



DOL News Brief

April 5, 2012

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Meet "Puddler Jim" a.k.a. Our Second Secretary of Labor



The nation's second labor secretary, James Davis, was born in Wales and immigrated at age eight to Pennsylvania, where he went straight to work in a steel mill as a puddler's assistant

(he always liked to be called "Puddler Jim"). He was appointed by President Warren G. Harding, and significantly strengthened the department's work in labor statistics. He was a proponent of labor-management cooperation and, with support from the iron and steel workers union, persuaded U.S. Steel to abolish the 12-hour work day. He is one of only three Cabinet secretaries



in U.S. history to hold the same post under three consecutive presidents: Harding, Coolidge and



Hoover. He is also one of the few Americans to appear on the cover of Time Magazine more than once. But his most significant contribution to workers came after he left the labor secretary's office. He's the "Davis" in the Davis-Bacon

Act, the law he co-sponsored as a U.S. senator which requires paying prevailing wages on public works projects. The department continues to enforce it today.

Bending the Homelessness Curve

The U.S. Interagency Council on Homelessness convened for the first time in 2012 on Thursday to discuss the issue of chronic homelessness.



Secretary Solis, who served as chair of USICH last year, joined her Cabinet colleagues at the meeting, Secretary Kathleen Sebelius of Health and Human Services and

What's Hot

ODEP Announces Unprecedented Grant Funding

Assistant Secretary of Labor for the Office of Disability Employment Policy Kathy Martinez announced first-of-its-kind grant funding on Monday for four states under the "Employment First" initiative. The effort helps facilitate the full inclusion of people with the most significant disabilities into the workplace and community. Under the new Employment First State Leadership Mentor Program the states of Iowa, Oregon and Tennessee will receive grants to assist with planning, policy development and capacity building. In addition to receiving technical assistance from national experts in employment of people with significant disabilities, these states also will receive assistance from officials in the state of Washington — which is receiving a grant for mentoring. "Many people with the most significant disabilities are often considered unable to work," Martinez said. "It's time to move beyond the stereotypes and misconceptions that people cannot work. We must be able to benefit from the talents and contributions of all our citizens."

- Learn More About Employment First
Read the Media Coverage

OSHA Seeks Applications for \$1.2 Million in Training Grants

The Occupational Safety and Health Administration this week announced a solicitation for applications under the Susan Harwood Training Grant Program, through which \$1.2 million is available to nonprofit, community and faith-based organizations, employer associations, labor unions, joint labor/management associations,



and colleges and universities. The grants will fund training for workers and employers to recognize workplace hazards and control measures, and to understand their rights and responsibilities. Following the announcement, Secretary Solis stopped by to visit with a group of 2011 Harwood grantees at a training session in the César Chávez Auditorium at the Frances Perkins Building.

- Read the News Release

National News

Mine Disaster Marks Two-Year Anniversary

At 3:02 p.m., on April 5, 2010, a massive explosion rocked the Upper Big Branch mine in Raleigh County, W.Va. Twenty-nine coal miners were killed, and two were seriously injured. This was the worst U.S. mining disaster in nearly 40 years. Secretary Solis and Assistant Secretary of Labor for Mine Safety and Health Joseph Main offer their thoughts on the second anniversary of this tragic event.

2012 USICH chair, Secretary Eric Shinseki of Veterans Affairs, and Secretary Shaun Donovan of Housing and Urban Development. The council heard presentations from experts in the field on proven strategies and ideas for "bending the curve" on chronic homelessness, which includes individuals or families who have been continuously homeless and where the head of household has a mental or physical disability. Secretary Solis shared important programs at the Department of Labor for helping this population succeed in the workforce, including the Homeless Veterans Reintegration Program, for which a new round of funding was announced last week; and the Office of Federal Contract Compliance Program's efforts to encourage federal contractors and subcontractors to hire qualified job candidates with disabilities.

- [View the Slideshow](#)
- [HVRP Grant Announcement](#)

Teaming Up for AAPI Community



Secretary Solis joined more than 150 leaders from private foundations, federal agencies and Asian American and Pacific Islander community-

based organizations at the White House on Monday. The "National Philanthropic Briefing on the AAPI Community" sought to connect advocacy groups with resources from philanthropic organizations and the federal government. Solis saluted the participants for working to "build a 21st century economy that leaves no one behind." The event capped off an historic day-long summit focused on fostering public-private partnerships for the AAPI community. Also in attendance was Debbie Berkowitz, chief of staff for the Occupational Safety and Health Administration, who discussed OSHA's partnerships with the philanthropic community and their efforts to educate vulnerable workers about safety in the workplace. Representatives from the Office of Federal Contract Compliance Programs, Women's Bureau, and Center for Faith-based and Neighborhood Partnerships also helped lead break-out sessions on topics such as immigrant integration and economic development.

