:** As far as I know, yes.

**ACTING CHAIR:** Would you be concerned if there were any moves to limit the capacity of union inspectors to enter your workplace and conduct safety inspections?

**Mr Adams:** Yes.

**Mr Hedley:** Would I be concerned? Yes.

**Mr Adams:** Very concerned.

**ACTING CHAIR:** How would you think that would impact on your workplace and the safety in your workplace?

**Mr Adams:** We are the last line of defence basically. It is our safety and our members' safety. If we do not have input into it, it is not very effective.

**Mr Hedley:** As Gav said earlier about prestart meetings and people speaking out, they come to us. They are not going to go to management on their own; they come to us.

**Mr Adams:** Fear and intimidation.

**ACTING CHAIR:** Do you get people who are on temporary contracts coming to you because they are afraid to raise issues on their own?

**Mr Adams:** Yes.

**ACTING CHAIR:** Gentlemen, I do not think there are any further questions. Thank you very much for the work you do in the community contributing to the economy of the state and thank you for the work you do in terms of sticking up for your rights at work. Thank you for your testimony here today. I would now like to call Mr Shane Rolls please.

## **ROLLS, Mr Shane, Private capacity**

**ACTING CHAIR:** Thank you for making yourself available today and taking the time to come here. Would you start by stating your full name and the capacity in which you are appearing? You are most welcome to make a brief opening statement if you like.

**Mr Rolls:** My name is Shane Rolls. I have been in the industry for 20-odd years. I work at German Creek Lake Lindsay. I am a coalmine operator and a union delegate as well for my crew. I have had a safety officer role for my crew in the past and have also been involved with the safety leadership team over the years since about 2008 until it was sort of canned by Anglo in the later years with the change of management.

My concerns today are obviously the dust levels in our mining industry. I work in the open cut. I have underground experience as well. In our open cut we have circuits. We have big trucks that run around—rear dumps, excavators et cetera. We bring up the safety concern of the dust levels and how the circuits get very dusty. We are treated nonchalantly by the supervisors and we are told by them to slow down. We do not control the risk. We have water carts trying to help, but they cannot help and the dust levels are through the roof practically. Sometimes you come out covered in dust or coal dust, depending on where you work. In those instances we have had dust monitoring as well but it is very sporadic. As indicated by the underground boys, some of that dust monitoring is done on our maintenance days as well, so you do not get a true reading of where we are or certain individuals would be picked out and they are given the dust monitors. They could be in a very good sealed cab of a machine and air-conditioned and everything, so you do not get a true reading of what is happening out in the field.

**ACTING CHAIR:** I will start with a couple of questions about this safety leadership team that you said you were a part of. What was the role of that team and who was on it?

**Mr Rolls:** We were covered by a lot of the heads of management—superintendents, mine managers and general manager as well. When I first started here Alisdair Gibbons was the general manager. We had a representative from each crew voted in by the members of the crew to assist if there were any safety concerns or any other concerns that were there and they were brought up at this meeting. Then we were allotted who would bring up those concerns with superintendents and try to work out how we can work through our concerns on certain levels.

**ACTING CHAIR:** You said that has been disbanded?

**Mr Rolls:** Over the years it did because of a change of management. Different managers have different ideas. I have seen a lot of reactive managers instead of proactive managers. In the past we had a lot of proactive happen and then it became very reactive—dealing with it when it happened instead of trying to prevent it.

**ACTING CHAIR:** They would wait for the injury to occur and then try to work out how they should have stopped it?

**Mr Rolls:** Sort of, and instead of trying to fix it, crucify the operator, the individual in that scene, saying, 'It's your fault. Why don't you do it,' or find a loophole and blame the individual and scaremongering amongst the workers who are too scared to speak up. They can see what happened to one individual and they think, 'Shit! That's happened there. I'm not going to speak up and say anything.' They might come to one of us representatives and what can you say? 'If it's your own personal safety, you have to bring it up.' 'I don't want to get sacked,' or, 'I don't want to get put out the back or something or be left on a truck for three or four months being punished.'

**Mr SPRINGBORG:** Thank you for assisting the committee with its inquiry. You mentioned before that some of your colleagues have the fortunate pleasure of being able to work in an air-conditioned cab. We heard evidence last evening and also we have seen evidence throughout the course of our inquiry over the last couple of days of those so-called luxurious air-conditioned cabs being severely breached with seals not working, filters not being properly cleaned out and a whole range of things. What has been your experience with regard to that? Is it quite similar?

**Mr Rolls:** Yes, quite similar, definitely similar: door seals perished, air-conditioning filters not being cleaned regularly or being maintained as they should be. Depending on how much dust is in the air, they should be cleaned more; more maintenance should be done on it. It could be door seals, doors loose or windows not sealing properly and letting dust in. It is in different areas as well. Where we have our coal supply, our stockpiles and that sort of thing, we are working up in the coal dust ourselves; it is not just the respirable dust, it is normal dust as well. Some of us have come out black; we have black seatbelt marks across our chest yet the cab is supposed to be sealed and pressurised to keep the dust out. However, if we bring up an issue about it they say, 'Oh just write it down in your

prestart book and we'll get around to it.' They do not prioritise that and say, 'Hang on a sec, we shouldn't be operating that machine,' yet if you go to stand that machine down or put a tag on it, then you are crucified and you are put way out the back or stuck on a shitty job somewhere.

**Mr SPRINGBORG:** Is this prestart book just a process for the sake of a process, or does it actually lead anywhere?

**Mr Rolls:** Yes. It is supposed to lead into maintenance and care, but it should be a priority there under the safety and health management system. You have a part A and part B. For anything in part A, you should not operate that machine. We have been directed that, 'If it is in part A, just write it down here and we'll get it fixed,' yet they still want us to operate the machines, so they are in breach. Some people think, 'It's okay to write it down here and we'll keep operating the machine.'

**Mr SPRINGBORG:** Based on your experience, if you or your work colleagues have put in such a request, how long would it take to be fixed?

**Mr Rolls:** Let's see. I have been out here for almost eight years now and some of the stuff is still not fixed.

**Mr SPRINGBORG:** So up to eight years?

**Mr Rolls:** Yes. I will have been here for eight years in December this year, so say seven years later and some stuff is still not fixed. You would be lucky to see that stuff still not fixed out there.

**Mr SPRINGBORG:** Would you have an example of the other extreme? What is the quickest you have ever seen it then if the longest is eight years?

**Mr Rolls:** If it is a machine that they really need quickly they will fix it straight away. That is if they need it for production lines or to keep something running because they want to get their target or pull the coal out to reach their targets. If they want to keep that machine running, they will try to keep that going as fast as they can fix something.

**Mr SPRINGBORG:** A production machine would be what sort of machine?

**Mr Rolls:** Another excavator digging coal. They are all production machines, but if they have a target of moving dirt or getting the coal target for the end of the month, they will prioritise to move all the machines to that coal digger to get their coal target so they make budget and they look really good. If that breaks down, they all jump on the machine and try to fix it as fast as possible or bandaid it so it gets through and away we go again.

**Mr SPRINGBORG:** So not every excavator would be considered a production machine then?

**Mr Rolls:** No. It would depend on the company's targets. It is always production over safety at the moment, and it has been for years.

**Mr SPRINGBORG:** We heard an example of one of your work colleagues—probably in a different shift or at a different mine last night in the local area—who was an excavator driver who had a very good view of the road through the broken seals for a long time.

**Mr Rolls:** Yes, months and months. It happens. Like I said, I have been on one of the local ROMs. We have stockpiles. I have been up there for a 12-hour shift or an eight-hour shift and I have come out black. I have seen individuals come out with black faces like they worked underground.

