

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 **H. B. 2888**

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

8 [Passed March 12, 2011; in effect ninety days from passage.]

9
10 AN ACT to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §22A-6-12; relating
12 to directing the Board of Coal Mine Health and Safety to
13 conduct study of strengthening of protections for
14 whistleblowers of unsafe working conditions in mines.

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

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

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

20 **§22A-6-12. Study of whistleblower protections.**

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

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