

Peabody closes Illinois mine after miner's death, laying off 400

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St. Louis-based Peabody Energy has announced it will permanently close its Willow Lake Mine in southern Illinois after a miner was crushed to death last month. Some 400 workers at the mine, operated by Peabody subsidiary Big Ridge Inc., have already received layoff notices.

In a company statement, Peabody claimed that “The mine has failed to meet acceptable standards for safety, compliance and operating performance, and these ongoing issues make the operations unsustainable.”

On November 17, 30-year-old Chad Wayne Meyers of Goreville was crushed to death between a coal rib and a continuous mining machine. The mine had since been idled on a federal Mine Safety and Health Administration (MSHA) closure order while the accident was being investigated.

Meyers is the second miner to be killed at the mine in little more than two years. In July 2010, 61-year-old section foreman Thomas N. Brown was killed after he was struck and run over by a 20-ton loaded shuttle car just weeks before his retirement. (See “Coal miner killed in Illinois mine”)

Willow Lake has long been plagued with safety problems, with the mine being cited by MSHA in December 2008 and January 2009 for “reckless disregard of or indifference to its safety and health responsibilities, intentional misconduct or a serious lack of reasonable care.” Peabody was issued \$230,000 in fines related to inadequate roof fall protection and excessive combustible materials.

The mine was then identified by MSHA in the aftermath of the April 2010 Upper Big Branch disaster as one of 57 mines with dangerous operating conditions.

In November 2011, Willow Lake was put on notice as a potential pattern of violation (PPOV) mine after 12

months of inspections resulted in 214 significant and substantial (S&S) citations. S&S violations are those in which “there exists a reasonable likelihood the hazard contributed to will result in an injury or illness of a reasonably serious nature.”

Of the 214 violations, 88 were classified as “high” or “reckless disregard,” the latter of which indicates that “The operator displayed conduct which exhibits the absence of the slightest degree of care.” The mine currently has millions of dollars in outstanding fines and has had more than 800 citations issued to it this year.

Such operating conditions can only be described as criminal, and MSHA’s role in allowing such operations to continue exposes its complicity in the crime.

The underground Willow Lake Mine opened in 2002 and operated year-round, seven days a week, employing about 460 workers. A few dozen workers at the mine’s preparation plant which services two other area mines are expected to continue working.

Both the company and the United Mine Workers of America (UMWA) are denying recent labor troubles have had any bearing on the decision to close the mine. “We don’t attribute this to any breakdown in labor/management relations,” claimed union spokesman Phil Smith.

The union won representation of the workforce in a bitterly contested election in May 2011, becoming one of only two Peabody operations that are organized. In December of that year, the National Labor Relations Board (NLRB) found that “by threatening employees with mine closure, job loss, and other unspecified reprisals if or because the employees supported the UWMA... the Employer has engaged in unfair labor practices.” The administrative law judge in the case also ordered the company to reinstate 28-year veteran

miner Wade Waller, who was illegally fired during the organizing campaign.

When the company continued to refuse to recognize the union, the UMWA was granted a court injunction in late April 2012 ordering the company to cease engaging in anti-union threats and reprisals and reinstate the still victimized Waller.

The union has offered no serious resistance to the mine closure or the layoffs, merely holding an informational meeting for the laid-off miners on its continuing negotiations with the company and vowing to push for benefits in excess of the mandated 60-days' worth.

Like MSHA, the UMWA lends its services to insure such dangerous operations are not closed down. According to the *Daily American*, "The union knew of safety problems and were making suggestions to Peabody to improve safety. Union inspectors were prepared to address safety issues in the mine and make sure they were fixed before Mine Safety and Health Administration inspectors found them and issued fines. The union was recommending management adjustments."

Moreover, the union bureaucracy has come to the company's defense with UMWA Vice President and Region 3 Director Steve Earle attributing the closure to a drain of money due to MSHA fines, operating costs and low productivity as the reality. "They lost \$1.2 million in September alone," Earle explained.

"I thought we were really making progress," claimed Earle. "I was cautiously optimistic we were going to work out an agreement they could still prosper and make money under."

Negotiations are continuing for the 24 to 36 employees at the preparation plant. "We are still negotiating a contract for the preparation plant which processes coal from the surface mine across the road," said Smith. "We have no reason to assume we can't reach an agreement."

Peabody—the world's largest private-sector coal company—reported a second-quarter profit of \$42.9 million. Last year, Willow Lake sold about 2.2 million tons of coal. The company reported that the mine's closing will result in a one-time expense of \$40 million to \$60 million.

The closure of the mine will have a devastating effect on the area, which has an unemployment rate of 8.6

percent and is still recovering from an E4 tornado that leveled parts of nearby Harrisburg, Illinois in February, killing eight people.

Harrisburg Mayor Eric Gregg recalled how "Willow Lake crews with coal dust on their faces [came] running into apartments hit by the tornado and put themselves in harm's way trying to find those who were hurt." "These people are nothing short of heroes to me," he added.

"This mine closure is going to impact more than our county. It is going to affect three states," said Saline County Board Chairman Jay Williams. Many of the workers travel to the mine from nearby Kentucky and Indiana.

The action comes on the heels of Peabody's decision to close its Air Quality mine in southwest Indiana in September, affecting some 230 workers, as well as the layoff of 54 miners at American Coal mine near Galatia, Illinois (less than 20 miles from Willow Lake) by Murray Energy last month. (See "Murray Energy lays off 160 miners in response to Obama's reelection")



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