

BEFORE THE BOARD OF APPEALS

OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING,

Petitioner,

v.

Docket No. 09-DEC-3

NEIL HASEN,

Respondent.¹

FINAL ORDER SUSPENDING ALL MINER CERTIFICATES

On the 9th day of February, 2010, came the Office of Miners' Health, Safety and Training (Petitioner), by counsel, Elaine L. Skorich, Assistant Attorney General, for a hearing on the Charges for Permanent Withdrawal of Certifications filed previously in this matter. All members of the Board were present. Service of the Charges for Permanent Withdrawal of Certifications was perfected, and Respondent appeared at the Status Conference before this Board on December 8, 2009. Neither counsel for Petitioner nor Tina Miller, secretary to the Board, had been contacted by Respondent concerning a request for continuance of the February 9, 2010, hearing.

WHEREFORE, due to the failure of the charged party to appear at the hearing it is **ORDERED** that all mining certifications issued to Respondent (namely: Surface Apprentice Miner Certificate #3-26579; Underground Apprentice Miner Certificate #3-22212; Underground Coal Miner Certificate #3-15270; and Belt Examiner Certificate #3-636) are hereby suspended pending further order of the Board. Respondent shall not work using any of the above-listed

¹Upon its own motion, the Board of Appeals hereby changes the styling of the instant case to that shown above.

certifications nor shall he apply for any new certifications to the Office of Miners' Health, Safety and Training pending further order of the Board.

It is **FURTHER ORDERED** that this matter is stricken from the docket.

ENTERED THIS 1st DAY OF March, 2010.



CLINTON W. SMITH, CHAIRMAN
Board of Appeals