



## DOL News Brief

October 21, 2010

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### Flexibility Forum in Dallas



Secretary Solis fired up a crowd of nearly 300 during her keynote address to the Women's Bureau's National Dialogue on Workplace Flexibility at

Southern Methodist University in Dallas, Texas on Wednesday. The event — the first in a series of ten, brought together employers, employees, advocates, researchers, educators, unions and other stakeholders to discuss making flexibility work and to share best practices. Following remarks by Women's Bureau Director Sara Manzano-Diaz, and Executive Director of the White House Office of Public Engagement Tina Tchen, expert panelists discussed flexibility challenges and solutions for small business. Later in the day, Solis visited the Dallas regional office where she had the opportunity to meet with staff one-on-one and was surprised by a birthday celebration.

- [View the Slideshow](#)
- [Read the Secretary's Op-Ed](#)
- [Read a Letter from the First Lady](#)

### Pilot Job Fair in Dallas a Success!

Nearly 500 job-seekers attended the Department of Labor's job fair in Dallas, Texas this week. The theme, "Talent has no boundaries: Workforce diversity includes workers with disabilities," in



recognition of National Disability Employment Awareness Month, attracted people from all walks of life. "It was great to see so many talented and enthusiastic people interested in coming to work for the federal government. I met a lot of people that I would love to hire and have on my team," said Kelley Pettit, Office of the Assistant Secretary for Administration and Management regional administrator. Other participating federal

### What's Hot

#### Surprise Mine Inspections = Accountability

Federal mine inspectors issued more than 550 violations last month at 30 mining operations throughout the country. It's part of an ongoing and unrelenting effort by the Mine Safety and Health Administration to hold mine operators accountable, especially those with a history of poor safety and health compliance. Some operators are getting the message but, unfortunately, others are not, according to MSHA Assistant Secretary Joe Main. "Mine operators are obligated to address all the problems that MSHA inspectors identify, yet some continue to violate standards and place miners at risk. At the same time, we are beginning to see signs of improvement at some mines, an indication that these impact inspections are making a difference."

- [Read the News Release](#)
- [View the Results of September's Impact Inspections](#)

#### Decline in Workplace Injuries and Illnesses

The department's Bureau of Labor Statistics announced that nonfatal workplace injuries and illnesses among private industry employers declined in 2009 to a rate of 3.6 cases per 100 equivalent full-time workers, down from a total case rate of 3.9 in 2008. BLS also reported a decline in the total number of cases from 3.7 million in 2008 to 3.3 million in 2009. "The reported decline in workplace injuries and illnesses is encouraging," said Secretary Solis. Still, "too many Americans suffer each year from preventable injuries or illnesses they received while on the job. Even in these difficult economic times, we must keep in mind that no job is a good job unless it's a safe job."

- [Read the Secretary's Statement](#)
- [BLS News Release and Report](#)

#### More Information on Site Exposure Matrices Website

Ninety-two of the 116 U.S. Department of Energy nuclear weapons facilities covered under the Energy Employees Occupational Illness Compensation Program Act are now listed on the Department of Labor's expanded Site Exposure Matrices website. The more robust SEM website provides additional data and allows users to more easily identify interrelationships among DOE buildings, work processes, labor categories and exposure to toxic substances. "We appreciate the Department of Energy's agreement to make 92 of its sites fully accessible," said Shelby Hallmark, director of DOL's Office of Workers' Compensation Programs. "We'll keep working with DOE until all our claimants are able to access the same type of data."

- [Read the News Release](#)
- [Visit the SEM Site](#)

agencies included the Internal Revenue Service, Environmental Protection Agency, Department of Veterans Affairs, and Social Security Administration, to name a few.

- [View the Slideshow](#)

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## DOL, Customer of the Year



The U.S. General Services Administration named DOL's Office of Administrative Services "Customer of the Year" on Thursday

for exemplifying a professional working relationship with the GSA National Capitol Region. The honor was given to the department for numerous endeavors, including a proactive approach to operations and maintenance of the Frances Perkins Building; serving as a pilot for the US Department of Energy's GATEWAY Solid lighting technology demonstration program; and reducing steam and electricity use, as well as water costs. Through the Labor Department's responsible asset management, it is leading the way as one of the best maintained federal facilities and has set the tone for industry standards.

