



## DOL News Brief

January 6, 2011

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### Interagency Reentry Group



The inaugural meeting of the Cabinet-level Reentry Council was convened by Attorney General Eric Holder this week. Secretary Solis joined fellow

council members Department of Education Secretary Arne Duncan, Health and Human Services Secretary Kathleen Sebelius, Agriculture Secretary Tom Vilsack, Housing and Urban Development Secretary Shaun Donovan, Veterans Affairs Secretary Eric Shinseki and Chair of the U.S. Equal Employment Opportunity Commission Jacqueline Berrien to discuss the range of activities underway in each department to support prisoner reentry and how to improve those efforts by working together. Among its goals, the Reentry Council will leverage resources across agencies to reduce recidivism and victimization; promote changes to federal statutes, policies and practices that focus on reducing crime; and identify federal policy opportunities and barriers to improve outcomes for the reentry community.

### Solis Home & Work for Holidays

The Labor Secretary's work is never done. So while in her hometown during the holiday season, Secretary Solis visited the South El Monte Senior



Center in El Monte, Calif., where she saw one of the hybrid buses she obtained for the residents as a member of Congress. These energy efficient buses were made available through Recovery Act funds — an investment that greatly benefited the seniors. Solis also administered the Oath of Office for the newly-elected State Senator Ed Hernandez and Assembly Member Roger Hernandez, whose districts she once represented. Residents and local community leaders warmly welcomed Solis back. In addition, her visit to the

### What's Hot

MSHA, Massey Energy Reach Settlement Agreement in Landmark Case

The Mine Safety and Health Administration has reached a landmark settlement agreement with Freedom Energy Mining Co., a subsidiary of Massey Energy. The underground coal mine, located in Pike County, Ky., has exhibited a long history of serious safety and health violations. Last November, MSHA filed in federal court a motion for preliminary injunction against the mine, the first such action ever taken by the agency. "Today's agreement is a legal victory not only for the Department of Labor but for all miners employed by Freedom Energy," said Secretary Solis. "Its powerful provisions allow MSHA to withdraw miners immediately over a broad range of hazardous conditions, and health and safety violations. More than ever, these types of actions are forcing mine operators to take a hard look at their safety practices."

- [Read the News Release](#)
- [Read the Settlement Agreement](#) (PDF)
- [Listen to the Conference Call](#)

Access More Services in One Central Location: CareerOneStop

The Department of Labor has upgraded its re-employment Web portal to provide access to assistance beyond career and job searches. The site now offers a single source for information on jobs, career training, unemployment benefits and assistance with necessities such as food, housing, health care and utility payments. The resources will prove useful to everyone from recently laid-off workers and unemployment insurance claimants to individuals who have exhausted their unemployment benefits and those seeking to change careers.

- [Read the News Release](#)
- [Visit CareerOneStop](#)

### Take Three

It's a new year, and the DOL Newsletter has a new feature. Throughout the year, Secretary Solis will answer three questions on a current hot-button issue. This week's topic is the Affordable Healthcare Act.

The Affordable Care Act is a massive law. How do you explain something that complex to people? *Ultimately, the ACA is about helping families and putting control in their hands. For instance, under the law, a child with pre-existing conditions can't be denied coverage, parents can keep children up to 26-years of age on their policies, and insurance companies can no longer raise rates by double-digits.*

But, the new majority in the House of Representatives says

Los Angeles Job Corps Center was a pleasant holiday surprise to the staff and students.

- [View the Slide Show](#)

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## Labor Department Talks Regs

Throughout the week, Labor Department officials from several agencies engaged in interactive conversations with stakeholders and press concerning the items included in the department's semiannual regulatory agenda. Two final Webchats will be held Friday, January 7. The Office of Labor Management Standards will conduct its Webchat beginning at noon (EST) and Office of Federal Contract Compliance Programs will begin their Webchat at 1:30 p.m. (EST). Information regarding the semiannual regulatory agenda, as well as transcripts of all of the Webchats and Mine Safety and Health Administration's conference call, can be viewed by visiting the department's regulatory site.

- [Visit the DOL Regulatory Site](#)

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## DOL and National Guard Launch Registered Apprenticeship

Military service should lead to a good job in the civilian sector. DOL and the National Guard have partnered to launch the Guard Apprenticeship Initiative to enable Army National Guard soldiers to earn apprenticeship certifications based on skills acquired through military service. The program was launched during a signing ceremony attended by Army Col. Diana Craun, chief of the Education, Incentives and Employment Division at the National Guard Bureau, and Office of Apprenticeship Administrator John V. Ladd. The apprenticeship program offers soldiers long-term employment advantages, including the opportunity to enter into civilian careers with high annual earnings. Individuals who complete an apprentice program earn about \$54,000 a year on average.

