



Noise Induced Hearing Loss Module

July 2018

Contents

Introduction	3
Legislation	3
Approved Testers	4
Penalty provisions for employers and approved testers	4
Definitions	5
Pre- Test Requirements	6
Baseline tests	6
Air conduction tests for workers who meet Waugh and Macrae criteria 1, 2 or 3 on the Baseline test?	7
Waugh and Macrae criteria #4	7
Subsequent Air Conduction Tests	7
Testing equipment and environment	7
Testing Protocols	8
Pre-employment audiometric tests and WorkCover WA hearing tests	9
Validity of pre-employment tests	9
WorkCover Number (WCN)	9
Communication of Results	10
WorkCover WA Forms	10
Form 18: Notice of Arrangement of Audiometric Test	10
Form 406: Request to Release Results	11
Form 407: Audiometer Calibration Certificate	11
Form 408: Booth Assessment Form	11
Form 409: Notification to Employer that a Worker Requires Further Testing	11
Form 410: Notice of Preferred Audiologist	12
Form 411: Test Results for Worker	12
WorkCover WA verification	12

Introduction

WorkCover WA is the regulator of the workers' compensation scheme in Western Australia, which includes overseeing claims for Noise Induced Hearing Loss (NIHL). The relevant legislation and supporting information is contained in:

- Schedule 7 of the Workers' Compensation and Injury Management Act 1982 (the Act); and
- The Workers' Compensation and Injury Management Regulations 1982 (the Regulations); and
- WorkCover WA's NIHL Approved Procedures (Approved Procedures)

To gain registration as a WorkCover WA approved hearing tester, qualified audiometric officers, audiometrists and audiologists are required to pass an 'open book' assessment.

This booklet, together with WorkCover WA's NIHL Approved Procedures contains information to complete the NIHL assessment on WorkCover WA Online.

Legislation

The legislation and procedures mentioned above create a testing and compensation framework for NIHL. The dot points below describe some of the compensatory benefits for workers who are injured during the course of their employment. These benefits include:

- weekly payments during incapacity for work
- medical expenses including rehabilitation costs
- lump sum payments to dependents where injury results in death, and
- lump sum payments for a residual disability (e.g. the loss of a limb)

The NIHL legislation came into effect on 1 March 1991. From that time it became compulsory for employers to arrange baseline hearing tests for all workers working in a "prescribed workplace". A 'prescribed workplace' is defined in section 1 of this document.

Approved Testers

There are three types of approved audiometric testers within the WA workers' compensation scheme:

Medical Practitioners

- The types of tests medical practitioners can conduct depend upon their qualifications and experience

Audiologists

- may conduct both air and full audiological assessments
- must have registration with the Australian Audiological Society

Air Conduction Testers

- May only conduct air conduction tests

Penalty provisions for employers and approved testers

The Act and Regulations create a number of penalties for employers and approved testers who fail to comply with their obligations. The Approved Procedures further detail the conditions of approval for hearing testers, and any breach may result in the cancellation of approved tester status with WorkCover WA.

Any breaches of the Act, Regulations and Approved Procedures should be reported to WorkCover WA in writing, as it is WorkCover WA's responsibility to impose these fines. WorkCover WA monitors approved testers to ensure compliance.

Where an employer fails to arrange and pay for an initial audiometric test for a worker who works in a prescribed workplace, the employer is in breach of the Act and faces a maximum fine of \$2,000 for each offence.

Where an approved tester fails to submit hearing test results to WorkCover WA within one month of conducting the test, they are in breach of the Act and subject to a maximum fine of \$2,000 for each offence. Please note this does not apply to approved testers waiting on notification of employment for pre-employment tests.

A person shall ensure that the results of any test are not communicated to any other person without written consent of the worker. The penalty is \$1,000 for each offence.

Definitions

For the purpose of compensation, WorkCover WA requires the testing of all workers who are likely to suffer a 10% or greater hearing loss during their working lives as a result of carrying out their work related duties.

The definition of a **prescribed workplace** in Regulation 19I refers to an “action level” of:

- a. **an L peak of 140dB(Lin)**
- b. **a representative L Aeq,8h of 90dB(A).**

“representative L Aeq,8h” means an 8 hour equivalent continuous ‘A’ weighted sound pressure level, determined from the assessment of worker exposures that is typical of the operation, work pattern or process being assessed, as described in AS/NZS 1269.1:1989 Clause 1(a).

AS/NZS 1269.1:1998 Clause 3.7 states “**Representative working day**” - a working day during which noise exposure is representative of employees’ long-term noise exposure.

