



DOL News Brief

March 15, 2012

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Our History



Remember the "Bicentennial Minutes" produced on television in 1976? It was a quick way to educate people of all ages about the history of the U.S. We're taking a similar approach as we

launch our yearlong commemoration of the department's centennial, which culminates in March 2013. Every week in this newsletter, you'll learn something you never knew you never knew about the U.S. Department of Labor!

Here's the first fact:

The organic act establishing the Labor Department was signed on March 4, 1913, by a



William H. Taft

reluctant President William Howard Taft, the defeated and departing incumbent, just hours before President-elect Woodrow Wilson took office. A federal Department of Labor was the product of a half-century campaign by organized labor and the Progressive Movement for a "Voice in the Cabinet."

Budget Talk on Capitol Hill



Testifying before the Senate Appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies on

Wednesday, Secretary Solis outlined the department's priorities for fiscal year 2013. Solis highlighted the department's commitment to efficient and effective programming to support an America that's built to last. "The department's FY 2013 budget request provides investments to help better connect workers and employers and prepare Americans with the skills they need — and that businesses are looking for — for the jobs of today and the jobs of the future," Solis said. As an example of these efforts, she was accompanied by students from the Potomac Job Corps Center and praised their hard work during

What's Hot

Streamline Job Training Services

The White House and the Department of Labor unveiled plans this week to streamline existing employment service programs in an effort to serve a million displaced workers a year and help to better connect workers and businesses with employment services in their communities. Under the new Universal Displaced Worker



proposal — announced through a tele-press conference with Secretary Solis, National Economic Council Director Gene Sperling, and White House Domestic Policy Counsel Director Cecilia Munoz — workers who currently receive services through Trade Adjustment Assistance programs and the Workforce Investment Act's Dislocated Worker programs would have one place to turn to receive high-quality job search assistance and skills training for high-growth, in-demand industries. The proposal also includes the creation of an American Job Center network to unify One-Stop Career Centers funded by the Employment and Training Administration under one banner.

- Read the News Release
Visit JobCenter.usa.gov

Toolkit to Prevent Improper UI Payments



HILDA SOLIS U.S. Secretary of Labor

The Unemployment Insurance program is a vital safety net for workers who are laid off from their jobs. That is why the U.S. Department of Labor is working to help states reduce incidences of improper payments by providing a series of new online tools. The Fraud Tips and Leads Gateway provides the public with a portal to report fraud. It will

help states act quickly to aggressively investigate tips and leads as well as prosecute bad actors. In addition, the department is publishing consumer-friendly materials highlighting the most common mistakes that claimants make and what businesses can do to avoid the negative tax implications of improper payments.

- Read the News Release
Watch the ABC News Segment
Visit the Improper Payments Website

Around DOL

her appearance.

- [View the Slideshow](#)
- [Read the Secretary's Remarks](#)

Women Veterans Job Fair

More than 200 women veterans, employers and service providers attended the "Women Veterans Resource/Job Fair" last week in Dallas.



Sponsored by the Women's Bureau, the free event connected women veterans with resources, services and employment assistance provided by the department's various agencies and other organizations. The fair included speakers,



workshops, breakout sessions and a panel of experts to address issues that are unique to women veterans. "This is an opportunity for

women veterans, service providers and employers from the Dallas/Fort Worth Metroplex to come together and receive valuable information," said Beverly Lyle, the bureau's regional administrator.

- [View the Slideshow](#)

Skills Training for the 21st Century

"If we're serious about meeting the challenges of a 21st century economy, and if the promise of America is to be realized for



everyone, it's going to happen with skills training — and with all of you," said Secretary Solis during opening remarks at the National Association of Workforce Boards Annual Forum on Monday. NAWB ensures that state and local workforce development and job training programs meet the needs of employers. The annual forum, which brings together hundreds of workforce professionals, focuses on sharing best practices in connecting job seekers to job vacancies.

