

## MSHA Program Policy Manual - Volume III

**48.8/48.28 Annual Refresher Training of Miners; Minimum Courses of Instruction; Hours of Instruction**  
Sections 48.8(c)/48.28(c) applied during the implementation of the regulation and are no longer applicable.

Operators may provide annual refresher training at any time during the last calendar month of the miner's annual refresher training cycle. To illustrate this policy, miners who began work in July 2001 must complete their annual refresher training any time in July 2002. Accordingly, training records and schedules may be maintained on a monthly basis, rather than tracking each miner's individual training date. Also, operators should be encouraged to schedule annual refresher training at the beginning of the month so that if for some reason a miner misses the regularly scheduled training, there will still be a reasonable opportunity for the training to be made up before the end of the month.

Annual refresher training is required to cover such minespecific matters as the review of roof or ground control plans and health control plans in effect at the mine. Refresher health and safety training may be conducted at the job site and may involve performance of actual job tasks. Guidelines for job site training are set out under Sections 48.5/48.25.

### Refresher Training Following an Absence

The following training is required for experienced miners as defined in Sections 48.2(b)/48.22(b) who return to work following an absence:

1. When an experienced miner returns to the same mine following an absence of 12 months or less, the mine operator must provide annual refresher training based on the miner's original schedule before the absence. The miner must complete annual refresher training before starting work, if the miner missed that training during the absence. Also, the miner must receive training that covers major changes affecting safety or health that have occurred at the mine, before the miner starts work. This training may be credited toward the miner's annual refresher training.
2. When an experienced miner returns to the mine following an absence of more than 12 months, the operator must provide experienced miner training before the miner begins work. This starts a new annual refresher training date for this miner. In either case, if the miner is assigned a new work task, the operator must provide new task training prior to having the miner perform that task.

The above does not apply to experienced miners assigned to work underground or on the surface for the first time. These miners are "new miners" under the training regulations and must receive new miner training. Credit can be given for applicable underground or surface training.

<http://www.msha.gov/REGS/COMPLIAN/PPM/PDFVersion/PPM%20Vol%20III.pdf>

**NOTE: This is an excerpt. The full document can be viewed in its entirety at:  
<http://www.msha.gov/30CFR/48.22.htm> or <http://www.msha.gov/30CFR/48.0.htm>**

## **30 CFR § 48.22**

### **Definitions.**

For the purposes of this subpart B--

(a)(1) Miner means, for purposes of § § 48.23 through 48.30 of this subpart B, any person working in a surface mine or surface areas of an underground mine and who is engaged in the extraction and production process, or engaged in shaft or slope construction, or who is regularly exposed to mine hazards, or who is a maintenance or service worker employed by the operator or a maintenance or service worker contracted by the operator to work at the mine for frequent or extended periods. This definition shall include the operator if the operator works at the mine on a continuing, even if irregular, basis. Short-term, specialized contract workers, such as drillers and blasters, who are engaged in the extraction and production process or engaged in shaft or slope construction and who have received training under § 48.26 (Experienced miner training) of this subpart B, may in lieu of subsequent training under that section for each new employment, receive training under § 48.31 (Hazard training) of this subpart

B. This definition does not include:

- (i) Construction workers under subpart C of this Part 48;
- (ii) Any person covered under paragraph (a)(2) of this section.

(2) Miner means, for purposes of § 48.3 (Hazard training) of this subpart B, any person working in a surface mine, including any delivery, office, or scientific worker or occasional, short-term maintenance or service worker contracted by the operator, and any student engaged in academic projects involving his or her extended presence at the mine. This definition excludes persons covered under paragraph (a)(1) of this section and subpart C of this part.

### **(b) Experienced miner means:**

(1) A miner who has completed MSHA-approved new miner training for surface miners or training acceptable to MSHA from a State agency and who has had at least 12 months of surface mining experience; or

(2) A supervisor who is certified under an MSHA-approved State certification program and who is employed as a surface supervisor on October 6, 1998; or

(3) An experienced surface miner on February 3, 1999.

- (4) (i) A person employed as a surface shaft or slope construction worker on the June 28, 2006; or,  
(ii) A person who has six months of surface shaft or slope experience within 24 months before June 28, 2006.

(c) New miner means a miner who is not an experienced miner.

