



DOL News Brief

September 23, 2010

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US and EU Talk Health & Safety



Diversity of experience and sharing best practices can lead to better protections for all workers on both sides of the Atlantic.

That was the message

delivered in Boston this week by OSHA's Assistant Secretary, David Michaels during the 6th U.S./European Union Joint Conference on Occupational Safety and Health. "We recognize that Europe and the United States have different perspectives and strengths, and that this conference presents an opportunity for all of us to learn and share," said Michaels. "Our world is shrinking, and the problems of one nation are rarely isolated anymore." Topics at the conference included chemical regulation and control, occupational safety and health strategic approaches, safety and health program risk assessment, safety and health knowledge management. This year's U.S. delegation included the largest representation of organized labor since the conferences began 13 years ago. It reflects the Obama Administration's support for workers' rights and the desire to give workers a stronger voice in the workplace.

- [Read More about the Conference](#)

"DOL Speaks" on Benefits

More than 120 benefit professionals participated in the 2010 "DOL Speaks" conference September 20-21. The forum, which included



remarks from Employee Benefits Security Administration's Phyllis Borzi, Michael Davis and several EBSA staff members, offered participants the latest info on retirement and health issues. The conference, held in National Harbor, Maryland, was jointly sponsored by EBSA, the American Society of Pension Professionals and

What's Hot

Don't TXT\_n\_drV!

DOL has announced a partnership with the U.S. Department of Transportation to combat distracted driving. "It is imperative that employers eliminate financial and other incentives that encourage workers to text while driving," said Secretary Solis. "It is well recognized that texting while driving dramatically increases the risk of a motor vehicle injury or fatality." Prohibiting texting while driving is the subject of an executive order signed by President Barack Obama last year for federal employees and the subject of rulemaking by the DOT.



- [View the Slideshow](#)
- [Learn More About OSHA's No Texting While Driving Initiative](#)
- [Read the DOT Press Release](#)

DOL Will Not Tolerate Mines that Cut Corners on Safety

Secretary Solis spoke before the National Mining Association's Board of Directors and Annual Members Meeting Thursday in Washington, D.C. The meeting drew approximately 100 top officials from mining companies and associations around the country. The Secretary was clear and direct, urging mine operators to renew their commitment to mine safety and health. She told them the Labor Department will tolerate nothing less. "The law is clear – hazards are to be abated, mines are to be made safe, and mine operators are ultimately responsible," she noted. She added that "preventing injuries and illnesses lowers costs and increases profits, but it also fulfills a company's legal obligation to provide for the safety and health of all of its workers from the time they punch in, to the time they punch out."

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

DOL Working for You

"Success Awaits"



Several times a year at assemblies, David Ferrell likes to exhort Job Corps students to be committed, stay focused, and work hard at their studies. He says success awaits them, and he should know.

Ferrell, 50, came to the Flatwoods Virginia Job Corps Center with a self admitted "chip on my shoulder" but blossomed under the program, earning a certificate in carpentry in 1981. He enrolled in Tennessee State University, starred as a linebacker on the football team, graduated and was drafted by the St. Louis Cardinal of the National Football League. For the past 25 years he

Actuaries, the Society of Human Resource Management, and the American Bar Association Joint Committee on Employee Benefits.

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## Alliance with USBLN



Before an audience of more than 400 private and government employers, disability-owned businesses, and representatives of U.S. Business

Leadership Network's local and state affiliates, Kathleen Martinez, assistant secretary of Labor for Disability Employment Policy signed a new two-year alliance agreement with John Kemp, executive director of the U.S. Business Leadership Network in Chicago, Ill. Martinez said she looked forward to working with the USBLN to move beyond discussing barriers, taking disability off the special shelf and implementing those effective policies and practices that lead to good jobs for all workers - including those with disabilities.

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## Green Scene: BLS on Green Jobs

The Bureau of Labor Statistics has published a Federal Register Notice presenting its final green jobs definition. The notice includes a summary of - and response to - the comments received following a March 16, 2010, notice. The new notice references the green goods and services industry list identifying detailed national industries that produce green goods and services as defined by BLS. It also includes a list of industries that were added or dropped compared to the list published in the March Federal Register Notice.

- [View the Federal Registry Notice](#)
- [Read the Full Definition](#)

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## Solis' Q&A With Job Corps

Tens of thousands of students and staff from Job Corps Centers across the country welcomed a special guest today live via the internet. Secretary Solis delivered remarks to the 124 JCC on Thursday and took live questions from students on the telephone. The secretary emphasized the importance of education, training, and hard work to ensure a bright future for America's youth. She also challenged students to redouble their efforts to gain valuable skills and knowledge, reminding them that their progress would not only determine their success, but also America's success.

