

New law hands health and safety control to bosses who can't be trusted with lives

A NEW law may give the mineowners even more control over health and safety.

Although not law yet, if the Minerals Bill of 1989 is passed it will mean big problems for mineworkers.

The bill changes the Mines and Works Act, the main law that covers safety on the mines.

Less regulation

The Minerals Bill means less careful regulation of health and safety in mines.

Today, under the Mines and Works Act, the Government Mining Engineer is responsible for safety on the mines. Under the Minerals Bill he will be fired and his national office will be closed.

The state will no longer monitor and watch the mines. Instead the mines themselves will become "self-regulatory".

The mines will police health and safety themselves.

The Mine Safety Committee on which the unions have a seat, will be abolished in the new bill.

It will be replaced by an "advisory council" which will consider all sorts of mineral matters.

The bill does not provide for an expert on mine safety to serve on the "advisory council".

Bosses can't be trusted

The National Union of Mineworkers believes that a central state official like the Government Mining Engineer should be responsible for monitoring and acting on mine safety.

The mining industry is not a responsible employer. It cares more for profits than for safety.

The mining industry cannot be trusted with its own regulation in health and safety matters.

It is like giving an alcoholic the keys to the liquor cabinet.

Conflict of interests

The Minerals Bill means that one law and one department will regulate both the exploitation of minerals and the health and safety of miners. This will lead to conflicts of interest between safety and profits not being fairly resolved.

In Britain and America mine safety and the rules for mineral exploitation are administered under different departments - the Department of Labour and the Department of Mines.

The one deals with the interests of workers, the other with the interests of the mine owners. This avoids conflict of interests within one department of the government.

There is lots of room for a conflict of interests between workers and employers over health and safety in the mines.

The demands of production and profit in mineral exploitation often conflict with the requirements for workers' health and safety.

The National Union of Mineworkers demands that health and safety in the mines should be regulated under a separate law and in a separate department from the exploitation of minerals.

Mining has always been subject to more strict controls than other



Hlobane coal disaster: mineworkers cannot afford to leave preventing accidents to bosses

industries. This is because mining is so dangerous.

With the new Mineral Bill, the mines will be less controlled than other industries.

Other industries fall under the Machinery and Occupational Safety Act (MOSA) which contains procedures, rights and standards that are better than those in the proposed minerals bill and the mine regulations.

NUM rejects the proposal that the mining industry should be subjected to less controls and lower standards than other industries. This is the effect of the Minerals Bill.

Under the new Mineral Bill,

mineral rights are to be "privatised" and their owners will have full rights of access to the land, even if there are people living there.

Land given to bosses

This measure gives full, unfettered rights to the monopolies which dominate the mining industry to do what they will with the country's mineral wealth.

The National Union of Mineworkers rejects this aspect of the bill as a calculated move to short-circuit the future implementation of the Freedom Charter.

NUM demands this law be

ACCIDENT MONITOR

PRESIDENT BRAND GOLD MINE- On 25 January an earth tremor shook the Welkom areas. The tremor damaged a number of mine tunnels. Two mineworkers died in one of the rockfalls.

Three NUM health and safety officials went down the mine the next day. They had to insist on access. They said the mine management needed to monitor the build up of stress that could cause earthquakes. The union will also be doing further investigation.

The accident inquiry took place on 1 February. The NUM represented the families of the comrades who died. The main problems at the inquiry were that the inspector took management at their word, he did not study rockbursts before coming to the inquiry, and he dismissed some of the NUM's questions.

Vaal Reefs East - Ten workers died and 22 were injured when a fire occurred on 9 March

The fire began in a place where no work was being done. The union said it was concerned that some of the ventilation pipes were still covered with polyurethane.

The union also said although there were refuge bays workers could not find them easily in the dark and the smoke. One worker was found dead inside a refuge bay which clearly showed it was not sealed off properly.

scrapped and re-drafted.

If mining and mineral law has to be rationalised it must provide for:

- Separate laws and departments to regulate health and safety and mineral exploitation.
- A national mines inspectorate with sufficient powers to ensure an improvement in the health and safety record of the mining industry.
- Restrictions on the use of land and minerals when this adversely affects communities or the interests of the country as a whole.

Workers must know their rights if injured

THIS year NUM health and safety will campaign around accidents and compensation.

The NUM health and safety department said the accident campaign must involve the general membership.

It will be publicised through branch and regional meetings,

stickers, pamphlets, buttons and badges.

The idea is to put pressure on management at the level of the mine or refinery itself to improve safety.

Accident procedure

If an accident happens, NUM members should make sure that:

- accident sites are not tampered with
- safety officers or the regional office is informed of the accidents
- the union is strongly represented at inquiries
- workers are clear about their rights

- an injured worker does not go to hospital alone
- an amputation is not done without a full explanation and with the workers understanding and consent.

The NUM health and safety department will inform members of their rights and report back to members on all cases and inquiries.

It also plans to run education seminars and prepare media on accidents.

As far as the compensation campaign goes the health and safety department said COSH undertakes to inform all members of their rights.

All relevant cases will be reported to the constitutional structures.

Pressure mines

Seminars will be held in order to decide how the union can best put pressure on the mines and the government to change the system of compensation.

A seminar for disabled and paraplegic workers will be held in order to get information about their particular problems.

NUM membership should also make sure that the cases of work mates are not neglected by management.

Three safety agreements signed by NUM and mines

THREE health and safety agreements have been signed by NUM and mines.

They are with Phalaborwa, Vaal Reefs West and Buffelsbank Diamonds.

Health and safety agreements in progress are Vaal Reefs East, Vaal Reefs South, Tubatse, Winterveld, Mega Mine, Matla, Eskom and De Beers.