**Mr SPRINGBORG:** These machines obviously are not pressurised very well. If the blowers and everything are right and the filters themselves are okay and well maintained, you would think it would still pump enough air into the area to at least try to blow some of that dust out. Notwithstanding that, this dust comes into the machine and it is not from continually opening and closing the door?

**Mr Rolls:** No. Sometimes they say to crack your window down so you can hear the horn on the excavator behind you, as it is reversing in. You are breaking the seal as well with stuff like that. There is dust in there that comes up through the floor, through bolts or if they have not replaced something properly it comes through the cab and keeps coming in all the time.

**Mr SPRINGBORG:** You put the window down so you can hear something outside?

**Mr Rolls:** Yes.

**Mr SPRINGBORG:** That is a novel way of dealing with a nearby threat.

**Mr Rolls:** Yes. It is because you are trying to hear the horn. With an excavator, that should be loud enough. If you say you cannot hear the horn, which is a safety issue as well, you get crucified. They say, 'Well, get maintenance to do it', so you keep operating till crib time. The supervisor will say, 'Keep operating that machine till crib time and we'll look at it at crib'. You have, say, half a dozen

people on that circuit with their window down and you have constant dust coming in so you cannot see, although you can still see it through coming through. You have your dashboard full of dust and you are covered in dust, as well.

**Mr SPRINGBORG:** Based on your experience and observation, there must be a better way. Even if the cab was properly sealed, and there seems to be significant evidence that they are not, there has to be a better way of being able to hear what is going on outside through radio communication or whatever. There must be a better way.

**Mr Rolls:** Yes, two-way radio communication or a loud enough horn. We have had air horns and electrically operated horns that are loud enough. The decibels blast you out of the seat even with the windows sealed, but every horn will fill up with dust eventually in a dusty area.

**Mr SPRINGBORG:** You have been a miner, one way or the other, for 23 years; is that right?

**Mr Rolls:** Yes, over 23 years I have been working in open-cut and underground, as well, in various areas.

**Mr SPRINGBORG:** In your time in the industry, have you ever been made aware or have concerns ever been raised in the workplace about the threat of dust being more sinister than just being a nuisance? Maybe you might cough and splutter a bit and go home and blow it out of your nose for several hours or a couple of days.

**Mr Rolls:** That is about it. I remember working underground once a month and I would have a bit of a clean out, blow the nose and cough up, but there was nothing enforced or put in there. If you want a dust mask, here is a dust mask. If you worked underground long, we had a space helmet. It was up to you. You were given the basic dust mask to appease and all that, including in the open-cut. The open-cut is very relaxed about it, with dust as well.

**Mr SPRINGBORG:** You have worked on at least a couple of mines?

**Mr Rolls:** Yes.

**Mr SPRINGBORG:** You would have inductions when you have worked in each of those mines?

**Mr Rolls:** Yes. At every single mine I have worked at, I have had a full induction and all that.

**Mr SPRINGBORG:** So you have had your formal induction in which they would have gone through a whole range of things that you probably thought sounded like the bleeding obvious, such as all these points of contact, do not slip here, wear long-sleeved shirts, long pants and glasses.

**Mr Rolls:** Yes, carry your gloves with you, have gloves on you all the time, have earplugs and earmuffs.

**Mr SPRINGBORG:** All those sorts of things. When it came to dust, there was just not that focus?

**Mr Rolls:** No. Even in the open-cut, there was no focus. It was not set out, 'This is your basic safety for dust; these are the levels; these are the masks we have here'. There was nothing emphasised on that throughout the industry that I have been in.

**Mr SPRINGBORG:** Prior to the rediscovery of black lung last year, had you ever heard it discussed in your workplace or, as a miner, was it something that you had ever been obliquely aware of?

**Mr Rolls:** No. We knew the dust was there, but unless you talk to the old blokes from back in the day, it still was not around back then. We still worked through it from the early days when I could still wear footy shorts and a singlet underground and in the open-cut, as well. There was nothing there. You just got in and did your work. There was nothing emphasised about it, until later on. You had to get out of your footy shorts and wear long-sleeved shirts and things came in. However, back then there was nothing to really emphasise or let you know about the black lung. Unless you knew the history of the coalmines and the industry from past beings, as a few of us older blokes do, that is the only time we ever heard about it from back in the day dot, when it first started.

**Mr SPRINGBORG:** It was not something that was discussed because, for all intents and purpose, if it not around anymore so you did not need to worry about it.

**Mr Rolls:** Yes. Practically, yes.

**Mr SPRINGBORG:** Around the threats and scourge of coal workers' pneumoconiosis or black lung, your main and basic level of awareness would come through your workplace representative or your union?

**Mr Rolls:** Yes. Mainly our unions really helped us with understanding it, getting the information out and getting people aware of it. It was not until the unions started doing that that the companies started getting on board. I had to approach my own company, because I worked in the past underground and some of our other members had worked underground. We had concerns about working underground and working open-cut, because we saw it was not just the underground people; it was the open-cut, as well. There were signs that some of us open-cut blokes might have it, but we are trying to find the relationship between whether we had it before or after. I approached the company myself. It took a battle to get them to send me for an X-ray or whatever. I had guidance from the union about how it should be done. I am still going through that process now.

**Mr SPRINGBORG:** Last year, when through the due diligence of some people who were not prepared to accept the system just telling them that coal workers' pneumoconiosis had gone away and not to bother looking for it—that is just an aside—you may have heard some reference to it in the news media, but principally nothing popped up around your workplace where the company was putting up something on your board to say, 'Workers, we are concerned about this. It is something that has popped up and we are now going to take your workplace health and safety seriously in relation to this dust-borne disease.'

**Mr Rolls:** No, never.

**Mr SPRINGBORG:** You heard back through your union?

**Mr Rolls:** Through the union was the only the information that we were given, to get out there. There was nothing by the companies to enforce that. Even in the open-cut, you have dust flying around on the circuit and you are trying to control the water cart. If you stop the circuit because you are concerned about the dust and how the dust is coming into the cab, the maintenance and all that, you get crucified by the supervisor who says, 'What are you pulling up for?' Then he goes and chats to you and either gives you a written warning or a verbal warning, throws you down the boondocks or whatever, or takes you off that machine and puts you on a shit machine.

**Mr SPRINGBORG:** My final question relates to your awareness around elevated dust levels or dust levels in your workplace. We visited a mine site where we saw the results for individual miners' dust monitors, which were put up so that people can read them, they can see them, they know what is going on in the place. You have worked in at least a couple of mines over time. Have you ever seen that?

**Mr Rolls:** No, never. Even in the open-cut now and when I worked underground at various pits, even to this day, after the monitoring is done sometimes we do not even hear about how we went in the monitoring, did we pass or whatever? It is just, 'Yes, it's all good. It's all good.' He just gives you a half wishy-washy sort of thing, but you still want to know the levels. They say, 'You have to go see this person or that person to get it', but by the time you get around to it or find the time or the supervisor lets you have the time to chase it up, you are getting in trouble for wasting their time.

**Mr SPRINGBORG:** I assume that in most of these underground mine environments it would be the same: you walk in, you basically clock on and you shift your plaque from here to there to say you are going underground. You have your helmet and all of your other gear that you need, including protective equipment. You head off. You walk past the board. The board has a whole range of information on it. There may be a flyer from the union and something from management, day-to-day stuff. However, there is no alligator clip with a wad of stuff on it showing dust results for XYZ miner who has been wearing a monitor?

