Industrial deafness is a recognised workplace injury that is compensable under the New South Wales workers compensation scheme.

Managing the risks associated with industrial deafness is now the subject of a code of practice, published by Safe Work Australia. Notwithstanding improvements in awareness and technology, industrial deafness claims continue to form a significant portion of workplace injury claims every year.

**What is Industrial Deafness?**
Industrial deafness represents a worker's loss of hearing by virtue of exposure to excessive noise levels, over a continuous period of time in the workplace. It is irreversible and irreparable.

In recent years, industrial deafness has accounted for over 40% of disease based workers compensation claims in the transport and storage industries.

Specifically relating to the bus industry, industrial deafness claims have risen by 5% in the last year according to BusInsure.

A large majority of successful hearing loss claims are being made once the employee has left the operator’s employment. Presently, claims that are made after the worker has left employment do not directly affect workers compensation insurance premiums; however there is plausible argument that these claims still contribute to rising average costs.

The recent amendments to Workers Compensation legislation may have an effect on the number of industrial deafness claims that are initiated. This is due to the introduction of a 10% whole person impairment threshold. Essentially this means that a worker with less than a 10% loss of hearing will not be entitled to workers compensation.

**When will Deafness Occur?**
This depends on the level (decibels and exposure time) as well as individual differences.

**The Bus and Coach Industry**
According to most data, the average shift for a metropolitan/outer metropolitan bus driver is about 8 hours. Therefore, on average over the shift, the average decibel level will need to be no higher than 85 decibels.
It is generally accepted that kerb-side heavy traffic emits about 80 decibels.

Recently a workplace noise assessment was conducted by a larger outer metropolitan operator. The assessment involved two drivers being monitored during their usual shift on late model buses.

The assessment concluded that the average noise exposure over an 8 hour period was 80.8 decibels, with the highest registered decibel level being 128.4 decibels. The report also noted the following as the major contributors to the decibel levels.

- The bus (road noise/ engine noise)
- Accelerating the bus increased the decibel level.
- The open window for one of the subjects increased the average decibel level by 0.8 decibels.
- Wind noise was a contributor.
- The radio was a contributor.
- Customer noise (talking for example) was only a minor contributor.

Ultimately, this particular operator was able to show that its normal current practices are within acceptable decibel levels.

Given that the levels were still close to 81 decibels, noise caused by various factors could increase with the slightest environmental change (say if the bus engine is not tuned or operating properly). These factors are being relied upon by workers, and their legal representatives in claims for industrial deafness.

**Mitigating the Risk**

What can be done in order to minimise the risk of an industrial deafness claim? As part of an operator Risk Assessment procedures and using the Work Cover Code of Practice, employers need to:

- Identify sources of noise that may cause or contribute to hearing loss.
- If necessary, assessing the risks associated with these hazards.
- Implement risk control measures.
- Review risk control measures.

This can be done in a number of ways.
- Operators should be monitoring their fleets and actioning any buses that are louder than others.
• Operators should not only rely on their own sense of hearing, but employees should be encouraged to report abnormally loud buses. Depending on the conditions, work practices such as not having the window open on busy routes should be considered.

• Operators should also review information prepared by suppliers and manufacturers pertaining to their products. Suppliers should be able to provide data on the decibel levels of their products and if considered necessary conduct a workplace noise assessment.

• We recommend that employers consider hearing tests for certain employees at the commencement and completion of employment.

• If you are presented with any claim for workers compensation, be sure that you act immediately by contacting your workers compensation insurer. If you deal through a broker, such as BusInsure, then they should be your first port of call.

If you require any further information, please contact BusNSW.