- [View the Slideshow](#)
- [Read the Secretary's Remarks](#)

Williams Tours Atlanta Auto Plant

Jay Williams, director of the administration's Office of Recovery for

Worker Benefits Advisory Council Convenes

The Employee Retirement Income Security Act Advisory Council held its first meeting of 2012 on Tuesday to welcome new members, introduce the council chair and vice chair, and receive an update from Phyllis C. Borzi, assistant secretary of labor for the Employee Benefits Security Administration. Borzi spoke of efforts to protect consumers seeking retirement investment advice and prevent health care fraud for workers in multiple employer welfare arrangements. The council consists of 15 members representing the general public, employers and employee organizations, as well as the fields of insurance, corporate trust, investment management, investment counseling, accounting and actuarial counseling.



- [Read More About the Council](#)
- [View the Slideshow](#)

ODEP Alliance to Promote Accessible Workplace Technology



Assistant Secretary of Labor for the Office of Disability Employment Policy Kathy Martinez signed an alliance agreement with the Assistive Technology Industry Association earlier this month. Through this collaborative relationship, ODEP and ATIA will disseminate effective practices and provide expertise regarding assistive

technology and information and communications technology accessibility strategies that advance the employment of people with disabilities. "ATIA has been a wonderful partner to us in the past, and I am so pleased that we are formalizing plans to continue our efforts, and conduct a range of joint education and outreach activities related to accessible workplace technology," said Martinez.

News You Can Use

Are you hiring this summer?

Across the country, employers big and small are working with their communities to provide jobs, internships, mentoring opportunities or other life and work skills for young people as part of the Summer Jobs+ initiative. Later this month the Labor Department will be launching a new online tool to help connect the dots, providing young people with a one-stop shop to see summer opportunities in their area. Is your organization looking to hire young people? Do you have mentorship or training opportunities for youth? If so, we want YOU to be a part of the Summer Jobs+ Bank. Whether you are a big company with a big HR staff to match, or a small business looking to hire for the first time, there's an easy way to get involved.

- [Get involved in the Summer Jobs+ Initiative](#)
- [Read Secretary Solis' post on the White House blog](#)

DOL Extends Comment Period on In-home Caregiver Rule

The Wage and Hour Division announced a nine-day extension of the



Auto Communities and Workers, traveled to Doraville, Ga., for a meeting with key

stakeholders engaged in plans to redevelop a closed General Motors facility. The group discussed a comprehensive regional approach to redeveloping the property, including ways in which Williams' office can support efforts by bringing together local, state and federal officials to create a sustainable plan that creates good jobs in the community. The meeting was organized by DeKalb County CEO W. Burrell Ellis Jr. and was attended by more than 40 stakeholders, including Doraville Mayor Donna Pittman and Chamblee Mayor Eric Clarkson.

- [View the Slideshow](#)

Investing for the Future

Congress should reauthorize the Workforce Investment Act and invest in community college partnerships with area businesses to help



grow local economies. That was Secretary Solis' message to nearly 1,000 mayors and city council members on Monday during her keynote address to the National League of Cities' Congressional City Conference in the nation's capital. "I know your jobs are the most intimate and immediate form of government, and you're forced to make tough decisions that directly affect the lives of people that you may know by name," Solis told the local officials. "President Obama and I know the most important thing we can do to support you is promote policies that stimulate job growth." Solis also asked the assembled leaders to support the administration's Summer Jobs+ initiative to create 250,000 summer youth work opportunities to help prepare the next generation for careers in the 21st century economy.

- [View the Slideshow](#)
- [Read the Secretary's Remarks](#)

ABA Talks Safety — With OSHA

The American Bar Association this week held its Occupational Safety and Health Law Committee 2012 Midwinter Meeting in Sarasota, Fla. Dr. David Michaels, assistant secretary of labor for the Occupational Safety and Health Administration, delivered remarks to attorneys from across the country on Wednesday, highlighting research showing the effectiveness of

comment period for its proposed rule to provide minimum wage and overtime protections for nearly 2 million in-home care services workers. Interested parties are invited to submit comments on or before March 21. The proposed rule would expand minimum wage and overtime protections by ensuring that all home care workers employed by third parties, such as staffing agencies, receive these protections. It also would clarify that individuals performing skilled in-home care work are entitled to minimum wage and overtime pay.

