

Summary and analysis of submissions

*OUTCOME OF CONSULTATION
WITH INDUSTRY ON CHANGES
TO EXTRACTIVES' CERTIFICATE
OF COMPETENCE REQUIREMENTS*

May 2018

This document outlines the results of the consultation on the proposed changes to WorkSafe's extractives' CoC requirements.

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EXECUTIVE SUMMARY

The New Zealand Mining Board of Examiners (the Board) on behalf of WorkSafe consulted with affected stakeholders on proposed changes to extractives' certificate of competence (CoC) requirements.

The proposed CoC requirements were released on the Board's website and sent to interested industry organisations, a meeting with industry leaders was held and 10 workshops were held throughout New Zealand.

Seventy eight submissions were received, of which 88% were from the quarry sector. There was a broad range of opinion expressed with broad support for the proposed changes but with a wide variety of opinion on the detail of the proposals and how they are implemented.

However, the majority of submissions focused on three major issues, as well as procedures associated with CoCs, which were not part of the review's scope:

- qualification pathway for extractives and its application to CoCs
- training and assessment, including its quality
- roles and responsibilities of CoCs, in particular, specialist CoCs, quarry CoCs, including the needs of the alluvial sector.

This report focuses on the review's scope: CoC requirements. CoCs are set out in the Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016. The CoC requirements must reflect legislation.

However, given the strong feedback received on the above issues, the report also provides comments on these issues. WorkSafe however cannot address these issues because responsibility for the first two lies with other agencies. The roles and responsibilities of CoCs and the need for changes or additions is a matter for legislative change and is currently being addressed through the implementation review of the Health and Safety at Work (Mining Operations and Quarrying Operations) 2016 (2016 Regulations) .

1.0 Background

IN THIS SECTION:

1.1 Scope

The current extractives' CoC requirements came into force on 1 January 2015.

The 2008 requirements, which were set by the Department of Labour, were changed in response to the recommendations of the Royal Commission on the Pike River Coal Mine Tragedy (the Royal Commission) and to the Health and Safety in Employment (Mining Operations and Quarrying Operations) Regulations 2013. The short time frame within which the changes had to be made to meet the legislative 1 January 2015 deadline meant that, while the structure was addressed and revised, an in-depth review of skill and competency requirements could not be undertaken.

The review of CoC requirements was initiated in mid-2016, because:

- The new Health and Safety at Work Act with new regulations came into force on 4 April 2016.
- The work on continuing professional development (CPD) and panels of examiners identified four major competency requirements: operating and safety systems; legislation; emergency management and leadership. These set the basis for the new environment and are used as the basis for CPD learning and oral examinations. The CoC requirements should be brought into line with this.
- WorkSafe is focusing on improving worker-related health¹ outcomes and equal focus needs to be given to occupational health as to safety within CoCs.
- The current CoC requirements have been in force for over two years. There has been sufficient time to assess the relevancy of the requirement contents.
- Feedback received from CoC holders and candidates has questioned the currency and relevance of some of the unit standards.

MITO concurrently undertook a review of extractives' unit standards?

1.1 Scope

Background

The current structure was accepted as the basis for CoC requirements. The review therefore focused on skills, knowledge and required operational experience.

WorkSafe and the Board were aware of concerns with the roles and responsibilities of the quarrying and specialist CoCs, and these are being addressed through the implementation review of the 2016 Regulations.

¹ Previously called 'occupational health'.

² The unit standards reviewed cover a range of health and safety, technical and management skills, and knowledge across the extractives industries. The unit standard changes were prompted by feedback from the Board as part of WorkSafe's CoC review. MITO convened a group of five subject matter experts (SMEs) from across the extractives industries to prepare consultation drafts of the unit standards.

INCLUDED IN SCOPE	EXCLUDED FROM SCOPE
<ul style="list-style-type: none"> - Health and safety - Unit standard listings - Clarification of wording for 'experience' component - Alignment with CPD and oral examination competency requirements - Literacy and numeracy provisions - Transitional provisions - Recommend changes to unit standard contents if sufficient feedback - A CoC as a manager to manage a quarrying operation specified in the certificate 	<ul style="list-style-type: none"> - Reviewing safety critical roles - Legislation (Act and Regulations) - New Zealand Qualification Framework qualifications - Royal Commission recommendations - Pike River Reference Group recommendations - Structure of CoC requirements - Training and assessment - Requirements under other legislation (eg the Resource Management Act) - Reviewing content of unit standards (unit standard content is the responsibility of an ITO) - Policy and procedures associated with CoC requirements - Review of CPD and panels of examiners.

TABLE 1:
What's included and excluded from scope

2.0

The consultation process

IN THIS SECTION:

2.1 Industry response

The proposed new requirements underwent the following consultation process:

- The proposed changes were outlined to industry leaders on 19 July 2017.
- The consultation document was released for comment on 25 July 2017 with the close off for feedback on 23 August 2017. (The deadline was extended by two weeks for MinEx to allow time for its consultation and analysis. Extensions were also given to individual submitters).
- The document was sent to: the Institute of Quarrying (IoQ); MinEx/Straterra; Aggregate and Quarrying Association (AQA); New Zealand Contractors' Federation; IPENZ; AusIMM; New Zealand Institute of Surveyors and the tunnelling sector.
- Ten workshops were held throughout New Zealand between 24 July and 3 August to inform the industry about the review. The workshops were held in: Napier; Auckland; Whangarei; Matamata; Christchurch; Whanganui; Invercargill; Dunedin; Nelson and Greymouth. The meetings were attended by approximately 250 people.
- Whilst the majority of workshop attendees were from the quarry sector, there was significant turn out in Westland and Southland from the coal and alluvial gold sectors.
- Feedback was sought on the following:
 - competency requirements
 - transition requirements
 - defining 'workings'
 - first aid requirements
 - requirements for 'leadership' unit standards
 - CoC as a manager of a specified quarry
 - unit standards requirements for CoCs
 - general comments.
 - Industry, including industry leaders, was informed of the scope of the review and reasons. It was made clear that while WorkSafe and the Board were aware that there were concerns about some of the safety critical roles and requirements, these could only be addressed through a legislative review and not the CoC requirements review. Equally, concerns about training and assessment and unit standard content were not within the Board's area of responsibility nor part of the requirements' review.
- Wayne Scott, MinEx CEO attended the New Zealand Mining Board of Examiners' (the Board) meeting in October 2017 to discuss MinEx's submission and the Board's views on the submission and feedback received.

2.1 Industry response

Matters raised in meetings

Much of the discussion at the workshops was focused on the quarry sector and in particular on the increased requirement for the B-grade quarry manager which had resulted from Regulation 21 (3) 'A manager appointed to a quarrying operation in which no explosives are used may hold (a) a certificate of competence as a B-grade quarry manager.' This allows B-grade quarry manager CoC holders to manage large quarries without explosives. The increased requirement was seen as a barrier to gaining this CoC which would lead to ongoing non-compliance across the sector.

A varied level of support for the concept of a CoC for a manager of a specified quarry was voiced and suggestions were given and discussed as to how such a quarry should be defined. As at the 2017 IoQ Conference, there was interest in whether this could be plant specific to address the issue of mobile plants that move around. The alluvial sector showed particular interest in this concept, although it would not, as proposed, address its needs.

While out-of-scope of the CoC review project, attendees took the opportunity to comment on: the quality of, and need for, a consistently high standard of training, and issues which will be part of any legislative review of the 2016 Regulations, such as the role and responsibilities of a B-grade quarry manager and specialist CoCs.

It appeared that most attendees understood the distinction between the scope of the immediate CoC requirements review and that of the legislative review.

Written submissions

Seventy eight submissions were received:

- 88% were from the quarry/alluvial sector
- 5 industry organisation submissions were received from: MinEx; IoQ; AQA; Civil Contractors New Zealand and Minerals West Coast. All endorsed MinEx's submission to one degree or another
- MinEx's submission was entirely focused on the quarrying sector
- 5 were from mine surveyors
- 4 were from the mining sector
- 18 were sole endorsements of the MinEx submission
- 12 endorsed the MinEx submission and added their own feedback on topics.

Submissions were made on the following:

TOPICS	AMOUNT
Competency requirements	36
Transition requirements	28
Defining 'workings	29
First Aid requirements	29
Requirements for 'leadership' unit standards	37
CoC as a manager of a specified quarry	39
Unit standards requirements for CoCs	39
General comments	53

TABLE 2:
Submissions received

3.0

Feedback on proposals

IN THIS SECTION:

- 3.1 Overview
- 3.2 Competency requirements
- 3.3 Transition requirements
- 3.4 Defining 'workings'
- 3.5 First aid requirements
- 3.6 Requirements for leadership unit standards
- 3.7 Certificate of competence as a manager to manage the quarrying operation specified in the certificate
- 3.8 Unit standard requirements for CoCs – comments by unit standard
- 3.9 Unit standards requirements for CoCs – comments by CoC

3.1 Overview

There was a wide range of opinion expressed in the feedback. Eighteen submissions stated they endorsed the MinEx submission and gave no further comments, the remainder of those which endorsed MinEx's submission made additional comments. The degree of that agreement varied with each of the topics consulted on.

In the context of CoC requirements, the focus of this analysis is on proposed CoC requirements. The CoC requirements are WorkSafe's and must reflect the current operational and regulatory environment and WorkSafe's expectations for the safety critical roles. The CoC requirements and the CoC themselves reflect the Regulations. This process cannot change legislation.

The feedback received is best summed up with the following statement:

"The broad coverage of the mining and quarrying community has also given the IOQNZ (Inc) a very broad range of opinions and submissions to present in this submission. Needless to say we cannot represent all the opinions offered as this would overload the IOQNZ (Inc) submission with contradictions... Even within our own organisation we cannot present an entirely united view such is the wide ranging interpretation of what is right and what is wrong with the current CoC regime."

Feedback ranged from a small number of submissions that looked to the past and suggested that the past requirements and practices such as inspector assessment should be the model used for current requirements, and submissions which believed that requirements were too academic and a barrier to many in the quarry industry, to submissions that were almost entirely focused on the future or wanted to ensure that leadership was defined and learnings about leadership questioned in oral exams. Between these was a very broad range of opinions.

It is important to note up front that, in respect to the small number of submissions which suggested that past practices should be looked at, the environment has changed and past practices are no longer acceptable.

A detailed summary of the feedback is attached as Appendix 1.

Themes did emerge and these are covered under the detailed analysis on each of the areas the Board consulted on.

