

## **RATIONALE FOR CHANGES TO THE JOSEPH A. HOLMES SAFETY ASSOCIATION'S CONSTITUTION AND BY-LAWS**

On May 16, 1910, Congress created the U.S. Bureau of Mines, a government agency within the Department of the Interior. Pub. L. No. 61-179, § 2 (1910). The purpose of the Bureau was to improve safety in mining through the investigation of mining methods and equipment and training, and therefore prevent accidents and health problems. The first director of the Bureau was Dr. Joseph A. Holmes. He standardized mine rescue and first aid procedures by providing training in these areas, including the initial First Aid and Mine Rescue Contest held in 1911. He demonstrated the explosibility of coal mine dust, arranged for self-contained breathing devices to be imported into the United States for use in mine rescue, and initiated training for the use of these devices in mine rescue situations.

In 1916, in order to continue the work of Joseph A. Holmes, 24 organizations including three federal agencies created the Joseph A. Holmes Safety Association. These agencies were the Bureau of Mines, the Geological Survey, and the Public Health Service. The group's constitution named the director of the Bureau, ex officio, as the president of the organization. The first vice president was secretary of the American Mining Congress (now the National Mining Association) and the second vice president was president of the AFL-CIO. There was also a board of directors consisting of certain officers and others elected by the membership of the organization. In about 1920 and at the suggestion of the Bureau, Joseph A. Holmes' board of directors created an entity known as the Holmes Safety Association – a loose federation of district or state councils, and local chapters organized to continue the work of Dr. Holmes at the local level by providing training and educational opportunities to miners and the mining industry. The Holmes Safety Association was later merged with Joseph A. Holmes Safety Association in 2001.

In 1926, Joseph A. Holmes Safety Association incorporated itself in Washington, D.C. as a nonprofit corporation with no power to issue stock. The newly incorporated Joseph A. Holmes Safety Association provided two classes of membership: the first class consisted of members of national organizations such as the American Mining Congress and the AFL-CIO, and the three original federal government agencies mentioned above; the second class consisted of delegates of the Holmes Safety Association which was the entity representing state and district councils and local chapters of miners and mine operators.

Throughout its history, Joseph A. Holmes Safety Association has organized and coordinated local chapters, district or state councils, and a national council. Joseph A. Holmes Safety Association has no employees. The organizing of local chapters has traditionally been initiated by Federal employees. The Bureau of Mines initiated the idea of local chapters to assist it in furthering education on mining first-aid and rescue methods. Local chapters were organized after the training was completed by the Bureau employees.

The purpose of these proposed changes to Constitution and By-Laws of the Joseph A. Holmes Safety Association is to go back to the roots and the original purpose of the Joseph A. Holmes Safety Association. The changes involve:

- Having two organizations under the Joseph A. Holmes Safety Association – the Holmes Safety Association and the Holmes Mine Rescue Association.
  - The Holmes Safety Association would continue with current structure of local chapters, state and district councils, and a National Council. This structure is very similar to the original structure of the Holmes Safety Association.
  - The Holmes Mine Rescue Association has a structure similar to the original Joseph A. Holmes Safety Association with a National Council, an Executive Committee, and a membership body.
- Having two organizations focusing on the original purpose safety training: one at the local level and one at the national level.
- A General Secretary providing guidance and oversight of both branches of the Joseph A. Holmes Safety Association.
  - The General Secretary's duties are to meet with both branches at least once a year and appoint the Secretary for both branches.
  - The Assistant Secretary of Labor for Mine Safety and Health will appoint the General Secretary. Unlike the original Joseph A. Holmes Safety Association, where the Head of the Federal Mining Agency (Bureau of Mines (BOM), Mining Enforcement and Safety Administration (MESA), and Mine Safety and Health Administration (MSHA)) was the President of the Joseph A. Holmes Safety Association, this new structure has provided a different role.
- The new branch, Holmes Mine Rescue Association, having a similar structure – National Council, officers, and an Executive Committee – to the original organization which operated at the national level.
  - For the Holmes Mine Rescue Association, the branch will have up to sixty-seven members on the Executive Committee including the officers of the National Council, which are the President, the Treasurer, the Secretary, and 12 Vice-Presidents.
  - The membership of the Executive Committee includes a Vice-President, except the interest group that the President is representing, and up to four representatives from the following interest groups: (a) coal management, (b) metal and nonmetal management, (c) state entities for coal mines, (d) state entities for metal and nonmetal mines, (e) coal mine rescue trainers, (f) metal and nonmetal mine rescue trainers, (g) coal mine rescue team members, (h) metal and nonmetal mine rescue team members, (i) federal agencies – coal mines, (j) federal agencies – metal and nonmetal mines,

- (k) labor – coal mines, (l) labor – metal and nonmetal mines, and
  - (m) vendors, manufacturers, suppliers or insurance groups, academia, and contractors.
- The interest group structure is the same as the original Joseph A. Holmes Safety Association and the proposed branch, Holmes Safety Association, except that for the Holmes Mine Rescue Association, the interest groups were further refined to the interest in coal or metal and nonmetal mines.
- Unlike the other branch (the Vice-Presidents rotate from fourth VP to the Presidency), the Vice-Presidents for Holmes Mine Rescue Association will vote biennially for the President among the elected Vice-Presidents.
- All elected officers and members of the Executive Committee will serve for a two-year term and the election of the President occurs at the National Council meeting before the second year of the Vice-Presidents' terms.
- The MSHA Administrators for Coal and Metal and Nonmetal Mine Safety and Health serve as Vice-Presidents for the federal agencies' interest groups. They are not elected. Both these Vice-Presidents may not be elected or serve as the President or in the absence of the President of the Holmes Mine Rescue Association
- Defining the mission of the Holmes Mine Rescue Association to one of core purposes of the original Joseph A. Holmes Safety Association. The Holmes Mine Rescue Association may
  - Develop best practices, procedures, and training for the mine rescue capability
  - Disseminate these guidelines, training, or tools to the mining public
  - Plan, participate in, sponsor, or provide support to the National Coal or Metal and Nonmetal Mine Rescue Training Contests