**Mr Rolls:** No, not that I have seen over the years. Nothing at all. Even in the open-cut, we do not get any results back or anything saying what your levels of dust are. It depends on where you are. The wash plant is different to where we are in the field. You can see the dust. It is not just the stuff you see; it is the stuff you cannot see that kills you. Out there, we do a pre-start meeting and the boss is more worried about getting that pre-start meeting done to shove you out in the field, without giving you full information about what is going on and how you are getting the information back. You are like a herd of cattle: get in there and we will give you the basic information. Some of it you have to chase up yourself. We do not get any feedback from anything on any incidents or dust monitoring. Weeks later, people say, 'How did you go?' and you will say, 'I do not know'.

**Mr SPRINGBORG:** Has that changed post this re-identification of CWP?

**Mr Rolls:** No.

**Mr PEARCE:** Shane, I am sitting here thinking about what I am hearing this morning. I go back to when I was in the industry. I think most of the management teams 25 or 30 years ago had a lot of experience. People worked their way up from the bottom and had knowledge and communication skills. Is there an emphasis on that at the moment, making sure that the important management people do have the skills and understand how the mine works and what it takes to get the coal out?

**Mr Rolls:** In my opinion, experience: no. Some people come from other pits with less experience or only two or three years in the industry. They are put in a supervisory role which they have minimally used and minimally skilled at, because of whoever they know. They might know the superintendent or the mine manager might be their buddy, who says, 'I'll get you a job'. They may come from an engineering background and have never been out in the field or know how anything operates, but are put in that supervisor role. They are expected to control a bunch of 30 to 50 blokes and know how to work, and they have to get the information out there on the safety and health management system and what should they follow, which is legislative law under our safety and health system and the guidelines that we put in place. Some do not. Some do not still understand it. To this day, there are probably superintendents who would not even know some of these SOPs that are run or what happens in the pit.

**Mr PEARCE:** The relationship is pretty important to the way that the mine runs?

**Mr Rolls:** Yes.

**Mr PEARCE:** Are you aware of any incidents where workers have stepped forward, made complaints about safety, particularly about dust, or any issue underground and, as a result of having enough guts to step forward, are targeted until they are put in a position where they either have to leave or they are dismissed?

**Mr Rolls:** Not so much underground, because it was not heard of much back then. If there was a safety issue or other issues, we handled it with our union representatives. Open-cut is a little bit different. To this day, you can have a circuit running and only have one water cart looking after three circuits. The dust is flying around. The only way that you can control that dust is to stop operating to eliminate the hazard. Minimise the risk is the easiest way, yet you get chastised or bullied or you get told, 'What dust? Keep operating or slow down.' If you slow down there is some sort of control there, but you have not really fixed it and there is still dust there. The supervisor or superintendents say, 'Keep going that way'.

I have known in the past of people bringing up safety issues and, yes, being crucified about it. 'Why didn't you do something about it?' 'Well, I am', but they were written up or bullied into being quiet. If you make an example of one person, the other ones do not want to speak up. They think, 'Shit, if that happened to him I'm not going to say anything. My job is more important.' That comes not just from permanents; the labour hire workforce is just as bad. They are too scared because they want to keep their jobs. It is across the board.

**Mr PEARCE:** Have you seen any casual employees who have been working for extended periods? We understand that they have to be brought in for a particular task, but I also believe that there are a number of labour hire people who have been in the industry for a long time but do not get permanent work.

**Mr Rolls:** Definitely. Even in the pit that I work in, some of the individuals have been with us for three or four years. I think, 'Why can't they get a job?', but they have had a couple of safety incidents or something has happened where they have had a run-in with the supervisor or whatever over doing the right thing, but they get crucified for it. They do not get a job; they do not get a start. They are just kept as labour hire.

**Mr PEARCE:** I sit here. I had only 11½ years in the industry. I worked underground and open-cut. I am sitting here and I am thinking to myself, 'What the bloody hell is going on here?' Can you tell me what is going on?

**Mr Rolls:** Money—greed and money and always production over safety. Instead of being proactive, a lot of these companies are reactive. Anglo American themselves, they pulled up the whole mine site there probably five years ago—stopped everyone at the mine site—and decided to get everyone in and run a big safety campaign on various issues and all of that. They even admitted themselves—some of the hierarchy is not there now from Brisbane from the senior leadership team, the SLT team—they come up, done all of these safety interactions and all of that, yet they even say to themselves, 'We're more reactive than proactive. We need to change that.' Over the years, whether it has come into production, or whatever, that just fell by the wayside. We never heard anything after that about, 'Come on, let's keep going with what we are doing. Let's keep the movement going—zero harm, don't want to send anyone home, we are naturally different'—so Anglo call themselves. They are here for families and all of that—help the community and everything—yet they go away from creating something and they do not want to know about it.

**Mr PEARCE:** Thanks, Shane. I appreciate your honesty.

**Mr COSTIGAN:** Thank you, Mr Rolls, for being so forthcoming in your testimony this morning at Middlesmound. I asked this question before of your colleagues and I have asked it previously at other hearings. The national screening program that has been talked about, what is your take on how that should be implemented? Should it be X-rays every two years? Five years? I am sure that it has been canvassed with you and your colleagues. What is your take on that?

**Mr Rolls:** Regular canvassing should be happening a lot better under the guidelines where we have our B readers from the States and a lot of people properly trained. I have been back in the open-cut now almost eight years. I think when I first started, I had to have chest X-rays in my revision. I never had it after the five-year period. I never had to have that checks X-ray again; I just had the spirometer—blowing the thing—and that was it, no questions asked about, 'Have you been in high levels of dust?' 'Have you had this?' 'Have you had that?' Nothing at all to say, 'There could be a problem. Can we check something out?' That was after five years to do my renewed Coal Board medical and nothing since.

**Mr COSTIGAN:** I think Mr Stoddard, if memory serves me right, worked in the coalfields in New South Wales. I am sure there are a number of miners here today who worked in the Hunter coalfields, in the Illawarra and so forth. Do you think, having the inconsistent approach, does nothing in terms of workers' safety, health and wellbeing, given the issues that have been outlined at this hearing and others, no doubt?

**Mr Rolls:** Definitely, very inconsistent. If it were not for the inconsistency, you probably would not be here. If there was more consistency in our safety and dust levels and more regulatory things by individuals, by the union or whatever to keep everything in control, we would probably have a better handle on things.

**Mr COSTIGAN:** How would you describe the government's campaign of raising awareness of black lung in the community? Have you seen any evidence of that?

**Mr Rolls:** Not really, no—not by the government. Someone is sitting on their hands, obviously, or they are not willing to force it out there. Mainly the union, the CFMEU, is really pushing it. We are not getting any support from the government—only in mine areas—whereas I think that we should, considering that it was a never heard about disease before. We got rid of it in the early years and now it has sprung its head up and it is coming back with a vengeance.

**Mr COSTIGAN:** What about the perception out there in the coalmining communities of these X-rays that have been taken and have just disappeared into the abyss? The committee has heard of shipping containers in this becoming infamous suburb of Redbank in South-East Queensland. Do you think that the committee should go to Redbank and find the shipping container and blow the lid on this? What is your view on that?

**Mr Rolls:** Yes. If they are there, find them and find out what is going on, but they are only just the X-rays. We did not know about the B readers and how they have the individuals who can properly read them to say, 'Yes, something is wrong. This is what we need to do.' We need to follow these guidelines and make an international standard, not just an Australian standard, and adopt those standards. Our safety and our health is more important than anything else.

**Mr COSTIGAN:** When it comes to the reading of the X-rays and the interpretation, is it fair to say that you and many of your peers have lost confidence in the medical profession and how this is supposed to work for the benefit of people and their health and wellbeing?