3.2 Competency requirements

Submissions varied in focus within this section. The most common themes were:

- Tertiary (mining and/or engineering) qualifications should be recognised in lieu of completing many of the unit standards, which are covered within a degree programme. (Four respondents.)
- Concern that the requirements for B-Grade Quarry and A-Grade Quarry are the same. (At least eight respondents, with others alluding to this in other ways.)
- The unit standards should align with the 'topics' listed within the four competencies used for CPD. (Two respondents.)
- Similarly, one respondent raised concerns at what 'appears to be a haphazard approach to subjects of Unit Standards, when comparing to the Oral Exam questions set by BOE, with many units overlapping, yet other areas not trained; ie emergency plans, Health, contractor management etc'.
- A need to decide at what level the CoCs sit compared to qualifications and then include unit standards only at the appropriate level within each CoC's requirements. (Three respondents.)

In its submission on behalf of the alluvial sector, Minerals West Coast commented:

“We do not believe that the skills and knowledge required for an alluvial mine operation are adequately dealt with in Quarry CoCs. The presence of old underground workings, the mining methods used, and management of water etc, are examples of significant differences between quarries and alluvial goldmines. We propose that the qualifications for Site Specific CoCs would be more relevant to the small alluvial gold sector. Alluvial mine applicants that meet the criteria for a Site Specific CoC would do a restricted CoC as blasting is not applicable. For alluvial gold mines that do not meet the requirements for a Site Specific CoC, we propose that a new CoC for an alluvial gold mine be developed... These proposals require changes to Regulation 21.”

WorkSafe's response

RPL (Recognition of Previous Learning) processes can be applied for those who hold Tertiary (mining and/or engineering) qualifications.

As the current Regulations allow the holder of a B-grade quarry manager CoC to manage a large operation without explosives, or an operation with less than four workers in which explosives are used, it is necessary for A-grade and B-grade quarry managers to be subject to the same CoC requirements.

Unit standards do not exist solely for use within CoCs, and are therefore not always packaged neatly to match the CoC world. Where unit standards overlap, trainers and assessors are able to deliver integrated packages of learning and assessment to avoid duplication for learners. The areas highlighted above as 'not trained' are all present within the unit standards, it is therefore a matter for trainers and assessors (and the consumers paying for their services) to ensure all content is sufficiently covered.

The New Zealand Mining and Quarry qualifications were benchmarked (in terms of level) against extractives' CoCs during their development. The level of a unit standard is determined by the complexity of its content and not by a formula based on what CoC they appear in. Some unit standards appear in CoCs that are at different levels, so the suggestion to only include unit standards at the 'appropriate' level is not workable as a unit standard in New Zealand cannot have more than one level.

The comment about alluvial CoCs relates to an issue with the Regulations. The feedback regarding alluvial operations is out-of-scope for this current review of CoC requirements, as changes to the Regulations would be required to develop designated CoC(s) for alluvial operations.

3.3 Transition requirements

All submissions with the exception of two agreed that the transition period should be 24 months.

WorkSafe's response

Agree that the transition period should be 24 months.

This means that during the 24 months, starting from the date of the New Zealand Gazette notice, people may apply for a CoC under either the previous 1 January, 2015 Gazette requirements or the new requirements. People already working towards their CoC may either complete the "old" requirements or transfer to the new requirements.

3.4 Defining 'workings'

All but one submission³ on this proposal supported the concept of the need to clarify 'workings' and agreed with the proposed definition. The wording of this proposal caused some to interpret this as meaning experience was to be cut to nine months and the general feedback was that the overall experience should be as outlined in the current requirements.

WorkSafe's response

The proposal was always that applicants are expected to have the more detailed experience outlined in the proposal included within the specified total period of years employed in the workings of the relevant industry. The following will be added to make this clear:

"Applicants are expected to have the following experience, which is to be included within the required specified total period of employment in the workings of the relevant industry."

The following comment from MinEx comment reflects much of the general concern. MinEx:

"Firstly, we consider the Board of Examiners has the power to judge applicants' suitability. We are concerned that applicants may not apply at all due to misunderstanding what experience is required, even if they are in fact suitable. To address this risk, we suggest the following words be added: 'if you are unsure whether your experience is adequate for a particular CoC, contact the BOE and they will advise on the suitability of you experience for the relevant CoC.'"

WorkSafe's response

The new CoC requirements clearly stipulate the specific type of work experience that CoC applicants will be expected to have - defining this will make it clear and transparent for everyone.

The suggested wording also concerns advice rather than a CoC requirement. As such it cannot be included in the Gazette notice. Information about Board matters and notices advising applicants, or anyone with questions, who to contact about Board matters, including applying for CoCs, are currently on the Board's website and on its publications. This will continue.

The following comments provide an indication of the comments received as part of the feedback:

Quarries

- B-grade: Minimum of 1 year in production operations; A-grade: 5 years' experience with a minimum of 3 years in production operation, while another suggested 3 years minimum.
- Definition of 'working' could be further expanded to be reflective of the unit standards that are to be achieved, therefore a cross check against definitions of workings and the unit standards elements and outcomes is important and must occur.

³ The submitter considered it 'not necessary as the person needs to hold a range of unit standards and operate within the HSWA 2015 and Mining Regs 2016. Experience comes with time on the job. All operations should follow industry best practice guidelines document and a CoC should be issued with a follow up on site audit every 1-3 years to ensure these practices are being followed and provide assistance and support where required.'

- Workings can be a myriad of tasks and positions and will be difficult to define overall. A lot of 'Quarry' operations are a small part of other businesses and not necessarily the Quarry Manager's main occupation. This could be working as an operator, maintenance person, H&S person, geologist, truck driver, foreman, manager or general manager. Overall hard to define if one is working within the 'Quarry' or is an integral part of making a 'Quarry' a viable business. Two other submissions gave similar feedback.
- Widened to cover: screening; rushing; stockpile construction; road maintenance-vehicle operations.
- Include resource consent management.
- Question whether there should be a minimum requirement for 9 months experience in 'processing and stockyard layout' when not every Quarry has these activities.

Tunnel

The 9 months for underground are going to make it harder for engineers/managers to obtain an A or B-grade tunnel manager CoC.

Alluvial

- The closest reference I can see to 'alluvial Mining operation' under the 'Defining 'workings' heading, is the section on 'Quarry & Opencast Coal'. 'Drill & blast' would not normally be an activity associated with an alluvial mining operation. Which leaves a narrow field of choice for alluvial applicants; - 2 from 2?
- 'Processing and stockyard layout', a lot of overlap, but significant differences in an alluvial operation, to what might be in a quarry or opencast coal operation. Requirements need to recognise and reflect industry differences to be relevant and respected. Alluvial is not well represented here. If it is not important enough to put the effort into more specifically tailored requirements, is it really important enough to be imposed on us in the first place? Keep it simple, reduce regulation.

Electrical and mechanical superintendent

- Experience in the installation, commissioning, maintenance and repair of mobile and/or fixed plant should be 2 years not one.
- Both mechanical and electrical hazards are multiple fatality risks at most open cast mining operations and therefore are a Principal Hazard by definition. Due to the level of risk and the complexity of integrating maintenance systems to ensure an acceptable level of risk, it is felt that a minimum of two years' experience of working in or about the extractives or heavy industry should be required to ensure that the individual has sufficient understanding and experience in managing the risk involved.

Mining

- Three years' experience required for a 1st class mine manager's CoC is too short. It should be a minimum of 5 years post graduate experience that must include at least 12 months' underground or tunnelling experience. This will allow for more time to develop the leadership qualities which are vital for ensuring mine managers are effective and successful.
- Must cover mine development, including a minimum of 3 months in: ground support and installation; mine production including explosives handling and charging; mine haulage and mine infrastructure.

WorkSafe's response

The following changes have been made to the proposed experience requirements:

- First Class Mine Manager and First Class Coal Mine Manager: that applicants must have 'a minimum of five years' experience of which 12 months must be on mine face'.
- A-grade tunnel manager CoC work experience now includes 'opencast mine' and changes from two years to 12 months. This will read:
 - 'in the underground workings of a mine or coal mine or in the workings of an opencast mine for a period or periods totalling not less than 12 months.'
- Underground workings: 'development operations' includes development operations including tunnel boring machine operations for tunnelling Quarry and opencast coal: change 'processing and stockyard layout' to 'processing and/or stockyard layout'.

In assessing the submissions, the Board was mindful that the focus is on the statutory requirements of a CoC holder. Whether or not a holder of a CoC undertakes other duties or has another role is immaterial to their statutory responsibilities as the holder of a CoC.

3.5 First aid requirements

There is overwhelming support for the proposed first aid requirements.⁴

3.6 Requirements for leadership unit standards

The majority of those who commented on this proposal agreed that leadership training was a positive step as it is an important part of safety and effective management.⁵ However, there were differing views on what the requirements should be.

Of the 37 that commented, 12 agreed with the Board's proposal. The remainder considered there should be mandatory unit standards (MinEx's view) specified at the appropriate level for each CoC. However, of those who had opinions, there was a wide range, including making one leadership unit standard compulsory with the remainder of compulsory unit standards being undertaken as CPD.

⁴ Only one submission on this disagreed with the need for a CoC holder to have a current First Aid Certificate, although each site should have a qualified first aider.

⁵ Three submissions stated that technical skills were more important and leadership unit standards were not required, and one considered that leadership training should be on the job, not based on a theoretical model.

Most submissions, however, did not provide suggestions as to what the unit standards should be. A sample of the suggestions is provided below:

“It is considered that having the ability to elect Leadership units is not sufficient. It is strongly recommended that Leadership units for each CoC be mandatory units, applicable to the specific CoC being completed and not electives as proposed.”

“When considering the percentage of leadership that is required as part of the role of a B Grade Manager as opposed to the percentage of an SSE, it would appear to be disproportionate. An SSE may have 60% or greater of their role which requires leadership competency however only 8 credit points are required, which can be covered by completing just two units of study.”

“The number of unit standards on offer (25) would reflect that it doesn't really matter what units are achieved as long as you get eight credits for the tick in the box.

This number of credits to achieve a competency is an old outdated method of credit grabbing to achieve a National Certificate...

Other points to consider in leadership:

- The use of near miss reporting to reduce incidents.
- How to carry out 'Safe Act Observations' on individuals.
- The understanding of "Felt Leadership"
- Team and/or Individual Performance Management/Performance Improvement Plans
- Benefits to the organisation of understanding Emotional Intelligence as opposed to IQ
- Dealing with conflict resolution.
- How to build a team safety culture.”

