

E N G R O S S E D

COMMITTEE SUBSTITUTE

FOR

H. B. 2888

(BY DELEGATES HAMILTON, BARKER, M. POLING,
MAHAN, MARSHALL, MOORE, D. POLING, CAPUTO,
LONGSTRETH, ELLEM AND SAVILLA)

(Originating in the House Committee on the Judiciary)
[February 24, 2011]

A BILL to amend and reenact §22A-1-22 of the Code of West Virginia, 1931, as amended, relating to the strengthening of protections for whistleblowers of unsafe working conditions in mine; directing the Office of Miners' Health, Safety and Training to conduct a study and report to the Legislature.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931 as amended, be amended, by adding thereto a new section, designated §22A-6-12, to read as follows:

ARTICLE 6. BOARD OF COAL MINE HEALTH AND SAFETY.

§22A-6-12. Study of whistleblower protections.

1 Study of Whistleblower protections. -- The Board of Coal
2 Mine Health and Safety is directed to conduct a study of the
3 need to expand protections for whistleblowers and other miners
4 who refuse to work in situations they perceive as unsafe in
5 underground mines. The board shall study the benefits and
6 appropriateness of requiring additional protections that will
7 encourage miners to withdrawal from and report unsafe working
8 conditions. The Office shall investigate whether any pattern of
9 retribution exists against these persons, and if so to make
10 recommendations to the Legislature regarding implementing
11 additional protections. The Board shall report to the
12 Legislature's Joint Committee on Government and Finance by
13 December 31, 2011 with recommendations regarding whether
14 it is appropriate to implement any additional protections.