



# **New York State Department of Labor**

## **Mine Safety Training Program**

### **Contract Agreement**

### **for Class Sponsors 2010**

The Mine Safety Training Program has been funded by the Mine Safety and Health Administration to provide mine safety training in fiscal year 2010. Mine employers requesting our services under Title 30, Part 46 of the Code of Federal Regulations must fulfill their responsibilities as listed below to facilitate the best possible environment for learning. All parties agreed to the items listed below. In turn the NYS DOL will provide the requested services and Part 46 instruction.

#### **Part I- Employer Responsibilities**

- (a) The employer will provide an appropriate classroom environment that is clean, free of excessive noise and supports the process of learning. Chairs, tables and writing materials will be supplied for each student. Access to each class site will be provided **at least 30 minutes** before each session.
- (b) All students will be informed of the purpose of each training session they attend and will be held to a high standard of conduct. It is imperative that we certify that each student has made every attempt to complete the assigned exercises and has had the opportunity to learn. Falling asleep, reading magazines, newspapers or books during class session will be deemed to be inappropriate. Making inappropriate comments or using foul language will not be tolerated. Those employees who repeatedly disrupt any class will be asked to leave. Failure to leave will result in the immediate termination of the class session.
- (c) The employer will certify that all who attend meet the definition of an experienced miner as provided by 30 CFR Part 46 and that each miner can understand English. The employer will provide the appropriate translation services in cases where the miner cannot understand or hear the English language. A copy of an approved 30 CFR Part 46 Training plan will be provided to the NYSDOL with each request. The employer will also assure that management representatives will be in attendance at each session that is conducted. Management will address any specific questions regarding the implementation of company safety and health policies.
- (d) The employer will provide an alphabetized list of names of all employees who attend each class. This list will contain the mine identification number or contractor designation number for all employees. The list should be provided electronically as an Excel spreadsheet. A generic sample can be obtained by contacting the Program Manager. All columns must be filled in and the spreadsheet name should include the specific company name. This information must be received **within 30 days** of the scheduled class date so that certificates of training can be prepared. The Department cannot provide certificates for any company who does not provide this information as requested. Please refer to our "Request for Services" application for more information regarding classroom requirements.

#### **Part II - NYS DOL Mine Safety Training Program Responsibilities**

- (a) The NYS DOL will provide a program of instruction that meets or exceeds the intent of 30 CFR Part 46 Training as required by the rules and regulation of the U.S. Department of Labor, Mine Safety and Health Administration.
- (b) The NYS DOL will provide certificates of training to each employee who completes each session and whose employer has provided the required information to the Department in a timely manner as defined in our cover letter to you.
- (c) The NYS DOL will provide Instructors, who will make every effort to facilitate the environment for learning and will professionally conduct each class, answering any reasonable questions and assisting any employee who makes a reasonable request for information relative to the class subject.
- (d) The NYS DOL will provide class verification by electronic fax, e-mail or other means to insure timely response after receiving the original request for training.
- (e) Certificates will be processed and sent to each employer by e-mail.