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## Hire an Older Worker Today!

has worked for the U.S. Forest Service, where he now serves as director of law enforcement and investigations.

"Job Corps is not a hand out but a hand up, where you can be successful in life and give back to your family and your community," Ferrell tells students. "It is one of the best government programs" teaching employment skills and delivering "a real return on investment" in each student, he adds.

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## Around DOL

### New Members of Advisory Council on Apprenticeship Named

A little good advice can go a long ways towards developing policies and programs that get more Americans into good jobs. The department has announced the appointment of new members to the Advisory Committee on Apprenticeship. Comprised of approximately 30 individuals representing labor unions, employers and the public, the ACA's mission includes providing advice and recommendations on the development and implementation of policies, legislation and regulations affecting apprenticeship; and preparing the American workforce for sustained employment through employment and training programs. An open meeting of the ACA will be held in Washington, D.C., Oct. 27-28.

- [Read the News Release](#)

### Celebrating OFCCP's 45th Anniversary

On September 24, 1965, President Lyndon Johnson signed Executive Order 11246, granting supervision of federal contract compliance to the Secretary of Labor, and creating the department's first Office of Federal Contract Compliance Programs. The EO ordered federal departments and agencies to impose non-discrimination and affirmative action rules in all federal contracts and federally- assisted construction projects. Later, on October 5, 1978, President Jimmy Carter consolidated all affirmative action enforcement actions into DOL by signing into law Executive Order 12086. [Read more.](#)



### Solis and Ledbetter on Pay Equity



Nearly 1,500 online viewers tuned in Tuesday to Secretary Solis and pay equity advocate Lilly Ledbetter for a live webcast discussion on equal pay and working families. Ledbetter shared her personal story for justice, stating that the journey began with an anonymous note that included her name, the names of two male colleagues and their respective salaries.

It was that startling disparity in wages that set Lilly into motion. Secretary Solis praised Ledbetter for her courage and the headway she has made in the fight for equal pay for equal work. Solis also took the opportunity to emphasize the need for the Paycheck Fairness Act that is currently awaiting passage in the U.S. Senate.

- [Watch the Webcast](#)
- [View the Slideshow](#)

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## DOL in Action

### More Than \$573,000 to Assist Iowa Workers

A grant in the amount of \$573,416 has been issued to assist 183 workers affected by layoffs at Thermo Fisher Scientific in Dubuque, Iowa. "Iowa has



The last full week of each September is National Employ Older Workers Week. Older workers bring experience, dedication and seasoned

decision-making skills to any workplace. This week offers an opportunity to thank the countless older workers for their contributions and reminds employers of the skills and talents that these individuals bring to the workplace.

- [Read Secretary Solis' Statement](#)

## Senior Program 45 Years Young

For those 55 and older who have low-incomes and are unemployed, DOL's Senior Community Service Employment Program



is an opportunity to remain active in their communities while earning wages. Deputy Assistant Secretary for Employment and Training Gerri Fiala joined SCSEP participants, grantees and representatives from sister agencies in marking the 45th anniversary of the program during an event at the Capitol Visitors Center on Wednesday. The program offers participants more than just a job, Fiala said. It helps older workers "feel more confident and able to participate in the community ... and more valued."

- [Learn more about SCSEP](#)
- [View the Slideshow](#)

## Job Corps Says, ""

On Thursday, the Albuquerque Job Corps Center in New Mexico hosted a group of 14 visitors from Saudi Arabia who specialize in working with youth. The visit allowed the Saudi guests to see an example of a federal program for youth as it is administered at the local level. The visitors were given a broad overview of the structure / operations, eligibility, academic and other programs by Job Corps staff, and later took a student led tour of the facility with AJCC's Soaring Eagles leaders.

## OWCP Takes Show on the Road

The Office of Workers' Compensation Programs hosted Traveling Resource Centers this week in Santa Fe, N.M., and Lynchburg, Va., to assist former nuclear workers in filing claims under the

been hard hit by the recession, and I am committed to doing everything possible to help transition impacted workers across the state into better and permanent jobs," said Secretary Solis.

- [Read the News Release](#)

## \$3.6 Million to New Jersey Workers Laid off by Pharmaceutical Industry

Approximately 960 workers affected by layoffs from the pharmaceutical industry in northern New Jersey will benefit from a \$3,644,575 grant. "Today's grant will give these workers the opportunity to find jobs in expanding sectors of the state's economy," said Secretary Solis. "These are hard-working and highly talented individuals, and we want to do everything possible to help guide and prepare them for other employment opportunities that may be available locally."