**Mr Rolls:** Definitely. There should be an independent medical committee or something like that. I have seen in the past with nominated medical advisers by the company, under the company's own banner or whatever, 'We will look after you,' and you do not hear anything else. You think, 'What's going on?' That person has not been properly trained outside, yet they are a company doctor or nominated by the company because they get benefits from the company, or whatever. They are under the belt of the company just to keep everything rolling instead of being properly trained to these international standards that they should be.

**Mr COSTIGAN:** Just one final question. I asked this of Mr Adams earlier. The reporting of a diagnosed case of CWP in regard to an above-ground worker, was that a turning point in this investigation and this issue in the community? Has it put the wind up a lot of people, whether they are underground or above ground?

**Mr Rolls:** I think it has now, yes, because it was always known to be, I suppose, a below-ground disease—you get it from sucking in dust. Now that it has come into the open-cut, it has woken up a lot of people. Some of us individuals in this room have been in the industry for 20-odd plus years and we had not even heard about it—even less, because everyone's susceptibility to the disease could be different. We do not know that. No-one has proved it. We have to get on top of it.

**Mr CRAWFORD:** Shane, I am just going to take you back to a response to a question from the member for Mirani. You talked about five years ago they shut down the whole plant and they had a big session on safety; is that right?

**Mr Rolls:** Yes.

**Mr CRAWFORD:** Were you at that?

**Mr Rolls:** Yes. All the pit was involved—German Creek and the wash plant and the open-cut area where we were. We were all involved. They stopped the whole mine site. Everyone stopped.

**Mr CRAWFORD:** Was dust part of anything that they were talking about?

**Mr Rolls:** No. Dust was not involved in that.

**Mr CRAWFORD:** What sort of things were they talking about?

**Mr Rolls:** Part of it was identifying risks and hazards in the workplace. They would take five or 10 of us over to the workplace. There would be a little scenario—'What can you see?' and all of that just to alert your awareness of the risks and hazards in your workplace. Then we came back and we had a big discussion. We did some role-playing. We got together in groups to discuss our concerns about the mine site. When we did it, we put everything into the basket. Some of us were presenters—hopped up in front of everyone and stated our case of how we felt the mine site was and how things needed to change. It was known back then that the company themselves had stated that they were more of a reactive company instead of being proactive.

Then whatever happened after that, we got no feedback from that and then there was nothing ever after that again—no follow-up, nothing. It just went by the wayside. It is the same. They were being reactive—'We've had some dramas outside. Let's stop the mine. Let's be concerned about the risks and the safety.' 'Okay, we've done our bit. Okay, see you later.'

**Mr CRAWFORD:** Was there any open forum or any sort of session on that day where employees could raise general health and safety topics?

**Mr Rolls:** Yes, there was. We were broken into groups and we were given topics. Then two representatives from that group hopped up in front of everyone and gave our concerns—'We are a business, but we are also a community and this is what we want to do and how we want to achieve it and work all together' and all of that.

**Mr CRAWFORD:** Did any of the employees raise any dust issues with the company that day?

**Mr Rolls:** Not on that day, but not just only on that big company day alone, but we have prestart meetings and all of that so that we can bring up issues there. We have concerns about the conditions of roads, what the dust is like, how many water carts we have. Then the supervisor should know that if we have one water cart and we have four circuits running that you need to prioritise and not have circuits running with dust flying everywhere—'It is hot out there. It is dusty. Just take your time.' We have only one water cart, yet they still want us to go out and operate the other three circuits. That water cart might get prioritised to the main production machine, which might be a shovel or, if they want coal out for the production, that water cart would mainly go there. When it gets too dusty, they say, 'Slow down. Drop it back a gear' or, 'If it does get too dusty, park up.'

**Mr CRAWFORD:** You mentioned prestart meetings and you mentioned a book.

**Mr Rolls:** The prestart book, yes.

**Mr CRAWFORD:** Is this like a pocketbook? I have seen these in some other mines.

**Mr Rolls:** Our prestart book is the equipment prestart book. It is normally found in the machine that we are operating.

**Mr CRAWFORD:** It is not a person a book; it is per machine?

**Mr Rolls:** It is per machine, yes—one book per machine. Basically, when you do prestarts, or if there are any issues with the machines, you have an A and B section. A is main priority and B is you can still operate it. If there are any other little things, in 'Comments', you can write it down. If a fitter has come along, or if you have notified dispatch of what is going on, or dispatch directs you, you put that in 'Comments'. Depending on the level, the top part is A priority. That part means that you should not operate that machine, yet sometimes that does not happen. There is a flexibility there by supervisors to say, 'No, you'll be right to operate the machine. Just write it down there.'

**Mr CRAWFORD:** You mentioned before that someone from the company had said to you to write down issues in relation to dust in the cabs in the prestart book. Have you ever done that?

**Mr Rolls:** For myself individually, no, because I have a very high concern about safety for myself, but it is left up to the individual on how they perceive it and all of that. In the past, it has happened that you bring something up and you get crucified for it.

**Mr CRAWFORD:** When you fill in that prestart book, you have to put your employee details?

**Mr Rolls:** Employee details and you have to sign it as well to say that you have understood it and that machine is right to operate at that time that you had it.

**Mr CRAWFORD:** Do you think that there is a fear of reprisal in the workforce in filling in that detail and putting your name associated with it?

**Mr Rolls:** It has in the past because of certain areas where, if you have not signed it, you are told that you have to sign it. Over the years, there are some areas there where I do not really have to sign it. I can initial it, or put something on there, because I feel that it is a legal document. If you sign it, if something goes wrong, or if you find something wrong with the machine later or someone else finds that something has broken on that machine later on, they come back to you, 'How come you didn't pick it up?' Then you are crucified for it by the supervisor and there is a big investigation. Then you are stood down. You are attacked for something that you did not do.

**Mr CRAWFORD:** Do you have any idea of what happens to those prestart books? They obviously belong to the company.

**Mr Rolls:** There is a procedure that the company is supposed to follow. I learned that under the safety and health management system. Once that prestart book is full, if there is an incident—there is supposed to be an investigation done of what happened with that incident and then that prestart book is supposed to be collected and gone through a procedure, through the mechanical people and all of that. I have seen three, four, five, full books sitting on the dash of a truck and behind the seats and all of that. The company is supposed to collect them regularly if they are full. Sometimes, you have copies of prestarts in there that should be torn out and the maintenance should get it so they can set up how to do the maintenance on the machines and all of that.

**Mr CRAWFORD:** When we are talking about machines—and, obviously, we had a long discussion not only this morning but also last night about dust in the cabs, holes, rust and all of those sorts of things—what is the life span of some of these machines? We have a range of machinery. I am just trying to get it in my mind whether the normal life span is two years, five years, 40 years, 50 years? Can you give me some ideas?

**Mr Rolls:** It can vary depending on how much that machine is being used. We run a mine site 24/7 and then you have dust, you have rain, you have water, you have water carts, you have conditions and all of that that are happening. Sometimes a truck might last only four years and, if they keep bandaiding it up, it might last 10 years depending on how many hours and how much production they get out of that truck. They run it as long as they can without having to pull it up.

**Mr CRAWFORD:** What is the oldest truck that you have seen, do you think?

**Mr Rolls:** There are some small trucks there that have been probably 20-plus years. Even some water carts as well, you fill them up with water and the water is coming in through your cab—stuff like that.

**Mr CRAWFORD:** That help fixes the dust, does it?

**Mr Rolls:** Yes, that helps to keep the dust down, but even some of the other trucks, the cabs and the seals have been there for 20-odd years, but everything erodes and rusts away. They cannot get rid of it.

