INDEPENDENT CONTRACTOR COMPETENCE

5th Atlantic Alliance Symposium
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Lansdowne Resort
Leesburg Virginia

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2007 SAMPLE REPORTABLE INJURIES: CONTRACTORS

<table>
<thead>
<tr>
<th>ALL MINING Injury Class</th>
<th>Total Industry reportable injuries</th>
<th>Contractor reportable injuries</th>
<th>Contractor % reportable injuries</th>
</tr>
</thead>
<tbody>
<tr>
<td>WELDING &amp; CUTTING</td>
<td>123</td>
<td>23</td>
<td>19%</td>
</tr>
<tr>
<td>SLIPS &amp; FALLS</td>
<td>254</td>
<td>29</td>
<td>11.5%</td>
</tr>
<tr>
<td>HAND TOOLS</td>
<td>1072</td>
<td>129</td>
<td>12%</td>
</tr>
<tr>
<td>MATERIALS HANDLING</td>
<td>2298</td>
<td>296</td>
<td>13%</td>
</tr>
</tbody>
</table>
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…
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
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

<table>
<thead>
<tr>
<th>CY</th>
<th>Contractor IDs</th>
<th>Contractors</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>4,297</td>
<td>48,722</td>
</tr>
<tr>
<td>2006</td>
<td>4,686</td>
<td>55,945</td>
</tr>
<tr>
<td>2007</td>
<td>5,400</td>
<td>67,844</td>
</tr>
</tbody>
</table>
(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…
Site-specific hazard awareness training
 NSSGA
Comprehensive
Compliance
Management Tool

Independent Contractor Safety
Mine Safety and Health Administration Training and Reporting Requirements & Prequalification Questionnaire for Contractors Working At Mines, Pits & Quarries

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