- [Read the News Release](#)

## Texans Get Help With Flood Recovery

Flood waters recede, but cleanup and recovery can last for many months. The department has announced more than \$5.8 million in grant funding to assist Texans impacted by Hurricane Alex and subsequent floods. Awarded to the Texas Workforce Commission, these funds will be used to create temporary jobs to assist in recovery efforts.

- [Read the News Release](#)

## MSHA's Inspection Blitz Finds 2,600 Violations

Between April and August, Mine Safety and Health Administration inspectors cracked down on more than 100 "problem" coal mines around the country during an inspection blitz that netted more than 2,600 violations. MSHA enforcement personnel employed a number of tactics to catch operators off guard, including late afternoon or evening arrivals at the mine site, driving unmarked government vehicles, and seizing mine phones to thwart communication between mining personnel working on the surface and those working underground. "We have learned a lot of hard lessons since the explosion at Upper Big Branch Mine more than five months ago," said MSHA Assistant Secretary Joe Main. "We can't be at every mine every day, but when we have reason to believe that a particular mine operator is putting miners' lives at risk, we will not sit back and wait for a disaster to happen."

- [Read the News Release](#)

## Strengthening Protections for Coal Miners

"Coal dust can cause explosions, and explosions kill miners." That was the message delivered by Secretary Solis this week when the Mine Safety and Health Administration announced the publication of an emergency temporary standard designed to strengthen miners' protections in underground coal mines. Mine operators are responsible for regularly cleaning up and removing accumulations of coal dust and other combustible materials underground, and to apply rock dust to inert those combustible areas of the mine. "Inadequate rock dusting can dramatically increase the potential for a coal mine explosion," said the Secretary. The ETS revises the existing standard and requires mine operators to increase the total incombustible content of the combined coal dust, rock dust and other dust.

- [Read the News Release](#)
- [Watch the Video](#)

## Review Commission Rules in Favor of MSHA in Massey Energy Case

A legal challenge by a West Virginia mining company has ended in a win for the Mine Safety and Health Administration. Two months ago, Massey

Energy Employees Occupational Illness Compensation Program. A number of former workers from the Los Alamos National Laboratory and BWX Technologies Inc. were recently added to that program's Special Exposure Cohort. OWCP will also host a TRC next week in Simi Valley, Calif., to assist former workers from the Downey Facility and the DeSoto Avenue Facility who have also been added to that group.

- Read the [Simi Valley, Lynchburg, and Santa Fe Releases](#)
- [Find a Resource Center](#)

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## Environmental Justice Renewed

Lisa Jackson, administrator of the Environmental Protection Agency, convened the Interagency Working Group on Environmental Justice this week. It was the first time that was done in more than a decade. The working group was created to ensure all Americans have strong federal protections from environmental and health hazards. Environmental justice is a cause of great importance to Secretary Solis, who authored the first state-level environmental justice law and served on the U.S. House of Representatives' Energy and Commerce Committee. At the Department of Labor, Solis is continuing her efforts to achieve environmental justice through a number of Green Jobs initiatives, including a \$150 million investment in Pathways Out of Poverty grants. "These smart investments are about making a difference in the lives of all Americans, and the revived Working Group on Environmental Justice will be an important tool in advancing our work," said Solis.

- [Learn More About the Work Group](#)

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## Did you know?

Thanks to a new sharing feature, it's easier than ever to let your friends, family, and colleagues know what you're reading in the DOL newsletter. Just click the "Share" button near the top of the page to send the link via Facebook, Twitter, or even your old-fashioned email account. The button works with more than 200 different social media sites, so help spread the word about the important work of your Department of Labor.

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## Upcoming Deadlines & Events

MSHA — Professional Development Workshop for Mine Supervisors, Competent Persons, and Safety Professionals

- [September 30, 2010 — Woodside, DE](#)

Energy's Performance Coal Co. filed a complaint with the Federal Mine Safety and Health Commission, disputing guidelines MSHA established in the underground accident investigation of the Upper Big Branch Mine explosion. Those guidelines prohibit Massey Energy investigators from using cameras, collecting evidence, and conducting mapping and dust sampling underground. According to MSHA Assistant Secretary Joe Main, those protocols were established "to maintain the safety of all persons involved in the underground investigation and their exposure to potentially hazardous conditions." Administrative Law Judge Margaret A. Miller agreed. In her ruling, she concluded that the Secretary of Labor "may insist on protocols that she believes are necessary to ensure the safety of the investigation. While those protocols may not be what Performance wants or expects, they are nonetheless reasonable and intended to ensure the safety of all persons in the mine."