A number of submissions expressed concern that either the unit standards were not at the appropriate level (eg for SSEs, or that many applicants would take easy options rather than deciding which unit standards were the most appropriate). Comments included:

“'Leadership' unit standards to be studied can be chosen by the CoC applicants. This flexibility is considered appropriate, provided that the Leadership unit standards are directly relevant to the skills and knowledge required for the safety critical role held by the applicant. CoC unit standards should reflect the holder's obligations under the Health and Safety at Work Act 2015 (HSWA) and associated regulations.”

“Under the elective model that is proposed it is reasonably likely that a CoC applicant will pursue studies that achieve the requirements in the most time and cost effective manner. Pragmatically, the unit standards with lower credits may not be widely chosen because it will take applicants longer or require more studies to achieve the requirements.

⁶ One submission suggested that a leadership unit standard should be introduced in the requirements and others which are set out should be undertaken as part of CPD. It should be noted that the current CPD system is not prescriptive. It is based on the assumption that the individual knows best the learning they need to undertake, not the Board.

For example, an SSE needs at least 8 credits or 2 unit standards at Level 5, whichever is the greater. If they elect to take the unit standards with 2 or 3 credits they will necessarily have to take 3 courses to achieve the required credits. This could have the unintended result of lowering the uptake on those 2 or 3 credit courses. Those particular Level 5 units relate to constructive feedback and listening strategies, both important leadership activities.”

“We do not question their (leadership) value as part of a qualification but the CoC regime should be health and safety focussed.”

MinEx:

“We consider that Leadership Unit Standards should not be elective. Instead, each CoC should prescribe the required Leadership Unit Standards that are relevant to the skills and knowledge required for the safety critical role they hold. This may require the development of additional units of competency directly linked to the leadership skills required for each position. This is consistent with moving to a qualification-based model for CoCs, and our position that CoC Unit standards should reflect the holder’s obligations under the HSAW Act and regulations.”

MinEx proposed compulsory unit standards for the quarry sector. None were proposed for the other sectors.⁷

Feedback from a mine surveyor noted that ‘mine surveyors CPD can only be gained under ‘operating and safety systems’ and ‘legislation’. If a Leadership Unit requirement is included to gain a Surveyors CoC then CPD competencies will need to include ‘Leadership’ as well.’

WorkSafe’s response

Giving applicants the choice of unit standards and the specified credits remains in place.

- The proposal to give CoC applicants the choice of leadership unit standards rather than being prescriptive was based on the view that leadership covers a broad range of activities and this in itself was reflected in the broad range of suggestions for what leadership unit standards should be required. Individuals will have different requirements based on their own circumstances and their work environment, and therefore should have a choice. In addition, no one NZQA leadership unit standard covered “leadership”. This is the same approach taken for CPD activities.
- The suggestion that ‘leadership’ is defined is a good idea which requires further in-depth work. This is a subject area which will require research and work on defining what constitutes ‘leadership’. This topic, of course, is huge with a myriad of opinions on what constitutes leadership and is an academic subject in itself. If this was to be undertaken within the extractives’ context, it would need to be undertaken in association with work on qualifications.

⁷ **A grade quarry manager:** 28982 Develop standard operating procedures for an extractive site (Level 5, 5 credits); 18337 Determine and co-ordinate training and development of a team (Level 4, 5 credits); 11099 Develop strategies for communicating in a culturally diverse workplace (Level 4, 4 credits); 21335 Lead team to achieve an objective (Level 4, 5 credits)

B grade quarry manager: 27565 Train colleagues in the workplace (Level 3, 4 credits); 1312 Give oral instructions in the workplace (Level 3, 3 credits); 21335 Lead team to achieve an objective (Level 4, 5 credits); 18337 Determine and co-ordinate training and development of a team (Level 4, 5 credits); 11099 (Level 4 4 credits); Develop strategies for communicating in a culturally diverse workplace (Level 4, 4 credits); 21335 Lead team to achieve an objective (Level 4, 5 credits)

- While it is correct that, in the world of qualifications, achieving a number of credits from a 'bucket' of options is outdated, it is important to remember that CoCs are not qualifications. Programmes of study/training leading to New Zealand qualifications can still allow choices for learners/providers to best meet their needs. The proposal here is that applicants for CoCs will have the same provision for choosing the most suitable leadership unit standards.
- Comments from the mine surveyor concerning 'leadership' are correct. Currently CPD requirements for mine surveyors and ventilation officers only cover operating and safety systems and legislation. Including leadership in the CoC requirements as well as emergency management should become part of the CPD requirements for these two CoCs.
- The suggestion that leadership unit standards become a prescriptive part of CPD goes against the current principles (and gazetted requirements) that, within the four competency areas, it is up to the individual to undertake activities which she/he considers appropriate for learning and development. Focusing CPD on unit standards also makes learning much more 'classroom' based which the Board considered should not be the basis for CPD. Anecdotal feedback received from the industry since CPD came into force supports the current position that CPD requirements should not be more prescriptive or more classroom based.

3.7 Certificate of competence as a manager to manage the quarrying operation specified in the certificate

Thirty four of the 38 submitters agreed with the concept of a site specific quarry CoC, however, within this, there was a wide range of views on the 'site specific' concept and criteria.

- Thirteen of the submissions endorsed MinEx's proposal that the proposed criteria is too restrictive and MinEx's proposed risk-based framework should be used.
- Many of these submissions commented that the proposed definition would only allow a handful of sites such as farm metal pits or road cutting to be included. This would not encourage new people into the industry. Many of these submissions saw this CoC as a stepping stone to a B-grade and an A-grade quarry manager's CoC rather than a CoC for 'small' quarries.
- On the other hand, one submission considered this was not a viable or practical option because it was attempting to overtake the original intended purpose of the B-grade.
- Specific mention was made in a number of the submissions that crushing should be included, while one submission suggested that excavation should not be 'greater than 5 metres from surface to base of excavation in total (not 6 metres as proposed). This would also make it the same suggested height of the tip heads. This way there would be no debate between an excavation and a tip head.'
- At the other end of the spectrum, four submissions made a very strong appeal that this CoC should not be made available. These concerns were strongly felt and the following excerpts reflect the concerns:

“...there are some in the industry that just don't want to put the effort in to obtaining their A or B grade tickets...If we dumb this down, we are leaving ourselves open for the smaller operations to be a bigger danger and at a high risk.”

“I am totally against a site specific CoC as it gives the opportunity for grey areas to appear. A quarry or a mine can change over one phone call which may change the work force or vehicle movement with extra orders changing that site overnight.”

- A number of submissions suggested that this CoC should be based on plant rather than be site specific.

WorkSafe's response

The criteria on which an application is made for a CoC manager of a specified quarry remains, with the following changes:

- 'No crushing' has been taken out of the criteria
- No excavation greater than 6 metres from surface to base of excavation in total has been changed to 5 metres.
- 'Average processing rate not to exceed an average of 1,000 tonnes per week' has been changed to the 'actual processing rate does not exceed 1,000 tonnes per week. This puts an explicit cap on the processing rate.

The reason why the criteria remain is that WorkSafe considers that having a set of criteria specifying the basis on which an application can be made for this CoC is less subjective than attributing a risk ranking. However, WorkSafe is supportive of the concept of using a risk assessment to ensure that risk associated with a quarry may be appropriately managed by the holder of a CoC to manage a specified quarry. This is a procedural issue on which the Board will decide.

It is also confirmed that applicants for this CoC will be required to undertake an oral examination. However, if an applicant for this CoC has previously sat an oral examination as part of an application for such a CoC, the applicant will not be required to sit an oral examination again.

In addition, the requirements are based on WorkSafe's view that this CoC applies to quarries which are low risk with no more than four workers (including the CoC holder) ordinarily working at the site at any one time, not as a stepping stone to the B and A-grade quarry manager CoCs.

The CoC cannot be changed as part of this process, as previously outlined. It is specified in the 2016 Regulations as 'A manager to manage the quarrying operations specified in the certificate'. Any changes would have to come through a change to the 2016 Regulations.

3.8 Unit standard requirements for CoCs – comments by unit standard

UNIT STANDARD	FEEDBACK	WORKSAFE'S RESPONSE
3271 Suppress fire with hand extinguishers and fixed hose reels	This US is very basic and should be targeted at a basic unit standard for all workers.	Considered to be a necessary CoC requirement.
	How many fires have there been in a quarry? I am sure this could be covered by CPD not a high risk I believe x2	
7142 Demonstrate knowledge of the application of regulatory requirements to manage an extractive site	All extractive managers should hold this US as a minimum.	Unit standards 7142 and 28742 (the legislation unit standards) have been included in CoCs as considered necessary.
	This US is essential but most of the other unit standards are unnecessary otherwise why even bother going to university.	Not all CoC applicants have been to university. For those who have, RPL (Recognition of Previous Learning) processes can be applied.
	For B Grade Quarry, Unit Standard 28742 is a more focused H&S unit standard and should be kept as an option	A-Grade Quarry and B-Grade Quarry CoCs have the same requirements, in line with current regulations.
	What has the RMA and Crown Minerals Act got to do with safety?	This unit standard is about legislation as a whole. As a whole, it is considered to be a necessary CoC requirement.
7143 Inspect and report on safety operations at an extractive site	Can be linked and delivered with 8902	<ul style="list-style-type: none"> - Inclusion of worker health has been noted in feedback on content to MITO. - Unit standards 7142 and 28742 (the legislation USs) cover worker health. - Unit standards 8902 and 7143 cover different parts of the process, not all parts are required by all CoCs or roles. - Training and assessment can be combined to avoid duplication where both unit standards are required.
	Merge with 8902 and include worker health requirements x2.	
8902 Prepare a Safety Inspection Plan for Extractive Operations	<ul style="list-style-type: none"> - Combined with (in conjunction with) 7143 this will provide good coverage of hazard identification and inspections - Should include mobile plant and equipment inspections that was in 8922 	<ul style="list-style-type: none"> - Inclusion of mobile plant and equipment inspections has been noted in feedback on content to MITO. - Unit standards 8902 and 7143 cover different parts of the process, not all parts are required by all CoCs or roles. - Training and assessment can be combined to avoid duplication where both unit standards are required.
	Duplicates a subset of 7143 and duplicating a specific area to inspect in 8899	
	Merge with 7143 and include worker health requirements x2	
8905 Demonstrate knowledge of construction and maintenance of working surfaces at an extractive site	<ul style="list-style-type: none"> - Taking out 8909 removes a lot of duplication. - MITO need to leave access roads and site roads in the unit standard and develop this unit into a full traffic management unit or replace it with a unit that covers all traffic management risks 	Feedback on unit standard content provided to MITO for consideration in future reviews.

