



DOL News Brief

August 5, 2010

Subscribe | Send Feedback | PDF Version



An Efficient & Effective OFCCP



The Office of Federal Contract Compliance Programs (OFCCP) is transforming its enforcement procedures "to be more effective, more

efficient, and more pro-active", said Director Patricia Shiu to a National Industry Liaison Group audience in Las Vegas, Nevada on Wednesday. OFCCP staff across the country are stepping up their investigations and audits, to ensure accuracy, thoroughness and quality outcomes. "Excellence is the standard," added Shiu. She also told the audience that her agency and the Equal Employment Opportunity Commission "have embarked on a new path of partnership and leadership that will help to guide the civil rights agenda for this country" and work towards implementing the White House Pay Equity Initiative.

- [Read Shiu's Remarks](#)

What's Hot

A Central America Diary

With a schedule packed with what appeared like weeks of events and activities, rather than just four days, Secretary Solis traveled to Central America last week. She visited Nicaragua and El Salvador, and got a first-hand look at DOL programs to combat child labor, discussed worker rights issues with her Nicaraguan and Salvadorian counterparts, and met with the leaders of the two countries: Nicaragua's President Daniel Ortega and El Salvador's President Mauricio Funes.



The trip, according to Solis, was "certainly professionally gratifying, but it had a special personal meaning for me as well: In the 1950s, my mother Juana left her family and friends in Nicaragua and came to the United States." The Secretary kept a [diary](#) of her trip, and detailed what she saw, and more importantly what she learned. The DOL Newsletter is honored to

share her [diary](#) with our readers.

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

Health Law Improves Social Security, Medicare Outlook

A report depicting positive financial developments for the Social Security and Medicare trust funds was unveiled by Secretary Solis,



Treasury Secretary Timothy Geithner, Health and Human Services Secretary Kathleen Sebelius, and Social Security Commissioner Michael Astrue on Thursday. The group serves as trustees of the programs. Although the trustees credited the Affordable Care Act with improving the finances of the funds, they cautioned that the programs still face challenges to long-term solvency. "We all know that Social Security and Medicare provide a safety net for millions of retired workers and beneficiaries. We can find solutions that ensure these programs are sustainable so America's workers can continue to count on them

ODEP: "Add Us In!"

The department's Office of Disability Employment Policy announced the availability of \$2.3 million in funding for the "Add Us In" initiative, a project designed to increase the ability of companies to employ individuals with disabilities. "This administration is committed to broadening job opportunities for all Americans, including individuals with disabilities," said Secretary Solis. "The Add Us In initiative aims to help businesses develop effective, replicable models, strategies and policies to ensure people with disabilities have access to a broader range of employment opportunities." Businesses owned and operated by African-Americans; Asian-Americans; Latino or Hispanic Americans; members of federally recognized tribes and Native Americans; lesbian, gay, bisexual and transgender individuals; and women are a particular focus of the effort.

- [Read the News Release](#)

DOL Working For You

Military Spouses in Georgia Aided by ETA Funding

Melanie-Mandy Frees and hundreds of other military spouses at Fort Benning, Georgia, are continuing their education through the Career Advancement Account

in the future," said Solis. Phyllis Borzi, assistant secretary of the Employee Benefits Security Administration, participated in a technical briefing for reporters following the Social Security and Medicare Board of Trustees meeting.

Smith Addresses ABA



Solicitor of Labor M. Patricia Smith addressed the American Bar Association's (ABA) Section on Labor and Employment Law during the annual meeting in San Francisco on Thursday. The meeting featured a panel discussion analyzing the Obama administration's

approach to labor and employment issues. Smith highlighted how the administration's focus differs from the previous administration's, DOL's current goals and enforcement actions, and the impact of recent and pending legislation on those goals.

