

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

OFFICE OF ADMINISTRATIVE LAW JUDGES
2 SKYLINE, Suite 1000
5203 LEESBURG PIKE
FALLS CHURCH, VIRGINIA 22041

September 14, 1999

UNITED MINE WORKERS OF AMERICA:	COMPENSATION PROCEEDING
LOCAL 1571, on behalf of miners, :	
Applicant :	Docket No. PENN 99-110-C
	:
v. :	
	:
	Springdale, Greenwood & Little Italy
LEHIGH COAL & NAVIGATION CO., :	
Respondent :	Mine ID 36-01761

DECISION

Appearances: James P. Lamont, United Mine Workers of America,
Washington, D.C., for Applicant;
W. Atlee Davis III, Esq., Lehigh Coal and Navigation Company,
Pottsville, Pennsylvania, for Respondent.

Before: Judge Bulluck

This Compensation Proceeding is before me pursuant to section 111 of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. §801 *et. seq.* ("the Act"), upon application filed by the United Mine Workers of America, Local 1571 ("UMWA"), against Lehigh Coal and Navigation Company ("Lehigh"). The UMWA seeks compensation for 25 of its members employed at Lehigh's No.14 Preparation Plant, who were allegedly idled by a withdrawal order issued by the Secretary of Labor, pursuant to section 107(a) of the Act.

A hearing on the merits was convened on August 19, 1999, in Reading, Pennsylvania. At the hearing, the parties negotiated and entered into a settlement agreement, whereby Lehigh agreed to pay compensation to the members of UMWA Local 1571, laid-off from the No. 14 Preparation Plant during the period November 19 through 23, 1998, at their usual rate of pay for 1998. The settlement was approved at hearing, and that determination is hereby confirmed.

I have considered the representations and documentation submitted in this case, and I conclude that the proffered settlement is appropriate under the criteria set forth in section 110(i) of the Act.

ORDER

The settlement is appropriate and in the public interest. **WHEREFORE**, the approval of settlement is **GRANTED**, and it is ordered that Respondent pay compensation to the affected UMWA members, in accordance with the terms of the settlement agreement, within 30 days of this Decision. Upon full payment of compensation, this case is **DISMISSED**.

Jacqueline R. Bulluck
Administrative Law Judge

Distribution:

James P. Lamont, Esq., United Mine Workers of America, Legal Department, 900 15th Street, N.W., Washington, DC 20005 (Certified Mail)

W. Atlee Davis III, Esq., Lehigh Coal and Navigation Company, 101 N. Centre Street, P.O. Box 1040, Pottsville, PA 17901 (Certified Mail)

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