**ACTING CHAIR:** Mr Rolls, we have done six hearings now in four different towns. We have heard from people from a range of different mining companies. We have heard from open-cut and underground miners—people in all different parts of the mine. I am not sure how the other committee members are feeling, but I am at a point where I could almost answer your questions for you. I have heard every question repeatedly and heard the same thing over and over again from all of those people. For me, that is frustrating. I cannot imagine what it is like for the workers in this situation. You as a union delegate must have interactions with workers from other mines at times, at union conferences et cetera.

**Mr Rolls:** Yes.

**ACTING CHAIR:** Is there anyone talking about mines where they are actually getting this right?

**Mr Rolls:** No. If we were to get it right we would be in a happy world and everything would be rosy and flowers and all that, but, yeah, no.

**ACTING CHAIR:** I hope we get to that world. I just want to ask you about targets. You mentioned targets. Who sets the targets? Is that discussed with the workforce?

**Mr Rolls:** No, it is a company target discussed with whoever in the company on what they need to get out to supply their ships that they have or whatever they have coming up to supply and demand, I suppose.

**ACTING CHAIR:** What are the consequences of not hitting the targets?

**Mr Rolls:** Not hitting the targets the operators—don't get crucified, but you miss targets we need to do something else so we change tactics about trying to do things to get out there quicker, you know. We have areas where they are trying to cut corners, trying to get the workers out there quicker instead of doing the full safety brief and all that. If they have a yellow line that you have got to stand in front of and you have the timer that the supervisor has to get there to give you just the basic information and then you are sent out, you know.

**ACTING CHAIR:** Would you characterise then that when those targets are at an increased level, say, that there is pressure on everybody from the bottom to the top?

**Mr Rolls:** Definitely.

**ACTING CHAIR:** And people making less than perhaps ideal decisions around particularly safety?

**Mr Rolls:** Yes, definitely, 100 per cent. I have seen it in the industry as long as I have been in there. More prevalent in the last probably eight years—eight to 10 years now. More prevalent with the way the coal prices are, you know. Cut corners, keep operating that machine, I'll get the fitter down here to come at crib time to have a look at your machine yet there is a major problem with it, but you are still forced to operate it but when you go to stop the machine then you have the supervisor come down and get you down off the steps saying, 'What are you bloody doing? We need that machine to keep going. I need 6,000 tonne of coal out of this machine by tonight to make our targets—to make budget.'

**ACTING CHAIR:** I will hand over now to the counsel assisting.

**Mr McMILLAN:** At the risk of asking questions that the chair could answer himself, I want to just cover a couple of things that no doubt you will have heard me ask others this morning already. You said that you have worked in the industry for something over 23 years, including underground. Can you estimate the total amount of time in years that you would have been underground?

**Mr Rolls:** Not time. Probably 10-plus years in various pits working contracting as well, various pits and all that as well, not just permanent.

**Mr McMILLAN:** Over the course of that 23 years you should have had at least four coal board medicals?

**Mr Rolls:** Yes.

**Mr McMILLAN:** Prior to recently have you ever had a chest X-ray as part of that medical process?

**Mr Rolls:** At the very start when I first started in the underground industry yeah I did but then nothing after that.

**Mr McMILLAN:** Did you receive the results of that initial X-ray when you started in the industry?

**Mr Rolls:** No.

**Mr McMILLAN:** Have you had another one recently?

**Mr Rolls:** No. Only from the open-cut we didn't really get—when I first started eight years ago, almost eight years ago when I had the first one and then my review period come up after five years and never another one. I have had an X-ray since. That was only to do with the black lung because I have worked underground and open-cut.

**Mr McMILLAN:** Between that initial X-ray that you had 20-odd years ago and the one you have had recently as a result of the union campaign around CWP, you haven't had any other X-rays in that intervening period?

**Mr Rolls:** No.

**Mr McMILLAN:** During that intervening period when you should have had three or four coal board medicals, have the doctors that you have consulted for those medicals, the nominated medical advisers, asked you about your occupational exposure to dust over your working life?

**Mr Rolls:** No, never.

**Mr McMILLAN:** Has there been any discussion at all about your work, whether it has been above ground or underground, and how much dust you have been exposed to?

**Mr Rolls:** No. Back then there was more concern about your hearing. There was nothing about your lungs or your chest or nothing like that, it was more about your hearing, how much exposure to noise you have had. There was nothing about lungs.

**Mr McMILLAN:** When you go for a medical while you are in an above ground environment in the open-cut have you ever been asked about your history of working in underground?

**Mr Rolls:** Never.

**Mr McMILLAN:** Do you recall when you go for those medicals the doctor going through a form, a form 4, that they have to sign off to say that you are fit for work?

**Mr Rolls:** Yes.

**Mr McMILLAN:** As part of that form have they asked you about your personal medical history?

**Mr Rolls:** Not really, no. They just see me young and fit or whatever—young, yeah, I am young and fit—and just any issues, you know, it has been good, you know, a couple of broken bones or whatever, but that is about it, nothing really in concrete to have a look at.

**Mr McMILLAN:** The doctor who signs off on the form, is that the person who actually goes through the form with you and does the assessment?

**Mr Rolls:** Yes.

**Mr McMILLAN:** Thank you.

**ACTING CHAIR:** Thank you, Mr Rolls, for appearing here today. We might have a five minute break.

**Proceedings suspended from 8.51 am to 9.01 am**

**HARPER, Mr Zac, Private capacity**

**HEKE, Ms Kayla, Private capacity**

**HERDMAN, Mr Russell, Private capacity**

**MORRIS, Mr John, Private capacity**

**SCOTTON, Mr Luke, Private capacity**

**TAYLOR, Mr Simon, Private capacity**

**ACTING CHAIR:** Good morning, ladies and gentlemen. I will reconvene this public hearing of the pneumoconiosis select committee. I call John Morris, Kayla Heke, Russell Herdman, Zac Harper, Simon Taylor and Luke Scotton. Thank you very much for making yourselves available. Can I ask each of you to state your name and the capacity in which you appear today, starting with Mr Morris?

**Mr Morris:** My name is John Morris. I was three years at Grasstree on the longwall as an operator, two years unluckily enough at Carborough Downs on the longwall as an operator and five years as an operator out here at Lake Lindsay in open cut.

**Ms Heke:** My name is Kayla Heke. I have been an operator for just over 11 years here at German Creek, Lake Lindsay.

**Mr Herdman:** My name is Russell Herdman. I have been in the industry for about nine years—just on six years out here at Lake Lindsay. I am currently vice president of German Creek lodge.

**Mr Harper:** My name is Zac Harper. I am at the German Creek wash plant. I have been there for about six or seven years.

**Mr Taylor:** My name is Simon Taylor. I have been at the wash plant for the last seven years and in the industry for 10 and a union delegate.

**Mr Scotton:** My name is Luke Scotton. I am a wash plant operator at German Creek. I have been there going on nine years now. I am a junior vice president of the CFMEU lodge at German Creek.

**ACTING CHAIR:** Thank you all for appearing today. Would anybody like to make a very brief opening statement?

**Mr Harper:** I have been in the industry for about six years. I had my first medical before I started. At the start of the year I had my second medical. I requested a chest X-ray and a drug test. I was told, 'No. You can go and do that by yourself if you want that.' I was a delegate for a short period of time. It became very difficult for me to continue doing that, especially with being active with all the dust. I had a lot of difficulties at work. I have been shifted around. I have not been back at work in about six months. I am not allowed back at work. I have been shifted around on different crews. Predominantly it was just for speaking out and trying to say the things that other people do not mention, fighting the dust. It is very difficult to talk about. People seem to put their neck on the block whenever they speak up about it.