Solis Goes "Inside E Street"

Older workers have a lot to offer to employers, and the Department of Labor is equipped with employment and training services that



can help these workers land good jobs. Secretary Solis this week sat down with Sheilah Kast of AARP's "Inside E Street" to discuss how One-Stop Career Centers and Workforce Investment programs offer valuable tools for older workers who are in the job market. The interview will air on PBS on Sunday, September 5 – the day before Labor Day – so check your local listings.

- [View the Slideshow](#)
- [Learn More About Inside E Street](#)

Oates Talks Jobs in Dallas

Workers continue to face a challenging job market, but now is the time to seek out training and education. This was one of the messages delivered by Assistant Secretary for the Employment and Training Administration Jane Oates as she joined Congresswoman Eddie Bernice Johnson at a community forum at the Workforce Solutions Greater Dallas – Southwest Workforce Center. Oates emphasized the positive impact that the department's Recovery Act-funded programs are having in communities



MiSpouse program funded by the department's Employment and Training Administration. While her husband is deployed in Iraq, Frees is studying for her degree in business and human resource management. The program helps military spouses by paying up to \$6,000 per student for tuition, fees, books, equipment, credentialing and licensing fees. Frees, who is also an on-site coordinator for the education center at Fort

Benning, said the program "reduces the fear" of starting or continuing an education and "provides the best incentive for direct financial assistance to spouses." Adding, "the program enhances the quality of the lives" of the participants.

International Scene

Solis Announces Labor Consultations with Guatemala

The U.S. government has requested labor consultations with the Government of Guatemala under the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) announce Secretary Solis last Friday. This is the first time that the United States has requested consultations under the labor chapter of a U.S. free trade agreement. "We are sending a strong message that the Obama Administration will vigorously enforce labor obligations under U.S. free trade agreements," she said in a statement. "We are committed to ensuring that U.S. businesses and workers compete on a level playing field and that labor rights are respected in our trading partner countries."

- [Read the News Release](#)

News You Can Use

ERISA Advisory Council Needs You!

The Labor Department is soliciting nominations to fill five three-year vacancies on the ERISA Advisory Council. Candidates are being solicited to fill one vacancy each to represent the fields of employee organizations, employers, accounting, insurance and the general public. Nominations are due by Sept. 17, 2010.

- [Read the Notice](#)

Around DOL

Job Corps Showcases Students During Annual Fine Arts Festival

Sixty Job Corps students from the Mid-Atlantic area displayed their artistic talents during the 17th annual Job Corps Fine Arts regional competition, held in Philadelphia on July 30, 2010. Students submitted a variety of work in the artistic, design and literary categories, including acrylic/oil, watercolor, pencil/ink/charcoal, pastel, mixed media, graphic design/printmaking, jewelry/textiles, sculpture, pottery, photography and creative writing. "The competition serves as a shining example of the Job Corps program's success with nurturing the artistic talents of these gifted students," said Dr. Francis Cole, Job Corps regional director in Philadelphia.



across the country. She also acknowledged the struggles faced by many in attendance due to the economic downturn. "Don't give up on your personal goals," said Oates. "Take advantage of these times and get a credential or work readiness certificate and you will succeed." Oates and Rep. Johnson also visited The Bridge, a multi-purpose facility serving those facing long-term homelessness.

- [Read more about The Bridge](#)

Women Work It!



Secretary Solis addressed more than 200 women business leaders during the "Women of Power" Awards Luncheon at the Urban League

Annual Conference in Washington, D.C. She highlighted the Labor Department's work to promote pay equity, work-life balance, and preparing women for the careers of the 21st Century. "Women today are not only housewives, they are also professionals," said Secretary Solis. "That is why we are focused on promoting work-life balance, equal pay, state paid leave, and opportunities for the advancement of all women in the United States."

- [View the Slideshow](#)

Green Scene: Green Grows in Granite State



"People ask me what green jobs look like. This place is the answer," said Secretary Solis during her visit on Wednesday to

Portsmouth, New Hampshire's Regeneration Park. The project, which is supported in part by the Recovery Act, is transforming a shuttered Toyota dealership into an eco-friendly 21st century smart building that will house high-tech green businesses and stimulate the local economy. While the site is still in its early phase of construction, evidence of a relentless commitment to smart, green design is everywhere.