- [View the Slideshow](#)

At the Pa. AFL-CIO Convention

The U.S. Labor Department was in the

- [Read the Secretary's Blog Entry](#)
- [Read the Secretary's Statement](#)
- [Watch the Assistant Secretary's Video](#)
- [Visit the Upper Big Branch Mine Single Source Page](#)

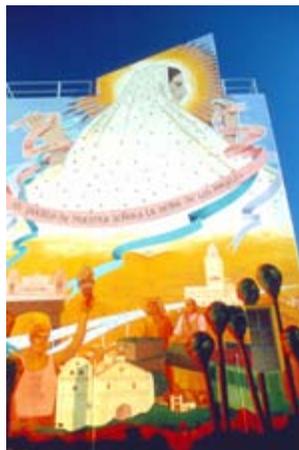
Supporting Women in Nontraditional Occupations

The Labor Department announced the availability of approximately \$1.8 million in grants to help support women in gaining access to jobs in nontraditional occupations. The grants, jointly administered by the Women's Bureau and the Employment and Training Administration's Office of Apprenticeship, will support innovative projects to improve outreach, recruitment, hiring, training, employment and retention of women in apprenticeships in nontraditional occupations. These include advanced manufacturing, transportation, construction and green jobs related to these industries. The department expects to award up to six grants, with each grantee serving at least 100 women over the course of the grant.

- [Read the News Release](#)

Around DOL

Artists of the Farm Worker Movement



Throughout its year-long centennial commemoration, the Department of Labor will feature artwork, screen films and organize conversations with authors related to our mission of protecting the rights of all workers. In conjunction with the Induction of the Pioneers of the Farm Worker Movement into the Labor Hall of Honor on March 26, the department curated an art exhibit that will be on display at the Frances Perkins Building until April 13. The participating artists include Andy Zermeño, Barbara Carrasco, and Carlos Almaraz, who donated their time and talent to the popular education campaigns of the United Farm Workers of America. These artists later inspired others to incorporate farm worker

themes and imagery into their artwork, including Frank Romero and Judithe Hernández, members of Los Four art collective; Carmen Lomas Garza; Dan Guerrero; Ester Hernández; Juan Fuentes; Judith F. Baca and the Social Public Art Resource Center; Las Artes Arts & Education Center in Pima County, Ariz.; Luis Valdez and El Teatro Campesino; Malaquias Montoya; Alan Pogue; Dr. Gilbert Cardenas' Latino Art Collection, Sponsored by the Institute for Latino Studies at the University of Notre Dame; The Mural Conservancy of Los Angeles; the Archives of the United Farm Workers of America at Wayne State University; Elaine Graves; and Elsa Flores Almaraz.

- [View the Slideshow](#)
- [Learn More About the Artists](#)

Homeless Veteran Finds Assistance at Chicago Hire our Heroes

A homeless veteran was provided with an opportunity to compete for a job after approaching the Office of Federal Contract Compliance Programs' booth at the U.S.

house at Pennsylvania's AFL-CIO Convention last week. Staff from the Philadelphia Region's



Occupational Safety and Health Administration, Wage and Hour Division, Women's Bureau, Office of Federal Contract Compliance Programs, Office of Labor-Management Standards and Employee Benefits Security Administration spoke to nearly



1,000 participants about policies and programs at the department. On the final day of the convention, Assistant Secretary of Labor for

Employment and Training Jane Oates, Pennsylvania AFL-CIO President Rick Bloomingdale, Secretary Treasurer Frank Snyder and Mark Kamlet, provost at Carnegie Mellon University, participated in a discussion on "New Markets and Workforce Skills," addressing how labor, workforce agencies, higher education institutions and employers can work to develop a well-trained workforce for emerging and growing industries.

Community Summit in Orlando

Secretary Solis delivered the keynote address on jobs and the economy at the fourth Community Partnership Summit hosted by the White



House. "We're here today because we want to hear from you," she told the crowd of about 400 participants last Friday. These events "allow us to take your ideas and concerns and turn them into a blueprint for action and take the 'big secret' out of government," Solis said. She encouraged attendees to partner with government to expand projects either with the Department of Labor or with other agencies. Representatives from more than 10 federal agencies attended the summit.