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30 CFR § 48.26

**Experienced miner training.**

- (a) Except as provided in paragraph (e), this section applies to experienced miners who are--
- (1) Newly employed by the operator;
  - (2) Transferred to the mine;
  - (3) Experienced surface miners transferred from underground to surface; or
  - (4) Returning to the mine after an absence of more than 12 months.
- (b) Experienced miners must complete the training prescribed in this section before beginning work duties. Each experienced miner returning to mining following an absence of 5 years or more, must receive at least 8 hours of training. The training must include the following instruction:
- (1) **Introduction to work environment.**
  - (2) **Mandatory health and safety standards.**
  - (4) **Transportation controls and communication systems.**
  - (5) **Escape and emergency evacuation plans; fire warning and firefighting.**
  - (6) **Ground controls; working in areas of highwalls, water hazards, pits, and spoil banks; illumination and night work.**
  - (7) **Hazard recognition.**
  - (8) **Prevention of accidents.**
  - (9) **Emergency medical procedures.**
  - (10) **Health.**
  - (11) **Health and safety aspects of the tasks to which the experienced miner is assigned.**

**The miner must complete annual refresher training as required in § 48.28, if the miner missed taking that training during the absence.**

30 CFR § 48.28

**Annual refresher training of miners; minimum courses of instruction; hours of instruction.**

- (a) Each miner shall receive a minimum of 8 hours of annual refresher training as prescribed in this section.
- (b) The annual refresher training program for all miners shall include the following courses of instruction:
- (1) **Mandatory health and safety standards.**
  - (2) **Transportation controls and communication systems.**
  - (3) **Escape and emergency evacuation plans; firewarning and firefighting.**
  - (4) **Ground control; working in areas of highwalls, water hazards, pits, and spoil banks; illumination and night work.**
  - (5) **First aid.**
  - (6) **Electrical hazards.**
  - (7) **Prevention of accidents.**
  - (8) **Health.**
  - (9) **Explosives.**
  - (10) **Self-rescue and respiratory devices.**
- (11) Such other courses as may be required by the District Manager based on circumstances and conditions at the mine.
- (c) Refresher training may include other health and safety subjects that are relevant to mining operations at the mine. Recommended subjects include, but are not limited to, information about the physical and health hazards of chemicals in the miner's work area, the protective measures a miner can take against these hazards, and the contents of the mine's HazCom program.

## Subpart B--Training and Retraining of Miners Working at Surface Mines and Surface Areas of Underground Mines

<http://www.msha.gov/30CFR/48.0.htm>

30 CFR § 48.26

### Experienced miner training.

- (a) Except as provided in paragraph (e), this section applies to experienced miners who are--
- (1) Newly employed by the operator;
  - (2) Transferred to the mine;
  - (3) Experienced surface miners transferred from underground to surface; or
  - (4) Returning to the mine after an absence of more than 12 months.
- (b) Experienced miners must complete the training prescribed in this section before beginning work duties. Each experienced miner returning to mining following an absence of 5 years or more, must receive at least 8 hours of training. The training must include the following instruction:
- (1) **Introduction to work environment.** The course shall include a visit and tour of the mine. The methods of mining or operations utilized at the mine shall be observed and explained.
  - (2) **Mandatory health and safety standards.** The course shall include the mandatory health and safety standards pertinent to the tasks to be assigned.
  - (3) Authority and responsibility of supervisors and miners' representatives. The course shall include a review and description of the line of authority of supervisors and miners' representatives and the responsibilities of such supervisors and miners' representatives; and an introduction to the operator's rules and the procedures for reporting hazards.
  - (4) **Transportation controls and communication systems.** The course shall include instruction on the procedures in effect for riding on and in mine conveyances; the controls for the transportation of miners and materials; and the use of the mine communication systems, warning signals, and directional signs.
  - (5) **Escape and emergency evacuation plans; firewarning and firefighting.** The course must include a review of the mine escape system and the escape and emergency evacuation plans in effect at the mine, and instruction in the firewarning signals and firefighting procedures in effect at the mine.
  - (6) **Ground controls; working in areas of highwalls, water hazards, pits, and spoil banks; illumination and night work.** The course shall include, where applicable, an introduction to and instruction on the highwall and ground control plans in effect at the mine; procedures for working safely in areas of highwalls, water hazards, pits, and spoil banks, the illumination of work areas, and safe work procedures for miners during hours of darkness.
  - (7) **Hazard recognition.** The course must include the recognition and avoidance of hazards present in the mine.
- (8) **Prevention of accidents.** The course must include a review of the general causes of accidents applicable to the mine environment, causes of specific accidents at the mine, and instruction in accident prevention in the work environment.
- (9) **Emergency medical procedures.** The course must include instruction on the mine's emergency medical arrangements and the location of the mine's first aid equipment and supplies.
- (10) **Health.** The course must include instruction on the purpose of taking dust, noise, and other health measurements, where applicable; must review the health provisions of the Act; and must explain warning labels and any health control plan in effect at the mine.
- (11) **Health and safety aspects of the tasks to which the experienced miner is assigned.** The course must include instruction in the health and safety aspects of the tasks assigned, including the safe work procedures of such tasks, information about the physical and health hazards of chemicals in the miner's work area, the protective measures a miner can take against these hazards, and the contents of the mine's HazCom program. Experienced miners who must complete new task training under § 48.27 do not need to take training under this paragraph.
- (12) Such other courses as may be required by the District Manager based on circumstances and conditions at the mine.
- (c) The operator may include instruction in additional safety and health subjects based on circumstances and conditions at the mine.
- (d) The training time spent on individual subjects must vary depending upon the training needs of the miners.
- (e) Any miner returning to the same mine, following an absence of 12 months or less, must receive training on any major changes to the mine environment that have occurred during the miner's absence and that could adversely affect the miner's health or safety.
- (1) A person designated by the operator who is knowledgeable of these changes must conduct the training in this paragraph. An MSHA approved instructor is not required to conduct the training outlined in this paragraph.
  - (2) No record of this training is required.
  - (3) **The miner must complete annual refresher training as required in § 48.28, if the miner missed taking that training during the absence.**