UNIT STANDARD	FEEDBACK	WORKSAFE'S RESPONSE
15665 Demonstrate knowledge of geology and geotechnical features and failures for surface extraction	Unit standard now includes geotechnical issues which is a positive improvement	N/A
16810 Develop a Workplace Emergency Management Plan	We propose that a new unit standard be developed on implementing an emergency plan that would be at a level 4, and more appropriate at supervisor/site specific CoC level. As an alternative, US 16805, Manage Workplace Emergency Prevention Processes may be able to fill this void.	Unit standard 16810 is not a MITO unit standard, and was not part of this review. Unit standards 7142 and 28742 (the legislation USs) cover emergency management.
16686 Conduct an incident investigation at an extractive site	There is a natural grouping 26855 (Human Factors), 16686 (Incident investigation), 28983 (Risk Management). This could be grouped into one unit standard or at least delivered as one module	The structure of training and assessment can achieve this.
	Agree this US should remain, but need an extra US to 'develop workplace emergency plan'.	Unit standards 7142 and 28742 (the legislation USs) cover emergency management. Unit standard 29892 (Develop SoPs) can include emergency plans.
17279 Demonstrate knowledge of the coordinated incident management system CIMS	This can be delivered in conjunction with 29553 and 29554 These units still lack applicability to surface extraction sites.	Not a MITO unit standard. The unit standard is not just used by the extractives industries. Training providers can contextualise training and assessment to suit surface extraction sites.
17691 Use mathematics to solve problems in an extractive industries workplace	Bordering on insulting to a degree qualified mining engineer.	Not all CoC applicants are a degree qualified mining engineer. For those who are, RPL (Recognition of Previous Learning) processes can be applied.
17694 and 21152 Explosives	Agree with the basic knowledge for everyone. Probably needs more safety focus, having attended courses for these for Approved Handler.	Feedback provided to MITO for use in future reviews.
21155 Demonstrate knowledge of the use of water at an extractive site	This unit standard is focused on environmental controls for water management. We need to bring the practical pumping and settling pond management outcomes through from US 21553 to deliver a more rounded unit standard. The changes purposed by MITO are not enough.	The reviewed version of the unit standard contains theory of pumps and settling ponds.
	This is an environmental unit standard - not needed for CoCs x2	Considered to be a necessary CoC requirement.
21629 Evaluate plans to manage old workings and inundations at extractive sites	The proposed unit standard still has a major underground mining component irrelevant to quarry's and a simple separate US should be developed on surface inundation risks	References to underground have been removed from MITO's reviewed version of the unit standard.

UNIT STANDARD	FEEDBACK	WORKSAFE'S RESPONSE
21661 Demonstrate knowledge of the use of electrical reticulation plant and equipment in extractive operations	The proposed unit standard still has a major underground mining component irrelevant to quarry's a simple separate unit standard focused on Surface operations should be developed	References to underground have been removed from MITO's reviewed version of the unit standard and separate range requirements for underground coal mines (only) added.
	Can be covered by 23648 safe working practices	Unit standard 23648 (Safe working practices) is not as specific/detailed around this topic.
22057 Demonstrate knowledge of pneumatic and hydraulic power systems used in extractive site	Can be covered by 23648 or 25878 (Crushing and screening)	Unit standard 23648 (Safe working practices) is not as specific/detailed around this topic.
23648 Demonstrate knowledge of and follow safe working practices at an extractive site	Does not cover the breadth and depth of the true competencies required to enable potential managers to comprehend and understand the real safety implications of not having a robust isolation and/or lockout system in their work places. US 2401 <i>Isolate and lockout equipment and machinery</i> should be retained.	Isolation and lockout covered within other unit standards (eg reviewed version of unit standard 25878).
	Outcome 2 of this proposed unit standard is covered off under the risk management unit standard.	Training and assessment can be combined to avoid duplication.
	This unit is more aimed at the worker on the floor rather than a manager whom should be following safe work practices anyway. This would come with Manager experience.	Considered to be a necessary underpinning CoC requirement
25876 Describe the effects of an extractive site on the environment and related requirements and responsibilities	The contents of this US can be covered of under the RMA component of 7142 making this US redundant.	Considered to be a necessary CoC requirement.
	This is an environmental unit standard - not needed for CoCs x2	
25878 Demonstrate knowledge of crushing and screening plant for extractives industries	There needs to be a unit standards on safe operation of machinery regarding guarding isolation etc this unit is too specific and not focused on safety x2	In response to this feedback, unit standard 25878 has been reviewed by MITO to cover these safety aspects.
	The unit focuses more on production than safety. Further detail should be added to include safety of machinery and guards.	

UNIT STANDARD	FEEDBACK	WORKSAFE'S RESPONSE
26855 Analyse human factors present in workplace practices to determine how they contribute to incidents at an extractives site	Should be applied to all CoCs	Unit standard 26855 has been included in CoCs as considered necessary.
	Should be delivered with Risk Management and Incident Investigations to avoid duplication	The structure of training and assessment can achieve this.
28742 Explain legislation related to health and safety and supporting documents applicable to an extractive site	More appropriate (than 7142) for quarries.	A-Grade Quarry and B-Grade Quarry CoCs have the same requirements, in line with current regulations.
28793 Conduct safety inspections for extractive operations	Why is this unit only applicable to Site Specific COC?	This is the lower level unit standard. More 'senior' CoCs use unit standard 7143 and/or unit standard 8902.
	Extend to include worker health requirements.	This unit standard covers: principal hazard management plans (PHMP), principal control plans (PCP), health and safety management plans, risk assessment, standard operating procedures (SOP). Within all of this, worker health should be covered as part of training and assessment.
28982 Develop standard operating procedures for an extractive site	A useful unit standard that should be incorporated or delivered with 8602 and 7143.	The first comment here, provides the solution for the second comment (ie the structure of training and assessment can achieve this).
	If you complete a WRAC then an SOP or task instruction is almost written. This would need to supplement the Risk assessment unit, however as written it currently doesn't.	
28983 (G2) Carry out the risk management process at an extractive site	As has been suggested by others in the industry, there is the need for a unit over-viewing what should be in a Health and Safety Management System (HSMS), of which G2 is one component for further training.	Unit standard 7142 covers the HSW Act, and therefore training and assessment should cover what's in a HSMS.
New unit standard Read and interpret a quarry site plan	Good idea keep it simple deliver with 28982,7143 and 8902	The structure of training and assessment can achieve this.
	I can't see the point in this unit standard a site plan is easily interpreted anyway such as experienced based. If it is a quarry manager or potential quarry manager interpreting the site plan they would know what to look for.	Considered to be a necessary CoC requirement.
15658/15667 combined Demonstrate knowledge of extraction methods, and selection of plant and equipment for surface extraction	Agreed these two units have a fair bit of duplication and need combining	N/A
	Is this a technical unit standard? What is the link to safety?	It is important to look beyond the title and look at the contents, safety is included and should be covered within training and assessment.

UNIT STANDARD	FEEDBACK	WORKSAFE'S RESPONSE
29553 Demonstrate knowledge of CIMS related roles and Action Plan process in an incident	This can be delivered in conjunction with 17279 and 29554 These units still lack applicability to surface extraction sites x2	Not a MITO unit standard. The unit standard is not just used by the extractives industries. Training providers can contextualize training and assessment to suit surface extraction sites.
	All CoCs should include this unit standard – it is the practical application of the CIMS process	This unit standard has been included in CoCs as considered necessary.
	Unit covering emergency response – is identifying a model and would be good for a large scale emergency with Multiple fatalities. I believe it would be more applicable to have an emergency response unit covering specific emergency scenarios.	Feedback provided to the Skills Organisation (the ITO with coverage of emergency management).
29554 Demonstrate situational awareness, action planning, and communication skills in an incident within a CIMS framework	This can be delivered in conjunction with 29553 and 17279 These units still lack applicability to surface extraction sites x2	Not a MITO unit standard. The unit standard is not just used by the extractives industries. Training providers can contextualize training and assessment to suit surface extraction sites.
	Unit covering emergency response – is identifying a model and would be good for a large scale emergency with Multiple fatalities. I believe it would be more applicable to have an emergency response unit covering specific emergency scenarios.	Feedback provided to the Skills Organisation (the ITO with coverage of emergency management).
Leadership unit standards	In addition to general responses above, one respondent suggests that all supervisors and managers must complete the following leadership units as a minimum mandatory requirement. – 27564 Demonstrate knowledge of leadership – 9704 Manage interpersonal conflict – 21336 Lead a team to achieve complex objectives	Refer comments above under 'Leadership'.
2401 Safely shut down and isolate machines and equipment	Why has this been removed? 2401 and 8922 are both base level skills that have a direct impact on high risk activities. These skills need to be practiced daily and from my experience are still being done very poorly or not at all on most extractive sites. Both mobile plant and static plant must be checked before use to make sure it is safe to use. Any equipment must be shut down and isolated properly before any maintenance work is carried out to prevent accidental start up. I advocate that everyone who works in the extractive industry should have Introductory skills level 2 but there is no prerequisite for a quarry or mine manager to hold this certificate. So how does a manager/COC holder demonstrate this knowledge?	Covered within unit standard 23648 (and unit standard 25878 for quarries – refer above).