- [View the Slideshow](#)

Making Connections in LA

The Center for Faith-based and Neighborhood Partnerships hosted a

Chamber of Commerce's Chicago launch of Hiring Our Heroes last week. Members of the Chicago OFCCP office were approached by Matt, a homeless



veteran, who has struggled to find employment since serving in Iraq and Afghanistan. "Matt summoned the courage to attend the event, but he needed someone who was willing to look past the limitations of his circumstances to see the skills and abilities he has to contribute to the workforce," said Gregory Smith, OFCCP assistant district director in Chicago. He brought Matt to the Navistar booth to take advantage of the resume writing and mock interview services being offered, and made arrangements for him to complete the application process at a Navistar facility, where he will be given the opportunity to compete for an appropriate job. "Being able to link a homeless veteran with a possible job opportunity truly affirms the power of outreach events such as Hire Our Heroes," said Smith. More than 120 employers and more than 500 veterans attended the hiring fair.

International Scene

Polaski Means the World to Us

Sandra Polaski is leaving the position of deputy undersecretary of the Bureau of International Labor Affairs at the department to join the International Labor Organization in Geneva, Switzerland, as its Executive Director for Social Dialogue. Polaski, who served at the Labor Department for three years, will help lead programs to



improve livelihoods and strengthen rights of workers around the world. At a farewell ceremony, Secretary Solis praised Polaski for her commitment and exemplary work at the Labor Department. "Sandra has been an invaluable member of our team. Her work here has been incredible. She will go down in history for the things she made happen," Solis said.

- [Read Polaski's Farewell Blog](#)

ILAB Updates List of Child Labor Products

The Bureau of International Labor Affairs published a revised list of products that federal contractors must certify under Executive Order 13126 are not produced with forced or indentured child labor. Three products are being added — bricks from Afghanistan as well as cassiterite and coltan from the Democratic Republic of the Congo — that the departments of Labor, State and Homeland Security believe might have been mined, produced or manufactured by forced or indentured child labor. The list appears in the April 3 issue of the Federal Register.

- [Read the News Release](#)
 - [View the Executive Order List](#)
-



Job Clubs Roundtable at the Los Angeles Chamber of

Commerce last week. Ben Seigel, deputy director of CFBNP, and Jaime Pacheco-Orozco, acting director of the Los Angeles Workforce Development Division, moderated a roundtable discussion around strategies for job clubs to partner with local WorkSource centers and others to help Angelenos get back to work. CFBNP will pursue these new partnerships as part of its Job Clubs Initiative.

- [View the Slideshow](#)
- [Learn More About Job Clubs](#)

Preventing Youth Violence

The National Forum on Youth Violence Prevention was organized by the Justice Department two years ago to help cities share knowledge



and experience in what works to prevent youth and gang violence. For Anthony Day, a graduate of the Potomac Job Corps Center in Washington, D.C., that's a subject he knew all too well as he watched friend after friend succumb to the streets. So it was fitting that Day was able to join forces with Edna Primrose, the national director of Job Corps, on stage during the forum's Washington, D.C., summit this week to talk about the positive impact his job training and mentors had in putting him on the path to managing the kitchen at Meatballs, a popular downtown D.C. restaurant. Deputy Assistant Secretary of Labor for Employment and Training Roberta Gassman was also on hand to talk with representatives of the six cities currently participating in the forum — Boston, Chicago, Detroit, Memphis, Salinas and San Jose — about the administration's ongoing commitment to provide job training resources to traditionally underserved groups. In addition, ETA's Jacqueline Freeman discussed recent grant opportunities and the Office of Public Affairs' David Roberts encouraged cities to get involved in the Summer Jobs+ initiative.

- [View the Slideshow](#)
- [Read More about the Forum](#)
- [Read More about Job Corps](#)
- [Read More About Grant Opportunities](#)
- [Read More about Summer Jobs+](#)

News You Can Use

ACA Helps Coal Miners' Families

The Office of Workers' Compensation Programs proposed a rule March 30 to implement amendments to the Black Lung Benefits Act enacted in the Affordable Care Act of 2010. Previously eliminated in 1981, the amendments ease the provision of coal minors' benefits by providing a presumption of total disability or death due to pneumoconiosis for those who worked at least 15 years and who suffer or suffered from a disabling respiratory impairment. This presumption clarifies the automatic transfer of benefits to eligible survivors as a result of a lifetime claim — a provision that was upheld recently in the U.S. Circuit Courts of Appeals. "These amendments provide critical benefits to miners who have had their livelihood taken away by this insidious disease. The late Sen. Robert Byrd championed these vital provisions, and our proposed rules implementing them would have a dramatic impact on families who have proudly spent their lives working in the mining industry," said Gary Steinberg, acting director for OWCP.

- [Read the News Release](#)

Keeping Tornado Recovery Workers Safe



The Occupational Safety and Health Administration urges recovery workers, employers and the public to be cautious during cleanup efforts following roughly 13 tornadoes that touched down April 3 in the Dallas-Fort Worth area. OSHA is providing compliance assistance to workers and members of the public about the hazards they

may encounter, as well as the steps they should take to stay safe and healthy. "Our main concern is the safety of the workers conducting cleanup activities," said John Hermanson, OSHA's regional administrator in Dallas.

