

JANUARY 17, 2025 | EVENTS

Announcing Conn Maciel Carey's 2025 MSHA Webinar Series

BY NICHOLAS W. SCALA



Following the closely watched and highly anticipated 2024 presidential election, President Trump will again take office in the White House, assuming control of the Executive Branch. As his second term begins, he and his deputies will oversee the Department of Labor's Mine Safety and Health Administration (MSHA). After years of active rulemaking and enforcement from MSHA under President Biden, the industry is eager to see what this iteration of the agency will look like over the next four years. While MSHA will have new leadership, priorities, and direction, its core mission will remain unchanged: to regulate the nation's mining industry and to complete its mandatory inspections for all surface and underground operations.

Although many details remain unclear, MSHA will inevitably continue its inspection and enforcement activities. As such, now is an opportune time to reflect on the key lessons learned from MSHA in recent years and, more importantly, to evaluate what we can expect from the agency over the next four years under President Trump's leadership. Join us as we explore the latest policies, compliance strategies, and practical tools to help your organization maintain safety and compliance in the dynamic mining industry.

Conn Maciel Carey's complimentary [2025 MSHA Webinar Series](#), which includes monthly programs (sometimes more often) put on by the MSHA-specialist attorneys in the firm's [national MSHA Practice Group](#) is designed to give employers insight into developments at MSHA during this period of unpredictability and significant change. To register for an individual webinar in the series, click on the link in the program description below, or to register for the entire 2025 series, [click here to send us an email request](#) so we can get you registered. If you missed any of our past programs from the MSHA Webinar Series, [here is a link to a library of webinar recordings](#). If your organization or association would benefit from an exclusive program presented by our team on any of the subjects in this year's webinar series or any other important MSHA-related topic, please do not hesitate to [contact us](#).

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See below for a full list of the program descriptions.

Thursday, January 30, 2025, at 1 p.m. ET / 10 a.m. PT

MSHA's 2024 Review / 2025 Preview and SCOTUS

Presented by [Nicholas Scala](#) and [Hema Steele](#)

In this webinar, we will examine MSHA's priorities, rulemaking, enforcement tactics, and emphasis programs from 2024. We'll review the interactions between the agency and operators during the final year of the Biden Administration. Additionally, we will discuss expectations for the first year of the second Trump Administration and its implications for mine operators and contractors, drawing insights from MSHA's history from 2016 to 2020. Finally, we will analyze the landmark U.S. Supreme Court decisions from 2024 and their potential effects on the mining industry in the future.

Participants in this webinar will learn:

- MSHA's enforcement priorities and rulemaking efforts in 2024
- Predictions regarding MSHA's regulatory approach for the mining industry in 2025, including leadership changes
- The potential implications of recent Supreme Court decisions on the agency and Department of Labor

[Click here to register](#) for this webinar.

Tuesday, February 18, 2025, at 1 p.m. ET / 10 a.m. PT

Successfully Navigating MSHA Complaints and Accident Investigations

Presented by [Nicholas Scala](#)

Mine operators and contractors interact regularly with MSHA inspectors, as MSHA's authorized representatives (ARs) conduct safety and health inspections multiple times a year. However, ARs can also arrive under different circumstances, such as in response to complaints or following accidents, during which their tactics and goals can be very different from regular inspection. During this webinar, we will examine how not responding appropriately to MSHA's reason for being on-site can impact operators.

Participants in this webinar will learn about:

- The critical differences and potential consequences between investigations and regular inspections

- Strategies for effectively managing the various types of MSHA investigations
- Which actions are advisable to contest and the best options available.

[Click here to register for this webinar.](#)

Thursday, March 13, 2025, at 1 p.m. ET / 10 a.m. PT

MSHA's Silica Rule

Presented by [Nicholas Scala](#), [Tony Casaletta](#), and [Hema Steele](#)

MSHA's new silica rule, finalized in 2024, represents a key legacy of the Biden Administration. Although compliance seemed distant when the rule was first issued, the deadlines for compliance are approaching: April 2025 for coal and April 2026 for metal/nonmetal operations. This webinar will thoroughly examine this regulation and outline the steps operators need to take to ensure compliance.

Participants in this webinar will learn about:

- The testing requirements associated with the new silica standard
- Developing a compliant respiratory protection program
- The current status of legal challenges to the rule and MSHA's guidance on compliance

[Click here to register for this webinar.](#)

Tuesday, April 22, 2025, at 1 p.m. ET / 10 a.m. PT

MSHA Whistleblower Update and Understanding 105c

Presented by [Nicholas Scala](#) and [Scott Hecker](#)

Whistleblower complaints represent a distinct category of MSHA investigations, primarily rooted in employment law rather than safety and health regulations. This distinction often leads to misunderstandings and mishandling by mine operators and contractors, causing significant frustration and potential repercussions. In this webinar, we will take a deep dive into Section 105(c) of the Mine Act, providing a comprehensive overview of who and what is protected by MSHA's whistleblower provision, as well as the subsequent investigation and litigation processes that arise from a complaint.

