

## S 1145

Robert C. Byrd Mine Safety Protection Act of 2015

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Labor and Employment

**Introduced:** Apr 30, 2015

**Current Status:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

**Latest Action:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Apr 30, 2015)

**Official Text:** <https://www.congress.gov/bill/114th-congress/senate-bill/1145>

### Sponsor

**Name:** Sen. Casey, Robert P., Jr. [D-PA]

**Party:** Democratic • **State:** PA • **Chamber:** Senate

### Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Manchin, Joe, III [D-WV]	D · WV		Apr 30, 2015

### Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Apr 30, 2015

### Subjects & Policy Tags

#### Policy Area:

Labor and Employment

### Related Bills

Bill	Relationship	Last Action
114 HR 1926	Related bill	<b>Nov 16, 2015:</b> Referred to the Subcommittee on Workforce Protections.

## **Robert C. Byrd Mine Safety Protection Act of 2015**

Amends the Federal Mine Safety and Health Act of 1977 to require the Department of Labor, in conducting health and safety related accident investigations in coal or other mines, to: (1) determine why an accident occurred and whether there were violations of law, mandatory health and safety standards, or other requirements; (2) in cases involving violations of federal criminal law, refer them to the Attorney General; and (3) make recommendations to avoid any recurrence.

Requires an independent accident investigation by an independent panel appointed by the Department of Health and Human Services for any serious accident meeting certain criteria.

Allows participation in a mine inspection by the closest relative of a miner entrapped, disabled, killed, or otherwise prevented by an accident to designate a representative.

Prohibits an attorney from representing both a mine operator and miner during an inspection, investigation, or litigation, unless the miner knowingly waives all possible conflicts of interest.

Requires Labor to: (1) revoke the approval of mine operator plans or programs based on certain criteria; and (2) order withdrawal of all persons from a mine or mine area, and prohibit them from entering it, until the operator submits and Labor approves a new plan.

Revises civil and criminal penalties and related administrative procedures.

Revises certain miner protections against discrimination.

Entitles a miner to full compensation by a mine operator at the regular rate of pay for the entire period (not to exceed 60 days) for which the miner is idled because of a Labor withdrawal order.

Prohibits an underground coal mine operator for three years after receiving notice of a pattern of violations from discharging (or constructively discharging) a miner without reasonable grounds based on certain failures to perform job duties satisfactorily if the miner is paid on an hourly basis and has completed the employer's probationary period of up to six months.

Requires each underground coal mine operator to implement a communication program to ensure that each miner is orally briefed on and made aware of current mine conditions before traveling to or arriving at the mine work area and commencing assigned tasks.

Directs Labor to promulgate regulations to require each operator of an underground coal mine to install atmospheric monitoring systems.

Revises mine operator health and safety training program requirements.

Requires Labor to order a mine operator to provide additional training to miners if a serious or fatal accident has occurred at a mine or certain other circumstances exist.

Amends the Mine Improvement and New Emergency Response Act of 2006 to require Labor to give special emphasis in the award of competitive grants for education and training (Brookwood-Sago Mine Safety Grants) to programs and

materials that provide underground mine accident rescue simulation training to workers in smaller mines.

Authorizes Labor to make grants to states to assist them in developing and implementing miner certification programs.

Authorizes Labor to double encumber a position or utilize early replacement hiring for authorized representatives and technical positions in the Mine Safety and Health Administration.

Amends the Occupational Safety and Health Act of 1970 to expand its coverage to federal, state, and local government employees, especially protections against discrimination.

Prescribes certain employee's victim rights before Labor or before the Occupational Safety and Health Review Commission.

Prescribes administrative requirements for an employer's correction of a serious, willful, or repeated violation of federal occupational safety and health standards.

Subjects to certain increased criminal penalties an employer who knowingly violates a federal occupational safety and health standard or regulation that causes or contributes to the death of an employee.

### **Actions Timeline**

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- **Apr 30, 2015:** Introduced in Senate
- **Apr 30, 2015:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

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