- [Read the News Release](#)
- [Learn More at OSHA's Tornado Recovery Site](#)

Enhancing Coverage for Former Energy Plant Workers

The Labor Department is notifying former Weldon Spring Plant workers in Missouri about a change in their worksite status in connection with the Energy Employees Occupational Illness Compensation Program Act. By dividing the plant into three separate facilities, the department's Office of Workers Compensation Programs will be better able to distinguish between the different operational periods of these locations, and to more reliably obtain employment verification from the many different contractors that performed work at each location. The change accounts for the inclusion of Part B and Part E into the EEOICPA, respectively, which expanded the number of illnesses covered and extended eligibility to former contractors and subcontractors, atomic weapons employers or beryllium vendors. The department has delivered more than \$39 million in compensation and medical benefits to 354 Weldon Spring Plant workers.

- [Read the News Release](#)

National Emphasis Program for Nursing Caretakers

To better protect workers in nursing and residential care facilities, the

Encouraging Careers of Service



The federal workforce is a great place to start a career and to also serve your country. That was the message Assistant Secretary of Labor Phyllis C. Borzi

delivered Wednesday to students studying employee benefits law at American University. "I have worked in every sector of our economy, and I have to tell you that federal workers are the most dedicated and hardest working employees I have known," she told the students. "And it bothers me every time I hear federal workers being unfairly criticized." She invited the law students to consider working at the Employee Benefits Security Administration. "You can really hit the ground running and help to provide workers the tools and protections they need to make the most of their employer-sponsored retirement savings and health care benefits," she said.

- [View the Slideshow](#)
- [Learn More About EBSA](#)

Tricks of the Trades

There's more than one way to fit a pipe — that's what Wage and Hour Division investigators from the Tampa District Office learned at a training



and outreach event in Florida last week. Senior Compliance Specialist J.R. Monticone joined about 20 investigators at a construction training session provided by the Tampa Building Trades. Investigators learned about specific trades within the construction industry and observed professional demonstrations. In turn, they answered questions about Davis-Bacon Act enforcement and investigative procedures. "The hands-on training that the department investigators received was invaluable and will serve them well in the future," Monticone said.

Green Scene: Oates Talks Sustainable Energy Careers

Building a knowledgeable, skilled and sustainable workforce to meet the needs of a growing clean energy economy will require education providers and industry groups working hand in hand. That was the message from Jane Oates, assistant secretary of labor for employment and training, to attendees at a conference in Oklahoma City organized by the Association for Career and

Occupational Safety and Health Administration announced a new National Emphasis Program specifically targeted to these medical facilities. In 2010, according to the department's Bureau of Labor Statistics, the incidence rate for cases involving days away from work in the nursing and residential care sector was 2.3 times higher than that of all private industry as a whole, despite the availability of feasible controls to address hazards. "These are people who have dedicated their lives to caring for our loved ones when they are not well. It is not acceptable that they continue to get hurt at such high rates. Our new emphasis program for inspecting these facilities will strengthen protections for society's caretakers," said Dr. David Michaels, assistant secretary of labor for OSHA.

- [Read the News Release](#)

DOL Working for You

'Give Job Corps an Honest Chance'

When Secretary Solis visited the House of Representatives two weeks ago to discuss the department's fiscal 2013 budget request, Nate Ford stood by her side as an example of how the Job Corps can change young people's lives. Nate's journey began in Flint, Mich., when he enrolled in Job Corps after his high school graduation. After



working through the Flint/Genesee Job Corps center's carpentry training area, Nate got an internship through AmeriCorps as a youth construction supervisor with Habitat for Humanity. After three months of exceptional work in the internship, Nate was offered a full-time position, interviewing and instructing new volunteers. When asked about his advice to youth in his hometown by a local television reporter after Solis' testimony, Nate replied, "I'd say give Job Corps an honest chance. It's a really good program. I wouldn't change going there for anything."

Turning 'You're Wrong' Into 'You're Right'



When Benefits Advisor Lisa Reyes of the Dallas Regional Office of EBSA received an inquiry from the spouse of a patient whose medical claims had been denied, it was a last-ditch attempt to get help. Everywhere she turned, from the employer to the benefit provider to lawyers and family friends, she heard "you're wrong" — the denials were legitimate. At issue was a misapplication of the six-month look-back period authorized under the Health Insurance Portability and Accountability Act. "I knew there was something about this case that they were missing," Lisa said. "I finally had to say 'you know what, this is the law.'" She undertook a grueling search for records and a missing

doctor, and then drew a simple diagram of her findings for the plan administrator. A light bulb went off, and Lisa recovered more than \$15,000 in denied claims that the patient had been entitled to receive.

