

Executive Summary
Contractor Summit I
“Contractor Safety and Health Issues and Concerns in the Mining Industry”
Sponsored by the Mine Safety and Health Administration
National Mine Health and Safety Academy
Beckley, West Virginia
June 21, 2005

Foreword

I would like to express my sincere appreciation and gratitude to each individual who planned, participated or otherwise supported the June 21, 2005, Contractor Summit. It was an enlightening seminar that brought to the forefront many issues and concerns facing an ever growing sector of our coal mining community – the contractor.

Contract work is a multi-faceted portion of the industry, encompassing specialty work such as logging, trucking, training, and gas harvesting. Therefore, there is no quick and easy solution to these matters.

The first and most critical step was to bring the problems forward and listen to the individuals who deal with them on a daily basis. Many speakers from different factions of the industry spoke honestly and openly about their concerns ranging from substance abuse to workers’ compensation.

Top regulatory mining officials from the states of Kentucky, Virginia and West Virginia spoke candidly to the attendees regarding contractors, and the laws and policies governing their work.

As promised, this CD contains an executive summary, the keynote address, PowerPoint presentations from various speakers, summary notes on each presentation, and the concluding remarks made.

Thanks again for all your hard work and assistance for this first summit. With your help, we can work on solving the issues facing today’s contractors.

Edward Morgan
District 5 Manager
Mine Safety and Health Administration

Background

On June 21, 2005, the Mine Safety and Health Administration (MSHA) hosted Contractor Summit I, "Contractor Safety and Health Issues and Concerns in the Mining Industry," a one-day summit to address everyday issues facing today's contractors in the coal mining industry. Contractors representing every facet of the business were contacted and urged to attend. State mining regulatory agencies from Kentucky, Virginia and West Virginia were represented.

Keynote

Mr. David Dye, Acting Assistant Secretary for the U.S. Department of Labor's Mine Safety and Health Administration, delivered the introduction and keynote address for the summit. Mr. Dye noted that from 1984 - 2004, contractor hours worked in mining operations increased 193 percent while operator hours have decreased 31 percent. Worrisome trends were noted by Mr. Dye: the contractor fatality rate in Calendar Year (CY) 2004 was .0305, nearly twice the operator fatality rate of .0164; while contractors represented 14 percent of hours worked in the mining industry in CY 2004, they represented 24 percent of the mining industry fatalities.

The vast amount of accidents and injuries occurring in the mining industry involve human factors as the root cause. Mr. Dye announced that MSHA will launch a safety and health initiative called "Make the Right Decision" to help mine operator and miners observe and understand safety cultures and choices that lead to the prevention of accidental injuries and fatalities. "SLAM Risks the SMART Way" will be presented in workshops across the country to assist operators with the SLAM (Stop-Look-Analyze-Manage) Risk Assessment Program and the SMART (Stop-Measure-Act-Review-Train) Risk Management Program.

Contractor Presentations

Contractors from such industries as logging, trucking, training and product installation gave presentations covering the full spectrum of concerns and issues. Issues discussed included the percentage of contractor fatalities and injuries related to hours worked, redundancy in miner training, substance abuse dilemmas, and the responsibility of management, supervisors and employees to work together to work safely. In addition, examples of pre-shift safety checklists were provided and company policies discussed – ranging from training of tree-cutters and truck drivers to specific programs related to near misses and substance abuse testing. Suggestions were made regarding establishing lines of communication, reducing paperwork, examining regulations and categorization of contractors.

State Agency Presentations

Representatives from the state agencies of West Virginia, Virginia and Kentucky spoke about specific state laws governing contract workers and their implementation. Some of the focus was on the definition of a contractor as an operator in some states. There was also discussion of on-line reporting of data and filing of forms as well as training plan requirements. In some

instances, contractor profiles were also developed on line and job analysis performed on contractors' duties.

MSHA Presentations

A representative from the MSHA's Educational Field Services group elaborated on compliance assistance for Contractors and what MSHA offers in terms of training and materials available. Participants were encouraged to pose questions and/or comments to the speakers and several topics of interest were voiced.

Conclusion

Mr. Ray McKinney, Administrator for Coal Mine Safety and Health, concluded the summit by giving ideas on how to bring contractors into the mainstream coal mining community and how contract workers must be valued. Mr. McKinney stated this was a real opportunity to come together and get the "real answer" and not the political answer to the issues and concerns facing contractors in the coal mining industry.

The industry needs to establish communication as the important first step. Contractors need to be a part of MSHA's problem-solving groups within each district. There is a need to develop an up-to-date inventory and contact list for contractors for tracking purposes. There must be a cooperative approach for supervisor training/employee training. Also vitally important is a systematic safety approach to contractor work on mine property involving training, tools and capacity.

"If we want to get to zero fatalities there are no options – contract workers have to be as valued as the general miner population."