



DOL News Brief

February 24, 2011

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Women's Bureau Hosts Workplace Flexibility Conference

"Flexible workplace policies are good for employees, and they are also good for a company's bottom line," Secretary Solis told the nearly 400



attendees of the National Dialogue on Workplace Flexibility in Pasadena, Calif. last week. Themed "Challenges and Solutions for Hourly Workers," the conference was one of ten to be hosted by the department's Women's Bureau to share best practices on fostering flexible work-life environments. The event included a special video message from First Lady Michelle Obama on "changing workplaces." The following day, Women's Bureau Director Sara Manzano-Diaz hosted a similar event in Seattle, Washington, to discuss challenges and solutions to workplace flexibility for workers in the health care industry. "Flexibility is not just a women's issue, it is a family issue," said Manzano-Diaz. "When employees are able to balance the needs of both work and home, it not only impacts productivity but strengthens families and communities."

- [View the Slideshow](#)

Solis Joins President Obama to talk about Jobs



Speaking to members of President Obama's Council on Jobs and Competitiveness today at the White House, Secretary Solis highlighted the

administration's efforts to promote economic growth that will encourage hiring, educate and train workers, and attract the best jobs and businesses to the United States. "With your help we are focusing on finding new ways to encourage the private sector to hire and invest in American competitiveness," said Solis. "The bottom line is our workers deserve good jobs and

What's Hot

Department Announces Green Jobs Innovation Fund Grant Competition

The Green Jobs Innovation Fund, a DOL-funded competition to support opportunities for workers to receive job training in green industry sectors and occupations, was announced this week. Approximately \$40 million will be awarded to five to eight grantees with awards ranging from \$5 million to \$8 million each. Eligible applicants will include national and statewide organizations with local affiliates that have existing career training programs and will benefit a minimum of six communities per grant. "This grant program is an important effort in supporting green investments and equipping workers with the knowledge, skills and abilities they need to succeed in green occupations," said Secretary Solis. "The projects we expect to fund will enable workers to gain new skills that will make them competitive for industries and careers in demand."

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

News You Can Use

VETS Proposes Improvement to Employment Services for Veterans

A rule to improve employment services to veterans by state grantees was proposed by the Veterans' Employment and Training Service. The proposed rule would establish a uniform national threshold performance level for state grantees who serve veterans under both the Wagner-Peyser State Grants, administered by the Employment and Training Administration, and the Jobs for Veterans State Grants, administered by VETS. The proposed rule is open for public comment until April 19, 2011.

- [Read the News Release](#)
- [Read the Proposed Rule](#)

WHD McAllen, Texas Office Relocates to New Federal Building

The Wage and Hour Division's district office in McAllen has relocated to the brand new McAllen Federal Building at 1101 East Hackberry St., Suite 100. Office enforcement will span throughout a 21-county area in South Texas that connects employees, employers and community-based organizations with the assistance needed to ensure workers in low-wage industries – including laborers on federal construction and service contracts – are paid fairly for all hours worked. "The department continues to expand its compliance efforts in the region," said Cynthia Watson, regional administrator for the WHD in the Southwest. "And with this relocation, we will greatly improve our access to employers and employees."

- [Read the News Release](#)
- [Read the News Release](#) (Spanish)

responsible companies deserve talented employees to help them grow. By working together we will grow our nation's businesses – both big and small. And we will grow our economy again.”

Senior Staff Shares Outlook

Several senior Labor Department officials participated in a panel discussion at the National Association of State Workforce



Agencies Winter Policy

Forum on Thursday. Chief Economist Betsy Stevenson, Assistant Secretary of the Employment and Training Administration Jane Oates, Assistant Secretary for Office of Disability Employment Policy Kathleen Martinez, Assistant Secretary for Policy William Spriggs, Assistant Secretary for Veterans' Employment and Training Service Ray Jefferson and Director of DOL's Civil Rights Center Ramon Suris-Fernandez all shared insight into how the department is working to get Americans back to work. Topics included the country's recovery from the recession, the department's priorities in providing workforce training and safety net programs, along with efforts to engage communities of color, people with disabilities and veterans. The conference was an invaluable forum to learn innovative ideas, policies and proven practices that can be used to improve services in the states.

