

1 **H. B. 2019**

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3 (By Delegate Caputo)

4 [Introduced January 14, 2015; referred to the  
5 Committee on Industry and Labor then the Judiciary.]

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10 A BILL to amend and reenact §22A-1-25 and §22A-1-27 of the Code of West Virginia, 1931, as  
11 amended, all relating to requiring the mine foreman examiner to review the employment  
12 history and certify that the applicant for the position of underground assistant mine foreman  
13 has met the underground mine experience requirements for the position.

14 *Be it enacted by the Legislature of West Virginia:*

15 That §22A-1-25 and §22A-1-27 of the Code of West Virginia, 1931, as amended, be  
16 amended and reenacted, all to read as follows:

17 **ARTICLE 1. OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING;**  
18 **ADMINISTRATION; ENFORCEMENT.**

19 **§22A-1-25. Duties of mine foreman examiner.**

20 The duties of the mine foreman examiner are to:

21 (a) Prepare and conduct examinations of mine foremen, assistant mine foremen and fire

1 bosses;

2 (b) Prepare and certify to the director a register of all persons who successfully completed  
3 the examination with a passing grade of eighty percent; and

4 (c) Certify to the director, as provided in section twenty-seven of this article, that applicants  
5 for the position of underground assistant mine foreman have met the underground experience  
6 requirements set forth in section seven, article one of this chapter.

7 **§22A-1-27. Preparation of examinations; notice of intention to take examination;**  
8 **investigation of applicants.**

9 The mine foreman examiner shall, with the approval of the director, prepare and, from time  
10 to time, modify examinations ~~to be administered to~~ to applicants for certification as mine foremen and  
11 fire bosses.

12 All persons who desire to appear for examination shall notify the mine foreman examiner of  
13 their intentions to appear, if possible, not less than ten days prior to the date set for the examination.

14 The mine foreman examiner shall inquire into the character and qualifications of the  
15 applicants who present themselves for examination. For underground assistant mine foreman  
16 applicants, the mine foreman examiner shall review and certify the work history of the applicant to  
17 determine that the applicant has the requisite experience, including underground mine face  
18 experience, required by section seven, article two of this chapter. The underground assistant mine  
19 foreman's application must include with it a signed statement from an underground foreman at the  
20 mine where the applicant is employed verifying the applicant's underground mine experience.

NOTE: The purpose of this bill is require the mine foreman examiner to review and certify that the employment history of an applicant for the position of underground assistant mine foreman meets the underground experience requirements of section seven, article two, chapter twenty-two-a of this code.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.