UNIT STANDARD	FEEDBACK	WORKSAFE'S RESPONSE
<p>8922 Conduct safety checks prior to equipment use at an extractive site</p>	<p>Why has this been removed? 2401 and 8922 are both base level skills that have a direct impact on high risk activities. These skills need to be practiced daily and from my experience are still being done very poorly or not at all on most extractive sites.</p> <p>Both mobile plant and static plant must be checked before use to make sure it is safe to use. Any equipment must be shut down and isolated properly before any maintenance work is carried out to prevent accidental start up.</p> <p>I advocate that everyone who works in the extractive industry should have Introductory skills level 2 but there is no prerequisite for a quarry or mine manager to hold this certificate. So how does a manager/COC holder demonstrate this knowledge?</p>	<p>Covered within unit standard 23648, and other unit standards.</p>
<p>15662 Evaluate ground conditions and support methods for maintaining stability in underground operations</p>	<p>The WorkSafe document proposes to remove this Level 6 unit standard however it should be retained but should also cover precast lining options such as jacked pipes and segments.</p>	<p>This unit standard is not being expired by MITO. Feedback provided to MITO for use in future reviews.</p>

3.9 Unit standard requirements for CoCs – comments by CoC

CoC	FEEDBACK	WORKSAFE'S RESPONSE
First Class Mine Manager	To obtain a First Class Mine Managers CoC, you must hold a tertiary degree in mining engineering as well as obtain all of the unit standards as prescribed. If the applicant holds a tertiary education in mining education then most of the unit standards have been covered in the degree. If the applicant holds an "approved" degree then they should only be required to complete the non-operational units specifically relating to legislation, human factors, and emergency management etc.	Applicants for a First Class Mine Manager CoC do not have to hold a tertiary degree in mining engineering. For those who do, RPL (Recognition of Previous Learning) processes can be applied.
A-Grade Quarry Manager	9 standards that have been removed include highly relevant topics such as the maintenance of working surfaces; the design and maintenance of stockpiles and sloping surfaces; rehabilitation; dewatering, pump maintenance and settling ponds. If these topics are addressed in the additional standards we are satisfied but if they are not addressed we consider they ought to be.	Relevant topics covered in unit standards: <ul style="list-style-type: none"> - 8899 Operate and maintain stockpiles and tipheads at extractive sites - 8905 Demonstrate knowledge of construction and maintenance of working surfaces - 21155 Demonstrate knowledge of the use of water at an extractive site.
	Remove the following unit standards, they are either not relevant to quarries (mining-specific) or have minimal relevance to safety: <ul style="list-style-type: none"> - 3271 Suppress fire x3 - 15658/15667 Methods, plant, equipment x2 - 21155 Water use x2 - 21629 Workings and inundations x8 - 21661 Electrical reticulation plant x6 - 22057 Pneumatic and hydraulic x5 - 25876 Effect on environment x3 - 25878 Crushing and screening plant x2 - 29553 and 29554 CIMS Level 4 x5 	These unit standards are considered to be necessary CoC requirements. MITO's reviewed versions have removed mining-specific and/or underground references.
	No need for explosives unit standards. Most quarries don't use explosives, those that do use specialist contracts. There is a large amount of legislation covering use of explosives separate to CoC requirements.	These unit standards are considered to be necessary CoC requirements. A-Grade Quarry and B-Grade Quarry CoCs have the same requirements, in line with current regulations.
	Add (for a Quarry Manager in place of removed unit standards above): <ul style="list-style-type: none"> - 28739 - 28740 - 16686 	Unit standards 28739 and 28740 are too high-level for this CoC. They are part of the SSE CoC requirements. Unit standard 16686 is already included for this CoC.

CoC	FEEDBACK	WORKSAFE'S RESPONSE
B-Grade Quarry Manager	Need to find replacement at level 3-4 for 7142 x2 this is and has been discussed for many years, yet we still persist on including it in the B grade, A level 6 unit standard is at degree level and probably too high for even A Grade CoC.	A-Grade Quarry and B-Grade Quarry CoCs have the same requirements, in line with current regulations.
	<p>Remove the following unit standards, they are either not relevant to quarries (mining-specific) or have minimal relevance to safety:</p> <ul style="list-style-type: none"> - 3271 Suppress fire x2 - 15658/15667 Methods, plant, equipment - 21155 Water use x2 - 21629 Workings and inundations x7 - 21661 Electrical reticulation plant x5 - 22057 Pneumatic and hydraulic x4 - 25876 Effect on environment x2 - 25878 Crushing and screening plant - 17279 CIMS Level 2 x2 - 29553 CIMS Level 4 x3 - 29554 CIMS Level 4 x2 	<p>These unit standards are considered to be necessary CoC requirements.</p> <p>MITO's reviewed versions have removed mining-specific and/or underground references.</p>
	Only 1 CIMS unit standard needed x3	A-Grade Quarry and B-Grade Quarry CoCs have the same requirements, in line with current regulations.
	No need for explosives unit standards. Most quarries don't use explosives, those that do use specialist contracts. There is a large amount of legislation covering use of explosives separate to CoC requirements.	<p>These unit standards are considered to be necessary CoC requirements.</p> <p>A-Grade Quarry and B-Grade Quarry CoCs have the same requirements, in line with current regulations.</p>
	Should be the same as the requirements of a B-Grade Opencast Coal CoC - currently gazetted as an acceptable Supervisor CoC.	A-Grade Quarry and B-Grade Quarry CoCs have the same requirements, in line with current regulations.

CoC	FEEDBACK	WORKSAFE'S RESPONSE
Site specified Quarry	No unit standards above level 2-3 should be listed, make basic as the holders should be under the guidance of A Grade Quarry Manager.	The holder of the site specific CoC will not work under supervision and therefore requirements must reflect the need to manage a low risk quarry - the unit standards must reflect this.
	Remove the following US: <ul style="list-style-type: none"> - 3271 Suppress fire x2 - 15665 Geology - 17694 and 21152 Explosives - 21155 Water use x2 - 21661 Electrical reticulation plant x2 - 22057 Pneumatic and hydraulic x2 - 25878 Crushing and screening plant x2 - 29553 and 29554 CIMS x2 	Explosives unit standards were not included. Unit standard 15665 was not included. Remaining unit standards are considered to be necessary CoC requirements.
	Only 1 CIMS unit standard needed.	Refer row above.
	No need for explosives unit standards. Most quarries don't use explosives, those that do use specialist contracts. There is a large amount of legislation covering use of explosives separate to CoC requirements.	Explosives unit standards not included.
	Add (in place of removed unit standards above): <ul style="list-style-type: none"> - 8899 Operate and maintain stockpiles and tipheads at extractive sites - 17694 and 21152 Explosives. 	Unit standard 8899 added. Unit standards 17694 and 21152 Explosives not considered necessary for this CoC.
	B-Grade Tunnel Manager	Reason for increase in number of required unit standards unclear.
Inclusion of both new CIMS Level 4 USs queried (29553 and 29554), not needed at Supervisor level.		These unit standards are considered to be necessary CoC requirements.
Inclusion of 15669 <i>Demonstrate knowledge of geology for underground extraction</i> queried - level 5, 10 credits is large. B-Grade should not be required to have the same level of knowledge of tunneling methods and equipment should not be required to meet the same level or standard as A-Grade Managers.		Unit standard 15669 considered to be a necessary CoC requirement.
A-Grade Opencast Mine Manager	Include two equipment operation unit standards.	Not considered necessary for this CoC.
B-Grade Opencast Mine Manager	Include two equipment operation unit standards.	Not considered necessary for this CoC.

CoC	FEEDBACK	WORKSAFE'S RESPONSE
Mechanical Superintendent	Should not have to complete unit standard 17279 CIMS Level 2	Considered to be a necessary CoC requirement.
	Not convinced that unit standard 26855 'analyse human factors present in workplace practices at an extractive site' should be required.	Considered to be a necessary CoC requirement.
	<p>This is a senior role alongside mine manager and at times the SSE, therefore:</p> <p>Remove</p> <ul style="list-style-type: none"> - 3271 Suppress fire with a hand held extinguisher or hose reel - 17744 Read and interpret site plans <p>Add</p> <ul style="list-style-type: none"> - 27564 Demonstrate knowledge of leadership - 9704 Manage Interpersonal Conflict - 21336 Lead a team to achieve complex objectives - 26855 Analyse human factors present in workplace practices - 28982 Develop standard operating procedures - 29553 Demonstrate knowledge of CIMS related roles and action plans - 29554 Demonstrate situational awareness, action planning, and communication skills in an incident with CIMS framework - 7142 Demonstrate knowledge of the regulatory requirements to manage an extractives site. 	<p>CoC role is for a superintendent, not an engineer. In NZ this CoC role does not sit alongside the mine manager and SSE.</p> <p>The majority of the suggested additional unit standards are already included as options within the 'leadership' requirement.</p> <p>Unit standard 29553 has been added.</p>
Electrical Superintendent	Inclusion of three CIMS USs queried (17279, 29553 and 29554), only 17279 Level 2 is needed.	Unit standard 29554 removed.
	Not convinced that unit standard 26855 'analyse human factors present in workplace practices at an extractive site' should be required.	Considered to be a necessary CoC requirement.
	<p>This is a senior role alongside mine manager and at times the SSE, therefore:</p> <p>Remove</p> <ul style="list-style-type: none"> - 3271 Suppress fire with a hand held extinguisher or hose reel - 17744 Read and interpret site plans <p>Add</p> <ul style="list-style-type: none"> - 27564 Demonstrate knowledge of leadership - 9704 Manage Interpersonal Conflict - 21336 Lead a team to achieve complex objectives - 26855 Analyse human factors present in workplace practices - 29553 Demonstrate knowledge of CIMS related roles and action plans - 29554 Demonstrate situational awareness, action planning, and communication skills in an incident with CIMS framework - 7142 Demonstrate knowledge of the regulatory requirements to manage an extractives site - 28739 Establish and Maintain the Risk Management System at an Extractive Site. 	<p>CoC role is for a superintendent, not an engineer. In NZ this CoC role does not sit alongside the mine manager and SSE.</p> <p>The majority of the suggested additional unit standards are already included as options within the 'leadership' requirement.</p> <p>Unit standard 29553 was already included.</p> <p>Unit standard 28739 is part of the SSE CoC requirements.</p>

CoC	FEEDBACK	WORKSAFE'S RESPONSE
Ventilation Officer	Unit standard 21281 is recorded as being 'interpret and test for gases in an underground coal mine' without any reference being made to the coal and non-coal alternatives. A Ventilation Officer in a metalliferous underground mine should not be required to obtain a unit standard for an underground coal mine. We request that coal and non-coal alternative versions be provided for this requirement.	Ventilation Officer CoC cannot be distinguished as 'coal' or 'non-coal' under current regulations.
Coal Mine Deputy	Some surface unit standards are listed - these should be removed.	No surface unit standards are listed for this CoC.

