



# INDEPENDENT CONTRACTOR COMPETENCE

5th Atlantic Alliance Symposium  
September 25 – 26, 2008  
Lansdowne Resort  
Leesburg Virginia

Anne Kelhart CMSP, PHR

# Mine Safety and Health Administration

**2007 MNM FATALITIES: 9 CONTRACTORS vs. 22 MINERS (41%)**

## **2007 SAMPLE REPORTABLE INJURIES: CONTRACTORS**

<b>ALL MINING Injury Class</b>	<b>Total Industry reportable injuries</b>	<b>Contractor reportable injuries</b>	<b>Contractor % reportable injuries</b>
WELDING & CUTTING	123	23	<b>19%</b>
SLIPS & FALLS	254	29	<b>11.5%</b>
HAND TOOLS	1072	129	<b>12%</b>
MATERIALS HANDLING	2298	296	<b>13%</b>

# Mine Safety and Health Administration

## **30 CFR § 46.12 Responsibility for independent contractor training.**

(a)(1) Each production-operator has primary responsibility for ensuring that **site-specific hazard awareness training** is given to employees of independent contractors who are required to receive such training under § [46.11](#) of this part

(2) Each production-operator must provide information to each independent contractor who employs a person at the mine on site-specific mine hazards and the **obligation of the contractor to comply with our regulations**, including the requirements of this part.

(b)(1) Each **independent contractor** who employs a miner, as defined in § [46.2](#), at the mine has primary responsibility for complying with §§ 46.3 through 46.10 of this part, including **providing new miner training, newly hired experienced miner training, new task training, and annual refresher training.**

(2) The independent contractor must inform the production-operator of any hazards of which the contractor is aware that may be created by the performance of the contractor's work at the mine.



# Comprehensive Training

**30 CFR § 46.12** (b)(1) Each independent contractor who employs a miner, as defined in § [46.2](#), at the mine has primary responsibility for complying with §§ 46.3 through 46.10 of this part, including providing new miner training, newly hired experienced miner training, new task training\*, and annual refresher training.

## Sources;

- **MSHA Educational Field Services**
- **MSHA States Grants recipients**
- **Mine Operators**
- **State Associations**
- **Training Vendors**

\* In most cases, task Training is done by the Independent Contractor.

*United States of America*

# Mine Safety and Health Administration

**30 CFR § 46.12 Responsibility for independent contractor training.**

**The mine operator's overall compliance responsibility includes assuring each independent contractor's compliance with the Act and with MSHA's standards and regulations.**

*Sometimes easier said, than done...*

# Mine Safety and Health Administration

***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.”***


***-Ray McKinney, Administrator for Coal Mine Safety and Health***



# Step 1: Contractor Mine I.D. Numbers

## 45.3 MSHA Identification of Independent Contractors

Any independent contractor that requests an identification number will receive one from MSHA. However, unless cited for a violation, only those independent contractors performing work at mine sites, or with contracts to perform at a mine(s) any of the **nine types** of services or construction listed, are required by MSHA to have identification numbers



# Contractor I.D. Numbers and Mine Operator Responsibility

## 45.3 MSHA Identification of Independent Contractors

**The mine operator's overall compliance responsibility includes assuring each independent contractor's compliance with the Act and with MSHA's standards and regulations. Independent contractors are responsible for compliance with applicable provisions of the Act, standards and regulations, regardless of whether or not they have an MSHA identification number.**



# 2006 Production Statistics

**Domestic Production and Use:** Crushed stone valued at \$13.1 billion was produced by

- 1,200 companies operating
- 3,200 quarries,
- 85 underground mines, and
- 190 sales/distribution yards in 50 States

*...and how many contractors?...*



## Metal/Non-Metal

CY	Contractor IDs	Contractors
2005	4,297	48,722
2006	4,686	55,945
2007	5,400	67,844

# Contractor Training: An Overwhelming Job

## 30 CFR § 46.11 Site-specific hazard awareness training

(b) You must provide **site-specific hazard awareness training**, as appropriate, to any person who is not a miner as defined by § [46.2](#) of this part but is present at a mine site, including:

- (1) Office or staff personnel;
- (2) Scientific workers;
- (3) Delivery workers;
- (4) Customers, including **commercial over-the-road truck drivers**;
- (5) Construction workers or employees of independent contractors who are not miners under § [46.2](#) of this part;
- (6) Maintenance or service workers who do not work at the mine site for frequent or extended periods; and
- (7) Vendors or visitors.

*...and it may not be an advantage...*

Martin Stone Quarries, Inc.: HAZARD TRAINING

These rules are designed to minimize the likelihood of serious injury or fatality! It shall be considered required for you to check with Management if you are not sure of a safe working procedure, condition, or act. If the information provided here or at anytime is of concern to you, please bring it to our attention.

CHILDREN UNDER THE AGE OF 18 ARE NOT PERMITTED ON MINE PROPERTY.

