



DOL News Brief

November 4, 2010

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DOL Salutes Our Veterans

Vowing to "leave no veterans behind," Secretary Solis – joined by Assistant Secretary for Veterans' Employment and Training Raymond



Jefferson, Women's Bureau Director Sara Manzano-Diaz, members of the military and their families, and other dignitaries – led the department's annual Salute to Veterans ceremony on Thursday. Solis, who co-chairs the Interagency Council on Veterans' Employment, acknowledged several veterans in attendance who have succeeded in obtaining jobs thanks to DOL-funded programs and said, "We stand behind and beside you and give you 100 percent of our commitment." Jefferson added that his agency is helping service members and their families transition to civilian careers and providing job training assistance through One-Stop Career Centers. Manzano-Diaz shared the Women's Bureau's efforts to combat homelessness among women veterans. Before the event concluded, keynote speaker Army COL. Gregory Gadson shared his inspirational story as a wounded warrior. Later he was recognized for his efforts to help support veterans.

- [View the Slideshow](#)

USICH Holds Full Meeting

Ending homelessness is not the work of one government agency, but the responsibility of our society as a whole. In that spirit, Secretary Solis serves as vice-chair of the Interagency Council on Homelessness. This week Assistant Secretary for Employment and Training Jane Oates represented DOL at the third full meeting of all 20 federal agencies on the council. Oates provided participants with information on the department's mySkills myFuture online tool that can help individuals match former occupations to new careers. On Tuesday, November 9, from 2:00 – 2:45 p.m. EST, the department's Veterans' Employment and Training Service will participate

What's Hot

MSHA Asks for First-ever Preliminary Injunction Against Mine Operator

For the first time in the history of the agency, the department's Mine Safety and Health Administration filed a motion for preliminary injunction against Massey-owned Freedom Energy Mining Co. in Pike County, Ky. The motion, filed Wednesday with the U.S. District Court for the Eastern District of Kentucky, stated that Freedom Energy is engaged in a pattern of failure to comply with safety and health standards in four key areas: clearing the mine of excessive accumulations of coal dust, adequate roof control, testing and maintenance of electrical equipment, and mine ventilation. "Although this is the first time the department has utilized this legal remedy, it will not be the last," said Solicitor of Labor M. Patricia Smith. "We will work closely with MSHA to ensure that we use every tool possible to keep miners safe."

- [Read the News Release](#)
- [Learn More About the Injunction](#)

DOL Working for You

"Rappin' Padre" Helps Troubled Teens through Cyber Ministry

Self-admitted partying and cruising with gangs in Richmond, Calif., eventually led to Robert Gonzales losing his lower right leg in an altercation. But a stint at the Sierra Nevada Job Corps, where he learned carpentry and electrical work, boxed a little, and earned his GED started him on the road to redemption. Gonzales eventually graduated from college with a degree in Chicano Studies and went to work in the private sector. Despite his success, he felt a spiritual emptiness. He fulfilled a calling to enter the Franciscan priesthood, and became ordained in 1996. Now Father Maseo Gonzales uses the Internet and music to counsel young people in avoiding the gangs, drugs and violence that affects youth in inner cities. Almost 20,000 young people across the country have signed up on his site to ask anonymous questions and receive religious advice from Father Gonzales – sometimes delivered through his own rap music. His ministry is so popular that children's guidance books have been published and a series of animated and live action shows are in production. The "Rappin Padre" as he is sometimes known confesses his Job Corps tenure helped remove him from bad influences. "Job Corps helped me get my life together," Father Gonzales said.



- [Visit Father Gonzales' Site](#)

DOL Generosity Helps Lift African Families Out of Poverty

The generosity of departmental employees, contractors

in a USICH webcast to discuss interagency initiatives to end veterans' homelessness.

- [Watch the Webcast on Nov. 9](#)
- [Learn More About the Council](#)
- [Access mySkills myFuture](#)

Solis Commends ERISA Council



At the final meeting of the ERISA Advisory Council, held at DOL's Washington headquarters this week, Secretary Solis commended the

members for their efforts that ensure the retirement and health security of America's workers. "The experience and expertise that you bring to bear is invaluable, and your work helps us achieve our goal of good and safe jobs for everyone," said Solis. Topics explored by the Council during the past year included retirement disparities experienced by women and minorities, auditing and financial reporting models to fairly value plan assets, and health care literacy to give workers clear and useful information about their health plans. The council held five meetings during the year and presented findings and recommendations during the final meeting on Thursday.