On the main level, piles of old bleachers from area high schools await renewed life as cabinets and moldings. And the hardwood floors that are being installed upstairs are not exactly "new." In fact, they spent the last 32 years in a warehouse after serving as game planks for the Detroit Piston's Cobo arena from 1961 to 1978. Topping

Keller and Dart In Labor Hall of Fame



The spirit of the 20 year anniversary of the signing of the Americans with Disabilities Act (ADA) was embraced at DOL Friday, July 30 at the Department's Frances Perkins Building. Secretary Solis, Assistant Secretary for the Office of Disability Employment Policy Kathy Martinez, and Director of the Office of Federal Contract Compliance Programs Patricia Shiu

were joined by Former Congressman Tony Coelho and Deputy Director for the Office of Personnel Management Christine Griffin. Speakers reflected on the history of the ADA and the diverse workplace we can look forward to. "A diversified workforce that is inclusive of people with disabilities will enhance the lives of millions of Americans and strengthen America's global competitiveness," said Martinez.

Before the event concluded, DOL inducted Justin Dart, Jr.—regarded as the "Father" of the Americans with Disabilities Act, and Helen Keller into the Labor Hall of Fame. Widow of Justin Dart, Jr., Yoshiko Dart and great-grand-niece of Helen Keller, Keller Johnson-Thompson, were in attendance to accept the honor on their behalf.

- [View the Poster](#)
- [View the Slideshow](#)
- [Watch the Event](#)

Mine Rescue Teams Honored for Competitive Efforts

The 2010 Metal and Nonmetal National Mine Rescue Contest culminated last Thursday in Reno, Nev. with an awards banquet attended by more than 900 members of the mining community. Thirty-seven mine rescue teams from around the country participated in a three-day simulated mine emergency exercise, designed to sharpen skills and improve mine rescue preparedness. This year's event, sponsored by the department's Mine Safety and Health Administration, was marked by two new competitions that, in the words of contest coordinator Eddie Lopez, "established new frontiers that will help raise the bar for team readiness." The "Maroon" team, representing Missouri-based Doe Run Company, was crowned national champion. Coincidentally, this team participated in the successful real-life rescue of three miners who became trapped behind a fire at the lead-zinc mine last January.



- [View the Results of the Contest](#)
- [View the Slideshow](#)

DOL in Action

OSHA Proposes \$16.6 Million in Fatal Connecticut Explosion

Three construction companies and 14 site contractors were cited for 371 alleged workplace safety violations, and \$16.6 million dollars in penalties were proposed by the Labor Department's Occupational Safety and Health Administration (OSHA). The citations follow an investigation into the causes of last February's deadly natural gas explosion at the Kleen Energy Systems LLC power plant construction site in Middletown, Conn. The explosion took the lives of six workers and injured 50 others. "The millions of dollars in fines levied pale in comparison to the value of the six lives lost and numerous other lives disrupted," said Secretary Solis. "However, the fines and penalties reflect the gravity and severity of the deadly conditions

things off is the largest roof-mounted solar cell array in the state. It will generate zero-emissions power for the building and allow the entire structure to be heated and cooled by an ultra-high efficiency thermal system. After touring Regeneration Park, Solis and Congresswoman Carol Shea-Porter visited Manchester's Amoskeag Business Incubator. There, they met with local veterans, labor leaders and entrepreneurs and heard of both successes and challenges experienced by working families in the Granite State. Solis listened intently to each of one the attendees, and delivered a message that came through loud and clear: "This Administration is behind you 100% and we are committed to helping you succeed!"

- [View the Slideshow](#)

Green is Good for Women

The Women's Bureau (WB) is taking the lead in ensuring that women of all ages and socioeconomic groups are aware of and prepared to succeed in the emerging green jobs sector. On Tuesday, the WB held a nation-wide teleconference on "Women Working in Alternative Energy." Secretary of Labor Hilda Solis greeted the nearly 500 participants from across the country who heard from women working in wind energy, the biomass industry, and solar energy. The conversation included information about green training and job opportunities, as well as possible funding options.