DOL in Action

Technical Education and National Coalition of Certification Centers. Oates also visited a compressed natural gas fueling station as well as the Francis Tuttle Technology Center, which focuses on retraining workers for growing industries. "It's great to see schools here listening to local employers and developing programs that will get people the credentials they need for good, sustainable jobs," said Oates during her visit.

Celebrating Moms



The department's Women's Bureau in San Francisco and the San Francisco Federal Executive Board's Diversity Awareness Council co-sponsored

an event last Thursday in commemoration of Women's History Month. Women's Bureau Regional Director Jenny Erwin and Catherine King, vice president for exhibitions and programs at the International Museum of Women, were among those attending the event. The International Museum of Women is an innovative online museum that showcases art, stories and ideas to celebrate, inspire and advance the lives of women around the world. King gave attendees an online tour of the museum's latest exhibit, "MAMA: Motherhood around the Globe," which explores the realities and ideas of a new global generation of mothers through art, stories and voices.

- [View the Slideshow](#)
- [Read more on MAMA](#)
- [Learn more about the Women's Bureau](#)

Michigan Women Honored

Office of Federal Contract Compliance Programs Director Pat Shiu and more than 320 business and community leaders in Troy, Mich., honored the state's "Top Ten Business Women of 2012." At a luncheon last Thursday hosted by the Greater Detroit Chapter



of the National Association of Women Business Owners, Shiu praised the honorees for breaking barriers and for the impact of their leadership on other women in the workplace. "You may be the first to do something," Shiu told the honorees. "Just make sure you're not the last." Prior to the event, NAWBO, OFCCP and the Labor Department's Office of Public Engagement

Safety Rules Strengthened for Underground Coal Mines

Workplace examinations are a critical component of a sound mine safety program, and the Mine Safety and Health Administration has revised the requirements for such exams in underground coal mines. According to a final rule published in the April 6 Federal Register, mine operators must beef up their examinations and identify, correct and record violations of nine health or safety standards that represent the greatest risks to miners, including the kinds of conditions that led to the deadly explosion at the Upper Big Branch Mine in April 2010. "Many of the same types of violations of mandatory health and safety standards are repeatedly found by MSHA inspectors in underground coal mines every year," said MSHA Assistant Secretary of Labor Joseph Main. "It is critically important for mine operators to take ownership of health and safety. By expanding the existing requirement, a number of fatalities and injuries may be prevented."

- [Read the News Release](#)

More Storm Recovery Assistance for Missouri

A \$16,532,485 National Emergency Grant supplement was awarded to Missouri on April 3 to fund approximately 2,200 temporary jobs that will assist with ongoing storm cleanup and recovery efforts. A tornado devastated Joplin, Mo., on May 22, 2011, and was followed by storms that caused flooding in a number of Missouri counties between mid-April and early June 2011. "Missouri continues to need assistance with large-scale cleanup and recovery efforts after the Joplin tornado and other severe weather last spring," Secretary Solis said. "These additional grant funds represent the federal government's commitment to help the residents of affected communities continue rebuilding their lives."

- [Read the News Release](#)

Legal Action to Restore \$520,000 to Employee Plan

Explore General Inc. and its owner have been ordered to restore \$519,601 to the company's employee retirement plan following an investigation by the Employee Benefits Security Administration. The now-defunct Fresno, Calif.-based construction company contracted to perform work on projects financed by government agencies. As part of the contract, it was required to pay its workers an hourly prevailing wage rate, including a fringe benefit for each participant in the form of contributions to the retirement plan. The agencies paid the company in full for the work, including fringe benefit amounts. However, although Explore General certified that it was sending the fringe benefits to the plan, it failed to remit more than \$300,000, choosing instead to use the money for general operating expenses.

- [Read the News Release](#)

Initiative to Focus on San Francisco Restaurants

An enforcement and education initiative focused on the restaurant industry in San Francisco has been launched to combat widespread violations of the minimum wage, overtime, record-keeping and child labor provisions of the Fair Labor Standards Act. Wage and Hour Division investigators will make unannounced visits, and if violations are found, the department will collect back wages for workers and may seek liquidated damages on their behalf. Information on investigations will be posted online, with reports available to consumers through a DOL smartphone app, "Eat Shop Sleep." From 2006 through 2011, the division's San Francisco office conducted more than 500 restaurant investigations and identified violations at 68 percent of them, resulting in more than \$2.1 million in back wages to nearly 2,500 employees.

- [Download the App](#)
- [Read the News Release](#)

organized a "Women's History Month Roundtable" with nearly 40 local leaders. There Shiu and OFCCP senior staff from the Midwest Region discussed the administration's agenda for improving opportunities for women in the workforce.