- [View the Slideshow](#)

Oates Pays Visit to Youth Center

During a visit to Lowell, Mass., Assistant Secretary for the Employment and Training Administration Jane Oates paid a visit to the United Teen



Equality Center to tour the facility and get a first-hand view of the workforce development programs geared towards at-risk youth. Oates was able to observe participants at work in the center's various programs such as culinary arts, maintenance and multimedia. During her visit, she also met with the street teams that are building relationships with high school drop-outs, gang members and homeless youth. The teams' efforts help young people know that UTEC programs are available to them. The center currently has a 7,000 square foot LEED platinum certified building addition underway that will enable the expansion of their workforce development and education programming to continue to serve disengaged youth ages 16 - 23.



and guests has reached all the way to poor farmers in Africa, thanks to the collection of 175 pairs of gently used athletic shoes by members of the Department of Labor Fitness Association. The sneakers were given to the nonprofit Perpetual Prosperity Pump Foundation for sale to vendors. Proceeds from the sneaker sales fund the purchase of freshwater pumps, fruit trees and small livestock for poor African farmers and pays for educating them in sustainable agricultural practices.

Reselling the sneakers also avoids placing them in municipal landfills. Beth Osteguín, DOLFA fitness director, said, "I'm impressed at how department members and non-members made a real effort to contribute to this drive." DOLFA is holding a number of charitable and community service events this year: November 16, dozens of members have volunteered to walk or run Washington Humane Society shelter dogs during their lunch hour. "Getting exercise while helping a shelter dog is a fun and fit way to make a difference in our community," said Karen Krieg, assistant fitness director.

News You Can Use

Update on Grandfathered Health Plans

The Employee Benefits Security Administration published three Frequently Asked Questions last week that address the "grandfather" provisions for health plans that existed on March 23, 2010, when the Affordable Care Act became law. The FAQs discuss disclosures that are to be given to participants in grandfathered plans, the impact of employee cost-sharing on a plan's grandfathered status, and reimbursement of employees for the care of children with disabilities.

- [Read the FAQs](#)

National Dialogue on Workplace Flexibility in Atlanta on Nov. 10

The Women's Bureau will be hosting a half-day conference at Emory University in Atlanta on Wednesday, Nov. 10, to explore challenges and solutions to workplace flexibility in the health care industry. The program is part of the Department of Labor's "National Dialogue on Workplace Flexibility." Speakers will include Women's Bureau Director Sara Manzano-Diaz and WellStar Health System Executive Vice President David Anderson. Similar forums focusing on different industries are being conducted in upcoming months across the country. For more information, call 404-562-2336.

Around DOL

Solis Renews NACOSH Charter

Secretary Solis renewed the charter of the Occupational Safety and Health Administration's National Advisory Committee on Occupational Safety and Health last week. NACOSH advises, consults with and makes recommendations to the secretaries of labor and health and human services on matters relating to the administration of the Occupational Health and Safety Act. "Since OSHA's inception, NACOSH has played an important role in advising us on worker safety issues such as hazard communication, the whistleblower program and providing ideas and input on ways to reduce worker deaths, injuries and illnesses," said Assistant Secretary of Labor for OSHA Dr. David Michaels.

- [Read the News Release](#)

- [View the Slideshow](#)
- [Learn More UTEC-Lowell](#)

WHD Conference Draws Hundreds



The Department of Labor's Wage and Hour Division hosted a Prevailing Wage Conference in Cleveland this week to provide information on

labor laws applicable to Recovery Act projects. "Conferences like this provide valuable dialogue between the Wage and Hour Division and its stakeholders in our ongoing effort to ensure workers receive good paying jobs on contracts subject to federal prevailing wage laws," said Nancy Leppink, deputy administrator for the Wage and Hour Division. Nearly 250 federal, state and local contracting representatives attended the conference to gain better insight on the Davis-Bacon Act, McNamara-O'Hara Service Contract Act and Fair Labor Standards Act.

