

NOTICE TO INDEPENDENT CONTRACTORS

TO: Independent Contractors Registered with the
WV Office of Miners' Health, Safety &
Training.

FROM: Doug Conaway, Director
WV Office of Miners' Health Safety &
Training

DATE: August 19, 2002

RE: Proposed Regulation / Title 56 Series 10
**Rules Governing Reporting Requirements for
Independent Contractors**

Below please find language that has been proposed as a new regulation, Title 56, Series 10 filed August 15, 2002, effective October 1, 2002. The comment period and public hearing dates are listed below. A form approved by the Director to report the information required by this regulation is attached. The form may be duplicated for reporting purposes.

30-day Comment Period: August 30, 2002 - October 1, 2002
(All written comments should be mailed to the address below)

Public Hearing: October 1, 2002
10:00 a.m.
Board of Coal Mine Health and Safety
1591 Washington Street East
Charleston, WV 25311

TITLE 56 SERIES 10 LANGUAGE PROPOSED AS REGULATION:

3.1 On or before the end of each calendar month, each independent contractor registered with the West Virginia Office of Miner's Health, Safety and Training as required by West Virginia Code 22A-2-63(e), shall file with the Director a report covering the preceding calendar month on forms approved by the Director. Such report shall contain the following information for each mine(s) where independent contractors performed work or provided services:

- (1) The total number of employees performing services at a mining operation.
- (2) The total days and employee hours worked at a mining operation.
- (3) The total reported accidents and occupational injuries that occurred to employees while performing services at a mining operation pursuant to Series 19.
- (4) The mines(s) identification number where employee hours were worked and/or where the accident or occupation injury occurred.

JDC:ks
Attachment (REPORTING FORM)

TITLE 56
LEGISLATIVE RULE
OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING

SERIES 10
RULE GOVERNING REPORTING REQUIREMENTS
FOR INDEPENDENT CONTRACTORS

56-10-1. General.

1.1. Scope. -- This rule governs reporting requirements for independent contractors registered with the WV Office of Miners' Health, Safety and Training.

1.2. Authority. -- W. Va. Code 22A-1-6

1.3. Filing Date. -- August 15, 2002

1.4. Effective Date. -- October 1, 2002

1.5. Applicability. -- This rule applies to each independent contractor registered with the WV Office of Miners' Health, Safety and Training as required by West Virginia Code 22A-6-63(e).

56-10-2. Effect of Law and Rule.

2.1. This rule has the effect of law and violations are a violation of law and so cited with the same effect as law.

56-10-3. Reporting Requirements.

3.1. On or before the end of each calendar month, each independent contractor registered with the West Virginia Office of Miner's Health, Safety and Training as required by West Virginia Code 22A-2-63(e), shall file with the Director a report covering the preceding calendar month on forms approved by the Director. Such report shall contain the following information for each mine(s) where independent contractors performed work or provided services:

- (1) The total number of employees performing services at a mining operation.
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- (3) The total reported accidents and occupational injuries that occurred to employees while performing services at a mining operation pursuant to Series 19.
- (4) The mines(s) identification number where employee hours were worked and/or where the accident or occupation injury occurred.