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## "We Can Do It!" And She Did!

The woman who inspired the famous World War II "We Can Do It!" poster has died. Geraldine Hoff Doyle was just 17 when a United Press photographer captured her in 1942 working at a Michigan metal factory, wearing a red polka-dotted bandanna.



- [Read the CNN Story](#)

the ACA is a job killer and needs repealing?

*In the nine months since President Obama signed the ACA into law, we have seen private sector job growth occur — each and every month — totaling more than a million jobs. We need to do more for America's working families, not take away what they've gained and what they desperately need.*

So, what would happen if the ACA was repealed?

*Insurance companies would be back in control, and there would be no stopping the double-digit premium increases most people were facing before passage of the law. Thirty-two million more Americans would be uninsured. Seniors would get no help paying for the medications they need. Taxes for small businesses would increase, and we'd see a trillion dollars of deficit savings wiped away.*

- [Learn More about the ACA](#)

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## News You Can Use

### OSHA Reminds Employers of Snow Cleanup Hazards



In light of the recent snowstorms in the east and in anticipation of more winter storms, OSHA wants to remind workers, employers and the general public of the hazards associated with snow removal and recovery work. Common hazards can include: electric shock from contact with downed power lines or the use of ungrounded electrical equipment;

falls from snow removal on roofs, or while working in aerial lifts or on ladders; being struck or crushed by trees, branches or structures that collapse under the weight of accumulated snow; carbon monoxide poisoning from gasoline-powered generators in inadequately ventilated areas or idling vehicles; and lacerations or amputations from unguarded or improperly operated chain saws and power tools or improperly attempting to clear jams in snow blowers. Information on hazards and safeguards associated with cleanup and recovery activities after a storm or other major weather events are available on OSHA's website in English and Spanish.

- [Learn More About Hazards and Safeguards](#)
- [Read the News Release](#)

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## International Scene

### DOL Awards Nearly \$20 Million to Combat Child Labor

The Labor Department awarded nearly \$20 million in grants last week to combat exploitive child labor in Bolivia, Egypt and Jordan. The projects provide children with education and training opportunities — promote household livelihoods as a way to address the root causes of child labor — works with national partners to scale-up and sustain these efforts.

"Eradicating child labor is a necessary task that binds us all together and has global benefits for everyone," said Secretary Solis. "Our experience shows it is important to forge partnerships with countries to ensure that children are educated and not exploited."

- [Read the News Release](#)
- [Visit the Web Page on Child Labor](#)

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## DOL Working For You

Job Corps Helps Student Design Career Path

## Job Corps NJROTC Students Serve as Color Guard at KC Chiefs Game



The Excelsior Spring Job Corps Center Navy Junior Reserve Officer Training Corps was selected by the Kansas City Chiefs to serve as Color Guard for the playing of the National Anthem during the Dec. 5, 2010 football game between the Kansas Chiefs and the Denver Broncos. Many

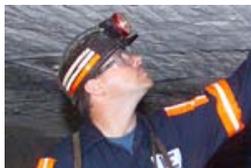
organizations apply, but only a select few are given the opportunity to showcase their talent at a nationally televised football game. This tremendous opportunity allowed the Excelsior Springs students to proudly fly the Job Corps flag in front of 85,000 fans. Following the opening ceremony, the students were able to watch the game and later met the Chiefs' players and staff. The unique nature of Job Corps and the way NJROTC fits within it has earned the Excelsior Springs Navy JROTC an invitation to also serve as the color guard next season.

## Upcoming Deadlines & Events

### [Open Funding Opportunities](#)

#### Event Spotlight

The Mine Safety and Health Administration is hosting a series of public hearings around the country on the agency's proposed rule to



lower miners' exposure to respirable coal mine dust. The next two hearings take place in Evansville, Ind., on Jan. 11 and Birmingham, Ala., on Jan. 13.

