

**AGREEMENT ESTABLISHING AN ALLIANCE
BETWEEN
THE MINE SAFETY AND HEALTH ADMINISTRATION
U.S. DEPARTMENT OF LABOR
AND
THE ASSOCIATION OF EQUIPMENT MANUFACTURERS**

The Mine Safety and Health Administration (MSHA) and the Association of Equipment Manufacturers (AEM) recognize the value of working collaboratively to foster safer and more healthful American workplaces at the Nation's mining operations. MSHA and AEM hereby form an Alliance to provide miners who operate and maintain equipment with information, guidance, and access to resources that will help protect miner health and safety.

Particular focus will be given to proper use of equipment operator restraining devices such as seat belts. Additional subjects such as slips/falls from equipment, equipment roll-overs and tip-overs, operator fatigue, equipment fires, cab penetrations, entanglements, collisions, and equipment misuse may also be addressed. MSHA and AEM recognize that time and budgetary constraints may prevent some or all of these hazards from being addressed simultaneously and agree to prioritize projects, maximize Alliance efforts and optimize the use of available resources.

With respect to the hazard emphasis topics listed above, MSHA and AEM will work cooperatively through the Alliance to:

- Develop and disseminate training materials (e.g., DVD's, posters, stickers, fliers, etc.), and educational programs to maintain and operate equipment in a safe and healthful manner.
- Develop and disseminate best practices to operate and maintain equipment in a safe and healthful manner.
- Distribute information to the mining community on the recognition and prevention of equipment hazards through current technology print and electronic media (including MSHA and AEM web sites) and develop new ways to effectively convey hazard warnings and messages (including the use of consistent, recognized safety sign pictorials).

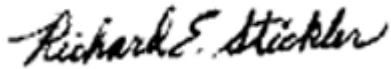
- Develop a centralized compendium of mining equipment safety materials, bulletins, advisories, DVD's, manuals, etc. for use by the mining community.
- Encourage equipment operators and maintenance personnel to become members of MSHA's Professional Miners Program. This program provides opportunities for miners to continue developing their health and safety skills. Members of the Program will receive recognition for this continued development. Selected training courses and modules will be recommended for those miners who want to keep current with safety and health best practices.
- Speak, exhibit, or appear at MSHA or AEM conferences, other industry conferences, or local meetings attended by equipment operators, maintenance personnel and mine operators to promote the safe use and maintenance of mining equipment.
- Convene and participate in forums, round-table discussions or stakeholder meetings on equipment hazards mitigation to help forge innovative solutions.
- Participate in programs, short courses or activities offered by MSHA at the National Mine Health and Safety Academy in Beckley, WV or other MSHA facilities and/or by AEM at member training facilities and proving grounds.
- Review final accident reports which have been published and accident data that involve equipment within AEM's scope and develop solutions to identified equipment safety and health concerns.

An Implementation Team made up of representatives from both organizations will meet to develop a plan of action, determine working procedures, and identify the roles and responsibilities of the participants. They will meet at least twice a year to track and share information on activities and results in achieving the goals of the Alliance. MSHA will be represented by designated personnel from Technical Support, Coal Mine Safety and Health, Metal and Nonmetal Mine Safety and Health, Educational Policy and Development and other appropriate program areas as needed. AEM will be represented by designated staff and select industry members from the Earthmoving & Mining Council, Technical & Safety Council and other related councils and committees.

AEM is authorized, with the concurrence of MSHA, to use the MSHA Alliance logo on documents, web pages, or other products related to or created under the Alliance for as long as the Alliance remains in effect and according to MSHA's "Guidance on the Use of the Alliance Logo." The logo must not be used for fundraising or lobbying efforts or to imply that MSHA endorses a particular entity or its actions or products. MSHA and AEM must give approval prior to using the Alliance logo for any reason.

MSHA and AEM will provide all services, products, and resources relating to or created under this Alliance without reimbursement from the other party.

This agreement will remain in effect for two years. Either signatory may terminate it for any reason at any time, provided 30 days written notice is given. This agreement may be modified at any time with the concurrence of both signatories.



Richard E. Stickler
Assistant Secretary
for Mine Safety and Health

01/23/2007
Date

Dennis J. Slater
President
Association of Equipment
Manufacturers

01/23/2007
Date