Harris Advocates For Job Access

Deputy Secretary Seth Harris advocated for increased job opportunities for individuals with disabilities while touring Chicago's



Access Living, a non-residential independent living center, on Wednesday. "The Department of Labor is committed to a world in which people with disabilities have equal access to employment opportunities, and are given the skills to succeed," Harris said. "Access Living is a model for programs trying to make this vision a reality." During his two-day visit to Chicago, Harris met with DOL employees, union representatives and community stakeholders. He also spoke at the American Bar Association Labor and Employment Law Conference.

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

Check out the grant opportunities with DOL.

Event Spotlight: Latino Summit In NYC

The Occupational Safety and Health Administration will host a New York Action

Putting Strategy into Action

DOL employees in Washington, D.C. and across the country joined Deputy Secretary Seth Harris for a discussion of the department's Strategic Plan last Friday. The discussion was moderated by Tim Clark, editor-at-large of Government Executive Magazine. Focusing on how all department employees can contribute in making "Good Jobs for Everyone" a reality, Harris described the evidence-based approach every DOL agency is using to demonstrate that what they do matters to America's workers.



- [View the Slideshow](#)
- [Read the Strategic Plan](#)

DOL in Action

WHD Agricultural Strike Force Results in Penalties for 2 Employers

As the result of a Wage and Hour Division Tomato Strike Force initiative, penalties are being imposed against two agricultural employers in western North Carolina that violated provisions of the Migrant and Seasonal Agricultural Worker Protection Act. Perez Brothers Produce Inc. in Hendersonville, N.C., was assessed \$6,700 in penalties and Burrell/Vargas Farm in Canton, N.C., was assessed a \$2,450 penalty. "A positive result from our efforts at educating employers was that we found no child labor violations during the tomato harvest," said Oliver Peebles III, the Wage and Hour Division's regional administrator in Atlanta. "Wage and Hour Division investigators will continue to actively work with agricultural communities to ensure that migrant workers and minors receive the protection afforded them under federal labor laws."

- [Read the News Release](#)

"Winter Alert" Campaign Urges Miners' Vigilance During Colder Months

Colder weather can bring specific – and often hazardous – changes to the mining environment. That's why the Mine Safety and Health Administration has issued its annual "Winter Alert" safety message to miners and mine operators throughout the country. Decreases in barometric pressure, low humidity and seasonal drying of areas in coal mines can cause methane to migrate more easily and coal dust to become suspended in the atmosphere. These conditions can increase the potential for mine explosions which, historically, happen more often during the winter months. Other hazards include limited visibility, icy haulage roads and walkways, and the freezing and thawing effect on highwalls at surface mines. "Conditions at underground and surface operations can change dramatically during colder weather," said MSHA Assistant Secretary Joe Main. "Miners and mine operators should always be mindful of the potential hazards they face this time of year."

- [Read the News Release](#)
- [Learn More About the Alert](#)

OSHA Encourages Retailers to Protect Workers on Black Friday

With retailers starting to advertise "Black Friday"/post-Thanksgiving sales, the Occupational Safety and Health Administration is emphasizing how critical it is to ensure the safety of retail workers and customers. In an effort to encourage retail companies to develop a plan, OSHA sent major retail



Summit for
Latino/Immigrant
Worker Safety and

Health on November 16 at Lehman College-Lovinger Theater in NYC. The conference will bring together representatives from employer associations, labor groups, community organizations, worker centers, safety and health professionals, educators, government officials, consulates, the media and other non-traditional partners to develop new partnerships, target and expand outreach and share the most effective strategies to reach Latino immigrant workers.

- [Learn More about the Summit](#)

MSHA — Worker Health and Safety in the Obama Administration

- [November 8 — Denver, CO](#)

OFCCP — 12 Reasons Why Contractors Get in Trouble

- [November 12 — Richmond, VA](#)

OFCCP — ABC's of the AAP

- [November 17 — Houston, TX](#)

OFCCP — Compliance Assistance Seminar

- [November 9 — Philadelphia, PA](#)

OFCCP — Compliance Assistance Seminar for Construction Contractors

- [November 8 — Honolulu, HI](#)
- [November 9 — Mountainside, NJ](#)
- [November 10 — New York, NY](#)
- [November 10 — Buffalo, NY](#)
- [November 10 — San Francisco, CA](#)
- [November 17 — Houston, TX](#)
- [November 18 — San Juan, PR](#)