**ACTING CHAIR:** For the benefit of those appearing and for those who have already appeared, I want to remind people that this committee would take a very dim view of anybody receiving any negative actions or consequences as a result of your testimony. We would strongly advise, encourage, instruct you to contact members of the committee if you do have any negative consequences in relation to your testimony here today. They will be investigated and appropriate action will be taken.

**Mr SPRINGBORG:** Thank you very much, ladies and gentlemen, for assisting us here today. During the course of our various meetings and the evidence we have received, we have talked to a whole range of people including mineworkers right across the age demographic. What we have here today with those of you on the panel at the moment seems to be a relatively young age demographic within the mining industry. Have you generally been made aware through your induction process of the risk of dust? I am looking around here. We are talking about people who have generally entered the industry within the last 11 years.

**Mr Harper:** I think predominantly we get a mention of dust and that it is a hazard, that we have to look out for it and that we have procedures in place so that when it happens we can take care of it, but that is not actually what happens. That is about as far as it goes. There is no real discussion on dust or how to look out for it.

**Mr Taylor:** We fill out hazard reports and give them to our foremen. In our little safety book we fill out a hazard report. We keep doing it and doing it and nothing ever changes. We deal with the coal from both open cut and underground at the wash plant. We do anything from driving the dozers in the dust—when we are driving the dozer up on the stockpile we cannot even see where we are going. That is how much dust is about. It blows over to the workshop, as the old mate was talking about before. Then we deal with it after it has been handled five times out in the ROM out at Lake Lindsay and it comes in. We are expected to go down the hole in the dust and are given some half-arse dust mask. When you wake up in the morning after night shift you cannot even see out of your eyes with the dust in your eyes. You are just coughing it up.

**Mr Harper:** In talking about these closed cab machines that we have on site, I witnessed an operator plug his seatbelt in and the seatbelt was that full of dust that he could not remove the seatbelt at the end of his shift. He was that fearful of losing his job if he cut the seatbelt that he sat there for over an hour and a half and nearly shit himself until the fitters came over from the workshop because it was not considered serious enough. People out there are that scared for their jobs that they want to sit in a seat for over an hour because they do not want to cut the seatbelt because they are scared of getting the sack. No-one is game enough to say anything about the dust out there because they are not out there the next week.

**Ms Heke:** I think it is fair to say—and I am pretty sure you have heard this at the other hearings you have had; I was at one yesterday—that the mines behave in a way that is reactive. They are not proactive. If an incident happens, they do not do anything the first time. There are numerous incidents before anything is done.

**Mr SPRINGBORG:** Just on that, Kayla, you said they are reactive, not proactive. Given as much as they could be proactive, would you say that they may be a little bit more proactive when it comes to the risk of physical injury or impairment versus what would happen with dust as far as awareness of things that might cause an external physical risk is concerned?

**Ms Heke:** More so than dust. On the dust hazards, there is not much given on that at all. I had never heard of black lung. The only mention of that before was in a movie with Ben Stiller—*Zoolander*. I never knew that it applied to open-cut people as well.

**Mr SPRINGBORG:** I must admit that I have never watched *Zoolander*. That was the first time I heard that reference yesterday. I better look that up as a reference documentary to assist us.

**ACTING CHAIR:** There is your homework, Deputy Chair.

**Mr SPRINGBORG:** I am learning a lot during the course of this inquiry—from left field as well. When you had your induction and dust was mentioned—it may have been said that you have to be careful about it—there was no mention whatsoever of what the risks of dust were?

**Ms Heke:** No.

**Mr SPRINGBORG:** It is pretty obvious what the risks are of a physical injury if you crush your hand or end up in front of a vehicle or whatever. Absolutely nothing was said other than obliquely, 'Dust could be a problem.' There was nothing said about awareness of any dust diseases and those sorts of things.

**Ms Heke:** Never heard of it.

**Mr SPRINGBORG:** Silicosis, black lung—there was nothing like that. There are a whole range of dust diseases that lead to those sorts of things.

**Mr Harper:** When I first started, going on six or seven years ago, we did not have as much dust. We really ramped up production—I am not sure when it was. It was whenever Luke Dimick took over the wash plant. We have seen a lot of dust sprays taken off. We have seen the coal that we put on the belt increased. The way we handle the coal is different. We handle it a lot more now.

**Mr Taylor:** The dustier the coal is up our end we have to turn the sprays off.

**Mr Harper:** We put that much water on the belt to try to control the dust that we ended up blocking up the coal chutes, so we get instructed to take the dust sprays off. I can show you footage of us burying the ROM in dust, if you are interested in seeing that. There is just case after case of guys going down the ROM tunnel who cannot see, coming out covered in black. You just cannot speak out. You cannot say anything.

**Mr SPRINGBORG:** We are interested in footage. I think it is fair to say, Mr Acting Chair, if there are things that could be submitted to us—

**ACTING CHAIR:** Yes. If there is anybody who would like to submit photos or videos, have a chat to Jacqui and she can talk to you about how you can make a submission to the committee inquiry.

**Mr SPRINGBORG:** My final question relates to your comment, Zac, about the sprays being taken off. I think you somewhat expanded on that as both you and Simon answered that question. Basically you have been instructed by management, is it, to take off the sprays?

**Mr Harper:** Management. That would be supervisors, superintendents and also wash plant managers.

**Mr SPRINGBORG:** To take the sprays off because of—

**Mr Harper:** Yes, that is correct.

**Mr SPRINGBORG:**—impact on production.

**Mr Harper:** Yes. That is 100 per cent correct.

**Mr PEARCE:** I drive around Central Queensland a fair bit. I have passed a lot of wash plants. It is a great picture at night-time of the 'fog' all around. Do you want to tell us a bit about the 'fog' that is there?

**Mr Harper:** It actually looks the same at night-time as it does in the daytime. It is just black, I think, Jim. We are not too sure what is on the inside of the big black cloud.

**Mr PEARCE:** You'll be right, Zac. I'll remember you!

**Mr Taylor:** Put it this way, we go out to our cars on a dewy morning after night shift and you have to put your wipers on in your car. That is about a kilometre from our wash plant to drive out of the mine site.

**Mr Scotton:** From Tieri you can see our ROM from dust.

**Mr PEARCE:** I was being a bit of a smartypants then. It is really dust, isn't it?

**Mr Harper:** Yes. It is dust from our ROMs. We have had complaints from property owners around the mine site about the dust before. Management's response to that is to make changes to the product stockpile which does not actually do anything. The coal is wet and washed. It is just going to sit there before it goes on the train. That is how management demonstrates they are being proactive about it when in reality they are not doing anything. They are trying to make the front of the mine look good and we just run a shit show out the back.

**Mr PEARCE:** Can someone tell me about the slam book?

**Mr Harper:** I have handed in slams before and had them refused to be accepted or signed based on what negative consequences could come out of them. They were in regard to operating machines, dust and hazardous conditions like dust and build-up. A lot of coal spillage happened, especially when we ramped up all of our production on our coal belts. We run things at a lot higher capacity than what they were designed to do. Everything goes out sideways from there.

**Mr PEARCE:** It has a page on the back, doesn't it, where you can fill out a hazard report?

**Mr Harper:** It is blank on the back. You put down your own hazards there and you put down what you did about the hazard. If you report a hazard that cannot be rectified, it seems to disappear into the too-hard basket.

