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Criteria and Procedures for Assessment of Civil Penalties

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Comment from anonymous -, NA

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General Comment

This may be slightly afield, but MSHA did ask for comments on how to improve the entire regulatory system.

I feel the answer does NOT lie in raising the penalty costs associated with citations, which this proposal would absolutely do.

As pointed out by others, including the US governments Bureau of Labor Statistics, mining is a far safer occupation in the 21st century than MSHA would stereotype it. That's not to say miner's don't still die every year, for they do, and we should all strive to prevent every workplace death. However, painting mining in broad brush strokes as the deadliest industry full of non-compliant robber barons is not only counter-productive, it's wrong. Nursing home employees suffer more injuries than miners. More people die working for the government than die in a mine accident, by a factor of three. A few years ago, even MSHA employees suffered more workplace injuries than Miners. In 2013, the leisure and hospitality industry had a greater percentage of fatal workplace accidents than mining.

Perhaps, as part of their regulatory framework, MSHA could give operators who DO have safe work practices and programs a break: Instead of the constant drive by MSHA to simply add points to a citation cost, what about subtracting some? 10 point deduction for having a safety committee in place and active. 5 point deduction for having a full time safety manager on site. MSHA should seriously look at the other side of the "carrot/stick" method, and look at what

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behaviors they WOULD like to see mines undertake. And then, give incentive, reward mines that do! You can continue to beat, beat, beat until morale improves, or you can recognize and reward those best performers, those innovators, and create a culture that encourages more!