PREScribed disease a14: Osteoarthritis of the Knee

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Introduction

1 This memo gives guidance on new PD A14 introduced by the Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2009 (SS (II) (PD) Amdt Regs 09) (SI 2009 No. 1396).

2 This new PD is introduced following a recommendation of the Industrial Injuries Advisory Council. It is added to the list of diseases on 13.7.09\(^1\). There is no entitlement to IIDB for this PD before 13.7.09.

\(^1\) SS (II) (PD) Amdt Regs 09, reg 1

Prescribed Disease A14

3 PD A14 is defined as “Osteoarthritis of the knee”. To satisfy the prescription test, claimants must have worked underground in a coal mine for a period, or aggregate periods, of at least 10 years

1. before 1.1.86 as a coal miner or

2. on or after 1.1.86 as a

2.1 face worker working on a non-mechanised coal face or
2.2 development worker or

2.3 face-salvage worker or

2.4 conveyor belt cleaner or

2.5 conveyor belt attendant1.

Example

Malcolm worked underground in a coal mine as a conveyor belt cleaner from 12.5.80 to 31.8.90. He makes a claim for PD A14. Malcolm satisfies the occupation test.

4 Osteoarthritis of the knee is a common disease in the general population. It can be caused by prolonged and frequent heavy lifting, kneeling and squatting. Until the mid 1980s all underground coal miners had jobs involving those activities. However, from the mid 1980s only certain categories of miner undertook those activities. For that reason, for periods from 1.1.86, only those mining jobs at paragraph 3 above have been prescribed. Therefore, for periods from 1.1.86 it is necessary for DMs to have evidence of the actual mining jobs undertaken by claimants.

Example

Robert started work as an underground coal miner on 2.7.79. He worked underground in a coal mine until 28.9.90. From 1.1.86 he was employed as a face worker on a non-mechanised coal face. Robert makes a claim for PD A14. He satisfies the occupation test.

NON-MECHANISED COAL FACE

5 For the purposes of paragraph 3 2.1 above, a non-mechanised coal face is a coal face without

1. either

   1.1 powered roof supports or

   1.2 a power loader machine which simultaneously cuts and loads the coal or

2. both 1.1 and 1.21.
REduced earnings allowance

6 There is no entitlement to REA for PD A14 because it is a new disease prescribed after 10.10.94\(^1\).

\(^1\) SS II (PD) Regs. reg 14A

Annotations

Please annotate the number of this memo (22/09) against DMG paragraph 67301 (heading).

Contacts

If you have any queries about this memo, please write to Decision Making and Appeals (DMA) Leeds, GS36, Quarry House, Leeds. Existing arrangements for such referrals should be followed, as set out in Memo DMG 26/08 - Obtaining legal advice and guidance from DMA Leeds.

DMA Leeds: June 2009