

SILICA DUST ACTION PLAN ANTICIPATED WHS REGULATION CHANGES

Work Health and Safety reforms for **silica dust** are being developed for introduction in the ACT in 2022. The reforms would require PCBUs to demonstrate that they are meeting their workplace obligations and responsibilities and provide better protection for people working with **silica containing materials**.

Reforms will be delivered in two tranches over 2022 to give workers and PCBUs the time to adjust to the new requirements and be ready to work safely within the new regulatory environment for silica containing materials.

About the reforms

Tranche 1 reforms: From early 2022, the ACT will be introducing regulatory changes that will prohibit uncontrolled dry cutting of silica containing materials. The ban will apply to engineered stone, natural stone containing silica, concrete and masonry, cement and mortar and bricks.

Processes that will be covered by the prohibition would include using a power tool, for:

- > cutting
- > grinding
- > trimming
- > sanding
- > polishing
- > drilling

Crystalline silica is most dangerous to health when dust is generated, becomes airborne and is inhaled by workers. Exposure risks are heightened with uncontrolled dry cutting using power tools.

Under the dry cutting ban, PCBUs must not allow workers to undertake work that would breach the prohibition.

PCBUs may implement a combination of control measures to manage the risks of exposure to silica dust.

Safety controls might include:

- > use of water delivery systems
- > on-tool dust extraction
- > segregation of work areas
- > respiratory protective equipment

Tranche 1 reforms: The ACT reforms will also mandate silica dust awareness training – like asbestos awareness training already in place.

Silica dust and silica risk work pose serious health risks to workers.

PCBUs must, as part of their primary duty of care, provide information, training, instruction or supervision that is necessary to protect all persons from risks to health and safety arising from work.

The ACT recognises the benefits of nationally accredited training as a measure to:

- > increase awareness about the risks of exposure to silica dust
- > support reduction in silica related illnesses and injury
- > combat misinformation across all industries involved in silica risk work, and
- > engage workers and PCBUs in appropriate elimination and control strategies.

If you are a PCBU – you would need to ensure all workers have undertaken mandatory silica awareness training by 1 July 2023

A broader awareness campaign about the new training requirement will be delivered by the ACT Government in partnerships with the ACT's work safety regulator [WorkSafe ACT](#).

Penalties will apply for PCBUs who do not comply with the new mandatory training scheme for workers involved in silica dust work. Occupations that require the training will be broadly aligned with the existing mandatory training requirements for asbestos awareness training.

What other reforms for silica dust work?

Tranche 2 reforms: Silica reforms will also be developed to introduce clarify air and health monitoring requirements.

The development of these reforms would ensure that PCBU's that carry out high risk silica dust work are required to undertake air monitoring at regular intervals to ensure workplace exposure limits do not exceed 0.05mg/m³ over an eight-hour time weighted average. These reforms will consider requirements to:

- > undertake baseline air monitoring at least every six months
- undertake air monitoring in the event of changes in the workplace, work practice or work materials.

Reforms would also be developed for PCBUs to ensure new health monitoring requirements are met - this would involve:

- > ensuring a health baseline for each worker before a worker starts working in silica risk work
- > regular/ongoing health monitoring during the worker's employment – at least annually – in cooperation with the advice of a medical practitioner
- > a health assessment for the purposes of silica risk work on exiting employment.

Health monitoring diagnostic tools will include medical history, exposure risks, lung function tests as well as the requirement to use high-resolution computer tomography (HRCT) where recommended by a medical practitioner.

The ACT will also continue to consider, with a view to adopting, all national model codes of

practice developed by SafeWork Australia pertaining to silica safety.

What it means for workers

The silica dust reforms are aimed at protecting workers from the adverse health impacts associated with silica dust exposure. Together with PCBUs, workers are required to engage in:

- > silica awareness training
- > health monitoring requirements; and
- > consultation in the development of silica risk work control plans.

Getting ready

We anticipate the reforms will be introduced in two Tranches, with:

- > tranche one introducing in April 2022 the:
 - o legislative ban on uncontrolled dry-cutting of silica containing materials; and
 - o mandatory nationally accredited silica dust awareness training course or unit of competency – to commence on 1 July 2023;
- > tranche two introducing in July 2022 clearer air monitoring and health monitoring requirements to commence on 1 January 2023.

The commencement timing would give workers, industry and PCBUs the time needed to make any necessary changes.

More information

For more information contact:

- > ACT Government Workplace Safety and Industrial Relations by sending an email to WSIR@act.gov.au.