**Mr PEARCE:** Do you get any feedback?

**Mr Harper:** No.

**ACTING CHAIR:** I call Mr McMillan, Counsel Assisting, for your questions.

**Mr McMILLAN:** You will have all heard me ask the last two witnesses this same question, so I will do it quickly in one go. Across the six of you, there must have been at least 20 coal workers' health assessments done in the last decade. Have any of you had the experience of the doctor asking you about your occupational exposure to dust across the time that you worked in the industry?

**Ms Heke:** No.

**Mr Herdman:** No.

**Mr Harper:** No.

**Mr Taylor:** No.

**Mr Scotton:** No.

**Mr Morris:** No.

**Mr COSTIGAN:** I will ask you the same question I have asked previous witnesses before the committee here today at Middlemount and last night. In terms of the national screening program that has been talked about, would you care to make a contribution here individually or collectively as to how often we should be having X-rays and so forth in relation to keeping on top of and eradicating CWP or black lung disease?

**Mr Morris:** Out at Lake Lindsay, I had a mine medical and a chest X-ray done when I started at Grasstree. Three years later when I went to Carborough I had a mine medical and a chest X-ray done. When I went to the open-cut mine there was no X-ray done. This year—I cannot remember what month—when Shane Rolls organised it so that we could get our X-rays done for Anglo I went and had an X-ray done. Four hours later, as I was driving out of Mackay, they said, 'You need to do a CT scan. We have seen something on your lung.' I went and got my CT scan done on the Friday. I did not hear anything for two weeks. I got a call from Dr McCarthy two weeks later and he said, 'You're all good, mate. No worries.' I thought that was interesting. It never went to America.

When I was up in Townsville a few months later, I rang up Dave someone in the mines department, a doctor, about this CT scan and we started talking. I said, 'How come my CT scan did not go to the States?' He said, 'No, we can read that. Anyone in Australia can read a CT scan. We know what we're looking for when it comes to the case of a CT scan.' We got talking—and I am not backward in coming forward and if I want to know something I will find out—and I said to him, 'Mate, coming from underground, I have seen digger operators get out of diggers covered in coal. I have seen Orica guys sitting there in the dust between the dragline on one side and the digger on the other side with dust everywhere.' The digger could be on coal, obviously the dragline is on overburden, covered. You do not see anyone wearing dust masks. This is before you found the case in the open cut.

I said, 'When are you going to start looking at your open cut?' He said, 'It's a big beast. We'll sort out the underground first and then we'll get on to the open cuts.' I said, 'Mate, there's guys up in these trucks covered in coal.' The loader operators can tell you that they get out and they are covered in coal as well. You would think they had been underground. He said, 'We'll get to that.' I said, 'Mate, I was at Carborough. I worked there next to Jedda, with Dave, one of the first of the two who got found with it. You need to do the screening more often and you need to do it with the open cut.' He said, 'We'll sort out the underground first.' That was his answer. Obviously, with these CT scans, it is like, 'No, we can read the CT scans. We know what we're looking for in the CT scans. We don't need to send them to the States.'

**Mr COSTIGAN:** Ms Heke, gentlemen, would you like to add to what Mr Morris has said?

**Ms Heke:** I would just like to say I never realised how serious this was until these inquiries into black lung came up. Being in the open cut, I never thought we would ever be affected by it.

On something out of left field, when I first started in the mines, I had white bedding. I would be on coal at work for 12 hours, then I would go home, have a shower and go to bed, and I would wake up and there would be coal on the sheets. Being a girl, when you do a bit of waxing on your legs, you do not realise how much crap gets in your pores. There is coal. It comes out on the sheet when you wax your legs. It makes you think how serious this really is and how we have heard bugger-all about it.

**Mr COSTIGAN:** Gentlemen?

**Mr Herdman:** I have two points to touch on with basically what we were talking about before. We have seen it more and more in the industry—probably more in the last seven to eight years—based around speaking up, especially with the casuals in the workforce. We are seeing it more and more not just around dust but other safety incidents as well. Speaking up in the industry is frowned upon. I know there are several people who do. Like Shane said before, they are definitely frowned upon and put out in the back to rot when they have usually had a more pivotal role in the mine. If you speak up, you definitely get shoved out in the sticks, put on a crap bit of gear or whatever it may be.

One of the points that Shane Rolls touched on before was about the age of the equipment. Some of the oldest trucks and equipment on the mine site that we currently work on are in some of the dustiest parts of the mine. Obviously, with age, the cabs are not as sealed as well. Cab seals and pressurisation of those cabs are nowhere near as good as what they are now in the newer equipment that is coming on the market, yet they are operated in some of the dustiest parts of the mine. When somebody speaks up about it, they get removed from there and somebody else gets put on the same bit of gear. One of the casuals or the contractors gets put on that bit of gear because they are too afraid to speak up for fear of losing their jobs.

The other part to touch on was John was speaking about getting taken for chest X-rays. It has been very difficult to send any of our members or get any of our members through, right down to the point where they have been told from the company that they must take their own personal sick leave to go and get these chest X-rays done.

**Mr COSTIGAN:** Is that a fact?

**Mr Herdman:** Yes, definitely. They have been told to take personal sick leave, their entitlements, to go and get a chest X-ray done that they are entitled to have.

**Mr COSTIGAN:** Do these people live in Middlemount?

**Mr Herdman:** These people sit in this room.

**Mr COSTIGAN:** I figured that.

**Mr CRAWFORD:** I do not suppose that directive to use your sick leave was done by email, was it?

**Mr Morris:** I got the call from Dr McCarthy saying I had to get the CT scan. I rang up the lady on site and I told her, 'I've got to get a CT scan. Can you organise it?' She said, 'Yes. No worries.' And travel days as well, they are going to pay you for travel and your day will just be a workday. She said, 'Just to let you know, John, that HR said yes they'll pay for any ongoing things like CT scans but you won't be paid money to travel in and out to get it done in your work time.' I thought whatever. I said, 'What about the days? What are they going to be?' I was told, 'We still have to find out from the senior leadership team on what the days are going to be covered as.'

Once I got the CT scan done, I rang and they said, 'Annette King from HR will get hold of you at some stage.' As I said, I am impatient so I rang her and got her before she knocked off on her early knock-off on a Friday. She said, 'John, no, it won't be covered as a workday. You've got to take sick leave or whatever.' I said, 'I don't have sickies so you can take it out of my annual leave.' It had to come out of my annual leave. I hit the HR manager up later about it, Steph Oppermann, and she said, 'No, we've spoken to Grasree and they make their guys go in and do it on their seven days off.' I said, 'That's good because you can't get an X-ray on a Saturday or a Sunday and we work a five and two roster and I won't be taking a sick day.' They do not care.

**Mr CRAWFORD:** Can you clarify for me, and I did hear the conversation before, but is the CT scan something that you sought yourself or is this something that the company said you must have?

**Mr Morris:** Dr McCarthy highly recommended I have it done.

**Mr CRAWFORD:** And who is Dr McCarthy? Is he the NMA?

**Mr Morris:** He is in Brisbane. I think Anglo use him.

**Mr CRAWFORD:** So you have been directed by the company's physician?

**Mr Morris:** And I got the CT scan done.

**Mr CRAWFORD:** And then you have been told you have to do it in your own time?

**Mr Morris:** I had to take a leave day. I took an annual leave day because I strictly refused to take sick days for something where I was not sick. They were paying for it so why should I have to take a sick day.

**Mr CRAWFORD:** Russell or Zac, I have a quick question. We have heard about contracted labour and that sort of thing, particularly in the areas of the open cut and also underground but we have not had a lot of evidence in relation to above-ground staff working at the processing plants. Are there many contracted staff, many labour hire people, working around you? If so, what is their work life like out there?

