



## **You're Fired! . . . For the RIGHT Reasons**

Insights

4.29.13

Recently, the Mine Safety and Health Administration (MSHA) announced what many mine operators and independent contractors have experienced for the past several years - a heightened focus on, and tremendous increase in, the number of discrimination complaints filed by MSHA. In fact, MSHA has tripled the number of temporary reinstatement requests and nearly doubled the number of discrimination complaints it filed over a three year period.

If your Company is subject to MSHA, you're probably already familiar with Section 105(c) of the Mine Act. However, what happens when your employee makes a complaint about safety, but then starts showing up to work late every day, or begins to have serious performance issues? What do you do if your employee refuses to work on a particular piece of equipment because he thinks it's not safe, even after your mechanics check out the equipment and determine it's safe to operate?

There are many tricky situations that can lead to significant headaches (and potential legal liability) if not handled properly. To avoid mistakes and learn more about how you can take some proactive steps to protect your company, take a few minutes to read my article [Preventing Discrimination Complaints Under the Mine Act: Six Steps to Protect Your Company](#). If you have a bit more time and you'd like a more detailed review of this material with relevant examples, feel free to watch the recording of my [webinar](#).