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ROGER L. STILLION V. QUARTO MINING
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Federal Mine Safety and Health Review Commission (F.M.S.H.R.C.)
Office of Administrative Law Judges

ROGER L. STILLION,
COMPLAINANT

DISCRIMINATION PROCEEDING

v.

Docket No. LAKE 88-91-D
MORG CD 88-3

QUARTO MINING COMPANY,
RESPONDENT

Powhattan No. 4 Mine

SUPPLEMENTAL DECISION

Appearances: Thomas M. Myers, Esq., United Mine Workers of
America, Shadyside, OH, for Complainant;
Michael Peelish, Esq., Consolidation Coal
Company, Pittsburgh, PA for the Respondent;

Before: Judge Fauver

A decision on liability was entered on April 6, 1989,
holding that Respondent violated 103 (f) of the Federal Mine
Safety and Health Act of 1977, 30 U.S.C. 801 et seq., by
refusing to pay Complainant for his time spent accompanying a
federal mine inspector on October 6, 7, and 8, 1987. The decision
provided that the parties should meet in an effort to stipulate
the amount of back pay, interest and litigation expenses due the
Complainant.

The parties have filed a stipulation of back pay and a
reasonable attorney fee.

ORDER

Based upon the stipulation, it is ORDERED that, within 15
days of this Decision, Respondent shall pay Complainant a total
of \$2,375.71, representing back pay and interest of \$258.21 and
an attorney fee of \$2,117.50.

This Supplemental Decision and the Decision dated April 6,
1989, constitute the final decision of the judge in this
proceeding.

William Fauver
Administrative Law Judge