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My name is Jeffrey Harris. I am a coal miner from Beckley, West Virginia. I have over 30 years of experience as an underground coal miner. For the last four years I have worked at the Harris #1 Mine, which is owned and operated by the Patriot Coal Company. I am a roof bolter, which means my job is to pin the underground roof of the mine to keep it safe. I also have experience doing most of the underground jobs including running equipment, working on the belts, and construction.

Before my current job, I worked for Massey. I worked at the Keppler Mine in Pineville, West Virginia and my job was roof bolter there, too. I worked for Massey for about 6 months in the first half of 2006. Even though I was hired to work at the Keppler Mine, I spent a little time at the Upper Big Branch, and some other Massey operations. When MSHA shut down the Keppler mine because of violations, the Company would send us to other mines to work.

In the end, I quit my job with Massey because I couldn't take the poor conditions in the mine. I was scared and didn't feel comfortable working there. I am here to tell you about some of the things I know from my time working at Massey mines; things that aren't right and which shouldn't be allowed to continue. I am here because I am concerned that other miners are working in conditions I know aren't safe.

Sometimes, if we had heard that there was too much gas, we'd be told the problem was taken care of and not to worry. We might not believe them that the problem was fixed, but we had a job to do and we worked. Then when an inspector came by, he would find excess gas and shut us down. This showed us that the Company couldn't be trusted.

You might wonder why we would work if we thought it was dangerous. The answer is simple: either you worked or you quit. If you complained, you'd be singled out and get fired. Employees were scared, but like me they have to feed their family. Jobs are scarce, and good paying coal mining jobs are hard to come by.

One of the problems at Upper Big Branch Mine was with the air. When we were outside they might talk about safety but as soon as you went underground it was a different story. When we got to a section to mine coal, they'd tear down the ventilation curtain. The air was so thick you could hardly see in front of you. When an MSHA inspector came to the section, we'd hang the curtain, but as soon as the inspector left, the curtain came down again. Some people would tell the inspectors about these kinds of ventilation changes that were made for the inspectors benefit, but the inspectors told us "we need to catch it," and that didn't happen very often.

At the Massey mines, we'd also shut down equipment when the inspectors were at the mine so they couldn't take readings while we were mining. We'd have to say the machine was "down." But as soon as the inspector left, we'd kick it right back into service. This was a common

practice. I could tell the inspectors would get frustrated, but they had a lot of ground to cover and couldn't hang around waiting.

In checking for gas, we would take a number of gas monitors to check for gas levels, but we would only report the lowest. If other readings were too high, they wouldn't get reported at all.

The Massey mines were always understaffed, which also meant there weren't people available to take all the safety readings, or take care of the ventilation like it should be done. Our regular schedule was a 12-hour day with 4 hours mandatory overtime. We had to wait for our replacement to take over before we could leave our equipment to go home. If the replacement didn't come, we'd have to stay and keep on working even beyond the 16 hours.

Reports about Massey's lost time accidents are also misleading. I was lucky and never got hurt while I worked for Massey, but I know plenty of other guys who did get injured. If you got hurt, you were told not to fill out the lost time accident paperwork. The Company would just pay guys to sit in the bathhouse or to stay home if they got hurt – anything but fill out the paperwork.

I could say even more but this gives you an idea of some of the problems. If an operator wants to, it's pretty easy to cut corners on safety. That's exactly what I saw at the Massey mines where I worked. People shouldn't have to work like that. Nobody should have to fear for their life just to earn a paycheck.

Thank you for giving me this chance to talk about mine safety. I would be happy to answer your questions.