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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
DUWAYNE SCHAFFER,
COMPLAINANT

DISCRIMINATION PROCEEDING

Docket No. CENT 85-89-D

Glenharold Mine

v.

CONSOLIDATION COAL COMPANY,
RESPONDENT

SUPPLEMENTAL DECISION

Appearances: Margaret A. Miller, Esq., Office of the Solicitor,
U.S. Department of Labor, Denver, Colorado,
for Complainant;
Gregory Lange, Esq., Richardson, Blaisdell, Isakson
and Lange, Hazen, North Dakota, for Respondents;
Deborah Fohr Levchak, Esq., Office of the General
Council, Basin Electrical Power Cooperative,
Bismarck, North Dakota, for Respondents.

Before: Judge Lasher

In accordance with the decision in this matter dated October 17, 1986, the parties have conferred and reached a stipulated agreement as to the costs and expenses incurred by the individual complainant, DuWayne Schaffer, in connection with the institution and prosecution of this proceeding in the total sum of \$273.76. Pursuant to such agreement, Respondent agrees to immediately pay such sum to Complainant and indicates it is in the process of doing so. Accordingly, this agreement is approved.

Respondent also indicates that it has complied with or is in the process of complying with the requirements of my initial decision herein with respect to (a) removing the letter of reprimand from Complainant Schaffer's personnel file and its records, (b) posting of the decision, and payment of civil penalty. The cooperation of the parties in bringing this matter to resolution is appreciated.

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This supplemental decision, in combination with my original decision, constitutes final disposition of this matter before me and, upon its issuance by the Commission's Executive Director, terminates my jurisdiction herein pursuant to Commission rule 65(c).

Michael A. Lasher, Jr.
Administrative Law Judge