- [Read the News Release](#)
- [Learn About the Rule](#)
- [Read/Comment on the Rule](#)

Seeking 21st Century Trailblazers and Innovators

In honor of the 75th anniversary of the National Apprenticeship Act of 1937's passage, the Department of Labor and the Secretary's Advisory Committee on Apprenticeship are looking for examples of "trailblazers" and "innovators." Specifically, they want to identify existing Registered Apprenticeship programs and other innovative practices, strategies and partnerships in which Registered Apprenticeship is the focus and aligns with the ACA's vision for 21st Century Registered Apprenticeship.

- [Learn More](#)

ECOMP: A Powerful New Tool for Federal Workers

With a few keystrokes and clicks of a mouse last week, a new era in the administration of workers' compensation for federal employees dawned. On March 6, the Federal Bureau of Investigation became the first government agency to submit claims under the Federal Employees Compensation Act via the Office of Workers'



Compensation Programs' new Employees' Compensation Operations & Management Portal electronic filing system. It is the first universally accessible and free Web-based portal for e-filing federal workers' compensation claims. "ECOMP allows OWCP to deliver benefits faster than ever before and provide better customer service to injured workers," said ECOMP architect and Division of Federal Employees' Compensation Deputy Director Antonio Rios. Using a step-by-step approach to filing claims, injured workers now have the benefit of more transparent claims filing and delivery systems, and they can stay informed about their claims' progress at each interval in the process. The system also reduces costs and paperwork.

- [Learn More](#)

DOL Working for You

DOL Programs Help Disabled Army Vet

Disabled Army veteran Norman Brown found part-time employment through programs funded by the Employment and Training Administration and supported by the Office of Disability Employment Policy. A



the OSHA's enforcement activities on workplace safety and health. OSHA Deputy Assistant Secretary Richard Fairfax, along with representatives from the department's Office of the Solicitor, were also on hand to discuss enforcement, rulemaking and whistleblower protections. In addition, staff spoke about OSHA's relationship with small businesses, which benefit from more than 30,000 free onsite OSHA consultations each year.

neck injury had forced him to stop working full-time after 30 years in the food service industry. But counselors at the

Community Action for Wyoming County one-stop center in Perry, N.Y., provided Brown with career counseling. He found a job as a cook through additional help provided by the Senior Community Service Employment Program and New York's Office for the Aging. SCSEP even paid for his uniform and shoes. Brown said that, at first, he feared the effects of unemployment but that the programs "allowed me to work and still receive benefits."

Atlanta's 'Fireside Chat'



The department's Women's Bureau and the YWCA of Greater Atlanta collaborated for a third year to present "The Story Behind the Story: A Fireside Chat"

last Thursday. More than 150 women attended the Women's History Month event designed to provide working women and girls with inspiration, encouragement and a better understanding of the challenges, triumphs and contributions that women have made. The event was also an opportunity for women and girls to network and identify potential mentors. Described as an "Oprah moment," a highlight of the evening was the spontaneous sharing by a woman in the audience who testified that the caring medical service of 28-year-old Dr. Carla Haack, a featured panelist, had saved her life.

- [View the Slideshow](#)

Reaching Out to Veterans

Last year, the U.S. Chamber of Commerce launched a nationwide initiative, "Hiring Our Heroes," to help veterans and military spouses find meaningful employment. The initiative is still going strong, and the Labor Department's agencies are supporting its mission. Last week, the Office of Federal Contract Compliance Programs' Mid-Atlantic Region's Philadelphia and Pittsburgh district offices and representatives of the Veterans' Employment and Training Service participated in two events. OFCCP District Directors Tracie Brown and Edward Rogers, Program Specialist Mary Arch and 10 compliance officers interacted with more than 500 veterans and their families and more than 100 community-based organizations and federal contractors.