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## Sowing Seeds

Solicitor of Labor M. Patricia Smith's leadership in supporting farmworkers' rights was recognized during the Annual Sowing Seeds for Justice Dinner in New York City last week.



Also in attendance was Reverend Philip Tom, director of the Labor Department's Center for Faith-Based and Neighborhood Partnerships, who delivered a powerful message: "Let us keep moving forward together, sowing the seeds of justice, so that farmworkers and all workers will be able to enjoy the fruits of their labors." The event was sponsored by the Rural & Migrant Ministry and the Greater New York Labor Religion Coalition.

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## Honoring Ray Marshall

Ray Marshall served as U.S. Secretary of Labor under President Jimmy Carter. During

## News You Can Use

### UI Report Dates Changed Due to Holidays

Due to the Veterans Day and Thanksgiving Day holidays, the usual Thursday release dates for the Labor Department's Unemployment Insurance Weekly Claims Report will be moved. The new release dates will be Wednesday, Nov. 10 and Wednesday, Nov. 24 respectively.

- [Read the Advisory](#)

### Retirement Plan Solutions for Small Businesses

A new website to help small businesses choose the right retirement solution for their employees was launched this week by the Employee Benefits Security Administration and the American Institute of Certified Public Accountants. "Having the right plan will give small business owners a way to save for their own retirement while helping their employees save for a secure retirement," said EBSA Assistant Secretary Phyllis Borzi.

- [Read the News Release](#)
- [View the Website](#)

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## DOL Working For You

### UI Employee Recognized with DOL Service Award

One year after President Franklin Roosevelt signed legislation beginning the modern Unemployment Insurance System, then 19-year-old Velia DiCesare began her public service career as a clerk in 1936 for the Massachusetts UI Commission. Now, 74 years later, DiCesare continues her dedicated service for that state, believed to be the longest tenured UI worker in the nation. Her inspirational work was recently recognized with the Department of Labor's Distinguished Lifetime Service Award. "I am extremely honored to receive such an outstanding recognition for my contribution in providing services to the unemployed," DiCesare said when learning about the recognition from DOL. She credits her longevity to the fact that "it is in my nature to eagerly anticipate and accept change" in work that she finds "enjoyable." Although 92 years young, she is in her office by 8 a.m., serving as Program Manager of Investigative Operations in the state's UI Program Integrity Department.



### DOL Helps Entrepreneur Weather Disability, Start New Business

After international flight attendant Linda Erb became disabled on the job, her career really took off. Erb enrolled in the StartUP NY, a self-employment demonstration program funded by the department's Office of Disability Employment Policy. There she learned entrepreneurial skills, taking classes in financial literacy, computers, sales training and marketing. She also received mentoring from lawyers, bankers, accountants and insurance people. This led the Camillus, New York resident to start OhGoodyGoody.com, an online company which sells gift certificates to retail businesses like wineries, spas and gift shops. Business is thriving and she has made contacts with other entrepreneurs, including potential merchants. As a business novice, Erb admitted she "needed all the help I could get" but added the DOL funded program "got me on the way and led to my current business success."





his tenure, the Occupational Safety and Health Administration was strengthened, the Mine Safety and Health Administration was created, and many federal equal employment opportunity initiatives were consolidated under the Office of Federal Contract Compliance Programs. Still active in economic and academic areas today, he founded the Ray Marshall Center at the LBJ School of Public Affairs at the University of Texas to foster creative solutions to challenging education, workforce and social problems. Secretary Solis paid a visit to Austin, Texas this week, to join Secretary Marshall in celebrating the 40th anniversary of the Marshall Center, and tour the LBJ Presidential Library. She told the crowd of nearly 200 academics, union leaders and students that "Ray Marshall's work and leadership at the Department of Labor continues to drive what we do every day."

