

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION  
601 NEW JERSEY AVENUE N.W., SUITE 9500  
WASHINGTON, D.C. 20001  
(202) 434-9950

June 3, 2010

SECRETARY OF LABOR, MINE SAFETY :	TEMPORARY REINSTATEMENT
AND HEALTH ADMINISTRATION, :	PROCEEDING
on behalf of RICKEY JOE STRATTIS, :	
Applicant :	Docket No. WEVA 2010-991-D
:	HOPE CD 2010-06
:	
v. :	
:	
ICG BECKLEY, LLC, :	Beckley Pocahontas Plant
:	Mine ID 46-09216
Respondent :	

**ORDER MODIFYING TERMS OF TEMPORARY REINSTATEMENT**

Appearances:

Jessica R. Hughes, Esq., U.S. Department of Labor, Arlington, Virginia, on behalf of the Applicant;  
R. Henry Moore, Esq., Pittsburgh, Pennsylvania, on behalf of the Respondent.

Before: Judge Moran

The Court's Order of June 1, 2010 is modified to correct the Court's misstatement that Mr. Strattis' reinstatement was "deemed effective as of the date of his discharge." June 1, 2010 Order at 4. Obviously the Court should have stated that the reinstatement was effective as of the date of the June 1<sup>st</sup> Order. To state otherwise would make the subsequent discrimination proceeding pointless on the question of back pay. The Court apologizes for the confusion it created by misstating the date of reinstatement. All other aspects of the Court's June 1<sup>st</sup> Order remain unchanged. **Accordingly, Mr. Strattis' reinstatement is deemed effective as of June 1, 2010.**

William B. Moran  
Administrative Law Judge

Distribution:

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