**Mr Herdman:** There are definitely several contract labour hire people in our areas. Personally, I work in the open cut. These guys here work in the processing plant. We have probably got two to one or better.

**Mr CRAWFORD:** As in two of them to one employee?

**Mr Herdman:** Two of them to one permanent employee. It is probably more than that. Definitely, you can see the difference in those two demographics of who speaks up when there is something wrong in that area. I would imagine that it would be the same elsewhere.

**Mr Harper:** I have been out there seven years in the wash plant. We have contractors out there who have been on the same contracts since before I started and I am a permanent employee. You have people out there for the last seven years who have not had a sick day, have not had annual leave, still doing the same shit job and cannot say anything about it because that will be the end of their income. It is pretty much that simple.

**Mr Taylor:** And their income has been slashed from about \$60 an hour back to \$40.

**ACTING CHAIR:** I call counsel assisting for a question.

**Mr McMILLAN:** I have one follow-up on some of that information. Do all of you work in Anglo mines?

**Mr Harper:** Yes.

**Mr McMILLAN:** Are all of you above ground at the moment?

**Mr Harper:** Yes.

**Mr McMILLAN:** Anglo say in their submission to this committee that all above-ground Anglo workers have been offered a chest X-ray if they are concerned—

*Members of the audience interjecting—*

**ACTING CHAIR:** I thank the audience members. For the benefit of Hansard, can we get a verbal answer to that please?

**Mr Taylor:** 100 per cent no.

**Mr Herdman:** The most information we see around the CWP is every letterhead you see on site has definitely come from the CFMEU. No information gets broadcasted out there from the company. If it is, I would like to see the flyers probably stuck on a back wall somewhere.

**Mr Harper:** I will restate what I said before. I requested a chest X-ray at the start of the year and was refused.

**Mr McMILLAN:** Thank you.

**Mr SPRINGBORG:** My question is more a request and probably applies to anybody out there as well. We saw pictures the other day of the cab of a machine which had what appeared to be paper bags shoved in various air intrusions.

**Ms Heke:** It is a common sight.

**Mr Harper:** It was probably blue paper.

**Mr SPRINGBORG:** This was actually brown. I think it might have been sandwich bags.

**Mr Harper:** It might be old blue paper. It has probably been there awhile.

**Mr SPRINGBORG:** I do not know how long that takes to get brown. It probably takes a while, maybe eight years. If anyone has any photos that they could supply to the committee, we would really appreciate that. We may have an accelerated maintenance campaign happening out there today to fix it all up. We would really like to see where you have got a good view of the ground below through the one-inch crack in the door. We would appreciate that.

**ACTING CHAIR:** Somebody did show me a photo earlier of that, which was similar to the one we saw the other day. I would echo the comments of the deputy chair.

**Mr PEARCE:** I would like to seek leave to table some photos.

**ACTING CHAIR:** The member for Mirani is seeking leave to table some photographs. Is leave granted? Leave is granted.

I have one final question. It is good to see young people employed locally and involved in the mining industry. It is good to see that the CFMEU has seen fit to encourage young people to take leadership roles. That is a very good thing. There must be quite a significant number of younger people early in their career on mining sites. Do people in that phase of their career—that early part of their career when they are younger—face additional challenges in terms of raising safety issues?

**Ms Heke:** I could probably comment on that. Being a female, when I first started, there generally were not as many women involved in the industry. I was a contractor for two years before I got a permanent shirt with Anglo. It took me another four years after that to actually find a voice to feel confident to speak up.

**Mr Morris:** I have a couple of points about dust monitoring and being underground as well. I have seen the samples failed, as in your personal ones. Their answer is, 'As long as you wore 3M or you wore this protection, you're right.' After a certain amount of time, we would have a gutful, and we would get one of those dust monitors, put it on the dustiest part of the machine and it would still pass. How does that give you faith in the personal monitors? That was on the longwall.

When I started off in 2006 before we got automation, we had to do it manually, and the tailgate operator was the dustiest bloke. He is in the dust, but those readings would come back and fail, you would get a piece of paper to tell you what it was and they would say, 'No.' We would say, 'Hold on, Middlemount

it failed.' They would say, 'No, you're right. As long as you're wearing that 3M that you said you were wearing, it passed. You're right. You're safe.' It was the same over at Carborough, the same thing. Then other times you would not even see the results. You would ask them where the results were, and we would be told, 'We don't know. You're right. You were wearing your dust mask. It's all good.'

I have some other points from guys that you are not going to get to talk to here. We do a 10 and 10 spray out there at Lake Lindsay. A lot of guys would rather do a strip spray but 10 and 10 might be quicker, it is safer in what they think out there, the hierarchy—

**ACTING CHAIR:** Can you just elaborate on what a 10 and 10 is?

**Mr Morris:** It is 10 metres on and 10 metres off so trucks do not slide. Some guys from other pits would rather do a strip spray—that is, strip all the way down one side and then do the other side—but that is what the hierarchy has come up with.

Also, you talk about targets and budgets. Their targets and budgets also go towards their bonuses. They do not want to ruin their bonuses, so the supervisors get pressure from the hierarchy to do these types of things. We have seen times before when there was too much dust on the circuit down at our shovel and they will say, 'Pull up all the trucks except for two, and two of you trucks keep running until we get the water truck out there.' Two of them keep running in the dust; you can hardly see anything, but keep running. The contractors are not going to speak up. They do not speak up. There are times you are sitting there and a guy in my ear has said, 'This has happened. Can you bring it up because if I bring it up I'll get a phone call this afternoon when I get home off the bus and I'll be gone.' I say, 'Mate, I wasn't there so it's just going to be hearsay because I wasn't there on that circuit when it happened.'

We have had a contractor out there on site who has brought up questions in the pre-start who has then got written up by WorkPac from Anglo for asking too many questions in the pre-start—the pre-start is not the place to bring up safety. He is still out there now working for them, I do not know why. He is still out there now working for them, helping them out, but that is the type of stuff that comes out. That is what they face.

**ACTING CHAIR:** Thank you, Mr Morris.

**Mr Scotton:** Sorry, but can I just add something?

**ACTING CHAIR:** You can, Mr Scotton.

**Mr Scotton:** There are a couple of experiences that I have been involved in with these dust monitoring things. I have been involved in two, like I said. The first one we did was when the plant was shut down and we never got a response back—no results, nothing on that. The second time we did it was a day after we had torrential rain and we still never got results on that. There have also been a couple of times where the wash plant guys have refused to go down the ROM. It is ridiculous down there. It is full of dust and everything. When that happens, they will send a contractor down there to do it.

**ACTING CHAIR:** Thank you for sharing that. Anybody in the room that would like to contribute, you can make written submissions. They do not have to be in any particular format; it can just be simply your story. You can talk to Jacqui about the process for doing that and we would certainly welcome any further submissions from any member of the community. Ladies and gentlemen, that does conclude the public part of our hearing. We will be conducting a private hearing. On behalf of the committee I want to thank the communities of Collinsville, Moranbah, Dysart and Middlemount for making us welcome and sharing honestly and openly the concerns that people have. I thank the Middlemount Bowls Club for its hospitality over the last 24 hours. I thank Hansard as well. I also want to thank our sound engineer, Troy, and also wish him a happy birthday. A record of what you have said today will be available on the parliamentary web page. We will now conduct a private hearing, so I would ask that all people leave the room as quickly as possible. Because we cannot secure these windows, I also ask that nobody go around the front of the bowls club. Thank you very much for coming along today.

*Evidence was then taken in camera—*

**Committee adjourned at 9.57 am**