- [View the Slideshow](#)

## Directors Mark UI 75th Anniversary



Unemployment Insurance continues to help millions who may otherwise be without incomes following layoffs. This week, nearly 300 state UI

directors and staff joined the Employment and Training Administration and National Association of State Workforce Agencies to mark the 75th anniversary of the UI program at the annual National Conference on Unemployment Insurance. ETA Assistant Secretary Jane Oates asked for the help of conference attendees in determining the future path of the unemployment insurance system during her remarks on Tuesday. The evening featured a dinner at the Dirksen Senate Office Building where several prominent figures in UI history were inducted as the first members of the Unemployment Insurance Hall of Fame. Participants spent the remainder of the conference participating in policy panels and workshops covering a variety of UI issues.

- [View the Slideshow](#)

## Fighting for All Workers

Leaders from Latino and evangelical

## Green Scene

### DOL Grantee Creates Green Opportunities

The Texas Panhandle is quickly becoming one of the largest wind energy producing regions in the country. Motivation Education & Training Inc., a department grantee through the National Farmworker Jobs Program, is helping the region's workers take advantage of career opportunities in this growing industry. MET is working with the Association of Farmworker Opportunity Programs, Amarillo College and local employers to enroll farmworkers in wind energy training and place them in jobs.

- [Read About the Program](#)

### Connecting Women with Green Jobs Training Programs

DOL's Women's Bureau will host a teleconference focusing on developing green jobs training programs at 2 p.m. on Thursday, October 28, the final in a series of seven teleconferences designed to provide workforce professionals, educators, career advisors and others with ideas on how to better connect women with green jobs. Speakers from the Women's Bureau, Vermont Works for Women, Minnesota Renewable Energy Marketplace and the department's Employment and Training Administration will present strategies on leveraging resources for green jobs training, as well as tips on designing an effective program. In addition, there will be a review of federal funds invested in promoting green economy growth and green jobs.

- [Learn More About the Teleconference](#)

## Around DOL

### BLS Celebrates World Statistics Day

The Department of Labor's Bureau of Labor Statistics celebrated the first World Statistics Day on Wednesday, highlighting the role statistics play in shaping society as a basis for many governmental, business and community decisions. "For more than 125 years, BLS has produced data that influence and shape policies, which affect the well-being of American workers and their families, retirees, businesses, healthcare, retirement benefits, the minimum wage, workforce education and training, economic development, workplace safety, and consumer spending," said BLS Commissioner Keith Hall. In Atlanta, the BLS regional office marked the day by hosting a coffee and cake reception for all DOL employees.



- [Learn More about World Statistics Day](#)

### Kansas City Area Employers Cited After Worker Falls to His Death

The Occupational Safety and Health Administration has cited Kirberg Roofing of Kansas City, Kansas, and Davila Sheet Metal of Raytown, Missouri, following an investigation of a Kirberg construction worker who fell nearly 40 feet to his death through a roof opening. An OSHA inspection of the worksite revealed willful and serious violations. Investigators also found that Davila Sheet Metal had also exposed its workers to fall hazards and cited that company with willful and serious violations as well. "Falls are the number one reason construction workers are hurt or killed. There is no excuse for an employer in the construction industry not to provide the necessary equipment and training for workers," said Charles Adkins, OSHA's regional administrator in Kansas City, Mo.

churches met with Secretary Solis this week to discuss how churches can partner with DOL to better



protect immigrant workers. Solis was joined by DOL agency officials, who with the help of the leaders, have agreed to explore various church outreach opportunities and support programs to help serve these vulnerable workers.

- [View the Slideshow](#)

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## Next Stop: ODEP



DOL's Office of Disability Employment Policy is taking the message for National Disability Employment Awareness Month underground — literally. This year's poster, which was designed by an artist and poet with a disability, marks the first year that the NDEAM poster is displayed at

five METRO stops in the D.C. metropolitan area. "This is so exciting to get our message out to the public at large through METRO," stated ODEP Assistant Secretary Kathy Martinez.