NOTE: *The representative working day should be made up of segments proportioned in accordance with the employees’ long-term noise exposure. Where the exposure differs markedly from day to day, the assessment takes such variability into account.*

This Regulation refers to a worker’s personal noise dose. Part (a) of the definition indicates that if a worker is likely to be exposed to a peak noise level of 140 decibels or more, for however short a period of time on however few occasions in the course of their current employment, they are working in a prescribed workplace and should be tested.

Part (b) of the definition indicates that a worker is employed in a prescribed workplace if, on a representative working day, taking into consideration their long term noise exposure, they are exposed to a certain level of sound for a given number of hours; this period of time decreases as the volume of sound rises.

The higher the intensity of the noise, the greater the risk of hearing damage occurring. If a worker is exposed to a daily noise dose of 90dB(A) once a year, then testing would not be required. Conversely, if a worker is likely to be exposed to 140dB peak noise once a year, then testing would be required.

NOTE: *Although a machine may produce noise over the specified level, the legislation only refers to personal noise dose. For example, if a worker is rotated to another area and hence does not meet the action level (90dB(A) per 8hr day) then there is no requirement to test these workers.*

Pre-Test Requirements

Before a worker can have a WorkCover WA hearing test, the following conditions must be met:

- a WorkCover WA Form 18 must be completed by the employer and given to the worker to take to their appointment. Forms are described in detail later in this document.
- the worker must not be exposed to noise levels greater than 80dB(A) for 16 hours preceding an audiometric test
- only WorkCover WA approved audiometric officers, audiometrists & audiologists may conduct tests to be used for the purposes of the Act.

NOTE: *A worker may achieve the requirement of having 16 hours of quiet by wearing hearing protector devices. However, this practice is only allowed where the worker is working in an environment that does not exceed 90dB(A) and the worker is wearing maximum performance hearing protectors. If an employer chooses to comply with the requirement of providing 16 hours of quiet by using this method, then the onus of proof that the worker is not being exposed to greater than 80dB(A) is on the employer.*

Baseline tests

A 'Baseline' test consists of the following:

- an air conduction test; and
- a full audiological assessment if Waugh and Macrae criteria 1, 2 or 3 have been met.

These two tests make up the 'Baseline' test, if required. If an employer arranges for a worker to have the air conduction test, it is his/her responsibility to arrange and pay for the other test, if required. This applies even if the worker leaves his employ before both tests have been conducted.

Air conduction tests for workers who meet Waugh and Macrae criteria 1, 2 or 3 on the Baseline test?

Where a worker meets Waugh and Macrae criteria, the approved tester should inform the worker that the test results indicate the need for a full audiological assessment. Responsibility for arranging the assessment is the responsibility of the worker's employer.

Approved hearing testers must notify the worker's employer (via a WorkCover WA Form 409) that a full audiological assessment is required. The approved hearing tester must also ensure the employer either has a copy of the Directory of Service Providers (available on the WorkCover WA website) or knows where these may be obtained, together with a copy of the WorkCover WA Form 410.

Copies of all WorkCover WA Forms are available from the WorkCover WA website.

Waugh and Macrae criteria #4

If a worker meets Waugh and Macrae criteria # 4 and is referred to their own doctor for treatment, the worker meets the cost of this treatment.

Subsequent Air Conduction Tests

A worker in a prescribed workplace is entitled to request (in writing) their employer, to arrange a hearing test every 12 months.

Testing equipment and environment

Audiometers (equipment) used to conduct WorkCover WA hearing tests must:

- meet stringent standards before they can be approved for use within the WA workers' compensation scheme
- be calibrated annually by an approved / registered calibration laboratory
- be approved for either air conduction testing only or full audiological assessments
- only be used with the earphone/cushion or earphone enclosure combination it was calibrated with

Booths (environment) used to conduct WorkCover WA hearing tests must comply with the following:

- tests must be conducted in a WorkCover WA approved testing environment
- the background noise levels must not exceed those values listed in Appendix C of the Standard AS/NZS 1269.4:1998.
- the booth or testing environment must be assessed by an approved noise officer using the Approved Method – Acoustic Measurement of Audiometric Booths
- WorkCover WA approves fixed booths for three years, and mobile booths for two years

Testing Protocols

- Audiometric testing is to be conducted using the procedure described in Section 8 of the Australian Standard AS/NZS 1269.4:1998 (modified as approved).
- Only tests conducted by approved persons using approved equipment will be accepted for WorkCover WA purposes
- If a worker meets Waugh & Macrae Criteria 1, 2 or 3, they must be referred for further testing
- Test results are confidential and can only be released if consent is given by the worker
- Employers are required to pay for the baseline and one subsequent test per year (if requested)
- Employers are required to meet reasonable fares and expenses incurred by the worker in getting to the testing facility

Pre-employment audiometric tests and WorkCover WA hearing tests

Where hearing tests are conducted as part of a pre-employment assessment, only those tests that relate to workers who are subsequently employed can be submitted to WorkCover WA.