30 CFR § 48.28

### Annual refresher training of miners; minimum courses of instruction; hours of instruction.

- (a) Each miner shall receive a minimum of 8 hours of annual refresher training as prescribed in this section.
- (b) The annual refresher training program for all miners shall include the following courses of instruction:
- (1) **Mandatory health and safety standards.** The course shall include mandatory health and safety standard requirements which are related to the miner's tasks.
  - (2) **Transportation controls and communication systems.** The course shall include instruction on the procedures for riding on and in mine conveyances; the controls in effect for the transportation of miners and materials; and the use of the mine communication systems, warning signals, and directional signs.
  - (3) **Escape and emergency evacuation plans; firewarning and firefighting.** The course shall include a review of the mine escape system; escape and emergency evacuation plans in effect at the mine; and instruction in the firewarning signals and firefighting procedures.
  - (4) **Ground control; working in areas of highwalls, water hazards, pits, and spoil banks; illumination and night work.** The course shall include, where applicable, a review and instruction on the highwall and ground control plans in effect at the mine; procedures for working safely in areas of highwalls, water hazards, pits, and spoil banks; the illumination of work areas; and safe work procedures during hours of darkness.
  - (5) **First aid.** The course shall include a review of first aid methods acceptable to MSHA.
  - (6) **Electrical hazards.** The course shall include recognition and avoidance of electrical hazards.
  - (7) **Prevention of accidents.** The course shall include a review of accidents and causes of accidents, and instruction in accident prevention in the work environment.
  - (8) **Health.** The course shall include instruction on the purpose of taking dust measurements, where applicable, and noise and other health measurements, and any health control plan in effect at the mine shall be explained. The health provisions of the Act and warning labels shall also be explained.
  - (9) **Explosives.** The course shall include a review and instruction on the hazards related to explosives. The only exception to this course component is when there are no explosives used or stored on the mine property.
  - (10) **Self-rescue and respiratory devices.** The course shall include instruction and demonstration in the use, care, and maintenance of self-rescue and respiratory devices, where applicable.
  - (11) Such other courses as may be required by the District Manager based on circumstances and conditions at the mine.
- (c) Refresher training may include other health and safety subjects that are relevant to mining operations at the mine. Recommended subjects include, but are not limited to, information about the physical and health hazards of chemicals in the miner's work area, the protective measures a miner can take against these hazards, and the contents of the mine's HazCom program.
- (d) All persons employed as shaft or slope construction workers on June 28, 2006 must receive annual refresher training within 12 months of June 2006.
- (e) Where annual refresher training is conducted periodically, such sessions shall not be less than 30 minutes of actual instruction time and the miners shall be notified that the session is part of annual refresher training.

[43 FR 47459, Oct. 13, 1978, as amended at 47 FR 23641, May 28, 1982]