Appendices

IN THIS SECTION:

Appendix 1: Summary of submissions feedback

Appendix 2: Feedback on out-of-scope issues raised in submissions

Appendix 1: Summary of submissions feedback

SUBMITTER NAME	SUBMITTER COMMENTS: COMPETENCY REQUIREMENTS	SUBMITTER COMMENTS: TRANSITION ARRANGEMENTS	SUBMITTER COMMENTS: DEFINING 'WORKINGS'	SUBMITTER COMMENTS: FIRST AID REQUIREMENTS	SUBMITTER COMMENTS: LEADERSHIP' UNIT STANDARDS	SUBMITTER COMMENTS: SPECIFIED QUARRY MANAGER COC	SUBMITTER COMMENTS: COC UNIT STANDARD REQUIREMENTS	SUBMITTER COMMENTS: GENERAL FEEDBACK	SUPPORTS/ENDORSES MINEX SUBMISSION
Andrew Dronjak Extractive Management Services Ltd	Operational experience requirements. B-grade quarry: 1 year 'production operations' experience as part of a minimum 2 years within extractives. A-grade quarry: 3 years 'production operations' experience as part of a minimum 5 years within extractives.					Following criteria should be met: 1) Allow crushing 2) No excavation greater than 5 metres from surface to base of excavation in total (not 6 metres as suggested)		Provided other feedback relating to CPD requirements	
Dwayne Solly						Doesn't believe that a site-specific CoC should be available to quarry managers as he sees this as a 'dumbing down' of the quarrying industry.			
Confidential	Requiring a Mine Surveyor to gain underground experience is unfair given the lack of underground mines in NZ. Doesn't believe a Licensed Cadastral Surveyor is appropriately experienced to hold the role of Mine Surveyor.							Provided other general feedback regarding CPD, splitting Mine Surveyor CoCs into two categories and legislative requirements for quarries/mines/tunnels plans	
Confidential				Supports the proposed first aid recommendations	Believes that technical knowledge is more important than leadership skills at B-grade level. Believes Level 3 leadership unit standards are sufficient for A-grade level	Crushing should be allowed as a criteria for site specific CoCs	Agrees with proposal to require geology unit standards for quarry CoCs. Doesn't think CIMS and 'higher level' legislation unit standards are necessary for quarry CoCs. Believes that more consultation is needed with individual industry groups for their specific unit standards' needs, rather than 'lumping all industries together'	Feels that the consultation period was too short for him to make a fully informed submission. Believes CoC oral exams should be held at the applicants' worksite to make the process less intimidating.	
Confidential	Disagrees with the competency requirements for A and B grade quarry CoCs being almost identical.		Doesn't believe alluvial mining is represented well enough in the proposed 'workings' definitions.		Doesn't believe these are necessary for site-specific CoCs and other CoC holders working at small operations.	Welcomes a specified quarry CoC but believes it's over prescribed and should be simplified.	Believes that the Unit Standards required for B-grade quarry is too similar to those for A-grade quarry. Thinks that there should be more flexibility in terms of the required Unit Standards for Specified Quarry CoC holders.	Believes that CoC requirements are too restrictive, stringent and expensive for small operators to comply with.	

SUBMITTER NAME	SUBMITTER COMMENTS: COMPETENCY REQUIREMENTS	SUBMITTER COMMENTS: TRANSITION ARRANGEMENTS	SUBMITTER COMMENTS: DEFINING 'WORKINGS'	SUBMITTER COMMENTS: FIRST AID REQUIREMENTS	SUBMITTER COMMENTS: LEADERSHIP' UNIT STANDARDS	SUBMITTER COMMENTS: SPECIFIED QUARRY MANAGER COC	SUBMITTER COMMENTS: COC UNIT STANDARD REQUIREMENTS	SUBMITTER COMMENTS: GENERAL FEEDBACK	SUPPORTS/ENDORSES MINEX SUBMISSION
Confidential			Changes to ventilation officer to enable tunnelling experience: change definition of mine to incorporate tunnel and two levels of Ventilation Officer CoC: coal mine and tunnel. Metalliferous into one of these categories.		Unit standards need to be cross creditable between CoCs.		Why does A-grade tunnel manager need to design a ventilation system when there are Ventilation Officer CoC requirements?		
Confidential		24 months	Clarify the 9 months' experience.		One unit standard is compulsory: '21335 Lead a team to achieve an objective'. The rest as part of CPD.	Not viable or practical - attempting to overtake B grade. Only applicable for small operations.	Detailed analysis. A and B grade unit standards need to be reviewed for relevancy, applicability and further consultation.	Proposed changes will substantially increase time and hours of study. Experience is vital	
Tim Kennedy	A, B and site specific CoCs treated the same. No factual basis to support or justify doubling size and several mining unit standards.					Being used to get operations compliant.	Structured, robust, professional qualification framework required. Current proposal doesn't offer this.	Assessment should be on site.	
Eamon Moynihan Francis Group			Sign off and reference checks for relevant experience must be undertaken by some authority to prevent BoE from being flooded with unsuitable applicants.				Unit standard assessments must be written.		Yes
Confidential	Academic requirements for quarries set too high. No structured pathway. Site audit instead of oral exam.		Unnecessary. All operations should follow best practice guidelines. 3 years follow up audit on CoC holders.	Yes. Focus on preventing accidents.	Operational skills needed to make competent practitioners who are leaders.	Good idea but should be provisional under inspectorate supervision and follow up on site audit.	Is it wise removing 2401 and 8922? Needed for key safety checks.	Training issues	
Graham Platts Act Safety Ltd					Need to define leadership qualities and focus unit standards that will achieve this. Number of credits to achieve a competency is outdated.	Legislation must be 7142 for all levels, nothing less.	7142 for all CoC levels. Effective lockout/ isolation system is one of most significant principles of providing safe environment -should be included.	Disappointed that no engagement or consultation with ACT/ training providers who have expertise to suggest improvements in process. Need to use training matrix where competency requirements are defined and training is developed.	
Tony Hunter Blackhead Quarries	Strongly support Board's direction toward quarry manager/supervisor.	Agree	Agree	Agree	Should be prescribed.	Very little application. MinEx has some good ideas.	Good work. Explosive units not needed: most quarries don't use explosives. CIMS-little application in quarries. One unit standard enough. Old workings, inundation and in rush not relevant for quarries.	Board need to visit different sizes of sites and operations to understand quarries and how they operate in modern world. Current thinking based on bygone era.	
Confidential							Detailed comments on surveyor unit standards.		

SUBMITTER NAME	SUBMITTER COMMENTS: COMPETENCY REQUIREMENTS	SUBMITTER COMMENTS: TRANSITION ARRANGEMENTS	SUBMITTER COMMENTS: DEFINING 'WORKINGS'	SUBMITTER COMMENTS: FIRST AID REQUIREMENTS	SUBMITTER COMMENTS: LEADERSHIP' UNIT STANDARDS	SUBMITTER COMMENTS: SPECIFIED QUARRY MANAGER COC	SUBMITTER COMMENTS: COC UNIT STANDARD REQUIREMENTS	SUBMITTER COMMENTS: GENERAL FEEDBACK	SUPPORTS/ENDORSES MINEX SUBMISSION
Alan Passmore								Quarrying CoC requirements appear changed because of Pike River and controlled as if a mine operation. Practical safety knowledge in the field is more important than academic. Should be tested on site.	
Confidential	On site learning not in classroom.	Agree			Unnecessary although had not seen the detail.	Good idea	Too much emphasis on legislation. Need to know where to access.	Best system when quarry inspector visited unexpected once a year and improvements made before next visit.	
Confidential	First class mine manager experience should be minimum 5 years with minimum 12 months underground mining or tunnelling.	Underground: 3 months minimum mine development, including ground support; mine production, including explosives handling and charging; mine haulage; mine infrastructure and services.		Agree	Agree		No recognition of tertiary mining qualifications. Unit standards covered in tertiary syllabus. 17691 bordering on insulting.		
Greg Duncan Tai Poutini Polytechnic		Agree				Risk matrix/scoring system. 5-6 unit standards-set up simple HSMS, managing hazards, inspections.	Significant increase of unit standards for B grade quarry CoC removes this CoC as a viable option for quarries and alluvial.		
Confidential	Management of CoC process at best average. While difficult and complicated: training providers not ready; milestones missed; poor success rates for oral exams. Lack of appreciation of change management. Process led by egos from all sides and unrealistic timelines.		A grade quarry: 3 years; B grade: 1 year	Agree	Agree	Agree. Restrict stockpile to 6 metres; remove requirement for 24 months operating.			
Confidential		Agree			Good idea. Introduce one in requirements - the others in CPD	Interim CoC - to be issued for one 5 year term. Criteria need to be site specific, not generic. Guidance of A or B grade needed.	Increasing number of units standards for quarry CoC will discourage applications. Extra unit standards to be done as part of CPD.	Agrees that change is needed but not everyone bought up to the bar - if bar set high, will result in more non-compliance.	
Confidential	Because of Regs B grade quarry level has been lifted to be close to A grade - now proposal to lift even further. Now more difficult for previous ticket holders and new entrants. A large number of old holders not renewed given the class room learning required.	Transition will take another 5 years	Can be a myriad of tasks and difficult to define. Many quarries are a small part of other businesses and are not always the main part of a quarry manager's occupation	Yes	Leave decision as to which units to others.	Not applicable to many sites.	A grade quarry - not much wrong. Support MinEx submission.		Yes

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Confidential	Unit standard system and competency requirements are miles apart. Learn to run a quarry as a manager not sit in classroom and tick the box.	Little purpose transitioning one poor qualification to another	Quarry - widen to cover screening, rushing, stockpile construction, road maintenance	Not unit standard based. Many providers give comprehensive non unit standard training	Needs to be on the job, not theoretical.	As presented - so wrong, not worth commenting on. Review what industry needs, away from ITO/providers. Needs to be practical.	No unit standards - needs to be stand alone. Needs to be competency based at work-place, checked by industry at workplace, such as IoQ and panels. Based on guidelines. Direct funding by government.	Disappointing not to use the review to bring CoC/ qualifications in line with industry needs - unit standards have little meaning.	
Tony Philpott Nightcaps Contracting						Totally against - gives the opportunity for grey areas. A quarry or mine can change overnight with extra orders.		Does not support MinEx submission - no need to reinvent the wheel.	
Lisa Wakefield Fulton Hogan	Biggest criticism in industry is lack of difference between A and B-grade quarry CoCs.	Agree		Current requirements adequate - no added value in specifying unit standards.	Unit standards relevant to CoC. A-grade needs more and to achieve unit standards at higher level.	Do not support - lowers the level of competence and standards. Criteria very restrictive in any case.	Need for difference between A and B-grade quarry manager. 22057, 22057 21661 of little relevance. Disagree with 27 unit standards	Current system far superior to proposal.	
Confidential	Preferable to have more knowledge than less.	Agree	Support in principle and MinEx re: BoE holding knowledge to assess. Further expand to reflect unit standards - cross check against definition and unit standard elements and outcomes.	Agree	Agree. Support MinEx's submission.	Supports MinEx's risk based approach BUT unnecessary to hold exam on site. Criteria 1 is limiting and needs to be better defined (eg no crushing versus limited to 1,000 t/week. What happens when site changes) how will this be notified and managed by WorkSafe to ensure CoC holder is qualified to manage daily operations.	Human Factors for all CoCs.		Yes
Confidential		Agree with MinEx		Agree	Agree with MinEx.	Not in support of this CoC. However risk-based approach has merit.		Generally endorse MinEx but disagree with some 'future' proposals.	Yes
Fraser Field Rayonier Matariki Forest		Any difficulties will be short term.	Most of the company's applicants experienced in 30% of the stated activities and 95% outside extractive operation. Wish to employ road construction workers as quarry managers - do not own drills or crushers-hired in. Rather than set expectation, BoE should probe depth of experience.	Agree	Agree			Do not plan to make more onerous or less broad the range of activities or length of time that an applicant needs.	

