

MEMORANDUM OF UNDERSTANDING
U.S. DEPARTMENT OF LABOR (MSHA)
AND
THE AFGE/AFL-CIO
NATIONAL COUNCIL OF FIELD LABOR LOCALS (NCFLL)

INTRODUCTION

This Memorandum of Understanding (MOU) is entered into between the U.S. Department of Labor (MSHA) and the NCFLL in accordance with the applicable provisions of the master DOL-NCFLL agreement.

SUBJECT

This MOU concerns the Mine Safety and Health Administration's voluntary continued use of Proposed General Coal Mine Inspection Procedures "Inspection Tracking System".

BACKGROUND

As a result of the Mine Safety and Health Administration sharing its proposal to conduct a pilot for testing the proposed General Coal Mine Inspection Procedures, the parties entered into an MOU agreeing to the pilot test. The MOU was entered into by the parties in September 2004. The pilot test has been completed and an evaluation of the tracking and documenting of inspections has shown favorable results for its continued use. The NCFLL agrees to the continued use of the Inspection Tracking System and enters into this MOU with the Department of Labor, Mine Safety and Health Administration in accordance with the terms below.

TERMS OF AGREEMENT

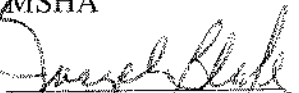
1. The pilot tested procedures for the Inspection Tracking System will be used in districts 2, 4, 5, and 6, only in those offices that are currently using the pilot tested procedures.
2. District Managers will have the responsibility of inspection oversight and determining the inspections to be conducted using the pilot tested procedures.

3. Inspectors participating in the voluntary use of the pilot tested procedures will be asked to conduct regular inspections in accordance with the Regular Inspection Procedures and Inspection Notes section of the August 2004 draft General Coal Mine Inspection Procedures Handbook (circulated as an attachment to the September 2004 MOU), which provides for use of the computer-based Coal Mine Inspection Tracking System. This material will be relied on in lieu of Chapter 2, Section III, Chapter 3, Section II, E and Chapter 8, Section II of the current Coal General Inspection Procedures Handbook.
4. John (Buzz) Kopsic will serve as the Coordinator for the NCFLL and as a contact person for inspectors to provide comments and ask questions regarding the use of the application of the Inspection Tracking System.
5. Use of the 2004 pilot procedures for the Inspection Tracking System will be terminated upon approval and implementation of the revised Coal General Inspection Procedures Handbook.
6. With final approval of the revised Coal Mine General Inspection Procedures Handbook, further implementation of the Inspection Tracking System may be executed on an office by office basis, upon completion of training for enforcement personnel on use and content of the subject material.

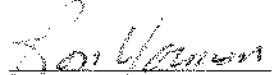
FOR THE DEPARTMENT:

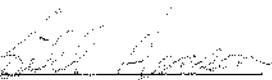

 LeFawn Gaines
 MSHA
 Date 10/17/05


 John F. Langton
 MSHA
 Date 10/6/05


 Joseph Blake
 OELMR
 Date 10/18/05

FOR THE NCFLL:


 Ron Yarman
 President
 Date 10/17/05


 Bill Henson
 Vice President
 Date 10/07/2005