

CCASE:
SOL (MSHA) V. CHANEY CREEK
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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
JAMES C. GRAY, JR.,
COMPLAINANT

DISCRIMINATION PROCEEDING
Docket No. KENT 86-55-D
BARB CD 85-47

v.

CHANEY CREEK COAL CORP.,
B.D.C. COAL CORPORATION, AND
WOODS CREEK CORPORATION,
RESPONDENTS

ORDER APPROVING SETTLEMENT
AND DISMISSING PROCEEDING

Before: Judge Maurer

On September 21, 1987, the Secretary submitted a settlement agreement, signed by all parties to this proceeding, including the individual complainant himself, for approval.

By the terms of the settlement agreement, the respondents have agreed to pay to James C. Gray, Jr., the total sum of \$16,365 in full and complete settlement of his claim. There is no longer any issue of reinstatement in the case. Respondents have further agreed to expunge from Mr. Gray's record any reference to his discharge in this case. The Secretary of Labor has agreed to waive pre-judgment interest and the civil penalty.

I have considered the agreement in the light of the policies of the Act and conclude that it should be approved.

Accordingly, the settlement agreement IS APPROVED, and, subject to the payment of the agreed amount, \$16,365, to Complainant Gray, this proceeding IS DISMISSED.

Roy J. Maurer
Administrative Law Judge