- [Learn More about WB Green Initiatives](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

Check out the grant opportunities with DOL.

EBSA — Health Benefits Laws Compliance Assistance Seminar

- [August 10-11, 2010 — Concord, NH](#)

OASAM — 2010 National Equal Opportunity Training Symposium

- [August 9-13, 2010 — Bethesda, MD](#)

OFCCP — 12 Reasons Why Contractors Get in Trouble

- [August 13, 2010 — Richmond, VA](#)

OFCCP — AAP Development for ARRA Contractors & Preparing for a Desk Audit

- [August 12, 2010 — Baltimore, MD](#)

OFCCP — Compliance Assistance

created by the companies managing the work at the site. No operation and no deadline is worth cutting common sense safety procedures. Workers should not sacrifice their lives for their livelihoods."

- [Read the News Release](#)

Cooperative Fined \$721,000 After Worker is Engulfed in Soybeans

Cooperative Plus Inc. in Burlington, Wis., was cited by the Labor Department's Occupational Safety and Health Administration and fined \$721,000 for violations of federal workplace safety standards. In a near tragedy that occurred in February, a worker was trapped in soybeans up to his chest in 25-degree weather and ultimately rescued after a four hour ordeal. "Cooperative Plus ignored long-established safety standards for working in grain handling operations and knowingly exposed workers to possible suffocation. In this case, a worker almost died," said Secretary Solis. "Disregarding well-recognized standards places workers in this industry in serious danger and will not be tolerated." In response to this and other recent events, OSHA is sending a strong letter to all grain elevator operators warning them not to allow workers to enter grain storage facilities without proper equipment, precautions and training.

- [Read the News Release](#)
- [Read the Warning Letter](#)

Simplified LM-30 Form, Bettering Reporting Requirements

A Notice of Proposed Rulemaking next week by the Office of Labor Management Standards (OLMS) will better facilitate filers' compliance with LM-30 reporting requirements than earlier forms and increase the form's utility to the public. The LM-30 form requires officers and employees of labor organizations to publicly disclose possible conflicts between their personal financial interests and their duty to the labor union and its members. OLMS' LM-30 revisions would simplify the form and narrow the scope of reporting, while ensuring that all meaningful conflicts of interest are disclosed. This change would also lessen the reporting burden, including associated costs for union officials. The proposal is expected to appear in the August 9, 2010 Federal Register with public comments received until October 12, 2010.

- [Read the Proposal](#)

Wage and Hour Takes Investigations to NC Tomato Fields



With the North Carolina tomato harvests getting underway, Wage and Hour investigators have taken to the fields to enforce the Migrant and Seasonal Agricultural Worker Protection Act and the Fair Labor Standards Act, including child labor rules. As part of the department's "We Can Help" campaign, staff met earlier this year with

growers and farm labor contractors to inform them of the law. "Having found violations last year during the state's blueberry harvest, we want to be sure that agricultural employers are meeting their responsibilities to their farm workers," said Rick Blaylock, district director in Raleigh.

- [Read the News Release](#)

Trade-Impacted Workers Get Help

Foreign competition can lead to layoffs, but the Trade Adjustment Assistance program is there to help. Nearly 9,000 workers in 19 states were recently certified to take part in the program. These individuals will be eligible to receive employment and training services that will help them find good jobs in promising regional industries. Those pursuing training may also receive income support in the form of trade readjustment allowances. Some

Seminar

- [August 11, 2010 — Nashville, TN](#)
- [August 11, 2010 — Birmingham, AL](#)

OFCCP — Compliance Assistance Seminar for Construction Contractors

- [August 6, 2010 — Richmond, VA](#)

OFCCP — From Recruitment to Hire: Avoiding Pitfalls in the Employment Process

- [August 11, 2010 — Denver, CO](#)