Trio Finds Painting Work Through Job Corps/IUPAT Program

Lauren Harman is one of a trio of female journey workers who found jobs after graduating from the Weber Basin Job Corps Center in Utah and joining the International Union of Painters and Allied Trades Pre-Apprenticeship Program.



Harman, along with Kellie Dent and Kayleigh Selz, completed 6,000 on-the-job training hours and 432 related classroom hours over three years. They were so impressive that all three were hired full-time by a local painting company, where Harman says their painting jobs now range "from malls to apartments to a local gymnasium." Tim Wilburn, the program's technical assistance coordinator, said, "These three women are blazing the path for other women to come into the trade because they have shown they can do the job."

DOL in Action

Expanding Opportunities for Native Americans

In an effort to improve access to good jobs for all Americans, the department announced the availability of approximately \$60 million in grants for programs serving Native Americans under the Workforce Investment Act. The department anticipates awarding a total of 178 grants, including approximately \$47.5 million for adult programs and \$12.4 million for youth programs to provide academic, occupational and literacy skills development for all participants, making them more competitive in the workforce. The program is also designed to promote social development and economic self-sufficiency in accordance with tribal communities.

- [Read the News Release](#)

Providing Young Ex-Offenders a Second Chance

Young people who have been involved in the juvenile justice system should not be marginalized in the labor force. That is why the Labor Department announced the availability of approximately \$20 million in grants to help youth gain critical education and training skills to improve their long-term labor market prospects. "Mistakes made at a young age should not mean a lifetime of lost opportunities," said Secretary Solis. "Through the grants announced today, young people who have gone through the juvenile justice

They provided information on veterans' rights, employment assistance and filing complaints with OFCCP. On March 28, Deputy Secretary Seth Harris and Deputy Assistant Secretary for Veterans Employment and Training Ismael Ortiz will speak at a hiring fair, the 100th in a series, aboard the USS Intrepid in New York City. Approximately 100 employers and more than 1,000 veterans seeking work are expected to attend the daylong event.

Saluting African-American Women

More than 100 people attended "African-American Women in the Military: Past and Present" at The Black



Archives of Mid-America in Kansas City, Mo. The event, co-sponsored by the department's Women's Bureau, featured a seven-member intergenerational panel of African-American women veterans. This event was one of several at which representatives of the Women's Bureau's Kansas City, Mo., office will be speaking in celebration of Women's History month. Other programs will be hosted by the Army Corps of Engineers, the Kansas City VA Medical Center and the Greater Kansas City Federal Executive Board.

- [View the Slideshow](#)

OFCCP Addresses Benefits of Hiring People with Disabilities

On March 7, Claudia Gordon, special assistant to Office of Federal Contract Compliance Programs Director Patricia A. Shiu, addressed about 30 human resource and equal opportunity specialists from employer affiliates of the DC Metro Business Leadership Network. The event, Beyond Compliance to Employer of Choice, promoted best business practices in hiring and retaining individuals with disabilities. Gordon's presentation focused on OFCCP's proposed change to the regulations implementing Section 503 of the Rehabilitation Act of 1973, which aims to improve hiring opportunities for people with disabilities. Gordon, a civil rights attorney who is deaf, can personally attest to the barriers people with disabilities face in pursuing meaningful employment opportunities.

OSHA Partnership Protects Penn. Construction Workers

The Occupational Safety and Health Administration's Allentown, Pa., area office announced a partnership with Skanska USA Building Inc. and Indiana University of

system will have a second chance at getting on the right track." Programs funded through this grant will provide young ex-offenders with mentoring and case management services that can guide them to jobs in high demand industries and occupations.

- [Read the News Release](#)

Department Settles Bias Charges with NCS Pearson

The Office of Federal Contract Compliance Programs announced that federal government contractor NCS Pearson Inc. has agreed to settle allegations of hiring discrimination on the basis of race involving 67 applicants of Asian descent who were rejected for associate software developer positions at the company's Iowa City, Iowa, facility. Under the terms of the agreement, the contractor will pay \$100,000 in back wages and interest to all affected job seekers and offer associate software developer positions and retroactive seniority to at least four class members as positions become available. Additionally, the company will revise its selection policies and procedures to ensure equal employment opportunities for future applicants.

