

"The Chile 33": the lessons that must be learned

The happy ending to summer's Chilean rescue saga and its hijack by politicians and the media have overshadowed the issue of the miners' working conditions. A total disregard for safety measures and profit-chasing driven by copper prices were key to the accident happening.

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A photo-op for Chilean President Sebastian Pinera greeting one of the 33 miners just brought to the surface. The right-wing government neatly spun the media interest generated by the accident.

Image: © Hugo Infante, Government of Chile, AFP



In August 2010, a tunnel collapse occurred in the privately-owned medium-sized San José mine located in the desert of northern Chile.

The story quickly went worldwide. After 17 days, the news came that the miners trapped more than 620 metres below ground were still alive with a note sent up from the bottom of the mine shaft: "All 33 of us are fine in the shelter". The government marshalled all the resources and technical capabilities available in the country and abroad, and the last of the trapped miners emerged from the bowels of the Earth after 71 days.

The rescue operation became a global event. Broadcast live by TV stations, the plight of the miners and their families was turned into a reality show. Over a billion people across the world watched as the workers were brought to the surface one by one during an operation that took 22 hours.

This was a new experience for Chile. A strange feeling for a country whose own self-image is that of a strip of land at the world's end, isolated, poor and poorly understood, but abruptly thrust into the limelight as the focus of media attention.

Displaying business acumen and a keen sense of public relations, President Piñera immediately seized on the situation to extract maximum advantage from it during various tours in Europe and Asia, where he met with various heads of state and business leaders to play up the technical achievement of the rescue and promote Chile to investors. His spin was that Chile had become a developed country where things are done right. "Made in Chile" means "a job well done" is the essence of his message to business leaders.

But has it made Chile a better country? Should we really be so proud of the "Chilean way"? Does this near miracle – or near tragedy – give a better purchase on the reality of mine work?

An accident waiting to happen

All Chileans were deeply moved by the feat achieved by their country, including the authorities, the courage of the 33 miners and their families, and the national and international solidarity. To that extent, the accident helped strengthen social cohesion, bringing all energies to bear on a single goal: drilling in the right place to reach the shelter and bring the workers out. In that sense, Chile is a better country today than it was before. All resources were brought to bear in a setting of national unity.

But continuing to blazon the achievement is pointless. Fortune smiled on us. There are still questions to ask and answers

to be given, and most importantly, lessons to be learned from the event.

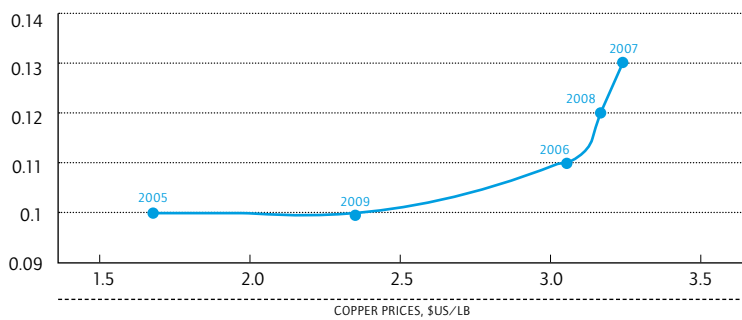
It must never be forgotten that what produced this long-running saga was not a natural disaster but a foreseeable tunnel collapse whose consequences could and should have been avoided. The San José mine was worked in conditions that do not meet the basic standards of national mine safety regulations, ILO Convention 176, or the safety standards that apply to underground mining anywhere in the world.

Accident investigations are not yet finished, but it is clear that the mine had no emergency exit, the miners found no ladder with which to escape up a ventilation stack and, more importantly, the ore was being mined from the copper-rich supporting pillars, which the mine owners were avid to get out. This is what caused the galleries to become unstable and ultimately collapse.

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Relationship between copper prices and mining fatalities per 10 000 workers (2005-2009)



Source: London Metal Exchange, National Geology and Mining Service (Chile)

a medium-sized mining company (which in Chile brings a range of financial benefits). A company that neither did the necessary works nor used a sustainable ore mining system, but simply worked the structure of the mine.

It was an accident waiting to happen. Between 2001 and August 2010, three fatal accidents occurred and two workers lost limbs in this and another nearby mine (since closed) worked by the same company, San Esteban, following a gallery collapse in one case and a rock explosion in the other, showing the utterly unsafe conditions in which these miners were working.

