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MSHA issues new policy for scheduling a safety and health conference
Settlement conferences to be postponed until after civil penalties are proposed

ARLINGTON, Va. - The U.S. Department of Labor's Mine Safety and Health Administration (MSHA) today announced that settlement conferences held between mine operators and MSHA personnel to resolve enforcement disputes will be deferred until after civil penalties have been proposed and the operator notifies MSHA of its intent to contest the violations and/or penalties. Furthermore, specially trained conference and litigation representatives will assume primary responsibility for resolving the contested violations and their associated penalties at the same time.

"This procedural change will greatly increase efficiency in our system," said Michael A. Davis, MSHA's deputy assistant secretary for operations. "We consider this a positive change to address the increased number of contested cases."

MSHA decided to make this procedural change because the number of contested MSHA enforcement actions rose dramatically during the past three years. In 2005, mine operators contested 7,000 of the 117,000 citations issued by MSHA inspectors. By 2008, the number of contested citations had increased more than six-fold.

A mine operator's participation in a conference does not waive any rights to a hearing before the Mine Safety and Health Review Commission. Deferred conferences will provide an opportunity to more efficiently settle as many issues as possible and will result in a savings of time and expense without engaging in litigation.

- [See Program Information Bulletin](#)
- [See Procedure Instruction Letter](#)