- [Download the NDEAM Poster](#)

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## "Breaking Bad" Actor Visits ODEP

Actor RJ Mitte, who stars in the AMC series "Breaking Bad," stopped by DOL this week to chat with Office of Disability Employment Policy



Assistant Secretary Kathy Martinez and members of her staff in celebration of National Disability Employment Awareness Month (NDEAM). Martinez and Mitte first met at the Academy of Television Arts & Sciences and ODEP's Lights! Camera! Access! event in Los Angeles last summer. Martinez thanked Mitte for his advocacy on behalf of youth with disabilities and willingness to partner with ODEP to achieve common goals. Mitte completed his visit at ODEP by having a discussion with members of ODEP's Youth Policy team about the importance of creating opportunities for youth to develop leadership skills.

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[Upcoming Deadlines & Events](#)  
[Open Funding Opportunities](#)

- [Read the News Release](#)

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## DOL in Action

### Lawsuit Seeks Hundreds of Millions for Benefit Plans

Four New York investment and advice firms, as well as their principals were sued by the U.S. Department of Labor this week after pension, health and other employee benefit plan clients lost millions of dollars on investments with Bernard L. Madoff and his firm. The suit seeks to recover losses suffered and any improper fee and profits received by the defendants, along with barring them from service to plans in the future. "These defendants chose their financial interests over those of the plans whose assets they were their duty bound to manage prudently," said Secretary Solis. "Their actions put the future benefits of thousands of workers in jeopardy."

- [Read the News Release](#)

### Proposed Rule to Define Fiduciary to Plans

Employee Benefits Security Administration Assistant Secretary Phyllis Borzi announced a proposed rule to amend the regulatory definition of the term "fiduciary" under section 3(21) of the Employee Retirement Income Security Act. The proposed amendment would better reflect the current practices of investment advisers and the expectations of plan officials and participants who receive investment advice. "We believe this proposal more closely reflects the statutory language of ERISA and the realities of the current investment marketplace, and therefore will ensure those who provide investment advice are held accountable as fiduciaries under the law," said Borzi.

- [Read the News Release](#)
- [Read the Proposed Regulation](#)
- [Listen to the Press Conference](#)

### Trucker Debarred for Violating Service Contract Act

A DOL administrative law judge has ordered HHMT Inc., a now-defunct mail-hauling business operating out of Olney, Ill., and Hal Hicks, who ran the operation, to pay \$298,000 in back wages to 47 truck drivers. It was determined that the company violated the Service Contract Act when it failed to pay truck drivers the required prevailing wages. The company and Hicks also are barred from bidding on any U.S. government contracts for three years.

- [Read the News Release](#)

### Tyson Settles Discrimination Findings

Tyson Refrigerated Processed Meats Inc. has agreed to settle findings of hiring discrimination against 532 applicants at the company's bacon processing plant in Vernon, Texas. The Office of Federal Contract Compliance Programs investigators found that African-American and Caucasian applicants were less likely to be hired than similarly situated Hispanic applicants over a two-year period. "The Labor Department is committed to leveling the playing field for all workers," said OFCCP Director Patricia A. Shiu. "A company that profits from taxpayer dollars must not discriminate — Period." Under the terms of the conciliation agreement, the company will pay a total of \$560,000 in back pay and interest to the 532 applicants. Additionally, the company will make job offers to 59 of the 532 eligible class members.

- [Read the News Release](#)
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Check out the grant opportunities with DOL.

