

Qu County Labour and Social Security Bureau Document

Issued by the Qu Labour Bureau [2008] No. 106

Regarding Reply to, and Opinions on the Forwarding of Hansheng's Petition

Masses' Work Bureau, Party Committee of Qu County, Chinese Communist Party:

We acknowledge receipt of correspondence on 8 December 2008, in which your bureau forwarded Hansheng's petition. Our bureau attaches great importance to this matter. Following the instructions of Li Xiangzhi, Secretary of the Municipal Party Committee, Deng Yuhua, Secretary of the County Party Committee, and county head, Li Chuan, the Labour Bureau is coordinating the joint efforts of the law courts, the Mine Management Bureau and the Longtan hamlet government to seriously investigate and verify once again the facts of the case. With regard to Xiao Huazhong's occupational illness there is no labour relationship with the Workers and Peasants coalmine of Qu County. After Xiao Huazhong left the Workers and Peasants coalmine of Qu County in July 2001 to work in Hantianba coalmine of Kaijiang County, there is no evidence of any kind that he has ever returned to work at the Workers and Peasants coalmine. The current owner of Hantianba coalmine has long leased out the mine, and his whereabouts are unknown. In 2003, Xiao Huazhong returned to the ninth commune of Longtan hamlet, Longtan village, and was commune leader for many years, before being diagnosed with occupational illness in 2007. He is now 61 years old.

Qu County Labour and Social Security Bureau responded to Comrade Xiao Huazhong's request of compensation for his occupational illness on 14 October 2007. In accordance with our bureau's reply, Xiao Huazhong lodged an appeal at the People's Court, against Liao Xing'an, mine manager of the Workers and Peasants coal-mine. Last year, the county court attempted mediation, but with no results, and the eventual ruling rejected his claim. Xiao Huazhong appealed to the intermediate court, with the case scheduled for hearing in the People's First Courtroom on 24 December 2008. With regard to the above proceedings, our bureau has already discussed and determined the Xiao Huazhong case with the Longtan hamlet government; in the meantime it is being further tried in the intermediate court with no results yet, but as the local Party Committee government, we must assume the noble position in viewing the interests of the masses as no small matter. It is a fact that Xiao Huazhong's family is experiencing hardship as a result of his illness. We have responsibility towards helping Xiao Huazhong resolve some basic difficulties, and the village government of Longtan has made clear to Xiao Huazhong that it will offer him assistance in resolving certain of his difficulties, and to help him in applying for improved benefits. Xiao immediately expressed grateful thanks, and he intends to withdraw his complaint at the intermediate court tomorrow, pledging that he will not appeal again.

Qu County Labour and Social Security Bureau
19 December 2008

复印件与原件核对无误，由改组办处理
2008.12.24

渠县劳动和社会保障局文件

渠劳社发〔2008〕106号

关于交办韩生信访问题的答复意见

中共渠县县委群众工作局：

你局于2008年12月8日转交韩生信访问题的函收悉，为此，我局非常重视，按照市委李向志书记和县委邓瑜华书记、县长李川的批示，由劳动保障局牵头，组织了法院、煤管局、龙潭乡政府再次认真调查核实，对肖化忠患职业病一事调查与渠县工农煤矿的劳动关系不存在，肖化忠从2001年7月离开渠县工农煤矿到开江县汉田坝煤矿工作后，再未回到渠县工农煤矿工作过的一切证据，现开江县汉田坝煤矿的矿主早已未承包该矿去向不明，肖化忠2003年回到龙潭乡龙潭村九社任社长多年，2007年才诊断为职业病，现年61岁。渠县劳动和社会保障局2007年10月14日对肖化忠同志因患职业病要求赔偿已经作了答复，现肖化忠根据我局的答复意见对渠县工农煤矿矿长廖兴安

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向渠县人民法院作了起诉，去年县法院根据肖化忠的起诉作了调解没有达成协议，裁定驳回起诉，肖化忠现又申诉到中级人民法院民一庭于2008年12月24日开庭审理此案，据此，我局经与龙潭乡政府商量决定肖化忠一案向中院进一步审理还未出结果，但是，作为当地党委政府要站在群众的利益无小事的高度，肖化忠因病家庭困难属实，我们有责任帮助肖化忠解决一些基本困难，龙潭乡政府表态给肖化忠解决一定的困难补助，并帮助他完善有关低保手续，当即肖化忠表示感谢，并提出准备明天到中院去撤诉，保证再不上访。

渠县劳动和社会保障局
二〇〇九年十二月十九日