

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-10-80

Time 3:45 p.m.

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1980

ENROLLED

Committee Substitute for
SENATE BILL NO. 188

(By Mr. Susman)

PASSED March 1, 1980

In Effect ninety days from Passage



No. 188

ENROLLED

COMMITTEE SUBSTITUTE FOR

Senate Bill No. 188

(MR. SUSMAN, *original sponsor*)

[Passed March 1, 1980; in effect ninety days from passage.]

AN ACT to amend and reenact section seventy-a, article two, chapter twenty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to right of miner to refuse to operate unsafe equipment; procedures; discrimination; the promulgation of rules and regulations with respect thereto; and the time limits therefor.

Be it enacted by the Legislature of West Virginia:

That section seventy-a, article two, chapter twenty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 2. COAL MINES.

§22-2-70a. Right of miner to refuse to operate unsafe equipment; procedures; discrimination.

- 1 No miner shall be required to operate unsafe equipment.
- 2 On or before the first day of January, one thousand nine
- 3 hundred eighty-one, the board of coal mine health and
- 4 safety shall by rule or regulation establish a procedure
- 5 for resolving disputes arising out of the refusal by a miner
- 6 to operate such alleged unsafe equipment. No action shall
- 7 be taken against a miner by an operator unless such miner
- 8 is found to have acted in bad faith and without good cause
- 9 by the director or his authorized representative.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Loren W. Johnston
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

John C. Mulder
Clerk of the Senate

Blankenship
Clerk of the House of Delegates

W. B. B. B. B.
President of the Senate

Clayton M. Beebe
Speaker House of Delegates

The within *is approved* this the *10*
day of *March*, 1980.

John R. R. R.
Governor

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MAR 5 11 45 AM '80
OFFICE OF THE GOVERNOR

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GOV. OF STATE