

**TRUST IS CRITICAL TO MINE SAFETY PERFORMANCE**

The safe operation of Australian coal mines requires a level of trust between workers and management that does not always exist on site. Previous research indicates that mistrust is deep-seated at a number of coal mines and that these mines are usually the worst performers in terms of Occupational Health and Safety (OHS), thereby illustrating that there is a strong correlation between the lack of trust among workers and management and poor OHS performance. Where mistrust is not overcome, workers treat management safety initiatives with suspicion and refuse to 'buy' into them. Consequently the absence of trust greatly influences OHS outcomes even in circumstances where there is significant management good will and where sophisticated and ambitious OHS tools are being used.

An industry-sponsored research project has investigated the experiences of mistrust within companies, at individual mine sites and with the Mines Inspectorate using in-depth analysis. Project leaders Neil Gunningham and Darren Sinclair found that in many of the lower OHS performing mines they examined, a single catalytic event had precipitated a serious breakdown of trust between managers and workers.

"Although precise events varied from case to case there were striking similarities between the mines that had experienced such an event in terms of their negative consequences," they said.

"First, such events create a ripple effect throughout a mine site's operations, with mistrust infusing relationships outside the original context .... Second, the ill-feeling on the part of the 'wronged' party (usually workers) often persisted for many years, suggesting that mistrust arising from catalytic events is deep seated and long lasting. Third, even when the ill-feeling appears to have faded, it may flare up again at points of stress, such as changes in management practice and/or structures, suggesting that the scars from such events are readily re-inflamed."

The key to creating trust, they found, is to act in ways that people perceive to be fair. People who feel they have been treated fairly will be more likely to trust that organisation and be more inclined to accept its decisions and follow its directions.

**PRACTICAL STEPS FOR DEVELOPING TRUST**

To assist companies, mine sites and the Mines Inspectorate to foster the development of trust, the researchers have developed a series of practical steps. Two of the most critical recommendations focus on the prosecution policy and enforcement strategies. Rather than prosecuting routinely in the case of fatalities or serious injuries, prosecution should only take place against genuine 'bad apples' and in circumstances that will foster prevention rather than retribution. The principal (but not exclusive) criteria for determining prosecution should be past track record, the seriousness of the risk and its potential consequences, and the degree of culpability of the offender (irrespective of whether death or injury has resulted). Enforcement strategies should be arranged in a regulatory pyramid with more cooperative strategies deployed at the base of the pyramid and progressively more punitive approaches used only if, and when, cooperative strategies fail. Beyond all else, the inspectorate should steer a middle path that neither rejects prosecutions, an important deterrent at the top of an enforcement pyramid, nor uses it in circumstances where it is likely to do more harm than good.

1. Leadership begins at the top. Corporate leaders should set high health and safety standards, develop an ambitious corporate OHS vision, disseminate the safety message widely, and develop and implement sophisticated safety management tools.
2. Take measures to encourage the creation of a more united, cohesive workforce (including contractors), particularly where there is antipathy between groups within the workforce.
3. Take measures to ensure that the senior mine management's OHS message is both internally consistent and consistent with its OHS actions.
4. Management, particularly corporate management, should ensure that the necessary resources are available to enable other levels of management and the workforce to implement OHS commitments.

5. Corporate management should strive to minimise rotation of mine managers and other senior mine level positions. Frequent mine management changes result in a loss of corporate memory, constrain the development of good working relationships between managers and workforce, and inhibit the building of trust.
6. Senior management, from the mine manager down, should interact with and be seen to interact with middle management and workers on a daily basis, both formally and informally.
7. Mine management should provide opportunities for communication and consultation with the workforce, with an emphasis on generating ownership of OHS initiatives across the workforce. In practical terms this involves consulting widely prior to the introduction of new safety initiatives, providing timely and relevant feedback to workers on reporting, establishing a 'blame free' reporting culture, providing a variety of formal and informal avenues for information exchange and for raising OHS concerns, and providing workers with access to OHS decision-making processes.
8. Line managers (and deputies in particular) require greater management support in order to successfully perform as the crucial link between management and the workforce.
9. Where practicable, process-based organisational structures (for example dividing a mine's operation into production, development and surface operations) with work teams allocated on this basis, should be extended. This enables a stronger relationship to be developed between management and workers in each process as workers identify with their own section.
10. Notwithstanding its unpopularity in some quarters, management should consider the introduction of rotating shifts at more mines, in combination with process-based organisational structure. Rotating shifts have a number of crucial benefits for improving trust, including regular training rosters during normal shift time, the effective removal of shift seniority and opportunities for mine management to interact with all workers at some point during a shift cycle.
11. Strategies must be put in place to overcome 'middle management inertia' and unwillingness to buy the safety message. Middle managers must be provided with appropriate resources (including resources to respond to and implement audit recommendations), training to carry out their OHS responsibilities, and opportunities for genuine input into the development of corporate initiatives.
12. It is desirable to improve relationships with onsite union representations by providing better communication channels.
13. All mines must work together to achieve a 'just' culture – one in which workers perceive that they will be treated fairly or justly. There is considerable evidence that such a culture serves to reinforce trust.

## TRUST BETWEEN THE INDUSTRY AND NSW MINES INSPECTORATE

The researchers also found that there was a high level of mistrust between mining companies and the New South Wales Mines Inspectorate, primarily due to the introduction of the new prosecutions policy arising from the Gretley mine disaster in 1996.

"It is clear that Gretley was the catalyst for a dramatic shift in regulatory style away from the previous and long-favoured 'advise and persuade' approach to a much more muscular and adversarial approach. This new approach to enforcement had a profound impact on the relationship between the inspectorate and the industry and exacerbated existing mistrust of the Department by senior corporate management and of corporate management by many inspectors," they said.

"To achieve a perception of fairness would require a much more nuanced prosecution policy. Currently, prosecution against those who neither intended harm nor were reckless in their behaviour (epitomised by the Gretley decision) is widely perceived to be unjust, and this has caused the law to lose its legitimacy in the eyes of duty holders. It has also generated defensiveness on their part that results in an unwillingness to examine the root causes of accidents and incidents for fear of being prosecuted."