OFCCP — Nuts & Bolts of Obtaining Pre-Award Clearances: The Role of the OFCCP & the Pre-Award Process for Federal Contractors

- [August 12, 2010 — Via Internet and Telephone, TX](#)

OFCCP — Trustee Workshop

- [August 12, 2010 — Birmingham, AL](#)

OFCCP — You Were Scheduled by the OFCCP: How Do You Respond and Prepare for the Audit

- [August 12, 2010 — Philadelphia, PA](#)

OSHA — Seminar on Florida's Workers' Compensation Laws and Workplace Safety

- [August 6, 2010 — Lakeland, FL](#)
- [August 10, 2010 — Pensacola, FL](#)
- [August 12, 2010 — Orlando, FL](#)
- [August 13, 2010 — West Palm Beach, FL](#)

WB — Planning Meeting for Women Veterans' "Stand-down" Event

- [August 10, 2010 — Kansas City, MO](#)

Follow USDOL on

- Two weeks left for your shot at \$1k. Grab a camera and join in the Career Video Challenge <http://s.dol.gov/3D#gov20#opengov> [about 3 hours ago](#)
- DOL awards \$9.6 million to improve unemployment insurance information technology contingency plans and IT security... <http://bit.ly/c8wZme> [about 5 hours ago](#)

participants will also receive the Health Coverage Tax Credit which defrays the cost of health coverage.

- [Read the Press Release](#)

DOL Debars California Newspaper From Foreign Worker Program

The department has debarred Asian Journal Publications, a weekly Filipino newspaper based in Los Angeles, from using the H-1B visa program to hire temporary workers for a period of two years. An investigation conducted by the Wage and Hour Division determined that the employer did not properly pay the workers and misrepresented facts on the Labor Condition Application. Asian Journal had requested workers for positions as accountants, reporters, news writers, journalists, business analysts, public relations specialists and financial analysts. However, the investigation revealed that most were working in sales as account executives. Asian Journal agreed to pay a total of \$473,218 in back wages to the 22 foreign workers, plus a \$40,000 penalty. During the investigation the department also determined that 10 domestically hired workers were due overtime back wages amounting to \$43,276.

- [Read the News Release](#)

Spotlight on States

Services to Continue for Thousands of Missourians

Two grants will provide continued assistance to thousands of Missourians who are striving to get back to work following layoffs across multiple industries. Nearly \$420,000 in National Emergency Grant funds are available to assist individuals affected by plant closures and mass layoffs at several companies located in or around St. Louis in 2008. An additional \$633,085 is available to assist workers impacted by layoffs at Chrysler LLC, Integram St. Louis Seating and Yuhshin USA Ltd.

- [Read Press Release 1](#)
- [Read Press Release 2](#)

Opportunities are Open: OSHA

This week, DOL's Occupational Safety and Health Administration (OSHA) proposed fines and issued a new warning letter—letting employers know that safety is our business. Join OSHA to help ensure safe and healthy workplaces for our nation's workers. Explore the positions below or [view all](#) the rewarding careers with DOL.

1. Position in Chicago Metro Area, Ill.
[Librarian](#)
DE-10-CHI-OTI-0143
Close: 08/18/2010
2. Two Position in Tarrytown, N.Y.
[Safety Engineer \(English/Spanish\)](#)
DE-10-NY-OSHA-68
Close: 08/20/2010
3. Position in Washington, D.C. Metro Area
[Medical Officer \(Occupational Medicine\)](#)
DE-10-OSHA-123
Close: 09/17/2010

[Previous Issues](#) | [Follow us on Twitter](#) | [Subscribe](#) | [Send Feedback](#) | [Unsubscribe](#)

U.S. Department of Labor, Frances Perkins Building, 200 Constitution Ave., NW, Washington, DC 20210

www.dol.gov | Telephone: 1-866-4-USA-DOL (1-866-487-2365) (1-866-487-2365) | TTY: 1-877-889-5627 | [Contact Us](#)