

ASBESTOS-RELATED WORK AND HEALTH MONITORING

This material has been prepared for NSW councils to provide information about health monitoring for asbestos exposure. Health monitoring means monitoring of a person to identify changes in the person's health status because of exposure to certain substances.

1 What is the requirement for asbestos health monitoring?

A person conducting a business or undertaking (PCBU) must ensure that health monitoring is provided to a worker if a worker is carrying out licensed asbestos removal work or other ongoing asbestos-related work at a workplace and is at risk of exposure to asbestos when carrying out the work.

The definition of 'a person conducting a business or undertaking' (PCBU) includes councils. The term PCBU is defined in the Work Health and Safety Act 2011.

Clauses 435-444 of the *Work Health and Safety Regulation 2017* detail the requirements for health monitoring for asbestos.

For asbestos related work, the health monitoring must commence prior to the worker undertaking that asbestos-related work. Because health monitoring is aimed at measuring potential changes to the worker's health, it is necessary to assess the worker's health before they start working with asbestos. This is known as "baseline" monitoring.

2 What is council's responsibility for health monitoring where council is engaging a contractor to undertake the asbestos-related work?

The clauses in the *Work Health and Safety Regulation 2017* regarding health monitoring imply a shared responsibility amongst PCBUs.

This means whilst councils do not need to directly provide the health monitoring when contracting out asbestos removal or asbestos-related work, councils still have an obligation to ensure that it is being provided to workers as part of the contract agreement.

Councils should request something in writing from their asbestos removal contractor advising council that the requirement for health monitoring is being met.

Council should write this into any procedures or forms for engaging contractors for asbestos related work to help ensure this is done each time.

Council should also include this information in Council's asbestos policy.

This relates to section 14.6.2 *Removal by contractors* in the *Model Asbestos Policy for NSW Councils* which notes that Council will require in writing that the asbestos removalist has the appropriate licence, adequate training and is provided with a copy of the asbestos register.

Council should also insert in this section:

Council will require a statement in a written contract or agreement with the company undertaking asbestos removal or asbestos-related work for Council that the company is providing health monitoring to the company's workers as required under the *Work Health and Safety Regulation 2017*.

3 What does asbestos health monitoring involve?

Health monitoring may include:

- + medical consultation, regarding previous occupational and medical history.
- + a physical examination, for example skin checks or a spirometry (lung function) test.
- + clinical tests, for example, urine or blood samples.

Asbestos health monitoring should include administration of the standardised respiratory questionnaire, and usually includes a harmless respiratory function test.

Asbestos health monitoring does not ordinarily include chest X-ray or physical examination unless clinical indications are present or they are recommended by the medical practitioner.

Asbestos related damage to the lungs takes years to develop and become visible on chest X-rays, and X-ray examinations cannot indicate whether or not asbestos fibres have been inhaled.

Given this, and the long latency period, there is no reason to subject individuals with a suspected incidental exposure to even a small dose of ionizing radiation.

The frequency of health monitoring should be determined by a risk assessment and the significance and frequency of past or future asbestos exposure. Health monitoring should be conducted at regular intervals, for example once every two years.

For comprehensive guidance on asbestos health monitoring see www.safework.nsw.gov.au/asbestos

4 What happens to the health records? Is there a health register?

There are requirements for the PCBU to provide a copy of the health monitoring report to the regulator if the report indicates that the worker may have contracted a disease, injury or illness as a result of carrying out the work or contains any recommendation for remedial measures.

The PCBU who commissioned the health monitoring must give a copy of the health monitoring report to the worker.

The PCBU must keep health monitoring reports as a confidential record for at least 40 years after the record is made.

5 The Australian Mesothelioma Registry (AMR)

The **Australian Mesothelioma Registry (AMR)** is a database that contains information about people with mesothelioma. It monitors all new cases of mesothelioma diagnosed in Australia from 1 July 2010. Each state and territory cancer registry provides the AMR with information about each person diagnosed with mesothelioma on or after 1st July 2010 in Australia.

6 The National Asbestos Exposure Register

The Australian Government has created a register to record the details of members of the Australian community who think they may have been exposed to asbestos containing materials. The **National Asbestos Exposure Register** is managed by the Asbestos Safety and Eradication Agency. Individuals who think they may have been exposed to asbestos containing materials can register their details by completing the National Asbestos Exposure Register form and emailing it to enquiries@asbestossafety.gov.au, or printing and faxing it to: **1300 326 148**.

~~icare~~ does not administer an exposure register. Records kept by the icare relate to persons who have made an application for compensation or been examined by the icare. Those records are subject to privacy laws.

7 Mobile Asbestos Health Screening

icare offers a one-stop screening service that comes to the employer's work site using the icare Lung Screen mobile respiratory testing unit.

The service is designed to offer all the necessary parts of respiratory health monitoring together in one place. It is equipped with an x-ray room, lung function testing equipment and a doctor's consulting room.

The results are checked by a radiologist and a specialist respiratory physician. Health monitoring examinations for each worker take less than half an hour and are painless. The icare Lung Screen mobile respiratory testing unit can examine up to 50 employees per day. The service to NSW employers and workers is subsidised by the icare.

Benefits to employers using the icare Lung Screen mobile respiratory testing unit include:

- + Minimum disruption to work.
- + Low cost.
- + Expert staff using up-to-date equipment.
- + Health monitoring results are sent to the employer.
- + Health monitoring records are stored securely by the icare Dust Diseases Care.
- + Compliance with the WHS Regulation.


Benefits to employees of being screened by the service include:


- + Individual results are sent to each individual employee.


- + Early detection and referral for respiratory abnormalities.
- + Referral to icare Dust Diseases Care if evidence of a dust disease is found.
- + Reassurance and objective advice about occupational respiratory disease.
- + Other (non respiratory) health problems may be detected early.
- + Secure storage of health monitoring records.
- + Access to health monitoring records as required.

The icare Lung Screen, a mobile respiratory testing unit routinely screens for harmful health effects of asbestos and/or crystalline silica and may be able to screen for harmful effects of other hazardous dusts by arrangement.

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 www.icare.nsw.gov.au/lunscreen

8 Further information

icare.nsw.gov.au

safework.nsw.gov.au

asbestossafety.gov.au

safeworkaustralia.gov.au

9 Disclaimer

This information should be read in conjunction with relevant legislation, guidelines and codes of practice. In the case of any discrepancies, the most recent legislation should prevail.

This information does not constitute legal advice. Legal advice should be sought in relation to particular circumstances and liability will not be accepted for losses incurred as a result of reliance on this information.