- [Read the News Release](#)

Union Pacific Railroad in Violation of Federal Railroad Safety Act

Union Pacific Railroad Co. and a railroad official have been ordered by the U.S. Department of Labor to pay \$20,000 in punitive damages, \$3,500 in compensatory damages for emotional distress and \$1,323 in attorney's fees to an employee at the railroad's Pocatello, Idaho, facility. The order resulted from an investigation by the department's Occupational Safety and Health Administration that determined the company violated the whistleblower protection provisions of the Federal Railroad Safety Act by retaliating against a locomotive engineer who had reported he was too sick to continue working safely and needed medical attention.

- [Read the News Release](#)

\$256,000+ in Retirement Assets Sought for Heartland Foods

The department has filed a complaint in federal court in Indianapolis seeking to restore \$256,457.08, plus lost opportunity costs, to the Heartland Foods Inc. 401(k) Profit Sharing Plan. Based on the findings of an investigation by the Employee Benefits Security Administration, the complaint alleges that co-owners Karen S. Curry and Danny Woods failed to properly manage the plan's assets by comingling employee contributions with the company's general operating accounts, in violation of the Employee Retirement Income Security Act.

- [Read the News Release](#)

Florida's Manatee School for the Arts Sued in Whistleblower Case

The Occupational Safety and Health Administration has sued Renaissance Arts and Education Inc., doing business as Manatee School for the Arts in Palmetto, Fla., to reinstate a former employee with full back wages and benefits. The lawsuit resulted from an OSHA investigation that found the privately run charter school had unlawfully and intentionally terminated the worker's employment for voicing and reporting concerns regarding hazards in the school's two theaters — activities that are protected by the whistleblower protection provisions of Section 11(c) of the Occupational Safety and Health Act.

- [Read the News Release](#)

Wage and Hour Focuses on Louisiana Child Care Providers

An enforcement initiative focused on the child care industry in northern Louisiana, where widespread noncompliance with the minimum wage, overtime and record-keeping provisions of the Fair Labor Standards Act

Pennsylvania's PA/OSHA Consultation Program to promote workplace safety and health, and provide guidance, technical assistance and training for workers involved in the construction of PPL Corp.'s new data and operations center in Upper Macungie Township. The project is expected to take approximately 14 months to complete and will employ 160 individual construction tradespeople.

- [Read the News Release](#)

Manzano-Díaz Honored

Enterprising Women magazine honored Women's Bureau Director Sara Manzano-Díaz with its Advocacy Award this week. The award is presented each year to a person or organization with proven dedication to the advancement of women's entrepreneurship in the U.S. and throughout the world. "It is a great honor to be recognized for my commitment to advancing women's issues here in the U.S. and abroad by such a prestigious publication," said Manzano-Díaz.

Accepting Nominations for Apprenticeship Committee

The department's Office of Apprenticeship is now accepting nominations for new members of the Secretary of Labor's Advisory Committee on Apprenticeship. The ACA includes a balanced group of members from the employer, labor and public sectors whose mission is to provide advice and recommendations on the development and implementation of policies, legislation and regulations affecting Registered Apprenticeship. Nominations must be submitted by March 16.

- [Learn More](#)
- [Read about Registered Apprenticeship](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

ILAB Iqbal Masih Award Ceremony

The Bureau of International Labor Affairs will present its annual Iqbal Masih Award to documentary film producer Len Morris. Mr. Morris is been chosen for the award because of his extraordinary efforts to combat child labor around the world. The ceremony takes place in the Frances Perkins building auditorium in Washington, D.C. **RSVP by March 16. RSVP at <http://s.dol.gov/OV> or Maresko.deborah.j@dol.gov.**

ILAB — Iqbal Masih Award Ceremony

- [March 20 — Washington, DC](#)

have been found, is being conducted by the Wage and Hour Division.

