§ 48.29 Records of training.

(a) Upon a miner’s completion of each MSHA approved training program, the operator shall record and certify on MSHA form 5000–23 that the miner has received the specified training. A copy of the training certificate shall be given to the miner at the completion of the training. The training certificates for each miner shall be available at the mine site for inspection by MSHA and for examination by the miners, the miners’ representative and State inspection agencies. When a miner leaves the operator’s employ, the miner shall be entitled to a copy of his training certificates.

(b) False certification that training was given shall be punishable under section 110 (a) and (f) of the Act.

(c) Copies of training certificates for currently employed miners shall be kept at the mine site for 2 years, or for 60 days after termination of employment.

§ 48.30 Compensation for training.

(a) Training shall be conducted during normal working hours; miners attending such training shall receive the rate of pay as provided in §48.22(d) (Definition of normal working hours) of this subpart B.

(b) If such training shall be given at a location other than the normal place of work, miners shall be compensated for the additional costs, such as mileage, meals, and lodging, they may incur in attending such training sessions.

§ 48.31 Hazard training.

(a) Operators shall provide to those miners, as defined in §48.22(a) (Definition of miner) of this subpart B, a training program before such miners commence their work duties. This training program shall include the following instruction, which is applicable to the duties of such miners:

1. Hazard recognition and avoidance;
2. Emergency and evacuation procedures;
3. Health and safety standards, safety rules and safe working procedures;
4. Self-rescue and respiratory devices; and,
5. Such other instruction as may be required by the District Manager based on circumstances and conditions at the mine.

(b) Miners shall receive the instruction required by this section at least once every 12 months.

(c) The training program required by this section shall be submitted with the training plan required by §48.23(a) (Training plans: Submission and approval) of this subpart B and shall include a statement on the methods of instruction to be used.

(d) In accordance with §48.29 (Records of training) of this subpart B, the operator shall maintain and make available for inspection, certificates that miners have received the instruction required by this section.

§ 48.32 Appeals procedures.

The operator, miner, and miners’ representative shall have the right of appeal from a decision of the District Manager.