

1 **ENGROSSED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 **H. B. 2888**

5 (By Hamilton, Barker, M. Poling,
6 Mahan, Marshall, Moore, D. Poling, Caputo,
7 Longstreth, Ellem and Savilla)

8 (Originating in the House Committee on the Judiciary)

9 [February 24, 2011]

10
11 A BILL to amend and reenact §22A-1-22 of the Code of West Virginia,
12 1931, as amended, relating to the strengthening of protections
13 for whistleblowers of unsafe working conditions in mine;
14 directing the Office of Miners' Health, Safety and Training to
15 conduct a study and report to the Legislature.

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

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

20 **ARTICLE 6. BOARD OF COAL MINE HEALTH AND SAFETY.**

21 **§22A-6-12. Study of whistleblower protections.**

22 *Study of Whistleblower protections.* -- The Board of Coal Mine
23 Health and Safety is directed to conduct a study of the need to
24 expand protections for whistleblowers and other miners who refuse
25 to work in situations they perceive as unsafe in underground mines.

1 The board shall study the benefits and appropriateness of requiring
2 additional protections that will encourage miners to withdrawal
3 from and report unsafe working conditions. The Office shall
4 investigate whether any pattern of retribution exists against these
5 persons, and if so to make recommendations to the Legislature
6 regarding implementing additional protections. The Board shall
7 report to the Legislature's Joint Committee on Government and
8 Finance by December 31, 2011 with recommendations regarding whether
9 it is appropriate to implement any additional protections.