

CCASE:  
SOL (MSHA) V. CONSOLIDATION COAL  
DDATE:  
19860410  
TTEXT:

Federal Mine Safety and Health Review Commission  
Office of Administrative Law Judges

SECRETARY OF LABOR,  
MINE SAFETY AND HEALTH  
ADMINISTRATION (MSHA),  
ON BEHALF OF  
JOHN G. KLINE,  
COMPLAINANT

DISCRIMINATION PROCEEDING

Docket No. WEVA 85-226-D

MORG CD 85-7

Loveridge No. 22 Mine

v.

CONSOLIDATION COAL COMPANY,  
RESPONDENT

ORDER OF DISMISSAL  
DECISION APPROVING SETTLEMENT

Before: Judge Maurer

The Secretary has filed a motion explaining that pursuant to agreement between the parties, the complainant now has received or will receive all the relief sought in this case.

The Secretary further has moved for approval of a civil penalty in the amount of \$200 for the violation of section 105(c) of the Act. The Secretary further has discussed the proposed settlement in light of the six statutory criteria set forth in section 110 of the Act. Based upon my review of the Secretary's motion I am satisfied that the proposed settlement is consistent with the purposes and spirit of the statute.

In light of the foregoing the proposed settlement is APPROVED and the operator is ORDERED TO PAY \$200 within 30 days from the date of this decision. Further, the Secretary's motion to withdraw the complaint of discrimination is GRANTED and this matter is hereby DISMISSED.

Roy J. Maurer  
Administrative Law Judge