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Gavin Hartley	If measure of CoC holders ability to carry out jobs safely, efficiently and earn money is the 4 competencies, then need to split Operations and safety systems to have 5. Partially support MinEx re: make up and functions of A-grade and supervisor (B grade).		Experience at workplace 'not driving a desk'.	No. Each site should have a qualified first aider.		Make it a Surface Permit under supervision of an A-grade. No restrictions other than explosives and supervise no more than 4. Should be a stepping stone to higher CoCs. Could be answer for those running multiple mobile operations.	Site specific: level 3 or below. B-grade quarry: levels 3 and 4. A grade quarry: levels 4 and 5. CIMS is a knee jerk reaction to Pike River – not an issue for quarries. A-grade remove 3271, 25876, 21629	Past was clear what was required. CoC needs 100% focus on health and safety – was gauged by oral and written exams. Trying to fit old and new not working. CoCs should not be based on academic ability (ie unit standards) but based on running an operation safely.	
Stuart Rabone						Supports the concept of a specified site CoC but thinks that allowance should be made by the BoE for the limitation placed on the applicability of the CoC		Believes that oral exams should be more 'broad-minded' and not just focus on ability to recall specific sections of the Act and Regulations. The BoE should take an applicant's experience and qualifications into account when deciding whether or not to grant/decline a CoC application.	
Peter Morgan, Institute of Quarrying New Zealand (IOQ)	A-grade quarry: support MinEx's submission. B-grade quarry: should be limited to no more than four workers, even without explosives (Clause 21 of the Regulations should be interpreted to reflect this). Would like to see a distinctive 'gap' between the A and B grade quarry CoCs. A site specific CoC will better define a clear career pathway for workers. Supports Road Metals' submission regarding the different 'levels' of CoCs. Suggests using a risk matrix to determine the level of CoC which is required to manage a site.	Generally, IOQ members agree with the proposed transition period, however some members have suggested up to five years for transition.	Support the proposed changes to better define 'workings'. Timeframe of nine months needs to be clarified as it could be misconstrued to imply 18 months.	Supports the proposed recommendations for all CoCs.	Don't disagree but believe that the leadership unit standards generally don't focus on health and safety. Don't question their value but believe that the CoC regime should be health and safety focused. B-grade quarry leadership unit standards requirements should be at a lower level than A-grade.	Believe proposed criteria is too restrictive and thinks the 'level' is too high. The 'no crushing' criteria should be removed. The maximum average processing rate needs a defined time period (eg 1000t/week over a 12 month period). 'Operating period of a minimum of 24 months' requires clarification.	The mining specific Unit Standards (21629, 22057, 21661) should be removed from the quarrying manager CoC requirements. Strongly disagree with the proposed number of credits required for a B-grade quarry manager CoC requirements. Wish to see a differential between the A and B grade quarry manager CoCs.	Supports a review of the CoC requirements. Oral exams should be undertaken at the candidate's worksite and candidates should be allowed to use reference material during the exam. Suggests that a Quarry Sector Forum is held to discuss the proposed changes to CoC requirements and engage with the BoE.	Yes
Peter Silcock, Civil Contractors New Zealand Inc	Supports and endorses the MinEx submission.					The criteria needs to accommodate workings which may extend over some distance within a specific river bed, rather than requiring recertification every time the mobile plant is moved. Supports MinEx's suggested risk assessment matrix for specified site CoCs and wants to work with MITO, WorkSafe and Minex to develop this.		Particularly concerned with representing the views of their members who operate small, mobile alluvial quarry operations and the development of an appropriate and effective CoC for this group. Believes this will engage those small operators who are currently non-compliant with competency requirements.	Yes

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Confidential	Areas of competency do not align with current training and unit standards – the evidence of the mismatch is in the high failure rates of oral exam candidates.	Suggests a transition period of at least 2 years.	Suggests further refinement. Proposed 'workings' activities do not all align with the 'production operations' proposed for quarry and opencast coal.	Supports the proposed unit standards.	Endorses MinEx's position on this. Leadership is an important part of safe and effective management.	Proposed definition is too restrictive. Supports MinEx's suggested risk-based assessment of the particular operation.	Unit standard requirements should be reduced to those required to manage an extractive site safely and provide for the health and safety of personnel. All quarry managers should be required to complete US 15665 (geology and geotech). Provided a document with proposed changes to unit standard requirements.	Endorses MinEx's submission. Believes quarry manager oral exams should be carried out on a worker's site.	
Mike Chilton, Aggregate and Quarry Association of New Zealand (AQA)		Suggests a transition period of at least 2 years.	Attempt to clarify is good but requires more refinement.	Supports the proposed unit standards.	Endorses MinEx's position on this.	Proposed definition is too restrictive. Supports MinEx's suggested risk-based assessment of the particular operation.	Proposed unit standards move away from health and safety requirements and into broader education. Support MinEx's submission on removal of certain unit standards.	Endorses MinEx's submission.	Yes
Confidential	Agrees with proposal	Agrees with proposal	Agrees with proposal	6400, 6401 and 6402 should all be required.	Agrees with proposal	Proposed 'no crushing' criteria is too restrictive.	Believes that the unit standard requirements need to be site specific.		
Amanda Burke Road Metals						Supports need for specified quarry manager CoC but oppose the 'no crushing' criteria. This CoC should allow the holder to manage different sites with a cap of 120,000 metres per site per year.	Believes that units 28983, 8902, 28982 and the new level 4 emergency response plan unit are all critical.		
Confidential	Believes that a gas testing refresher course (every three years) should be mandatory for all CoCs.	Agrees with proposal	Agrees with proposal	Agrees with proposal	Strongly supports requiring leadership unit standards to ensure that CoC holders have the capability to work as managers.	Agrees with proposal	Pleased to see the division between 'coal' and 'non coal' versions for units 7145, 17705 and 21281.	Endorses MinEx and Act Safety submissions.	Yes
Confidential	A-grade quarry: support the MinEx submission. B-grade quarry: Believes that the proposed level of the B-grade quarry CoC is too close to the A-grade. Proposes that there should be different 'levels' of CoCs which mirror the NZQA qualifications structure – including an entry level and supervisor CoC.	Thinks that five years would be a more appropriate transition period.	'Workings' is hard to define – particularly as 'quarry' work may only be one part of the quarry manager's occupation.	The standard two day St John's course and a refresher course every two years should be sufficient.		Believe proposed criteria is too restrictive and thinks the 'level' is too close to what is proposed for the A and B-grade quarry CoCs.	B-grade quarry should only require 80-100 credits. Agrees with proposed 180-200 credits for A-grade quarry.	Believes that the current CoC system doesn't support managers of small quarry operations and instead focuses on large operations. Oral exams: questions should 'match' unit standard content, questions should be made public, candidates should be allowed to take paperwork into exam and exams should be held at the candidate's site.	
Confidential	Do not believe that alluvial gold mine skills and knowledge are dealt with adequately in the Quarry CoCs.	Agree with proposal	Support the proposed changes to better define 'workings'. However, they consider the BoE has the power to judge applicants' suitability.	Agree with proposal	Leadership units should not be elective. Each CoC should prescribe the required leadership unit standards for the safety critical role they hold.	Proposed definition is too restrictive. Supports MinEx's suggested risk-based assessment of the particular operation. Oral exam should be conducted at the site and panel should include an Inspector.	CoC unit standards should reflect the holder's obligations under HSAW and Regulations. Have provided a table outlining proposed unit standards for A and B-grade quarry and specified site CoCs.	Propose that the current unit standard driven CoCs should be replaced with a qualification model of NZQA certificates and diplomas. This would provide a professional 'pathway' to workers in the extractives industry.	Yes

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Confidential			Agrees with proposal	Agrees with proposal	Introduction of leadership component is a positive step, however some unit standards may be at the wrong level (eg '9678 - Run a formal meeting' at SSE level). Perhaps should be reviewed with regards to the SSEs legislative duties/responsibilities.		First Class Mine Manager CoC: seems antiquated for applicant to need to hold a tertiary degree and complete operational unit standards. They should only be required to complete the 'non-operational' units (eg legislation, emergency management, human factors).		
Glenys Perkins and Andrew Birchfield, Minerals West Coast and West Coast Commercial Gold Miners' Association Inc	Do not believe that alluvial gold mine skills and knowledge are dealt with adequately in the Quarry CoCs.	Agree with proposal	Support the proposed changes to better define 'workings'. However, they consider the BoE has the power to judge applicants' suitability.	Agree with proposal	Leadership units should not be elective. Each CoC should prescribe the required leadership unit standards for the safety critical role they hold.	Proposed definition is too restrictive. Supports MinEx's suggested risk-based assessment of the particular operation. Oral exam should be conducted at the site and panel should include an Inspector.	CoC unit standards should reflect the holder's obligations under HSAW and Regulations. Have provided a table outlining proposed unit standards for A and B-grade quarry and specified site CoCs.	Propose that the current unit standard driven CoCs should be replaced with a qualification model of NZQA certificates and diplomas. This would provide a professional 'pathway' to workers in the extractives industry.	Yes
Mike Higgins J Swap Contractors Ltd	Believes that the proposed level of the B-grade quarry CoC is too close to the A-grade.	Agrees with proposal	Supports a better definition. Wording needs to be explicit so that the required minimum period of experience is clear.	Unit standards 26551 and 26552 should also be recognised.	Supports inclusion of leadership unit standards. 27546 should be compulsory. Cross credits from other management/ leadership qualifications should be considered.	Proposed definition is more restrictive than anticipated. Competency requirements are too close to those for a B-grade quarry CoC. Supports MinEx's proposed risk assessment matrix. CoC should be renewable or reviewable, perhaps every 2 or 5 years.	Some of the oral exam questions are not covered by unit standards. The competencies need to be 'mapped' to ensure they are covered by unit standard contents. Has addressed issues with individual unit standards in his submission.	General effect of the proposed changes is to make it more difficult for small operations to comply, particularly if they don't currently comply.	Yes
Peter O'Sullivan Tai Poutini Polytechnic	CoC competency requirements should align with NZ Certificates/ Diplomas in Mining and Quarrying.	Agree with proposal				Proposed criteria are too restrictive and instead support the use of their proposed risk-based framework. Oral exam should be conducted on site and the panel should include an Inspector.	Unit standards for a CoC should form part of the relevant qualification at the level in the NZQA Qualification framework, appropriate for the safety critical role.	Propose that the current unit standard driven CoCs should be replaced with a qualification model of NZQA certificates and diplomas. This would provide a professional 'pathway' to workers in the extractives industry.	Yes
Tony Andrews			Believes that the current competency requirements for A and B-grade quarry CoCs are sufficient. Making the CoC requirements more difficult will discourage people from entering the quarry industry.				Some proposed unit standards are not fit for purpose (eg underground/mining unit standards for quarry CoCs).	Doesn't support the proposed changes to CoC requirements.	
Trish Costelloe Heaphy Mining	The overall format of the CoC system should be changed to move towards a qualification-based system (as per the MinEx submission). Qualifications need to be more practical knowledge and experience based.				Leadership unit standards are a good recommendation. The choice of unit standards should be based on what is required for a specific safety critical role.		Unit standards should reflect the level of questioning in oral exams.	B-grade CoC oral exams should be held on site and the oral exam should reflect the role requirements in the Regulations.	Yes

