

News Release



U.S. Department of Labor
Office of Public Affairs
Washington, D.C.
Release Number: 10-730-NAT

For Immediate Release
May 24, 2010
Contact: Elizabeth Alexander
Phone: 202-693-4675

Court rules in favor of MSHA in UMWA challenge to public hearings

ARLINGTON, Va. – The U.S. Department of Labor’s Mine Safety and Health Administration today announced that the U.S. District Court for the Southern District of West Virginia has ruled in MSHA’s favor in a recent challenge to the agency’s decision to conduct private interviews as part of its investigation of the Upper Big Branch Mine explosion.

On May 10, the United Mine Workers of America and the estates of two of the 29 miners killed in the April 5 blast asked U.S. District Judge Irene C. Berger to stop MSHA from conducting private witness interviews and to direct the agency to conduct its accident investigation exclusively through public hearings. But on May 20, the court ruled that federal law does not authorize the lawsuit.

“We hope that those who supported the lawsuit will come to realize that, ultimately, MSHA’s overall investigation of the Upper Big Branch Mine explosion will be the most open and comprehensive investigation in the history of the agency,” said Solicitor of Labor Patricia Smith. “People should understand that private interviews are an important part of our investigation, but they’re not the only part.”

Once MSHA’s investigation team completes its witness interviews and conducts a physical examination of the mine, the agency will hold a series of public hearings and forums to discuss the possible cause(s) of the explosion, and identify and develop corrective actions, procedures and strategies to prevent the occurrence of similar accidents.

###

U.S. Department of Labor releases are accessible on the Internet at <http://www.dol.gov>. The information in this news release will be made available in alternate format (large print, Braille, audio tape or disc) from the COAST office upon request. Please specify which news release when placing your request at 202-693-7828 or TTY 202-693-7755. The Labor Department is committed to providing America’s employers and employees with easy access to understandable information on how to comply with its laws and regulations. For more information, please visit <http://www.dol.gov/compliance>.