



Black Lung: What is it, and what can I do if I'm showing symptoms?

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Decades after the disease was thought to have been eradicated from Australian coalfields, eight cases of black lung have been identified in the last year. What happens if you're diagnosed, and what help is available?

Black lung, or coal miner's pneumoconiosis, is caused by breathing in dust from coal or graphite. In severe cases, the disease can be fatal.

With the amount of time you have been exposed to coal dust being a determining factor, coal miners or those working in manufacturing graphite or man-made carbon products are at risk of developing the disease. The disease can progress long after exposure has ended, and severe symptoms can emerge up to 15 years later.

Since 1993 all coal miners in Queensland are required to undergo pre-employment chest X-rays, with follow up scans done at least once every five years. The X-rays must be sent to the State Department of Natural Resources and Mines for review. Through this process, the Department has confirmed that eight Queensland mineworkers have been diagnosed with black lung in the past 12 months, with a likelihood of more diagnoses to come.

What happens if I am diagnosed with Black lung?

Black lung or coal workers' pneumoconiosis (CWP) is ordinarily diagnosed following a physical examination and is confirmed by chest X-Ray and/or CT Scan. The disease can present in two forms:

- Simple CWP, occurring in the upper region of the lungs; and
- Complicated CWP.

Complicated CWP involves progressive massive fibrosis, sometimes known as PMF. Complicated CWP can severely inhibit lung function and predispose those affected to other chronic conditions.

Black Lung Compensation

If you develop black lung as a result of your employment you may be entitled to claim compensation for the condition. Claiming compensation for the condition is not straight forward – when you were diagnosed, and the length of time of exposure are important factors in determining your rights to claim compensation, and strict time limits apply to your claim.

What if my claim has been rejected?

There's a history of recent claims for black lung compensation being rejected. We have been working with the CFMEU; acting for one of their members after BHP, their former employer and a self-insurer for workers' compensation, rejected the claim. We have lodged a review of this decision with the Workers' Compensation Regulator, but we can only hope that proper consideration is given by workers' compensation insurers to claims brought for black lung in the future.

What can I do if I've been diagnosed with black lung?

If you or someone you know has been affected by black lung we strongly recommend seeking legal advice to discuss your rights to compensation.

Whilst there is no known cure for black lung, compensation will provide access to medical treatment and support that can make a significant difference to a person's quality of life.

Hall Payne Lawyers act on a no win no fee basis, and have the experience and knowledge relevant to the mining industry to expertly assist anyone affected by black lung. We offer a free initial consultation, and discounted rates, to all CFMEU members.

If you are diagnosed with black lung, contact your union for a referral to discuss your right to seek compensation. If you require further information please contact us on [1800 659 114](tel:1800659114) or via our [contact page](#).

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