

News Release



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MSHA to launch safety and health conferencing pilot program

ARLINGTON, Va. – The U.S. Department of Labor’s Mine Safety and Health Administration today announced it will launch a 90-day pilot program aimed at addressing the backlog of contested citations and the agency’s conferencing procedures. According to 30 C.F.R. § 100, mine operators may request a conference with MSHA officials to dispute citations issued by federal mine inspectors. The pilot program will allow the mine operator and the miners’ representative to hear MSHA’s interpretation of regulations and discuss and resolve issues relating to violations prior to the civil penalty assessment and litigation. Under the current system, conferencing takes place after penalty assessment and a timely contest.

Joseph A. Main, assistant secretary of labor for mine safety and health, renewed the pledge he made before the Senate Committee on Health, Education, Labor and Pensions last April to improve the conferencing system.

“It is clear that the current conferencing structure is not working,” said Main. “By resolving factual disputes before a violation is contested, these citations will not be added to the enormous backlog of cases that have bogged down the judicial system. This process should also improve consistency in MSHA’s enforcement of the Mine Act.”

Three MSHA district offices will participate in the pilot: Coal District 2 in Mt. Pleasant, Pa.; Coal District 6 in Pikeville, Ky.; and Metal/Nonmetal Southeast District in Birmingham, Ala. These three locations were selected so that pilot efforts could include a wide range of mine operators and different MSHA personnel to determine what will work and if the goals of the program can realistically be met. The pilot will begin Aug. 31.

Currently, there are approximately 89,000 violations in contest. Congress recently appropriated \$18,200,000 to the Labor Department and \$3,800,000 to the Federal Mine Safety and Health Review Commission for the purpose of reducing the existing backlog of cases.

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