MSHA — Public Hearing on Proposed Rule to End Black Lung

- [January 11 — Evansville, IN](#)
- [January 13 — Birmingham, AL](#)

MSHA — 15th Professional Development Mine Safety Seminar for Supervisors

- [January 19 - 20 — Allentown, PA](#)

MSHA — Mining Blasting Safety and Application Seminar

- [January 19 - 20 — Beaver, WV](#)

MSHA — Partners in Safety: Missouri Mine Safety and Health Conference

- [January 13 - 14 — Osage Beach, MO](#)

Eighteen-year-old Glenn Grogan admits he was bored with high school and needed a new challenge to avoid getting into trouble. That's when his mom encouraged him to enroll in the Paul Simon Job Corps Center in Chicago, Ill. Grogan immersed himself in his courses, earning not only his GED but Adobe certification in Graphic Design. He then landed an internship at a local community newspaper, where he developed his skills in ad design, page layout and photo retouching. Next on his agenda, Grogan said, is studying for a college degree in visual communications. "Job Corps offered me opportunity and prepared me for life and what is next," he said.



## DOL Helps Mom Become Career "STAR"



Even when 14 months of unemployment forced her to take a job washing laundry, Valerie Ibey was determined to make a better life for herself and her two kids. An education and training program called Skills Through Apprenticeship Retraining funded by the department helped her succeed. Ibey, who previously worked in the printing industry, enrolled in machinist training courses provided under a partnership between New Hampshire's River Valley Community College and Hypertherm Inc., a local manufacturer of metal cutting systems. While studying subjects such as machine tool math and blueprint reading, Ibey earned \$12 an hour. She will work full time for Hypertherm as a machinist when she graduates soon from the nine-week course. Ibey said "life is better" since she went through the training program and that she "looks forward to coming back" for even more education in her new career field.

## DOL in Action

St. Louis Employers Incarcerated for Failing to Comply with OSHA

Brian Andre, former owner of Andre Tuckpointing and Brickwork, and Regina Shaw, owner of Andre Stone & Mason Work Inc., (the successor company to Andre Tuckpointing and Brickwork) were arrested for repeatedly failing to comply with court sanctions enforcing Occupational Safety and Health Administration citations. "Employers who expose workers to hazards and blatantly ignore OSHA citations will not be allowed to escape their responsibility of keeping workers safe — or sanctions levied against them for failing to do so," said Charles E. Adkins, OSHA's regional administrator in Kansas City, Mo. OSHA issued numerous citations from June 2003 to the present, to both the original company and its successor, for willful, repeat and serious violations related to fall hazards, scaffolding erection deficiencies, power tool guarding and other hazards in connection with multiple projects.

- [Read the News Release](#)

US Postal Service Fined \$238,000 for Electrical Hazards

The Occupational Safety and Health Administration has cited the U.S. Postal Service for willful and serious violations of safety standards following an inspection at the Central Massachusetts Processing and Distribution Center in Shrewsbury, Mass. The Postal Service faces a total of \$238,000 in fines, chiefly for exposing workers to electrical hazards. "These sizable fines reflect the Postal Service's knowledge of and failure to address these hazards," said Assistant Secretary of Labor for OSHA Dr. David Michaels. "For years, the Postal Service knew that allowing untrained employees to work on electrical equipment exposed workers to serious injury or worse.

OFCCP — 503 and the ADA

- [January 26 — Petaluma, CA](#)

OFCCP — Best Practices

- [January 26 — Houston, TX](#)

OFCCP — Community Connections

- [February 9 — Charlotte, NC](#)

OFCCP — Compliance Assistance Seminar

- [January 26 — San Jose, CA](#)
- [February 8 — Mountainside, NJ](#)

OFCCP — Compliance Assistance Seminar for Construction Contractors

- [January 11 — Mountainside, NJ](#)
- [January 13 — Seattle, WA](#)
- [January 20 — Los Angeles, CA](#)
- [January 26 — Orange, CA](#)
- [February 10 — Seattle, WA](#)

OFCCP — Compliance Assistance Seminar for Supply and Service Contractors

- [January 12 — Orange, CA](#)
- [January 12 — San Francisco, CA](#)
- [January 12 — Nashville, TN](#)
- [January 20 — Seattle, WA](#)
- [January 25 — Mountainside, NJ](#)
- [January 26 — Nashville, TN](#)
- [February 2 — Nashville, TN](#)
- [February 9 — Orange, CA](#)
- [February 9 — Nashville, TN](#)

OFCCP — Contractors Connecting with Recruitment Sources

- [February 1 — Anchorage, AK](#)

OFCCP — Information Session with Native American CBO's

- [February 9 — Denver, CO](#)

OFCCP — Internet Applicant Rule

- [January 12 — Denver, CO](#)

OFCCP — Pro-Active Equal Employment Practices for Federal Contractors

- [January 18 — Dallas, TX](#)

OFCCP — Regulatory Agenda Chat

- [January 7 — Online](#)

OLMS — Regulatory Agenda Chat

- [January 7 — Online](#)

Despite this knowledge, the Postal Service did not take the necessary steps to change its practices and eliminate the hazards."