- [Read the News Release](#)

## OSHA Looks to Ensure Picture Perfect Safety

The Occupational Safety and Health Administration is proposing \$228,320 in penalties for 34 safety and health violations found at Art Horizons Inc. in Batesville, Mississippi. OSHA has cited the picture frame manufacturer with two willful violations for failing to maintain a workplace free from the accumulation of combustible dust. The company was also cited for failing to annually administer hearing tests and not requiring hearing protection for workers exposed to noise over the baseline level. In addition, the company received 13 repeat, 18 serious and one other-than-serious citations.

- [Read the News Release](#)

## \$2.75 Million in Targeted Safety and Health Training Grants

OSHA awards \$2.75 million in Susan Harwood Targeted Topic Training Grants to 16 organizations, including nonprofit and community/faith-based groups, employer associations, labor unions, joint labor/management associations, and colleges and universities. Targeted Topic Training Grants are one-year grants that support the development of quality occupational safety and health training materials and programs for workers and employers addressing workplace hazards and prevention strategies. "This grant program is a crucial component to our efforts to provide workers with training about job hazards and their rights. It also provides employers with information about unsafe working conditions and their responsibilities under the law," said Secretary Solis.

- [Read the News Release](#)

## DOL Helps Improve UI Program

Unemployment insurance is a critical support for workers who lose jobs through no fault of their own. Making sure that payments are accurate and timely is especially important in these times of increased demand for benefits. The department announced on [twitter](#) on Thursday that \$6.4 million in additional funding would go to 16 states to enhance state unemployment insurance integrity and performance improvement systems. The funds will be used to make technology improvements leading to more accurate unemployment insurance benefit payments. They will also support automation upgrades, and lead to cost savings, increases in the timeliness of service delivery, reduction of errors within unemployment insurance systems.

- [Read the List of Grantees \(PDF\)](#)

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## Spotlight on States: Minnesota

Laid-Off Retail And Manufacturing Workers Get Help

OFCCP — 45th Anniversary of the Executive Order 11246

- [September 24, 2010 — San Francisco, CA](#)

OFCCP — ADA and Section 503 of the Rehabilitation Act of 1973, as amended Seminar

- [September 30, 2010 — Richmond, VA](#)

OFCCP — Agency Regulatory Overview: safetyNETworking Event

- [September 28, 2010 — Camden, NJ](#)

OFCCP — Compliance Assistance Seminar

- [September 24, 2010 — San Antonio, TX](#)
- [September 27, 2010 — San Juan, PR](#)

OFCCP — Compliance Assistance Seminar for Construction Contractors

- [October 1, 2010 — Richmond, VA](#)

OFCCP — Compliance Assistance Seminar for Supply and Service Contractors

- [October 6, 2010 — Pittsburgh, PA](#)
- [October 7, 2010 — New York, NY](#)

OFCCP — How Do You Respond and Prepare for an Audit?

- [October 5, 2010 — Philadelphia, PA](#)

OFCCP — How to Compile an AAP and Support Data for a Compliance Review

- [September 24, 2010 — Richmond, VA](#)

OFCCP — Northeast (NERC) Corporate ILG Meeting

- [September 29, 2010 — New Brunswick, NJ](#)

OFCCP — Traveling Resource Center to assist nuclear weapons workers

- [September 28, 2010 — Simi Valley, CA](#)

The Department has announced a \$919,588 National Emergency Grant supplemental award to continue to provide services to 1,373 workers affected by layoffs in the manufacturing and retail industries in southeastern Minnesota. "Many Minnesotans who were laid off from manufacturing and retail jobs need continued access to training and employment services. I am committed to ensuring they can access those services and get back into jobs that pay family-supporting wages," said Secretary Solis. Funds will be used to continue the delivery of re-employment assistance to 1,109 workers covered by the initial award, and will provide services to an additional 264 individuals.

- [Read the News Release](#)

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## Recovery Highlights

DOL Grantee Among 100 Projects Changing America

A Labor Department grantee has made the cut as one of "100 Recovery Act Projects that are Changing America." Vice President Joe Biden last week issued a report highlighting some of the most innovative and effective Recovery Act projects across the nation. The list includes Workplace Inc. YouthBuild program in Bridgeport, Conn., which is preparing young people for careers in energy efficient building. Find out more about this project and the other 99 by reading the full report.

- [Read the White House Report](#)

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## Opportunities are Open: Mine Safety

In the wake of the worst mining disaster in almost 40 years, the department's Mine Safety and Health Administration has been working overtime to ensure that miners don't lose their lives for their livelihood. Explore the mine inspector positions below or [view all](#) the rewarding careers at the department.

- Positions in Multiple Duty Locations  
[Coal Mine Safety and Health Inspector](#)  
FCIP-10-MSHA-010-CO-D9  
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