- [View the Slideshow](#)

Winning the Future



Earlier this week Secretary Solis joined President Obama and other Cabinet officials for a Winning the Future Forum on Small Business in Cleveland,

Ohio. The event offered small business owners the opportunity to speak directly with senior administration officials about challenges and solutions related to entrepreneurship, access to capital, workforce development, exports and clean energy. The president set the tone for the forum in his opening remarks, saying “we're here to hear from you directly. We want your stories — your successes, your failures, what barriers you're seeing out there to expand, what you've learned along the way.” After the president's remarks, participants — including Secretary Solis, Secretary of the Treasury Tim Geithner, Secretary of Commerce Gary Locke, Secretary of Energy Steven Chu, Small Business

DOL Working for You

Veteran Turns Right Place, Right Time into Employment

Army veteran Angelina Price turned being in the right place at the right time into full-time employment thanks to a DOL veterans work study program at the Spartanburg Workforce Center in South Carolina. Price, who served two tours of duty in Afghanistan, was paid to work in Spartanburg's career counseling office, while also attending school and caring for her young son. When a B2B telemarketing company came to the office one day looking for potential employees, Price was recommended on the spot by her supervisor. Price got the job and has since been promoted, earning a higher salary with benefits. She eventually would like to continue schooling in the health field. Price said the program made her “more marketable” and helped her transition from military to civilian life.



Green Buildings Grow in Brooklyn



Brooklyn, N.Y., building superintendent Marat Olfir is advancing his career and implementing green energy savings thanks to the 32BJ Thomas Shortman Training Fund. The fund, a joint labor-management partnership that instructs property service personnel in green building operations and maintenance, is funded by DOL. Olfir is the first graduate to earn the fund's Green Diploma, after taking intensive 40-hour courses in green commercial/residential building plumbing, carpentry and electricity, air conditioning and refrigeration, air pollution control and facilities management. Olfir now oversees two apartment buildings, and has used his green knowledge to make them more efficient, thus saving thousands in energy bills. He has urged fellow building personnel to follow his lead and make their buildings more economical. “A building is a live thing” Marat said, and bringing green practices to any of them “not only saves money but is the future of building maintenance.”

Around DOL

DOL Executives Receive Presidential Rank Award



Each year, the president recognizes a small group of senior executives with the Presidential Rank Award. Recipients of this prestigious award are leaders who consistently demonstrate strength, integrity and a relentless commitment to excellence in public service. The Labor Department is proud to celebrate two outstanding recipients of the 2010

Presidential Rank Award – Steve Eischen and Tim Hauser. “We are truly spoiled with riches by having so many highly regarded professionals at this department,” said Secretary Solis at a DOL reception in the award-winners' honor. “Tim and Steve are great examples of the reason that I am so proud to serve as the Secretary of Labor. “ Steve is the Kansas City Regional Director for the Employee Benefits Security Administration. He has spent the balance of his distinguished 40-year career enforcing provisions to protect the retirement and health benefits of American workers. Tim manages the Plan Benefit Securities Division of the Solicitor's Office. As the Associate Solicitor for PBSA, he serves as EBSA's attorney.

- [View the Slideshow](#)

Administrator Karen Mills, Chairman of the Whitehouse Economic Council Austan Goolsbee and Director of the National Economic Council Gene Sperling — broke into small groups to explore ways that government can help small businesses succeed

- [Watch the President's Remarks](#)
- [Learn about the White House Advise the Advisor Program](#)

Governor to Job Corps Grads: Good Work!

Thirty-one students from the Wilmington, Del., Job Corps Center turned their tassels in celebration during the winter graduation ceremony on February



22. Delaware Governor Jack Markell, who served as guest speaker, commended the graduates for a job well-done and encouraged them to continue making the most of themselves. The graduates successfully completed the culinary arts, nurse assistant/home health aide, facilities maintenance, and office administration programs, and most have already obtained employment or plan to enroll at universities.

