

# West Virginia miners afraid to speak out about safety problems

**Lawmakers say Bush Administration has filled worker safety agencies with industry insiders and demand investigation.**

TALLMANSVILLE, W. Va. — Workers at the non-union Sago Mine knew the facility was unsafe, but were afraid to speak out, according to the son of one of 12 miners killed in the underground explosion on Jan. 3.

But while John Bennett said his father and the other miners were afraid to discuss the mine's problems, AFL-CIO officials and federal reports say that Sago, in rural West Virginia's traditional coal mining area, was an extremely troubled mine.

And a list published by the federal Mine Safety and Health Administration (MSHA) shows it dumped several rules four years ago that could have bettered safety at Sago.

The explosion at Sago killed 12 miners underground and left a 13th in the hospital in critical condition. Lethal carbon monoxide was measured at three times the levels a person can safely breathe for a maximum of 15 minutes before succumbing.

In the past two years, federal MSHA inspectors cited the Sago Mine, (whose present owner, the International Mine Group, bought it two months ago,) more than 270 times for safety violations. Many were serious — such as collapsing roofs, faulty tunnel supports, inadequate ventilation and dangerous accumulation of flammable coal dust.

"My dad would come home at night and tell me how unsafe the mine was," John Bennett said during an interview on NBC's Today Show. His father, Jim Bennett, was among the 12 dead.

"We have no protection for our workers. We need to get the United Mine Workers back in these coal mines to protect [against] these safety violations, to protect the workers, ..." he said.

United Mine Workers President Cecil Roberts called Sago management's failure to tell miners about conditions and violations at the mine "inexcusable," the Associated Press reported.

Jim Bennett, who had worked in the mines for 30 years, was scheduled to retire in April, his son said. Several of those killed were veteran miners in their 50s and 60s.

John Bennett said the families want answers and they want accountability. "A lot of us can't understand how, in 2005, this mine could have 208 safety violations," he said.

Since October, MSHA has issued 50 citations to Sago, some as recently as Dec. 21, including citations for accumulation of combustible materials such as coal dust and loose coal. The agency said it would begin an in-depth investigation, including "how emergency information was relayed about the trapped miners' conditions."

Safety experts question whether an investigation will result in any change. And AFL-CIO President John Sweeney says the accident points up the Bush Administration's lax regard for worker safety and health, in the mines and elsewhere.

A 2005 report by the AFL-CIO

found that at MSHA, 17 standards to improve safety and health for miners have been withdrawn since President Bush took office, including air quality, chemical substances and respiratory standards. For the most part at MSHA, those standards that have been proposed during the Bush Administration favor industry by moving to roll back existing protections. There are no pending standards to protect miners from hazards on their job.

Moreover, MSHA's budget for the enforcement office also has declined. In 2001, the mine safety agency had 1,181 coal mine enforcement workers. Last year, the agency had about 1,080 workers. And President Bush has proposed a further cut to 1,043 in the current fiscal year budget. The FY 2006 budget proposes \$280 million in funding, (\$118 million for coal mine enforcement) compared with \$279.2 appropriated in FY 2005. Adjusting for inflation, that represents a \$4.9 million cut in real-dollar terms from FY 2005 appropriations.

Jordan Barab, a former special assistant at the Occupational Safety and Health Administration, and a health and safety expert for AFSCME and the AFL-CIO, said the federal government is doing little to protect workers. "The fact is Bush has not requested budgets

for MSHA or OSHA that even keep up with the rate of inflation and mandatory pay increases over the past several years while penalties for OSHA or MSHA violations remain laughably low," Barab wrote on his Web site, [www.ConfinedSpace](http://www.ConfinedSpace).

The 2005 violations at Sago resulted in just a few thousand dollars of penalties. Most of the fines ranged from \$60 to \$440, even though many appear to be repeat violations.

U.S. Reps. George Miller (D-CA) and Major Owens (D-NY) have called for congressional hearings into the Sago accident — and mine safety overall.

In a letter to Rep. John Boehner (R-OH), the chairman of the House Education and the Workforce Committee, the congressmen pointed to the Bush Administration's appointment of numerous officials to MSHA who have close ties to the mining industry.

"The committee should investigate whether the Bush Administration has employed people with proper regulatory experience in leadership positions at MSHA. Many senior MSHA officials have come directly from the mining industry, raising concerns about their ability to effectively oversee the industry and protect its workers," the letter said.

The United Mine Workers has compiled a list of MSHA officials' connections to the mining industry. For example, President Bush's first appointment to MSHA was Assistant Secretary of Labor for Mine Safety and Health David Lauriski, a longtime management official in the mining industry. In addition, Deputy Assistant Secretary of Labor for MSHA John Caylor held management jobs with Cyprus Minerals Co., Amax Mining Co. and Magma Copper Co. Deputy Assistant Secretary of Labor for MSHA John Correll served in management posts at Amax Mining and Peabody Coal companies. Special Assistant for MSHA Mark Ellis served as legal counsel to the American Mining Congress. And Chief of Health for Coal Melinda Pon was a management official at BHP Minerals-Utah International.

"With mining company officials at the helm of MSHA, the agency's focus has clearly shifted away from protecting miners," Miller wrote. "These officials, in the last five years, have rolled back a number of regulations aimed at improving mine worker safety."

*(Editor's Note: Press Associates Inc. contributed to this article.)*


## Chamber fights majority card-signing agreements

WASHINGTON, D.C. — The U.S. Chamber of Commerce has stepped up its fight to outlaw majority sign-up agreements in which employers agree to honor workers' freedom to form a union when a majority signs authorization cards.

According to news reports, the corporate business group is circulating a "briefing book" on Capitol Hill that claims to outline union tactics and strategies it says unfairly force employers to accept the workers' choice to form a union. The group is supporting legislation that would make majority sign-up agreements illegal.

Its lobbying efforts come as support for the Employee Free Choice Act (H.R. 1696 and S. 842) has grown to 207 co-sponsors in the House and 42 in the Senate. Among other provisions, the act would strengthen protections for workers' freedom to choose by requiring employers to recognize a union after a majority of workers signs cards authorizing union representation.

For more information on the Employee Free Choice Act, see [www.afl-cio.org](http://www.afl-cio.org).



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