

# VIRGINIA ACTS OF ASSEMBLY -- 1997 SESSION

## CHAPTER 274

*An Act to amend and reenact § 45.1-161.38 of the Code of Virginia, relating to first-class mine foreman certification.*

[S 850]

Approved March 12, 1997

**Be it enacted by the General Assembly of Virginia:**

**1. That § 45.1-161.38 of the Code of Virginia is amended and reenacted as follows:**

§ 45.1-161.38. First-class mine foreman certification.

A. The operator of any coal mine where three or more persons work during any part of a twenty-four-hour period shall employ a mine foreman. The operator shall employ as a mine foreman only persons holding a first-class mine foreman certificate. The holder of such a certificate shall present the certificate, or a photostatic copy thereof, to the operator where he is employed, who shall file the certificate or its copy in the office at the mine, and the operator shall make it available for inspection by interested persons.

B. The holder of a first-class mine foreman certificate shall be authorized to act as foreman for all underground coal mines.

C. Applicants for a first-class mine foreman certificate shall be not less than twenty-three years of age and have had at least five years of experience in a coal mine (at least three years shall have been in an underground coal mine). A graduate of an approved four-year college course in mining engineering shall be given credit for three of the five years of practical experience required. *An applicant who possesses a degree in mining technology shall be given credit for two of the five years of practical experience required.* If the applicant meets the above requirements, makes eighty-five percent or more on each of the subjects of the written examination, and passes required map and gas examinations, he shall be entitled to a first-class mine foreman certificate. The written examination shall address, among other relevant topics, the theory and practice of coal mining; nature and properties of noxious, poisonous, and explosive gases, and methods for their detection and control; requirements of the coal mining laws of this Commonwealth; and responsibilities and duties of a mine foreman under state law.

D. Each candidate for certification as a first-class mine foreman shall complete the course or courses of instruction in first aid as provided in subsection A of § 45.1-161.101 and pass an examination relating thereto, approved by the Board of Coal Mining Examiners.