- [Read the News Release](#)

Additional Storm Recovery Assistance for Puerto Rico

Inclement weather can put people out of work, but the department can help. Last week DOL provided a \$1 million National Emergency Grant increment to continue clean-up and recovery efforts in the wake of severe storms and flooding that struck Puerto Rico in May 2010. On July 22, 2010, a National Emergency Grant was approved for up to \$4 million, to create temporary jobs for eligible dislocated workers to assist in the clean-up and recovery efforts. Additional funding up to the full amount will be made available as the Commonwealth demonstrates a continued need for assistance.

- [Read the News Release](#)

Department Resolves Back Wage Case Against Houston-based CEMEX

CEMEX Inc. in Houston will pay \$1,514,449 in overtime back wages to 1,705 ready-mix drivers after an investigation by the department's Wage and Hour Division found violations of the Fair Labor Standards Act. Employees in Arizona, California, Florida, Georgia, New Mexico, North Carolina, South Carolina and Texas failed to receive premium pay for hours worked more than 40 in a workweek. CEMEX, the largest supplier of cement and ready-mix concrete in the country, is also required to comply with the requirements of the FLSA in the future or risk being found in contempt of the order.

- [Read the News Release](#)

Back Wages for NYC Hotel, Restaurant Workers

The Labor Department has sued Da Vinci Hotel Corp., doing business as The Da Vinci Hotel and Joe G's Restaurant, as well as corporate president Giuseppe Galvano for violating the minimum wage, overtime pay and recordkeeping requirements of the Fair Labor Standards Act. The suit alleges that the defendant corporation, as well as Galvano, willfully and repeatedly failed to pay employees at least the federal minimum wage and failed to pay them properly for overtime hours worked since at least July 23, 2007. The defendants also allegedly failed to keep adequate and accurate records of hours worked by and wages paid to employees. The suit asks the court to permanently prohibit the defendants from future violations of the law and to order them to pay employees minimum wage and overtime back wages due, along with an equal amount in liquidated damages or prejudgment interest. The department is also seeking former employees who might be due back wages in this case.

- [Read the News Release](#)

Metro North Commuter Railroad Co. Retaliated Against Whistleblower

An Occupational Safety and Health Administration whistleblower investigation found that Metro North Commuter Railroad Co. brought disciplinary charges against an employee in the railroad's New Haven, Conn., rail yard who filed a whistleblower complaint with OSHA. The railroad, which provides commuter rail service in Connecticut, New York and New Jersey, has been ordered to take corrective action and pay the worker \$80,500 in punitive damages and attorney's fees. "Taking repeated disciplinary action against an employee who exercised his legal right to report an on-the-job injury and voiced a complaint about retaliatory treatment by his employer is unconscionable," said Marthe Kent, OSHA's New England regional administrator. "Such treatment instills a culture of silence in which hazardous conditions are masked because employees will

OSHA — Public hearing on Walking-Working Surfaces and Personal Protective Equipment

- [January 18 — Washington, DC](#)

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Follow USDOL on 

- New on the Blog - Freedom... and Justice <http://bit.ly/gCEyd1> [about 3 hours ago](#)
- DOL upgrades 're-employment' Web portal as gateway for information on employment, training, financial help [01/06/2011] <http://bit.ly/gJ015d> [about 6 hours ago](#)

be fearful of reporting them."

- [Read the News Release](#)

OSHA Cites Speedy Rooter Inc. Following Double Fatality

The Occupational Safety and Health Administration issued Speedy Rooter Inc. in South Sioux City, Neb., citations for one willful and five serious violations after two workers who entered a municipal sewer manhole were overcome by sewer gas and died. "This employer blatantly disregarded industry-recognized hazards and safe work practices by exposing these workers to dangerous sewer gases that ended their lives," said Tom Deutscher, OSHA's area director in Bismarck. "There is no acceptable reason for any employer to require employees to enter a confined space without first ensuring that they can do so safely."

- [Read the News Release](#)

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