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SOL (MSHA) V. KENTUCKY CARBON
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Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA),

Complaint of Discharge,
Discrimination, or Interference

Docket No. KENT 80-145-D

ON BEHALF OF
BOBBY GOOSLIN,

Calloway No. 1 Mine

COMPLAINANT

v.

KENTUCKY CARBON CORPORATION,
RESPONDENT

ORDER APPROVING SETTLEMENT AGREEMENT
AND DISMISSING PROCEEDING

This proceeding was remanded by the Commission to determine the monetary relief to which Complainant Bobby Gooslin is entitled because of his discriminatory discharge by Respondent. Following an order to the parties issued on February 5, 1982, a joint motion was filed by the Secretary, Bobby Gooslin and Respondent to dismiss the proceeding and approve a settlement. Respondent has agreed to pay Mr. Gooslin the sum of \$10,000 in full settlement of his claim to back pay, interest and other monetary benefits arising from his discharge on October 1, 1979. Mr. Gooslin was represented in this proceeding by Mary Lu Jordan, Esq., Attorney for the United Mine Workers of America, who represents that she explained the nature and amount of the settlement and that he agreed to accept the same. Each party agreed to bear its own fees and expenses.

Having duly considered the matter, I conclude that the settlement is in Mr. Gooslin's best interest and should be approved.

Therefore, IT IS ORDERED that the settlement agreement filed herein on April 15, 1982, is APPROVED.

IT IS FURTHER ORDERED that subject to the payment by Respondent to Bobby Gooslin of \$10,000 this proceeding is DISMISSED with prejudice.

James A. Broderick
Administrative Law Judge