

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

1730 K STREET NW, 6TH FLOOR  
WASHINGTON, D.C. 20006

December 20, 1990

LEO **SLONE** & 180 MINERS,           :    COMPENSATION PROCEEDING  
    Complainants                    :    :  
                                      :    :  
                                      :    Docket No. **KENT** 90-122-C  
                                      :    :  
                                      :    **No.** 1 Mine  
                                      :    :  
SUN GLO COAL COMPANY,             :    :  
    Respondent                      :    :

DECISION APPROVING SETTLEMENT  
ORDER OF DISMISSAL

Before:    Judge Merlin

By order dated October 23, 1990, the operator's "Agreed Order Settling" this complaint was disapproved and the operator was ordered to file additional information in order to have the settlement approved. As set forth in the order, the operator was directed to provide the names of all affected miners: the number of hours for which each of them were being compensated: the amount of compensation paid to each miner: and signatures to the agreement by the duly authorized representatives of the miners and operator. On December 7, 1990, the operator filed another "Agreed Order Settling" which sets forth the details of the settlement as follows:

The shutdown [of the mine] at issue occurred on March 20, 1990 at approximately **2:30** P.M. All miners were sent home. The mine reopened at **4:00** P.M. on March 21, 1990. The lost hours were the remainder of the day shift on the **20th**, the full evening shift on the **20th**, the full night shift on the 21st and the full day shift on the 21st. The Complainants represent that the stated payments fully reimburse each affected employee for all hours lost on their scheduled shift, including overtime. There was no reduction in the hours payable negotiated between the parties as a function of the settlement. Each Complainant represents that he/she has been fully satisfied and made whole by the Respondent's payment as described in Exhibit A, and that this action may be dismissed.

A list of miners containing the hours and monetary amounts of compensation was attached and both parties signed the agreement.

The order of October 23, 1990 having been complied with, I accept the foregoing representations and approve the recommended settlement.

Accordingly, it is ORDERED that the proposed settlement be APPROVED and that this case be DISMISSED.



**Paul Merlin**  
Chief Administrative Law Judge

Distribution:

Mr. Leo Slone, Chairman, Mine Committee, 101 Jackson's Branch,  
**Elkhorn** City, KY 41522 (Certified Mail)

Mr. C. Tom Anderson, President, Sun Glo Coal Company, Inc., P. O.  
Box 280, State Route 197, Ash Camp, KY 41512 (Certified Mail)

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