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Michael Swap								Does not support oral examinations for A and B-grade quarry manager CoC applicants.	
Confidential	Supports a qualification-based CoC system (as per the MinEx submission).	Agree with proposal	Support the proposed definition of 'workings' but also support additional wording suggested in the MinEx submission.	Agree with proposal	Endorse MinEx's submission regarding prescribed leadership unit standards.	Endorse MinEx's submission re: competency requirements, risk profiling definition and on site examination of candidates for specified quarry CoC.	Endorse MinEx's submission and also think air quality/hazardous substance specific unit standards should be required for CoCs.		Yes
Confidential						Agrees with proposal	Provided specific feedback on unit standard 7142.	Oral examinations should be held on site at the candidate's workplace.	
Confidential	Worker health monitoring requirement should be added.		Proposes that 'workings' definition should include resource consent management.			Proposes that crushing and mobile plants should be allowed in the criteria.	Suggests an extra unit standard should be added which covers 'developing and implementing a workplace emergency plan'. Units 8902 and 7143 should be merged.		
Jacqueline St John and Alison Paul Oceana Gold New Zealand	The overall format of the CoC system should be changed to move towards a qualification-based system (as per the MinEx submission). Qualifications need to be more practical experience and knowledge based.	Supports transition period of 24 months.	Supportive of measures to clarify required level of experience, however supports MinEx's proposal that applicants can check with the BoE to see if they have adequate experience.	Agree with proposal	Propose that prior leadership/management training programs should be recognised as a substitute for leadership unit standards. Leadership unit standards should be directly relevant to the holder's statutory obligations.		Supports MinEx's submission. Also proposes that tertiary qualifications should be accepted in lieu of completing some of the unit standards, to avoid duplications. Addresses unit standard requirements for specific CoCs.		Yes
Confidential	The overall format of the CoC system should be changed to move towards a qualification-based system and proposes an Industry Advisory Group is established to set up this system (similar to MinEx's submission proposal).		Electrical/Mechanical superintendent CoC applicants should have a minimum of two years' extractives industry experience.	Agree with proposal	Suggests that leadership unit standards are mandatory for each CoC type and are not elective. Leadership requirements should be proportionate to the CoC level (eg more units for SSEs than B-grade CoCs).		Individual unit standards need to reflect the requirements of the CoC safety critical role. Unit standards required for a CoC should align with certificates/diplomas. Unit 29553 should be compulsory for all CoCs. Surface units proposed for Underground Deputy CoC should be taken out. Specific suggestions for Electrical and Mechanical Superintendent CoCs.		

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Wayne Scott MinEx	The overall format of the CoC system should be changed to move towards a qualification-based system and propose an Industry Advisory Group is established to set up this system. Submission outlines their 'ideal regime' for the CoC/qualification system.	Supports transition period of 24 months	Supportive of measures to clarify required level of experience, however proposes that applicants can check with the BoE to see if they have adequate experience before applying for a CoC. Believes that two years' experience is required for all CoCs.	Agree with proposal	Leadership unit standards should not be elective. Each CoC should prescribe the required leadership unit standards.	Proposed criteria is too restrictive and instead they propose a risk-based assessment framework (outlined in the submission).	CoC unit standards should reflect the holder's obligations under HSAW and Regulations. Have provided a table outlining proposed unit standards for A and B-grade quarry and specified site CoCs. A and B-grade quarry CoCs should be issued as either restricted (without blasting) or unrestricted (with blasting). Tertiary study should be recognised in lieu of unit standards.	Submission outlines their 'ideal regime' for the CoC/qualification system. Oral exams should be carried out on site, with the panel including an Inspector.	
Brian Bouzaid, Holcim	Endorse MinEx submission								Yes
Bryce Coughlan Clements Contractors	Endorse MinEx submission								Yes
Paul Pascoe Lime Stone Ltd	Endorse MinEx submission								Yes
Andrew Linton Higgins Contractors Ltd	Endorse MinEx submission								Yes
Phil Boulton Flee Review Services	Endorse MinEx submission								Yes
Mark Cameron Fulton Hogan Ltd	Endorse MinEx submission								Yes
Brian Roche Ravensdown	Endorse MinEx submission								Yes
Chris O'Leary Kai Point Coal	Endorse MinEx submission								Yes
Graham McClymont	Endorse MinEx submission								Yes
Steve Preston Fulton Hogan Ltd	Endorse MinEx submission								Yes
Jeff Collins Isaac Construction Ltd	Endorse MinEx submission								Yes
Denise Kay Taylors Contracting Co Ltd	Endorse MinEx submission								Yes
Cobus van Vuuren	Endorse MinEx submission								Yes
Gordon Skeggs Southern Aggregates Ltd	Endorse MinEx submission								Yes
Craig Harvey Fernhill Limeworks Ltd	Endorse MinEx submission								Yes
Kevin, Sutherland KJ Sutherland Contracting	Endorse MinEx submission								Yes
Russel Hopkins Simcox	Endorse MinEx submission								Yes
Eamon Moynihan	Endorse MinEx submission								Yes

Appendix 2: Feedback on out-of-scope issues raised in submissions

The majority of submissions focused on the following issues which were not part of the review's scope:

- qualification pathway for extractives and its application to CoCs
- training and assessment, including its quality
- roles and responsibilities of CoCs, in particular, specialist CoCs, quarry CoCs, including the needs of the alluvial sector
- procedures such as how applicants are assessed.

As outlined above, the review focused on CoC requirements. These are important issues for the whole extractives sector, however.

- The qualification pathway is the responsibility of the industry working together with MITO, its industry training organisation. These results may then be incorporated in CoC requirements once new regulations have been enacted.
- Likewise, training and assessment is a matter for the providers, the ITO, and ultimately for the industry and the people paying for and receiving the training. However, the Board does have an interest in this area and can provide feedback as required.
- As CoC roles and responsibilities are designated in the Regulations, changes would need to be made as part of a review of the Regulations. The Board will provide advice regarding CoC roles and responsibilities to WorkSafe and MBIE.
- Procedures such as how exams are conducted are not included in the CoC requirements review. Procedures are set by the Board and the Board has looked at the feedback.

Given the predominance of the feedback on the structure of qualifications, training and assessment and careers pathways for the extractives industry, it is important to clarify roles and responsibilities and where WorkSafe's and the Board's responsibilities lie.

What is a certificate of competence?

- A CoC shows that the holder of a safety critical role has the relevant knowledge, experience, competency, skill and character to carry out the tasks associated with the designated role.
- Extractives safety critical roles are designated in the Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016 (Regulations). They are key positions necessary for the safe operation within extractives operations.
- The CoC is focused on safety critical roles. It is based on the regulator's requirements (on advice from the Board). The responsibility for the CoC lies with WorkSafe. CoCs are not a qualification, nor a qualification pathway or a formal development pathway.

New Zealand qualifications

- The New Zealand Qualifications Framework (NZQF) is established under section 248 of the Education Act 1989. It is administered by The New Zealand Qualifications Authority (NZQA) and is based on clear learning outcomes - the skills, knowledge and application demonstrated to complete a specific qualification.

- Within this, it is the role of the ITO (in the case of extractives, MITO) to:
 - define national skill standards and qualifications required by industry – ensuring the value and relevance of investment in education and training.
 - broker training to meet the needs of employees in industry – linking individual workplace learning to national industry skill needs.
- Qualifications, a career development pathway, workforce development and dealing with issues in the industry are matters for industry to address by working with the ITO. WorkSafe and the Board would certainly encourage a better qualified workforce and a qualification framework that meets industry needs, and could participate in its development.
- A proposal to replace the current unit standards model with a formal qualification model has a great deal of merit. CoCs should not be driven by qualifications nor should qualifications be driven by CoCs. Their purposes and outcomes are different although they should be integrated, as they are now.
- In developing the industry’s qualifications, consideration needs to be given to taking a strategic approach to what the extractives industry will look like in the future, the type of workforce it needs and the development of the workforce.

Continuing professional development

With regard to CPD the following comment made under leadership applies:

“The suggestion that leadership unit standards become a prescriptive part of CPD, goes against the current principles (and gazetted) requirements that, within the four competency areas, it is up to the individual to undertake activities which she/he considers appropriate for learning and development. Focusing CPD on unit standards also makes learning much more ‘classroom’ based which the Board considered should not be the basis for CPD. More importantly, the industry feedback we have received since CPD came into force supports this position.”

Procedures

EXAMINING LEADERSHIP

The following feedback was received in a submission:

“When a candidate presents for their examination, there needs to be consistency in the learnt material as it relates to the examination. Questions within the oral examination should be consistent; this cannot be achieved when there is a broad range of leadership unit standards. Mandatory leadership unit standards should be identified for each level of CoC and included in the requirements.”

WorkSafe’s response

The purpose of an oral examination is to assess whether an applicant can apply what they have learnt from their studies and operational experience. The exam is focused on the ability to lead ‘on-the-job’ and undertake their role as a CoC holder; not on theory.

EXAMINATION VENUE

MinEx's proposal that oral examinations for applicants for a CoC to manage a specified quarry should be held on site was supported by many submissions, many of which suggested that all oral examinations should be held on site. MinEx's comment was that "this will facilitate the BoE Panel assessing the suitability of the site within the risk based framework and the suitability of the applicant in relation to managing safety at the site."

WorkSafe's response

While WorkSafe understands the basis of the proposal it would be logistically challenging cost-wise and would lead to longer waiting periods for oral examinations. Currently there is a limited number of panel members on the register. For one examination, three members, plus the secretariat, would need to travel from different parts of the country to one site. This could take a full day for four people.

RECOGNITION OF PRIOR LEARNING

A suggestion was made in relation to leadership unit standards that prior learning undertaken, for example, as part of a company's leadership training, should be recognised.

WorkSafe's response

The ability to have prior learning recognised is currently available through ITOs and training providers.

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