Participants in this webinar will learn:

- How to effectively respond to a notice of a whistleblower complaint
- The types of complaints that MSHA is authorized to investigate under its whistleblower statute
- Recent updates and changes in legal decisions related to whistleblower protections
- The current litigation landscape for those defending against a whistleblower complaint

[Click here to register](#) for this webinar.

Tuesday, May 20, 2025, at 1 p.m. ET / 10 a.m. PT

Converging Compliance: Navigating OSHA and MSHA in Construction and Mining Operations

Presented by [Nicholas Scala](#), [Dan Deacon](#), and [Tony Casaletta](#)

Companies in the construction industry, particularly those involved in heavy highway construction, often have a vertically integrated structure that extends beyond construction projects. These companies may operate asphalt or concrete production facilities and mines, sometimes on the same property, and share employees across mining and construction locations. This unique setup presents a significant challenge- the need to comply with both MSHA and OSHA. In this presentation, we will delve into the jurisdictional boundaries between MSHA and OSHA for such companies and their co-located facilities. We will also examine the training requirements for employees who work on both OSHA and MSHA jobs. Lastly, we will discuss best practices for managing this challenge and propose strategies for maintaining distinct inspection and enforcement structures.

Participants in this webinar will learn:

- The jurisdictional boundaries between OSHA and MSHA in the construction and mining industries
- How to manage sites with MSHA and OSHA operations in the same location
- The training requirements for employees who move between different projects
- The distinct investigation processes for OSHA and MSHA

[Click here to register](#) for this webinar.

Wednesday, July 16, 2025, at 1 p.m. ET / 10 a.m. PT

MSHA Mid-Year Review of Significant Decision

Update

Presented by [Nicholas Scala](#) and [Hema Steele](#)

In this webinar, we will explore developments occurring midway through the first year of the Trump Administration. We will provide an overview of significant updates at MSHA related to leadership, rulemaking, and enforcement. Furthermore, we will examine the current status of the Federal Mine Safety and Health Review Commission (FMSHRC) and highlight any impactful decisions from the Commission, Administrative Law Judges (ALJs), or notable cases that have been appealed from the federal courts.

Participants in this webinar will learn:

- Recent developments at MSHA, including appointments and confirmations of agency leadership
- Updates on enforcement actions and rulemaking initiatives
- A review of important FMSHRC cases and the current state of the Commission

[Click here to register](#) for this webinar.

Wednesday, September 10, 2025, at 1 p.m. ET / 10 a.m. PT

Protect Your Interest: Workplace Crisis Management (L&E / OSHA / MSHA Crossover)

Presented by [Letitia Silas](#), [Eric Conn](#), and [Nicholas Scala](#)

Whether it's a prolonged labor strike, a publicized workplace fatality, or a sudden violent attack against your employees or customers, your organization would benefit from a legal, strategic, and practical approach to identifying, preparing for, and responding to significant workplace events with widespread negative implications. This webinar will explore what businesses can do to prevent and minimize operational, fiscal, reputational, and legal harm, and ensure business continuity, by implementing strategies to proactively identify and mitigate risks as well as appropriately respond to and manage a crisis to protect their business and brand.

[Click here to register](#) for this webinar.

This program has been approved by SHRM for 1 hour of HR professional development credit.

This program has been approved for 1 (General) recertification credit hour toward aPHR™, aPHRi™, PHR®, PHRca®, SPHR®, GPHR®, PHRi™ and SPHRi™ recertification through the HR Certification Institute.

Wednesday, October 8, 2025, at 1 p.m. ET / 10 a.m. PT

Mine Operator and Contractor Best Practices

Presented by [Nicholas Scala](#) and [Dan Deacon](#)

Coordination between mine operators and independent contractors is crucial for ensuring productivity, safety, and compliance in mining operations. However, managing a multi-employer mine site presents significant challenges for operators. This webinar will review the compliance obligations and responsibilities at mine sites where multiple companies operate under the Mine Act. We will also share best practices for both mine operators and independent contractors to help avoid common pitfalls.

Participants in this webinar will learn:

- MSHA's policies regarding multi-employer mine sites and the options for enforcement
- Strategies for mine operators to mitigate potential liability concerning contractors' actions with MSHA
- Effective strategies for independent contractors to ensure success while working at various mine sites

[Click here to register](#) for this webinar.

Wednesday, November 19, 2025, at 1 p.m. ET / 10 a.m. PT

Deep Dive into Unwarrantable Failures

Presented by [Nicholas Scala](#), [Scott Hecker](#), and [Hema Steele](#)

MSHA has a variety of enforcement options available in cases of non-compliance, with Unwarrantable Failure being one of the more significant but commonly encountered options. Unwarrantable Failures are issued when MSHA determines that an operator has engaged in Aggravated Conduct, leading the agency to adopt a more aggressive stance with both enforcement and the abatement process. This webinar will delve into the concept of Warrantable Failures from both practical and legal viewpoints.

Participants in this webinar will learn:

- The definition of an Unwarrantable Failure and how it differs from routine enforcement actions
- The legal definitions and grounds for both the issuance and defense of Unwarrantable Failures
- Effective strategies for navigating the abatement process and avoiding the D-Chain

[Click here to register](#) for this webinar.
