

CCASE:
SOL (MSHA) V. JIM WALTER RESOURCES
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FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

OFFICE OF ADMINISTRATIVE LAW JUDGES
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5203 LEESBURG PIKE
FALLS CHURCH, VIRGINIA 22041

SECRETARY OF LABOR, : DISCRIMINATION PROCEEDING
MINE SAFETY AND HEALTH :
ADMINISTRATION (MSHA) : Docket No. SE 93-629-D
on behalf of MITCHELL BOSTIC :
AND WILLIAM WOOD, : No. 4 Mine
Complainants :
v. :
: :
JIM WALTER RESOURCES, INC., :
Respondent :

DECISION APPROVING SETTLEMENT

Before: Judge Melick

This Discrimination Proceeding is before me pursuant to Section 105(c) of the Federal Mine Safety and Health Act of 1977 (the Act). The Secretary, with the concurrence of the individual complainants, has filed a motion to approve a settlement agreement and to dismiss the case. I have considered the representations and documentation submitted in this case, and I conclude that the proffered settlement is acceptable.

WHEREFORE, the motion for approval of settlement is GRANTED and this case is DISMISSED. It is therefore ORDERED that Respondent pay a civil penalty of \$1,000 within 30 days of this order, that Respondent pay each Complainant, Mitchell Bostic and William R. Wood, damages of four hours premium time, plus corresponding interest, within 30 days of this order, and that Respondent post a copy of the settlement agreement on the mine bulletin board for a period of 60 days.

Gary Melick
Administrative Law Judge

Distribution:

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