OFCCP — Compliance Assistance Seminar for Supply and Service Contractors

- [November 5 — Richmond, VA](#)
- [November 10 — San Juan, PR](#)
- [November 10 — Boston, MA](#)
- [November 10 — Nashville, TN](#)
- [November 16 — Mountainside, NJ](#)
- [November 17 — Boston, MA](#)
- [November 17 — Nashville, TN](#)
- [November 18 — New York, NY](#)
- [November 18 — Hartford, CT](#)

company CEOs a letter and enclosed OSHA's fact sheet on Crowd Management Safety Tips for Retailers. "Crowd-related injuries during special retail sales and promotional events have increased during recent years," said Assistant Secretary for OSHA Dr. David Michaels. "Many of these incidents can be prevented by adopting a crowd management plan, and this fact sheet provides retail employers with guidelines for avoiding injuries during the holiday shopping season."

- [Read the News Release](#)

DOL Recovers Nearly \$440,000 for Union Employee Benefit Plans

The current and former trustees of several retirement, health and welfare plans of the International Brotherhood of Electrical Workers Local Union No. 99 in Cranston, R.I., were ordered to repay nearly \$440,000 to the plans. According to a consent order and judgment obtained by the department, the payment was restitution for violating the Employee Retirement Income Security Act. In addition, the defendants must ensure that adequate and accurate records are established and maintained by all service providers to the plans and the fiduciary defendants are barred from using their authority to pay a fee for a service in which the fiduciary has a personal interest.

- [Read the News Release](#)

Lawsuit to Obtain More Than \$512,000 for 22 Workers

DOL's Wage and Hour Division is suing Aspen Nursing Services for alleged minimum wage and overtime violations. The Labor Department is asking a federal court in Louisville, Ky., to award 22 employees back wages for the previous two years plus an equal amount in liquidated damages, for a total of \$512,584.26. "These low-wage workers perform an important and underappreciated service, and they deserve all the wages due them as required by the Fair Labor Standards Act," said Oliver Peebles III, regional administrator for the Wage and Hour Division in Atlanta.

- [Read the News Release](#)

Spotlight On States: North Carolina

North Carolina Receives \$205 Million to Modernize UI

The DOL will release \$205,063,552 in unemployment insurance modernization incentive funds to the state of North Carolina. The state qualified for its full share of the funds available under the American Recovery and Reinvestment Act by providing for a variety of provisions that assist recent entrants to the workforce, part-time workers and workers who become unemployed because of compelling family reasons. "North Carolina has strengthened its economic safety net by helping to broaden coverage to deserving workers who previously did not qualify for benefits," said Secretary Solis. The Employment Security Commission of North Carolina can use the funds to pay unemployment benefits or, if appropriated by the legislature, for administering its unemployment insurance program or delivering employment services.

- [Read the News Release](#)

Opportunities are Open: WHD Investigator

At the Department of Labor, protecting workers' livelihoods is one of the

- [November 18 — Buffalo, NY](#)

OFCCP — EEO Obligations of Construction Contractors

- [November 18 — Baltimore, MD](#)

OFCCP — How to Compile an Affirmative Action Program and Support Data for a Compliance Review

- [November 19 — Richmond, VA](#)

OWCP — Traveling Resource Center to Assist Nuclear Weapons Workers

- [November 16 — Joliet, IL](#)

WB — Heart of America Veterans' Stand-down

- [November 5 — Kansas City, MO](#)

WB — Making Connections: Supporting Women Who Have Served in the Military

- [November 17 — Boston, MA](#)

WB/ETA — National Dialogue on Workplace Flexibility: Challenges and Solutions in the Healthcare Industry

- [November 10 — Atlanta, GA](#)

many ways we are ensuring "Good Jobs for Everyone." Wage and hour investigators around the country are enforcing federal labor laws regarding minimum wages, overtime pay, and child and migrant labor. Explore the positions below or [view all](#) the rewarding careers at the department.

1. Positions in Multiple Locations
[Wage and Hour Investigator](#)
DS393659
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2. Positions in Multiple Locations
[Wage and Hour Investigator \(Spanish\)](#)
DS393684
Close: 11/09/2010

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