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SOL (MSHA) V. MECHANICAL SYSTEMS
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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),
ON BEHALF OF CAREY D. RAUCH,
COMPLAINANT

DISCRIMINATION PROCEEDING

Docket No. SE 86-15-DM

Hanleyville Quarry & Mill

v.

MECHANICAL SYSTEMS SERVICES
INCORPORATED,
RESPONDENT

DECISION APPROVING SETTLEMENT

Before: Judge Merlin

The Solicitor has filed a motion to approve settlement of the above captioned discrimination proceeding in the amount of \$400.00.

The operator was cited for a violation of 105(c)(1) of the Act when it discharged the Complainant for refusing to engage in a practice she thought unsafe. As part of the settlement agreement, the operator has provided the Complainant full back pay which was the relief sought. The Solicitor also advises that no prior discrimination claims and only one prior assessment have been filed against the operator in the past two years. I accept the Solicitor's representations. In view of them the proposed settlement is Approved.

Accordingly, the operator is ORDERED TO PAY \$400.00 within 30 days of the date of this decision.

Paul Merlin
Chief Administrative Law Judge