

CCASE:
JOHNNY CHACON (MSHA) V. PHELPS DODGE
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FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION
WASHINGTON, DC
September 29, 1983

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA),

on behalf of JOHNNY N. CHACON

v. Docket No. WEST 79-349-DM

PHELPS DODGE CORPORATION

ORDER

In Raymond J. Donovan, Secretary of Labor, on behalf of Johnny N. Chacon v. Phelps Dodge Corporation, No. 81-2300, D.C. Cir., June 7, 1983, the Court reversed the Commission's decision and remanded this discrimination case to the Commission for disposition consistent with the Court's decision. On September 15, 1983, we received from the Court the certified copy of its opinion and judgment.

Pursuant to the Court's judgment and order, the decision of the administrative law judge is hereby reinstated, including his order of expungement, award of back pay and interest, and his civil penalty assessment. Compliance shall be within 30 days of the issuance of this order.

Rosemary M. Collyer, Chairman

Richard V. Backley, Commissioner

Frank F. Jestrab, Commissioner

A. E. Lawson, Commissioner

L. Clair Nelson, Commissioner