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Federal Mine Safety and Health Review Commission (F.M.S.H.R.C.)
Office of Administrative Law Judges

SECRETARY OF LABOR,
ON BEHALF OF
FRED BARTLEY,
PETITIONER

DISCRIMINATION PROCEEDING
Docket No. KENT 89-102-DM
Jenkins Quarry

v.

ADAMS STONE CORPORATION,
RESPONDENT

CORRECTION TO SUPPLEMENTAL DECISION

Appearances: Thomas A. Grooms, Esq., Office of the Solicitor,
U.S. Department of Labor, Nashville, Tennessee,
for Complainant; David Adams, Esq., Vice-President,
Adams Stone Corporation, Pikeville, Kentucky, for
Respondent.

Before: Judge Broderick

On November 13, 1989, I issued a Supplemental Decision in this case ordering, inter alia, the payment of back wages and other benefits to Complainant Bartley. The order was based on my misunderstanding the Secretary's Statement of Back Wages dated October 16, 1989, and received by the Commission October 23, 1989.

Therefore, IT IS ORDERED that the Supplemental Decision of November 13, 1989, is SET ASIDE.

IT IS FURTHER ORDERED that the Secretary submit on or before December 22, 1989, a statement of back wages due Bartley pursuant to my Decision and order issued October 18, 1989.

IT IS FURTHER ORDERED that Respondent shall reply to the Secretary's statement on or before January 12, 1990. The decision is not final until a corrected supplemental decision is issued following receipt of the above submissions.

James A. Broderick
Administrative Law Judge