- [Read the News Release](#)

Oil Service Rig Company Cited After 2 Deaths, Injuries

Carlson Well Service Inc. in Powers Lake, N.D., has been cited by the Occupational Safety and Health Administration with three violations for exposing workers to unsafe conditions at an oil service rig. An inspection was opened after an explosion killed two workers and seriously injured two others.

- [Read the News Release](#)

Silicon Plains Technologies Sued to Restore Pension Funds

The Labor Department is suing Silicon Plains Technologies Inc. and former CEO Greg McCormick to restore \$36,631.88 in employee contributions and \$1,943.79 in loan repayments from employees' paychecks that were withheld but never forwarded to the company's 401(k) pension plan. The lawsuit follows an investigation by the Employee Benefits Security Administration that found employees' plan contributions had been commingled with the general assets of the company, a violation of the Employee Retirement Income Security Act.

- [Read the News Release](#)

OSHA Cites Houston Firm for Safety Hazards

Piping Technology and Products Inc. in Houston has been cited by the Occupational Safety and Health Administration for one willful and nine serious violations, with proposed penalties of \$118,000, following a health inspection that found numerous violations. The serious health violations include failing to perform a personal protective equipment assessment, and to identify and evaluate respiratory hazards.

- [Read the News Release](#)

Painters, Sandblasters in Port Arthur, Texas, Receive Back Pay

Performance Blasting and Coating of Port Arthur, Texas, has paid \$170,622 to 314 current and former painters and sandblasters following an investigation by the Wage and Hour Division that found violations of the Fair Labor Standards Act's overtime and record-keeping provisions. The investigation revealed that the employer paid workers "straight time" for all hours worked and failed to pay them for time spent traveling in a company vehicle on their way to and from work locations.

- [Read the News Release](#)

G & J Enterprises Cited After Worker Injured During Trench Collapse

Morrow, Ohio-based G & J Enterprises has been cited by the Occupational Safety and Health Administration with three safety — including one willful — violations, after a worker suffered a back injury when a trench caved in during the installation of an 8-foot-deep sewer line in Loveland. Proposed penalties total \$49,200.

- [Read the News Release](#)

New York Contractor Cited for Exposing Workers to Asbestos Hazards

Avon, N.Y.-based contractor John K. and Associates Inc. have been cited by the Occupational Safety and Health Administration with 17 serious health violations carrying proposed fines of \$71,400 for exposing workers to asbestos hazards at a Rochester work site. An inspection by OSHA found that the employer failed to identify and determine the level of asbestos exposure, establish a regulated area in which to perform the asbestos work, and provide the workers with asbestos training, respirators and protective gear.

- [Read the News Release](#)

EBSA — Health Benefits Laws Compliance Assistance Seminar

- [March 21-22 — Little Rock, AR](#)

EBSA — Voluntary Fiduciary Correction Program

- [March 28 \(AM\) — Dallas, TX](#)
- [March 28 \(PM\) — Dallas, TX](#)

EBSA — Voluntary Fiduciary Correction Program and Abandoned Plan Program Workshop

- [March 20 \(AM\) — Detroit, MI](#)
- [March 20 \(PM\) — Detroit, MI](#)

ETA — H-2B Final Rule Webinar

- [March 20 — Online](#)
- [March 27 — Online](#)

MSHA — Spring Thaw Workshop

- [March 20 — St. Cloud, MN](#)
- [March 22 — Grove City, OH](#)

OFCCP — The 16 Equal Employment Opportunity and Affirmative Action Obligations

- [March 28 — Orange, CA](#)

OFCCP — Aiding Vulnerable Populations/Communities; Filing Complaints

- [March 19 — Salem, OR](#)

OFCCP — Building Partnerships for the Community

- [March 22 — Memphis, TN](#)
- [April 4 — Charlotte, NC](#)

OFCCP — Building Veteran Partnerships

- [March 21 — Jacksonville, FL](#)

