

CCASE:
SOL (MSHA) V. LEHIGH PORTLAND CEMENT
DDATE:
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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. YORK 93-65-DM
On Behalf of	:	
GERALD SAPUNARICH,	:	Cementon Plant & Quarry
Complainant	:	
	:	
v.	:	
	:	
LEHIGH PORTLAND CEMENT	:	
COMPANY,	:	
Respondent	:	

DECISION APPROVING SETTLEMENT

Before: Judge Fauver

This case involves an alleged discrimination against miner Gerald Sapunarich in violation of 105(c) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. 801 et seq.

The parties propose to settle the case by assessment of a civil penalty of \$1,500.00 and by posting the settlement agreement on the mine bulletin board for a minimum of 30 days.

I find the settlement to be consistent with the purposes of 105(c) and 110(i) of the Act.

ORDER

1. The motion to approve settlement is GRANTED.
2. Respondent shall pay the approved civil penalty of \$1,500.00 within 30 days of this Decision, and upon such payment this proceeding is DISMISSED.

William Fauver
Administrative Law Judge

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