Women's Bureau — Women Veterans' Stand-down and Mini Retreat

- [October 23 — Kansas City, MO](#)

MSHA — 5th Annual Southeastern US Mine Safety and Health Conference

- [November 3-5 — Birmingham, AL](#)

MSHA — 6th Annual Joint Western Regional Mine Safety and Health Conference

- [October 26-27 — Reno, NV](#)

OFCCP — AAP Development & Preparing for a Desk Audit

- [October 28 — Baltimore, MD](#)
- [November 4 — Baltimore, MD](#)

OFCCP — Compliance Assistance Seminar

- [November 2 — Philadelphia, PA](#)

OFCCP — Compliance Assistance Seminar for Construction Contractors

- [October 22 — Richmond, VA](#)
- [October 26 — Mountainside, NJ](#)
- [October 28 — Buffalo, NY](#)
- [October 28 — Hartford, CT](#)
- [October 28 — New York, NY](#)

OFCCP — Compliance Assistance Seminar for Supply and Service Contractors

- [October 27 — Nashville, TN](#)
- [November 2 — Mountainside, NJ](#)
- [November 3 — Boston, MA](#)
- [November 3 — Pittsburgh, PA](#)
- [November 3 — Nashville, TN](#)
- [November 4 — New York, NY](#)
- [November 4 — Hartford, CT](#)
- [November 4 — Buffalo, NY](#)
- [November 5 — Richmond, VA](#)

OFCCP — National Association of Women in Construction

- [October 22 — Miami, FL](#)

OFCCP — Reasonable Accommodations Under the ADA

- [October 29 — Richmond, VA](#)

WHD — Prevailing Wage Conference

- [November 2 — Cleveland, OH](#)

## Spotlight on States: Virginia

Grant to Help Virginians Find Work, Cover Health Insurance Payments

The Department is providing a \$3,008,790 National Emergency Grant to provide an estimated 1,868 jobless workers in Virginia with partial premium payments for health insurance coverage. "The challenges associated with a job search are stressful enough without worrying about a lack of health insurance," said Secretary Solis. "Helping these Virginians maintain insurance coverage as they seek re-employment is one way we can ensure the state's working families get the support they need and deserve." The grant will make insurance payments for unemployed individuals who are receiving Trade Adjustment Assistance benefits and who are eligible for the Health Coverage Tax Credit program. Eligible individuals can receive 80 percent of premium costs for qualified health insurance programs.

- [Read the News Release](#)

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## Recovery Highlights

Recovery Grant Leads to Jobs for Jersey Residents



Ten previously unemployed New Jersey residents started new jobs as electronics technicians this week after completing training made possible through a DOL Recovery Act-funded grant. The NJ Training on Demand electronics technician program was created as a collaboration among the Bergen Community College, Crestron (a global provider of

electronic control and automation systems), The New Jersey Department of Labor, the Bergen County Workforce Investment Board, local One Stop Career Centers, The New Jersey Business & Industry Association and the New Jersey Community College Consortium for Workforce and Economic Development.

- [Read the Bergen Community College News Release](#)

More Than \$1.3 Million in UI Modernization Funds to US Virgin Islands

The Department this week certified for release \$1,335,274 in unemployment insurance modernization incentive funds to the U.S. Virgin Islands. The territory qualified for the Recovery Act funds by expanding unemployment benefits to part-time workers and including certain family-friendly provisions in its UI law. "Unemployed workers with recent work experience deserve to be able to qualify for UI benefits, and these funds will make that possible," said Secretary Solis.

- [Read the News Release](#)

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## Opportunities are Open: #1 Customer

The department's Office of the Assistant Secretary for Administration and Management received the "Customer of the Year" award this week for responsible asset management, experience and proven leadership! Explore the positions below or [view all](#) the rewarding careers at the department.

1. Position in Washington, D.C. / Metro Area  
[Librarian](#)  
DE-10-HRC-OASAM-CPFR-222  
Close: 10/29/2010
2. Position in Washington, D.C. / Metro Area

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- DOL announces grant to assist Native Americans affected by fishing industry layoffs in Washington State [10/25/2010] <http://bit.ly/9oFRiQ> about 20 hours ago
- DOL's OSHA fines New Hampshire gun powder manufacturer \$1.2 million, issues 54 citations after deadly explosion [1... <http://bit.ly/bz0RuC> about 22 hours ago

[Building Management Specialist](#)

DE-10-HRC-BOC-213

Close: 11/02/2010

3. [Two Positions in Washington](#)

[Contract Specialist](#)

DE-11-HRC-BOC-002

Close: 11/17/2010

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