The unions complained to the mine owners and government regulators, securing several operating bans and closure orders, but were unable to prevent the mine subsequently being reopened. To ensure their members' safety, they made a "protective appeal" to the Court of Appeal in 2004, which was dismissed, and filed a complaint with the Lower House's Labour Committee. But still the accident happened.

The very few public statements so far made by a handful of the 33 rescued miners show that they had warned the company of the risk of a collapse that very day, but the work was not halted and the trapped shift was not allowed to leave.

Fatalities and copper prices

The condition of the San José mine, while extreme, is not exceptional. The severity of the collapse notwithstanding, fatal accidents are still happening. Between 5 August and the end of last year, five miners died and one lost an eye during equally unsafe mining works.

National data and studies from different countries show that work accidents are pro-cyclical in nature. They increase when business is expanding, not least because of mass hirings of low-skilled and young workers and faster work paces. There is also a

discernible link between the severity of work accidents in Chile, as measured by mortality rates, and the price of copper.

In years when copper prices rise, mines are reopened, the smaller deposits are worked, mine production activity rises and mining accidents with it. In a country where mining is important to the economy, copper price trends should act as an epidemiological threshold for the relevant authorities to investigate working conditions and ensure safety in mines.

Are Chile's working conditions structurally deficient? Are mining and other economic activities altogether unsafe? The answer is no. Conditions in large scale mine workings and in most large companies meet high safety standards. The point being that mining and other high-risk activities can only be carried out in safe conditions which are bound up with the activity.

But working conditions vary widely up and down the country. There are good quality stable jobs, but also high job insecurity. Chile's labour market is characterized by wide disparities in general working conditions, pay and social protection, including safety and health at work.

There are three key things about the San José mine:

1. The workers had little length of service – why is made clear by the admissions of most that the job was a means to an end (funding a child's higher education, buying a consumer durable);
2. A well above-average percentage of old and very young workers, which is uncommon in mining;
3. Pay that is relatively better than the industry average, acting as a perverse incentive to stay with the firm for a while at least.

18 inspectors for 3,500 firms

Who is responsible for work accidents? On whom does safety and health at work depend? The standard official response is they depend on everyone that makes up a business, national standards, the prevention culture, public, private and state agencies and organizations. All this may be partly true, but largely blurs and fudges the issue.

The primary responsibility lies with the firm, specifically the employer, who has a duty to ensure that everyone working on his premises and employed by him is protected from health damage and physical harm. If a production activity does not offer such assurances, it cannot be carried on until these conditions are met. And this is obviously doubly so for major risk activities like mining or working at heights.

It is sometimes said that Chilean businessmen know how to produce but are not necessarily familiar with labour standards or everything connected with the safety and health of the workers they employ. Chile has a compulsory social security system which covers work accidents and occupational diseases, managed by a system of mutual insurance companies. Employers' monthly contributions give them access to a risk prevention advisory service. To this extent, the mutual insurance companies fulfil not only a harm compensation function but also a technical advisory service role. They have second-line responsibility for prevention.

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There are also workplace safety regulatory bodies, which in the case of mining, have a specialized service, SERNAGEOMIN, besides the general functions of the Ministry of Labour and Health regulatory agency. These regulatory agencies bear third-line responsibility as regards standardization and inspection. They are essential links in the chain of responsibility and can allow a works to open or shut it down. At present, the State has only 18 inspectors to keep watch over nearly 3,500 mining companies, which is too few and needs putting right. But unless firms commit to abide by the rules, an army of inspectors will be needed to enforce them.

The development of a national occupational health policy setting priorities and responsibilities, a revision of the Work Accidents Act to ensure effective prevention in particular, and an overhaul of all government agencies that regulate working conditions are all urgent labour policy reforms that the country must tackle a result of this mining accident. A raft of initiatives have been taken: the government has set up a safety committee which is starting to produce results, while the Unitary Labour Federation (CUT) has established an alternative workers' health committee which has also made proposals.

But the issue that needs immediate attention, but was not highlighted when the accident happened, is that the primary responsibility to protect life at work lies with firms, their owners and those who run them. The first duty of Chilean companies is to update and integrate their production processes and management of their policy for protecting the safety, health and life of their workers, as do firms in most OECD countries – of which Chile is one.

Likewise, the Chilean labour movement must put the active protection of workers' health on its agenda and make a reality of a fundamental right not explicitly provided for in national legislation: workers' right to stop work in dangerous situations to protect life and limb. ●



A worker atop a mountain in the Chilean Andes which investors want to turn into a mine.
Image: © Michael Hanson, Getty