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

Focusing on Vulnerable Workers



Sara Manzano-Díaz, director of the department's Women's Bureau, welcomed participants to the second Vulnerable Worker Briefing Series

last Friday. The event examined the hardships and challenges faced by Latina workers, and was webcast to more than 400 stakeholders across the country and to the department's regional offices. "Latinas are the fastest growing minority group in the nation and are among the most vulnerable workers who are subjected to wage theft, sexual harassment and gender-based pay discrimination," Manzano-Díaz said. Panelists included Hector Sanchez, executive director of the Labor Council for Latin American Advancement; Andrea Delgado, senior policy analyst for the Labor Council for Latin American Advancement; Jordan Barab, deputy assistant secretary for the Occupational Safety and Health Administration; Pat Shiu, director of the Office of Federal Contract Compliance Programs; Melvina Ford, senior policy advisor for the Wage and Hour Division, and Laine Romero-Alston, Ford Foundation program officer.

- [View the Slideshow](#)
- [View the Webinar](#)

MSHA, FBI Combine Forces

The Mine Safety and Health Administration and the FBI have teamed up to develop training coursework for MSHA's special investigations unit. For the past two weeks, 75 special MSHA investigators were schooled on topics such as proper interview techniques for thorough investigations, the use of injunctive relief in federal district courts, evaluating evidence, reviewing knowing and willful violations, and processing discrimination complaints. Agents from the FBI's Evidence Response Unit provided instruction on how to approach an accident scene, photograph the scene, obtain and secure evidence, deal with false or altered records, and release the scene. The training took place at the

Grant to Help Dislocated Hanford Workers

A \$1.3 million National Emergency Grant was awarded March 3 by the Labor Department to the Washington State Employment Security Department to provide re-employment assistance for about 400 workers affected by layoffs from multiple environmental cleanup contractors. The contractors included CH2MHILL Plateau Remediation Co., Materials and Energy Corp., Mission Support Alliance and 13 other contractors at the U.S. Department of Energy's Hanford Site in southeastern Washington.

- [Read the News Release](#)

Safety, Health Citations Follow Chemical Fire

Magnablend Inc. has been cited by the Occupational Safety and Health Administration with seven serious safety and health violations following a chemical fire at the company's blending plant in Waxahachie, Texas, that burned the facility to the ground. Serious violations include failing to conduct a hazard assessment, train workers in specific hazardous chemical protection procedures, evaluate respiratory inhalation hazards and ensure that the fire sprinkler system was adequate. Electrical hazards were also found. Proposed penalties total \$45,000.

- [Read the News Release](#)

Employees of Postal Contractor Receive Back Wages

The department's Wage and Hour Division has recovered \$62,836 in back wages and benefits for 31 truck drivers employed by Winfield, Ala.-based R.L. Box Inc., following an investigation by the Division's Birmingham District Office that found violations of the prevailing wage rate and fringe benefit requirements of the McNamara-O'Hara Service Contract Act as well as the record-keeping provisions of the Fair Labor Standards Act.

- [Read the News Release](#)

Aflac to Pay Ex-Employee After FMLA Violation

Columbus, Ga.-based American Family Life Assurance Co., known as Aflac, has agreed to pay a former employee \$16,882 after an investigation by the Wage and Hour Division found that the company violated the Family and Medical Leave Act by terminating an employee who took intermittent leave for a serious health condition. "Workers' jobs should be protected while they are dealing with serious medical problems," said Janet Campbell, director of the Wage and Hour Division's Atlanta District Office. "The Labor Department is committed to protecting the rights of employees eligible under the FMLA to take up to 12 weeks of unpaid, job-protected leave each year."

- [Read the News Release](#)

Inspection Finds Workers Exposed to Asbestos

A.M. Castle & Co. has been cited by the Occupational Safety and Health Administration with 22 serious health violations after an inspection determined that workers were exposed to asbestos during the removal of insulation without the use of safety precautions at a site in Franklin Park, Ill. Proposed penalties total \$127,600. The violations include failing to determine the presence, location and quantity of asbestos-containing or presumed asbestos-containing material; affix labeling and warning notices on asbestos-containing piping, and monitor employees and the work area for asbestos exposure during the removal process.

- [Read the News Release](#)

Maine Shipbuilder Faces Proposed Fines

Bath Iron Works, a General Dynamics company, has been cited by the Occupational Safety and Health Administration for alleged repeat and serious violations of workplace safety standards at its Bath, Maine, shipyard. The shipbuilder faces a total of \$171,300 in proposed fines

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

Equal Pay Day Roundtable

The department's Women's Bureau and its Office of Federal Contract Compliance Programs will host a roundtable discussion on April 9 in Chicago about the laws, policies and regulations that impact equal pay issues, and how to end pay discrimination. Equal Pay Day was originated by the National Committee on Pay Equity in 1996 as a public awareness event to illustrate the gap between men's and women's wages. The free event is open to the public and the media.

