CCASE:

SOL (ROBERT TEANEY) V. BLACK MOUNTAIN COAL

DDATE: 19930309 TTEXT:

## FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

OFFICE OF ADMINISTRATIVE LAW JUDGES 2 SKYLINE, 10th FLOOR 5203 LEESBURG PIKE FALLS CHURCH, VIRGINIA 22041

SECRETARY OF LABOR, : DISCRIMINATION PROCEEDING

MINE SAFETY AND HEALTH

ADMINISTRATION (MSHA), : Docket No. KENT 92-867-D ON BEHALF OF : MSHA Case No. BARB CD-92-14

ROBERT C. TEANEY,

Complainant : No. 1 Mine

ROBERT C. TEANEY,

Intervenor

BLACK MOUNTAIN COAL MINING,

INCORPORATED,

Respondent

ROBERT C. TEANEY, : DISCRIMINATION PROCEEDING

Complainant

: Docket No. KENT 93-264-D : MSHA Case No. BARB CD-92-53

BLACK MOUNTAIN COAL MINING,

INCORPORATED, : No. 1 Mine

Respondent

AMENDED DECISION APPROVING SETTLEMENT

Before: Judge Melick

v.

Pursuant to Commission Rule 65(c), 29 C.F.R. 2700.65(c) the Decision Approving Settlement issued in these proceedings on February 23, 1993, is hereby amended to include within its incorporated terms payment by Respondent of attorney fees for \$1,000 to counsel for Robert C. Teaney. It is further noted that payment of backpay of \$3,600, interest of \$400, and attorney fees of \$1,000 has correspondingly been made within the corrected timeframe of 30 days from the date of hearing. This Amended Decision must be posted at the mine office in accordance with the terms of the settlement.

> Gary Melick Administrative Law Judge

## ~417 Distribution:

Donna E. Sonner, Esq., Office of the Solicitor, U.S. Department of Labor, 2002 Richard Jones Road, Suite B-201, Nashville, TN 37215 (Certified Mail)

William A. Hayes, Esq., 2309 Cumberland Avenue, P.O. Box 817, Middlesboro, KY 40965 (Certified Mail)

Tony Oppegard, Esq., Mine Safety Project of the Appalachian Research and Defense Fund of Kentucky, Inc., 630 Maxwelton Court, Lexington, KY 40508 (Certified Mail)

/lh