

CCASE:
LOCAL UNION 1810 V. NACCO MINING
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Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

LOCAL UNION 1810, DISTRICT 6, COMPENSATION PROCEEDING
UNITED MINE WORKERS OF
AMERICA (UMWA), Docket No. LAKE 87-19-C
 COMPLAINANT Powhatan No. 6 Mine

v.

NACCO MINING COMPANY,
 RESPONDENT

DECISION

Appearances: Earl R. Pfeffer, Esq., Washington, DC,
 for Complainant; Thomas C. Means, Esq.,
 Washington, DC, for Respondent.

Before: Judge Fauver

SUPPLEMENTAL DECISION ON COMPENSATION

This proceeding was brought by the UMWA under 111 of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. 801 et seq., for compensation for miners idled by a modification of a 104(d)(2) order.

A decision on the merits was entered on August 4, 1987, holding that Complainant is entitled to the compensation claimed. The decision provided the parties an opportunity to stipulate the amount of compensation and provided that, "This Decision shall not be made final until a Supplemental Decision on Compensation is entered herein."

Based upon the record as a whole, including the parties' posthearing stipulation of the compensation due under the earlier decision, this Supplemental Decision awards compensation and orders payment of the compensation due plus interest.

ORDER

WHEREFORE IT IS ORDERED that Respondent shall pay a total of \$30,424.08 in compensation due the individuals shown in Attachment A to this Supplemental decision, plus interest on the amounts shown computed in accordance with the Commission's decision in Arkansas Carbona, 5 FMSHRC 2042 (1983).

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The August 4, 1987, decision is hereby made FINAL along with this Supplemental Decision.

William Fauver
Administrative Law Judge

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ATTACHMENT A

WAGES OF 87 HOURLY PERSONNEL PLACED
ON LAYOFF STATUS OCTOBER 6, 7, 8, Å 1986

CHECK NO. & NAME	TOTAL 3ÄDAY WAGES
4250 C. Neff	\$372.36
4322 W. Wain	372.36
4366 G. Palmer	372.36
4373 H. Cox	346.74
4490 R. Parish	346.74
4681 K. Roe	346.74
4504 P. Barath	346.74
4617 G. Makara	346.74
4629 T. Ackerman	346.74
4682 D. Dixon	346.74
4267 R. Betts	348.48
4337 K. Neal	348.48
4365 J. Holskey	372.36
4307 J. Jeffers	372.36
4603 R. Wiggins	353.82
4362 R. Basham	372.36
4402 J. Thornton	372.36
4484 R. Shreve	353.82
4422 T. Brill	372.36
4437 M. McCollum	372.36
4311 R. Jeager	372.36
4622 J. Gear	372.36
4558 M. Ackerman	353.82
4657 T. Myers	362.76
4206 D. Cunningham	362.76
4220 J. Graham	362.76
4344 F. Keylor	337.14
4408 J. Warner	337.14
4478 D. Hughes	337.14
4358 L. Palmer	338.88
4243 T. Cunningham	337.14
4340 S. Gossett	337.14
4684 J. Douglass	337.14
4550 S. Benson	337.14
4429 R. Kline	337.14
4394 J. Scott	337.14
4238 T. Lowe	337.14
4395 P. Scott	337.14
4498 J. Broemsen	337.14
4246 G. Cline	345.84
4547 W. Myers	362.76
4616 J. Thoburn	362.76
4310 J. Mellott	344.22
4269 D. Campbell	344.22
4430 M. Garten	362.76
4658 E. Parker	344.22
4470 T. Watson	344.22
4240 R. Major	362.76
4621 B. Hoskinson	362.76

4273	J. Faldoski	362.76
4320	G. Selmon	362.76
4391	J. Mercer	362.76
4359	R. Clift	344.22
4435	M. Bigelow	337.14
4202	L. Wise	369.96
4205	E. Bartnicki	369.96

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4420 G. Schuster	369.96
4625 G. Edwards	369.96
4555 R. Williamson	351.42
4660 B. Long	351.42
4264 J. Yanosik	351.42
4317 J. Mowery	369.96
4449 R. Witsberger	344.34
4546 R. Swallie	344.34
4225 M. Goddard	344.34
4403 B. Clary	344.34
4483 G. Garczyk	344.34
4551 B. Stacy	344.34
4552 B. Evans	344.34
4557 R. Jones	344.34
4607 S. Boston	344.34
4506 J. Eichhorn	360.24
4505 D. Eichhorn	344.34
4413 E. Christman	369.96
4627 K. McFarland	351.42
4553 D. Davis	351.42
2869 G. Goddard	369.96
4469 C. Thompson	369.96
4618 M. Voleck	369.96
4492 J. Arbogast	369.96
4319 W. Holland	351.42
4619 R. Homan	351.42
4272 S. Hayes	351.42
4436 M. Zaborek	351.42
4361 B. Knight	351.42
4411 C. Carpenter	346.08

TOTAL

\$30,424.08