OFCCP — Interagency Roundtable

- [April 9 — Chicago, IL](#)

EBSA — Taking the Mystery Out of Retirement Planning Workshop

- [April 12 — Worcester, MA](#)
- [April 19 — Atlanta, GA](#)

EBSA — Health Benefits Laws Compliance Assistance Seminar

- [April 10-11 — Newark, NJ](#)
- [May 15-16 — Chicago, IL](#)

ETA — H-2B In Person Briefing

- [April 17 — Washington, DC](#)

OASAM — Vendor Outreach Session

- [April 18 — Washington, DC](#)

OFCCP — The ABC's of the AAP

- [April 20 — Los Angeles, CA](#)

OFCCP — Analyzing Personnel Activity Data

- [April 19 — Omaha, NE](#)

OFCCP — Blacks In Government Region IV Training Conference

- [April 12-14 — Louisville, KY](#)

OFCCP — Community Based Organizations Roundtable Collaboration

- [April 11 — Richmond, VA](#)
- [April 25 — Richmond, VA](#)
- [May 9 — Richmond, VA](#)

OFCCP — Community Outreach and Education Event

- [April 10 — Baltimore, MD](#)
- [April 12 — Santa Barbara, CA](#)

following a safety inspection by OSHA's Augusta Area Office, which identified a variety of fall, mechanical and electrical hazards.

- [Read the News Release](#)

Shawnlee Construction Cited for Repeated Fall Hazards

Shawnlee Construction LLC has been cited by the Occupational Safety and Health Administration for fall hazards identified during the construction of a new public safety building in Montville, Conn. The Plainville, Mass.-based framing contractor faces a \$50,000 proposed fine after an inspection by OSHA's Hartford Area Office found Shawnlee employees exposed to falls of up to 11 and ½ feet. The fall hazards were cited as a repeat violation because Shawnlee was previously cited by OSHA in 2007 and 2008 for similar hazards in Connecticut, New Hampshire and Rhode Island.

- [Read the News Release](#)

Commuter Railroad Gets Second Warning

For the second time in a month, an Occupational Safety and Health Administration investigation has determined that Metro-North Commuter Railroad Co., which provides commuter rail service in Connecticut, New York and New Jersey, violated the employee protection provisions of the Federal Railroad Safety Act when it took retaliatory action against an employee at its Harmon Diesel Shop in Croton-on-Hudson, N.Y., who reported a workplace injury.

- [Read the News Release](#)

Employees at Gas Stations to Receive Back Wages

A chain of 14 Long Island gasoline stations and its owners will pay \$544,900 in back wages and interest to 35 employees according to the terms of a contempt consent judgment, resolving a lawsuit filed by the Department of Labor. The suit was based on an investigation by the department's Wage and Hour Division that found violations of the overtime and record-keeping provisions of the Fair Labor Standards Act. Additionally, Riverhead, N.Y.-based E. M. & T. Inc., doing business as Empire Gas, and owners Ali Yuzbasioglu and Sukru Ilgin, will pay the Labor Department \$39,077 in civil money penalties and interest for the violations.

- [Read the News Release](#)

OLMS to Supervise Postal Union Election

National Postal Mail Handlers Union Local 307, based in Detroit, has agreed to conduct new nominations and a new election of officers under the supervision of the Labor Department's Office of Labor-Management Standards. The agreement follows an OLMS investigation that found union funds were used to produce and distribute a newsletter with information critical of one candidate in the election. In addition, Local 307 erroneously omitted the name of a candidate in good standing from the ballot and failed to properly count the ballots.

NJ Plastics Maker Faces Proposed \$71,000 Fine

Atlanta, N.J.-based BWAY Corp. has been cited for 10 — including two repeat — safety and health violations at its Dayton, N.J., plastics manufacturing facility. Proposed penalties total \$71,000 following an inspection initiated as part of OSHA's National Emphasis Program on Amputations. Violations include the company's failure to develop lockout/tagout procedures for the energy sources of specific equipment; conduct and certify crane hook inspections, and protect electrical live parts with approved enclosures.