OFCCP — Collaboration Event

- [March 21 — Bloomsburg, PA](#)

OFCCP — Community Based Organizations Roundtable Collaboration

- [March 28 — Pittsburgh, PA](#)
- [March 28 — Richmond, VA](#)

OFCCP — Community Outreach and Education Event

- [March 21 — Philadelphia, PA](#)
- [March 21 — Atlanta, GA](#)
- [March 27 — Baltimore, MD](#)
- [April 5 — Philadelphia, PA](#)
- [April 10 — Baltimore, MD](#)

OFCCP — Compliance Assistance Seminar

Labor Department Files Suit for ERISA Violations

The Labor Department has filed a lawsuit against the trustees of the pension plan, annuity fund and vacation fund of Exhibition Employees Local 829 of the International Association of Theatrical Stage Employees in New York for numerous violations of the Employee Retirement Income Security Act following an investigation by the Employee Benefits Security Administration. The suit alleges that the defendants violated their fiduciary duties as trustees by engaging in a series of prohibited financial transactions between 2006 and the present.

- [Read the News Release](#)

OSHA Proposes \$178,000 in Penalties for Yogurt Manufacturer

Agro Farma Inc. has been cited by the Occupational Safety and Health Administration for 34 alleged violations of workplace safety and health standards at its New Berlin, N.Y., facility. Inspections by OSHA found instances of mechanical, electrical and fall hazards, missing or inadequate energy control procedures and training for employees, inadequate confined space training and labeling, deficiencies in the plant's process safety management program and a failure to provide audiometric testing for employees exposed to excess noise levels. The manufacturer of Chobani Greek Yogurt faces a total of \$178,000 in proposed penalties.

- [Read the News Release](#)

Hotel/Motel Industry Enforcement Initiative Launched

The Wage and Hour Division has launched a concentrated enforcement initiative focusing on the hotel and motel industry in the Dallas/Fort Worth Metroplex. Investigations by the division's Dallas District Office in 2011 found misclassification of employees as independent contractors and systemic violations of the Fair Labor Standards Act's minimum wage, overtime and record-keeping violations.

- [Read the News Release](#)

Olde Atlanta Recycling Cited for 23 Safety and Health Violations

Olde Atlanta Recycling of Cumming, Ga., has been cited by the Occupational Safety and Health Administration for 23 safety and health violations following a complaint received in November. The violations include improper use of PVC piping to transport compressed air, exposing workers to laceration hazards and electrical deficiencies. Proposed penalties total \$69,200.

- [Read the News Release](#)

Tennessee's Countryside Veterinary Services Pays Back Wages

Following an investigation by the Wage and Hour Division, Countryside Veterinary Services in Louisville, Tenn., has paid \$61,097 in back wages to 11 employees who were denied overtime pay. The employer also failed to maintain proper records of the number of hours worked by employees.

- [Read the News Release](#)

OSHA Finds Railroad Retaliated After Injury Reported

The Occupational Safety and Health Administration has determined that Metro-North Commuter Railroad Co. violated the employee protection provisions of the Federal Railroad Safety Act by taking retaliatory action against an employee who reported a workplace injury. OSHA found that the railroad, which provides commuter rail service in Connecticut, New York and New Jersey, interfered with the worker's medical treatment and forced him to work in violation of his physician's orders. OSHA has ordered Metro-North to pay \$10,000 in punitive damages to the worker and \$8,830 in attorney's fees, and to expunge any adverse references relating to the

- [March 26 — San Francisco, CA](#)
- [April 4 — Detroit, MI](#)

OFCCP — Development of Written Affirmative Action Programs

- [March 28 — Columbus, OH](#)

OFCCP — Hire A Hoosier Vet

- [March 21 — Indianapolis, IN](#)

OFCCP — Interagency Roundtable

- [April 9 — Chicago, IL](#)

OFCCP — Latino Roundtable

- [March 21 — Indianapolis, IN](#)

OFCCP — National Origin Discrimination

- [March 22 — Omaha, NE](#)