IMMEDIATELY REPORT ALL INJURIES TO WEIGH SCALE PERSONNEL.

MANDATORY WHEN LOADING: STAY IN YOUR VEHICLE. IT'S THE SAFEST PLACE YOU CAN BE.

TARPING PLATFORMS (located beside the scale): Unless you are wearing a proper fall arrest system (harness and lanyard), tarping platform use is mandatory for all forms of manual tarping that require leaving ground level. DO NOT CLIMB ON TRUCK TIRES, RAILS, OR LOADS. Legal ladders with legal hand holds may be used to climb into and out of dump bodies. If you use a harness fall arrest system, you must be qualified to do so and you are responsible for the inspection of and proper use of your safety equipment.

TENDING TO LOADS AND EQUIPMENT (INCLUDING PICK UP TRUCKS): All tarping tasks must be performed in the tarping area.

MINIMUM PERSONAL PROTECTION AT ALL TIMES: Non-metal hard hat, Industrial grade safety glasses, steel toe safety shoes, long pants and shirts covering the tops of the shoulder; unless otherwise approved. PERSONAL PROTECTIVE EQUIPMENT (PPE), AS NEEDED: You may be required to use specific PPE as directed by posted signs or by request from Management, or when performing specific tasks that mandate specific PPE. If you have a question about PPE, please ask

MOBILE EQUIPMENT: All mobile equipment brought onto Martin Stone Quarries' property must be in good working order and must have been checked for defects prior to use. USE OF SEATBELTS IS REQUIRED. Quarry equipment has the right of way. Mobile equipment moves through the Plant at all times and operator visibility is not 100%. When approaching any piece of mobile equipment, make eye contact with the operator to insure that your presence is known. Use hand signals to confirm intention. Note signs for reverse driving patterns on ramps when ascending or descending from the hole. Observe speed limits. Working under a raised dump body without proper bracing is forbidden.

SLIPS AND FALLS: While slips, trips, and falls are possible in any environment, weather conditions, material spills, etc. can increase the possibility of a fall. Please use hand rails and grab irons wherever provided.

ACCESS TO WORK AREAS MUST BE KEPT CLEAN: Never leave tools, wires, boards, or any other materials on steps, walkways, or ANYPLACE that would cause obstruction or danger to access.

PLANT MACHINERY: Please do not touch machinery or materials unless authorized by Management. Electrical equipment is to be handled by only authorized electricians. To authorized vendors: All "Lock Out-Tag Out" precautions MUST be taken.

SMOKING/FIRE: Flammable and combustible materials and liquids represent fire and explosion hazards. No smoking or open lights are permitted around these materials or when no smoking signs are displayed.

STOCKPILES/QUARRY: Avoid areas near the tops and bottoms of embankments and highwalls, as falling material is always a possibility. THE EDGE OF A STOCKPILE IS THE MOST DANGEROUS AREA. Never place yourself between anything and a highwall, embankment or stockpile. STAY IN YOUR VEHICLE!

SUSPENDED LOADS: All suspended loads must be braced prior to beginning work beneath the load. Anything supported by anything other than bracing is considered to be suspended.

BLASTING: Do not attempt to observe a blast. Respect all blasting signs and roadblocks. If you find yourself in the pit area and an air horn is sounded, proceed without delay out of the pit area.

UNSAFE ACTIVITIES: All unsafe activities are prohibited on quarry property. Examples include but are not limited to: fighting, horseplay, possession of firearms, use of unauthorized drugs or alcohol, etc. Violators will be barred from this property.

\_\_\_\_\_/\_\_\_\_\_  
Visitor Name (print) and signature Date

Representing: \_\_\_\_\_  
Competent Person:

# Site-specific hazard awareness training



# NSSGA

## Comprehensive

## Compliance

## Management Tool

NATIONAL STONE, SAND & GRAVEL ASSOCIATION



*Natural building blocks for quality of life*

### Independent Contractor Safety

Mine Safety and Health Administration  
Training and Reporting Requirements  
&

Prequalification Questionnaire for Contractors  
Working At Mines, Pits & Quarries



NSA

National Stone, Sand & Gravel Association  
1605 King Street  
Alexandria, VA 22314  
(703) 525-8788

# Installation Information

- Installed – involving 3 levels
  - 700 cubic yards of concrete
  - Over 1,000,000 lbs. of steel
  - Over 1 mile of conveyors
  - 13 to 15 miles of wire
  - 2 crushers
    - 2 syntron feeders
    - 2 screen systems
  - 13 conveyors
  - 4 radial stackers
  - 6 load out bins, 177 tons each
  - 1 stone wash system

# Non-Routine Maintenance and Construction

2006













**The main conveyors to level 3**

# The Area Filled Up. . .



**ZERO REPORTABLE INJURIES**  
**ZERO FIRST AID INJURIES**



**It's all about the Staff**

**ZERO CITATIONS**