

## § 50.40

## 30 CFR Ch. I (7-1-11 Edition)

shops and yards associated with other sub-units.);

(iv) Office: Include in this category employees who work principally at the mine or preparation facility office.

(2) *Average number of persons working during quarter*: Show the average number of employees on the payroll during all active periods in the quarter. Include all classes of employees (supervisory, professional, technical proprietors, owners, operators, partners, and service personnel) on your payroll, full or part-time. Report Each Employee Under One Activity Only. For example: If one or more persons work both in the mine and the mill, report these employees under the activity where they spend most of their time. If necessary, estimate for the major activity. The average number may be computed by adding together the number of employees working during each pay period and then dividing by the number of pay periods. Do not include pay periods where no one worked. For example, during the quarter you had 5 pay periods where employees worked. The number of employees in each pay period was 10, 12, 13, 14 and 15 respectively. To compute the average, add the number of employees working each pay period (10+12+13+14+15=64). Then divide by the number of pay periods (64 divided by 5=12.8). Rounding this to the nearest whole number, we get 13 as the average number of persons working.

(3) *Total employee-hours worked during the quarter*: Show the total hours worked by all employees during the quarter covered. Include all time where the employee was actually on duty, but exclude vacation, holiday, sick leave, and all other off-duty time, even though paid for. Make certain that each overtime hour is reported as one hour, and not as the overtime pay multiple for an hour of work. The hours reported should be obtained from payroll or other time records. If actual hours are not available, they may be estimated on the basis of scheduled hours. Make certain not to include hours paid but not worked.

(4) *Production of clean coal (short tons)*: This section is to be compiled only by operators of underground or surface mines, but not by operators of

central or independent coal preparation plants or operators of metal or nonmetal mines. Enter the total production of clean coal from the mine. This must include coal shipped from the mine and coal used for fuel at the mine, but exclude refuse and coal produced at another mine and purchased for use at the mine.

(h) *Other Reportable Data*. Indicate the number of reportable injuries or illnesses occurring at your operation during the quarter covered by this report. Show the name, title, and telephone number of the person to be contacted regarding this report, and show the date that this report was completed.

[42 FR 65535, Dec. 30, 1977, as amended at 69 FR 26500, May 13, 2004]

### Subpart E—Maintenance of Records; Verification of Information

#### § 50.40 Maintenance of records.

(a) Each operator of a mine shall maintain a copy of each investigation report required to be prepared under § 50.11 at the mine office closest to the mine for five years after the concurrence.

(b) Each operator shall maintain a copy of each report submitted under § 50.20 or § 50.30 at the mine office closest to the mine for five years after submission. Upon request by the Mine Safety and Health Administration, an operator shall make a copy of any report submitted under § 50.20 or § 50.30 available to MSHA for inspection or copying.

[42 FR 65535, Dec. 30, 1977, as amended at 43 FR 12318, Mar. 24, 1978]

#### § 50.41 Verification of reports.

Upon request by MSHA, an operator shall allow MSHA to inspect and copy information related to an accident, injury or illnesses which MSHA considers relevant and necessary to verify a report of investigation required by § 50.11 of this part or relevant and necessary to a determination of compliance with the reporting requirements of this part.