OFCCP — The OFCCP Internet Applicant Recordkeeping Rule

- [March 21 — Online](#)

OFCCP — Preparing for an OFCCP Evaluation (Service and Supply)

- [March 29 — Philadelphia, PA](#)

OFCCP — Retaliation Complaints

- [April 5 — Omaha, NE](#)

OFCCP — So You've Been Scheduled

- [March 16 — Los Angeles, CA](#)

OFCCP — Status of Pending Compliance Evaluations of Entities that Participate in TRICARE Networks

- [March 27 — Online](#)

OFCCP — Service and Supply Compliance Assistance Seminar for First Time Contractors

- [April 10 — Philadelphia, PA](#)

OFCCP — VEVRAA/Disability Regulations

- [March 29 — San Diego, CA](#)

OLMS — Compliance Seminar

- [March 20 — Texarkana, AK](#)
- [March 21 — St. Louis, MO](#)
- [March 27 — Pittsburgh, PA](#)
- [March 28 — Pittsburgh, PA](#)
- [April 4 — Charleston, WV](#)

OSHA — 7th Annual Central Alabama Construction Safety Conference and Expo

- [March 22 — Montgomery, AL](#)

employee's exercise of his FRSA rights from his personnel, safety and department files. Metro-North also must post an OSHA notice for employees on its internal website.

- [Read the News Release](#)

Florida Companies Cited by OSHA for 17 Safety Violations

Merlin Industries Inc. and Thermal Concepts Inc. of Davie, Fla., have been cited by the Occupational Safety and Health Administration for 17 safety violations following a September inspection. These involve failing to certify periodic inspections of energy control procedures, unguarded equipment and electrical hazards. Proposed penalties total \$59,100.

- [Read the News Release](#)

New Jersey Union Official Sentenced for Embezzlement

An Office of Labor-Management Standards embezzlement investigation has led to penalties for a union official. Kevin McKnight, former secretary-treasurer of United Transportation Union Local 1390 in Laurence Harbor, N.J., was sentenced to four months of community confinement, four months of home confinement and three years of probation, and was ordered to pay restitution. The OLMS investigation found that McKnight embezzled approximately \$68,000 in union funds through checks to cash, checks to himself and unauthorized expenses.

Alabama's Stella-Jones Corp. Cited Following Fatality

Stella-Jones Corp., a manufacturer of railroad ties, has been cited by the Occupational Safety and Health Administration with 16 safety, including one willful, violations, following the crushing death of a worker who was caught in a machine at the company's facility in Warrior, Ala.

- [Read the News Release](#)

IFCO Systems North America Cited for Multiple Violations

Houston, Texas-based IFCO Systems North America has been cited by the Occupational Safety and Health Administration for serious and repeat violations, with proposed penalties totaling \$163,900, for exposing workers to safety and health hazards in San Antonio. Serious violations include failing to refit employees for, and retrain them on, hearing protection and to secure dock boards when they were driven over by forklifts.

- [Read the News Release](#)

Calif. Restaurant Ordered to Pay \$404,000 in Back Wages, Damages

A U.S. district court judge has ordered a buffet-style Chinese restaurant in Sunnyvale, Calif., to pay \$201,950 in back wages and an equal amount in liquidated damages to 32 employees. The order results from a Labor Department lawsuit against United Buffet Inc., operating as Crazy Buffet, and its manager after the restaurant refused to pay \$44,569 in unpaid minimum wages and \$157,380 in overtime compensation for violations of the Fair Labor Standards Act. The restaurant issued paychecks but required employees to return their wages, keeping only tips; did not pay for any hours worked beyond 40 in a week; and falsified records of time, attendance and pay.

- [Read the News Release](#)

In This Week's Newsletter:

Streamlining Services, Eliminating
UI Fraud, DOL History in a Minute

<http://t.co/WiuJbzMX> 42 minutes ago

- DOL settles charges of racial
discrimination with Iowa City,
Iowa-based federal contractor
NCS Pearson <http://t.co/CV66J5oy>
about 19 hours ago

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