



Government of Western Australia
Department of Mines and Petroleum
Resources Safety

MINES SAFETY AND INSPECTION ACT
– WHAT EMPLOYEES AND EMPLOYERS
NEED TO KNOW

Employer-provided accommodation

Why do employers provide accommodation?

Many mine sites in Western Australia are located in remote areas a long way from townsites.

Because of the distance involved and the amount of time that would be spent in travelling to and from work, mine site employers may have to provide their workers with somewhere to live.

While employees have a duty of care to ensure their own safety and health at the premises, the employer providing accommodation for workers must maintain the premises so the occupants are not exposed to hazards.

This obligation under the *Mines Safety and Inspection Act 1994* applies in relation to premises where the residence is owned or controlled by the employer, is outside the metropolitan area or a gazetted townsite, and workers must live there because no other accommodation is reasonably available in the area.

The obligation does *not* apply where there is a tenancy agreement or lease-like arrangement. In these cases, the *Residential Tenancies Act 1987* usually applies.

Workers living in employer-provided accommodation should treat it with the same level of care that they would use in their own homes. At the same time, they should bring to their employer's attention any issues relating to

safety and health, in the same way they would notify an owner of problems if they were leasing a domestic property.

Why does the Act now control mine site accommodation?

The change to the *Mines Safety and Inspection Act 1994* was brought about because workers in the past have not had protection if provided with unsafe accommodation in remote areas where no alternative was available.

What are the employer's obligations?

Employers providing residential accommodation need to ensure that:

- the building is in good repair and separated from noise, heat, dirt and atmospheric contaminants
- the building is adequately secured to protect the occupants and their belongings
- electrical outlets are safe to use and protected by residual current devices where appropriate
- hard-wired smoke alarms are installed where practicable
- precautions are in place to prevent fires, and portable fire extinguishers are provided and regularly maintained
- buildings in cyclonic areas are constructed to cyclone proof specifications

- people can enter and exit safely, particularly in an emergency
- there is an emergency evacuation plan and residents are familiar with it
- there are adequate facilities for showering, handwashing and laundering, along with an adequate number of toilets
- clean, cool drinking water is available at a location separate from the toilet area
- cooking and refrigeration facilities are adequate and safe to use
- the building is regularly cleaned
- if appropriate, hygienic areas are provided for preparing and eating meals
- sleeping furniture and fittings are structurally sound and well maintained
- occupants are protected from extremes of heat and cold
- there is adequate ventilation and lighting.

Want to know more?

For information on safety and health in the mining industry, look at the Resources Safety website at www.dmp.wa.gov.au/ResourcesSafety

The *Mines Safety and Inspection Act 1994* and Mines Safety and Inspection Regulations 1995 are available from the State Law Publisher's website at www.slp.wa.gov.au

The information in this brochure is intended as a general guide only. The relevant Acts and regulations should be consulted for detailed information, or contact your regional inspectorate.

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