An approved hearing tester who submits a pre-employment audiometric test for a person who is not subsequently employed is in breach of the Approved Procedures and may have their WorkCover WA approval withdrawn.

NOTE: *Further it should be noted that it is the hearing tester's responsibility to ensure a WorkCover WA Form 18 is completed by the employer for each worker tested. This form must be provided to the tester by the worker prior to undertaking a WorkCover WA audiometric test.*

Validity of pre-employment tests

A pre-employment test can only be submitted to WorkCover WA if the worker was employed within 12 weeks from the date of the test, and the employer has confirmed employment.

If the worker was employed more than 12 weeks from the date of the test, the approved tester is required to notify the employer to arrange for the worker to undertake another audiometric test. The new test results must be registered with WorkCover WA within 1 month.

WorkCover Number (WCN)

- The WCN identifies individual employers
- A WCN always begins with 'WC' and consists of eight numbers
- Test results cannot be entered into the WorkCover WA Online application without this number
- It is the tester's responsibility to obtain this number directly from the employer
- The Employer should note the WCN on the WorkCover WA Form 18

Communication of Results

- Test results must be submitted via WorkCover WA Online within one month of the test being conducted (unless waiting on notification of employment for pre-employment test)
- The worker must be given a copy of the test result within one month of the test taking place
- The worker or employer may dispute the results of a test, but this must be done within 3 months of being informed of the results.

WorkCover WA Forms

WorkCover WA forms to be used by approved testers include:

- Forms 18 (prescribed form)
- Forms 406, 409, 410 & 411

WorkCover WA Forms 407 and 408 relate to hearing test equipment approvals.

NOTE: Prescribed forms cannot be altered

Form 18: Notice of Arrangement of Audiometric Test

- Is a prescribed form under Regulation 19D
- Must be completed by the employer
- Advises worker of the date, time & venue of the hearing test
- Advises worker of the requirement to have 16 hours quiet immediately prior to the test
- Should be given to the tester at the time of the test by the worker
- Advises tester of employers WCN.

Form 406: Request to Release Results

- Is not a prescribed form
- Must be completed by the worker before test results can be released
- Must specify the name of the organisation / person to whom the information is to be given
- Should only be completed after the worker has been informed about the purposes of the form
- Should only be completed voluntarily
- If a worker completes a Form 406, testers should:
 - release test results to the parties mentioned on the signed Form 406.
 - keep the signed copy on file for auditing purposes

Form 407: Audiometer Calibration Certificate

- Not a prescribed form
- Completed by an approved laboratory upon completion of the annual audiometer calibration
- Must be submitted to WorkCover WA before an approval certificate can be issued

Form 408: Booth Assessment Form

- Not a prescribed form
- Completed by an approved noise officer upon completion of a booth assessment
- Must be submitted to WorkCover WA before an approval certificate can be issued

Form 409: Notification to Employer that a Worker Requires Further Testing

- Not a prescribed form
- Used when Waugh & Macrae Criteria 1, 2 or 3 are met
- Sent to the employer with Form 410 and a blank Form 18 and list of Approved Audiologist (Directory of Service Providers)

NOTE: *it is the hearing testers responsibility to notify the employer when a worker is identified as requiring further testing*

Form 410: Notice of Preferred Audiologist

- Not a prescribed form
- Used by employers to notify their preferred audiologist that a worker requires a full audiological assessment

NOTE: Testers should forward a blank Form 410 to the employer along with Forms 18 and 409

Form 411: Test Results for Worker

- Not a prescribed form
- Used by testers to convey test results to workers
- Should be given to the worker either at the time of the test or within one month of the test being conducted
- Informs the worker of their right to dispute the results of the test and that they must do this within 3 months of being informed of the results

Completed forms should be sent to:



E: noise@workcover.wa.gov.au



P: Noise Induced Hearing Loss
2 Bedbrook Place
SHENTON PARK WA 6008

WorkCover WA verification

WorkCover WA is authorised to conduct audits of all aspects of the testing program to ensure that a high standard of knowledge and procedure is maintained.