

CCASE:
MSHA (SAM BALL) V. WESTMORELAND COAL
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JAN 21, 1987

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA),
ON BEHALF OF SAM BALL,
Complainant

DISCRIMINATION PROCEEDING

Docket No. VA 86-23-D

NORT CD 85-9

v.

WESTMORELAND COAL COMPANY,
Respondent

ORDER OF DISMISSAL

Before: Judge Broderick

On November 4, 1986, the Secretary filed a motion to withdraw the complaint, based on a settlement agreement between the parties. Respondent supported the motion. By the settlement agreement, Respondent agreed not to discriminate against any miner or representative of miners in violation of the Act, and, in particular agreed not to discriminate against Sam Ball or any other miner in making job assignments because of their status as miners' walkaround representatives. Respondent agreed to post a copy of the settlement agreement for a period of 60 days.

On January 8, 1987, counsel for Respondent certified that the settlement agreement had been posted by Respondent for a period of 60 days.

Accordingly, the motion to withdraw the complaint pursuant to the settlement agreement is GRANTED, and this proceeding is DISMISSED.

James A. Broderick
Administrative Law Judge

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Distribution:

Mark R. Malecki, Esq., U.S. Department of Labor, Office of the Solicitor,
4015 Wilson Blvd., Arlington, VA 22203 Certified Mail)

Thomas C. Means, Esq., Crowell & Moring, 1100 Connecticut Ave., N.W.,
Washington, D.C. 20036 (Certified Mail)

Sam Ball, Rt. 1, Box 197, St. Charles, VA 24282 (Certified Mail)