- [Read the News Release](#)

Chocolate Company Cited After Worker Sustains Head Injuries

- [April 24 — Baltimore, MD](#)
- [April 26 — Memphis, TN](#)
- [May 3 — Charlotte, NC](#)
- [May 3 — Philadelphia, PA](#)
- [May 15 — Baltimore, MD](#)

OFCCP — Compliance Assistance Seminar

- [April 11 — Boston, MA](#)
- [April 18 — Boston, MA](#)
- [May 2 — Detroit, MI](#)

OFCCP — Compliance Assistance Seminar for Construction Contractors

- [April 18 — Philadelphia, PA](#)
- [May 10 — Omaha, NE](#)

OFCCP — Good Faith Efforts to Accomplish Goals

- [April 18 — Online](#)

OFCCP — How to Avoid Costly Employment Practices

- [April 12 — Houston, TX](#)

OFCCP — OFCCP and Industry Liaison Group

- [May 11 — Indianapolis, IN](#)
- [May 15 — Columbus, OH](#)

OFCCP — Interagency Roundtable

- [April 9 — Chicago, IL](#)

OFCCP — Kentucky ILG Spring Seminar

- [April 19 — Louisville, KY](#)

OFCCP — Maintaining Applicant Flow Data

- [April 12 — Omaha, NE](#)

OFCCP — Service and Supply Seminar

- [April 25 — Philadelphia, PA](#)

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

- [April 10 — Philadelphia, PA](#)
- [May 8 — Philadelphia, PA](#)

OFCCP — Technical Assistance Seminar

- [April 27 — Columbus, OH](#)

OLMS — Compliance Seminar

- [April 17 — San Francisco, CA](#)
- [May 10 — Kansas City, MO](#)

Tsudis Chocolate Co. has been cited by the Occupational Safety and Health Administration for two repeat and 14 serious safety violations at its Pittsburgh, Pa., candy manufacturing facility. OSHA opened an inspection after a worker sustained head injuries while working on a machine that started up inadvertently. Violations included deficient energy control procedures and failure to provide adequate training in safe energy control and electrical work practices. Proposed penalties total \$84,150.

- [Read the News Release](#)

Company Told to Reinstate Truck Driver

Newark, N.J.-based Jersey Window Factory & Building Supply Inc. has been ordered by the Occupational Safety and Health Administration to reinstate a truck driver who was fired after reporting safety concerns about the commercial vehicle he was driving. OSHA's Whistleblower Protection Program found reasonable cause that the termination violated the whistleblower provision of the Surface Transportation Assistance Act. The company must also pay the former worker back wages and bonuses, as well as \$18,000 in compensatory damages.

- [Read the News Release](#)

Accounting Firm Sued to Recover Back Wages

The Department of Labor has filed a lawsuit against Bluefield, W.Va., accounting firm Raymond A. Froy Jr. CPA, PC, and its president, Raymond A. Froy Jr., for alleged violations of the Fair Labor Standards Act that affected five employees. An investigation by the Wage and Hour Division found that the defendants failed to pay one employee at least the federal minimum wage, failed to record dates of birth for minor employees, failed to make, keep and preserve adequate and accurate records of workers' wages, hours and other conditions of employment, and paid non-exempt tax preparers "straight time" for all hours worked, including hours in excess of 40 per work week.

- [Read the News Release](#)

Texas Restaurant Employees Receive Back Wages

Eleno Suarez Delacruz, doing business as Mi Sombrero in Houston and El Ranchero Mexican Restaurant in La Porte, Texas, paid 27 current and former cooks and wait staff \$132,215 in back wages following an investigation by the department's Wage and Hour Division. The division's Houston District Office found that the employer failed to pay the federal minimum wage for all hours worked, and also failed to pay time and one-half employees' regular rates for hours worked over 40 in a week.

- [Read the News Release](#)

Fines Proposed for Lack of Protective Gear

American Showa Inc. in Blanchester, Ohio, has been cited by the Occupational Safety and Health Administration with 13 safety and health violations – including two willful violations for assigning maintenance personnel to work on energized equipment without personal protective gear and failing to train workers to recognize unsafe electrical work practices. Proposed fines total \$151,300.

- [Read the News Release](#)

Georgia Truck Wash Cited

Eagle United Truck Wash LLC was cited by the Occupational Safety and Health Administration for 14 safety and health violations at its facility within the Flying J Truck Stop in Jackson, Ga. Proposed penalties total \$57,600. Violations include two repeat and two serious health violations, one repeat and seven serious safety violations, and two other-than-serious violations. "The very same chemicals that do a great job cleaning metal can be

- [May 11 — Buffalo, NY](#)

OWCP — Town Hall Meeting to Assist Nuclear Weapons Workers

- [April 17 — Augusta, GA](#)

OWCP — Traveling Resource Center to Assist Nuclear Weapons Workers

- [April 25 — Amherst, NY](#)

dangerous to workers if used without the proper protections," said William Fulcher, director of OSHA's Atlanta-East Area Office.

- [Read the News Release](#)

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