

Agenda Item 16: SILICOSIS

FOR DISCUSSION

QUEENSLAND

RECOMMENDATION

That Ministers:

1. **Note** the serious implications for workers and the building and construction workforce.
2. **Discuss** the options available to the BMF in terms of a national response to silicosis.
3. **Agree that the Chair of the Senior Officers' Group initiate a discussion with work health and safety officials around supporting actions building ministers could take to address the issues raised.**

BACKGROUND

Fabrication of benchtops from engineered stone may result in workers being exposed to high levels of respirable crystalline silica (RCS). This is due to the high silica content of engineered stone and the associated work practices involving uncontrolled cutting and grinding of stone. The silica content of engineered stone is approximately 90 per cent, far higher than most natural stones with 3 per cent in marble and 30 per cent in granite. It is important to also note that some natural stone can also contain high levels of RCS (e.g. granite).

RCS is a class 1 carcinogen and occupational exposure to it can cause debilitating health effects including silicosis and lung cancer. Silicosis is one of three primary types of lung disease that are classified as a pneumoconiosis.

Proactive compliance audit activities undertaken by the Office of Industrial Relations (OIR) in Queensland between October 2017 and July 2018 identified high rates of worker exposure to RCS. These exposures were occurring through poor work practices and inadequate silica dust control, in contravention of existing work health and safety (WHS) laws. Health screenings of stone benchtop workers undertaken as part of the audits resulted in a significant increase in workers' compensation claims for silica-related diseases in a short period.

The following actions have been taken in response in Queensland:

- On 18 September 2018, the Honourable Grace Grace MP, Minister for Industrial Relations and Minister for Education, issued a public warning about the risks associated with engineered stone and reinforced that dry cutting of engineered stone was prohibited.
- OIR provided a targeted industry safety alert and education materials to relevant businesses to improve compliance.
- Suppliers of engineered stone products were contacted seeking the voluntary production of information that demonstrates their compliance with duties owed under WHS laws.
- A comprehensive health screening process is in place through WorkCover Queensland (developed in conjunction with leading medical specialists). WorkCover is funding all costs associated with the initial health screening of Queensland workers who are working or have worked for employers identified through the audit program.
- A grief and trauma counselling service is being offered by OIR to workers both directly and indirectly impacted by the recent events surrounding silicosis.

- A code of practice is being developed in Queensland to set the minimum standard for managing respirable silica dust exposure in the stone benchtop industry. A further code of practice concerning silica in the construction industry more broadly will be developed in due course.

ISSUES

While the WHS aspects of silicosis are being addressed, the disease is impacting the nation's building and construction industry as stone masons leave the industry (with potential workforce ramifications) and manufacturing and installation companies potentially face legal actions.

Community actions appear to be underway. A 'Silicosis Support Network' was established on 22 June 2019 to help sufferers, their families and carers.

In May 2019, Slater and Gordon launched a class action representing at least 135 stonemasons from across Victoria and Queensland, against the manufacturers of engineered stone – claiming these companies failed to properly advise workers of the dangers and enforce appropriate workplace safety conditions.

NEXT STEPS

Safe Work Australia (SWA) is reviewing the workplace exposure standards, including for silica. This technical scientific review may result in a reduction to the current exposure standard for silica (0.1 milligrams per cubic metre (mg/m³)). The technical review will consider exposure standards in other countries, like the United States (0.05mg/m³).

OIR has prepared a joint submission with the Department of Natural Resources, Mines and Energy on the draft recommendations, released by SWA for public consultation in early 2019.

In April 2019, the Australian Government established the National Dust Diseases Task Force in response to new cases of accelerated silicosis. The Commonwealth government has allocated \$5 million to develop a national approach for the prevention, early identification, control and management of dust diseases in Australia.

The Queensland Minister wishes to highlight the seriousness of this issue and to consider the need for a range of options at the national level including:

- a code of practice for the industry;
- considering new exposure standards;
- examining the need for building industry regulations; and
- potentially product importation controls.

If these issues are to be explored, there may be benefit in seeking advice from work health and safety ministers about actions building ministers' could take to support effectively addressing the issues raised.

This advice could be sought in the first instance by the Chair of the Senior Officers' Group.