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
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 hundred eighty-one, the board of coal mine health and safety shall by rule or regulation establish a procedure for resolving disputes arising out of the refusal by a miner to operate such alleged unsafe equipment. No action shall be taken against a miner by an operator unless such miner is found to have acted in bad faith and without good cause 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

Clarence C. Johnson
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Fred C. Hicks
Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

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

Governor