Solis Addresses Local Leaders to Discuss Partnerships, Job Growth



During a convening of more than 50 mayors attending the U.S. Conference of Mayors' three-day "Work and Opportunity Summit," Secretary Solis

participated in a discussion on the Obama Administration's approach to job growth and opportunity in metropolitan areas. During the session moderated by Newark, New Jersey Mayor Cory Booker, Solis spoke to the mayors about the importance of strengthening partnerships between local leaders and businesses and highlighted the administration's efforts to continue funding and support for critical programs such as Summer Youth and the Workforce Investment Act. "It is through the local leadership of mayors and their relationships with local businesses that together with the federal government, we can create real job opportunities," said Solis. "And by partnering and working together from the ground up, we can customize our training efforts to better prepare our workforce for the jobs of the future."

- [View the Slideshow](#)

New Alliance Between OSHA and Little Rock Mexican Consulate

The signing of an alliance between the Occupational Safety and Health Administration and the Mexican Consulate in Little Rock last week will enhance workplace safety for Mexican workers in Arkansas and Oklahoma. Consulate personnel, which serve about 120 people a day, will work closely with OSHA offices to improve training and educational goals, outreach and communication. "The joint resources of this relationship will promote workers' rights in protecting their occupational safety and health, particularly in regards to reducing injuries, illnesses and fatalities," said William Burke, OSHA's acting regional administrator in Dallas. The alliance was signed at the Mexican Consulate in Little Rock. "The main emphasis focuses on ensuring compliance with laws and regulations protecting Mexican workers, as well as raising awareness about them," said Andres Chao, consul of Mexico in Little Rock.



- [Read the News Release](#)
- [Read the News Release](#) (Spanish)

ODEP Hosts Add Us In Expert Strategy Meeting



The Office of Disability Employment Policy engaged with national thought leaders from business, diversity and disability organizations to discuss the "Add Us In" grant initiative. "It was mentioned several times during this meeting that America must develop and utilize all the talent we have if we are to remain competitive. We look forward to having our

Add Us In grantees report back on replicable strategies for full inclusion of people with disabilities within the increasingly diverse American workforce," said ODEP Assistant Secretary Kathy Martinez. The grant initiative seeks to improve the capacity of small businesses to employ people with disabilities.

- [View the Slideshow](#)

DOL in Action

Grocery Chain Pays \$2 Million in Back Wages, Civil Penalties

The department's Wage and Hour Division has recovered \$1.8 million in back wages for 400 employees who worked nearly 70-hour workweeks, but were paid less than the minimum wage and denied overtime compensation. The investigation revealed that Hong Land Corp., Hong Kong Group Inc., Pacific Ocean Enterprise Inc. and B&B Corner Corp., all doing business as Hong Kong Market in Houston, committed several willful and repeated violations of the Fair Labor Standards Act's minimum wage, overtime pay and recordkeeping provisions, including falsifying payroll records. "These employers disregarded our nation's most basic labor laws. They exploited the vulnerability of hundreds of low-wage workers, and then deliberately misled investigators to try to keep them from finding out the truth," said Secretary Solis. The grocery chain also paid \$200,000 in civil penalties.

- [Read the News Release](#)

Ohio Plan Administrator Guilty of Embezzling \$1 Million in Assets

Following an investigation by the Employee Benefits Security Administration, Rhonda Sue Irvin Cox, owner of Irvin Administrative Solutions LLC, pleaded guilty to one count of embezzlement of \$1 million in assets from 12 retirement plan clients. Cox was the third-party administrator to 56

Jane Oates on C-SPAN

DOL's Assistant Secretary for the Employment and Training Administration Jane Oates, was a live guest on C-SPAN's Washington Journal



morning news show earlier this week. She was interviewed by C-SPAN President Susan Swain and elaborated on a number of DOL initiatives and priorities, including job training opportunities, new electronic job tools recently launched to assist young people and experienced workers find jobs (mynextmove.org and myskillsmyfuture.org), and highlighted job industries that are experiencing job growth.

- [Watch the Interview](#)

Upcoming Deadlines & Events

Check out the grant opportunities with DOL.

[Open Funding Opportunities](#)

Event Spotlight: OFCCP Chicago Hosting Community Outreach Event

The Office of Federal Contract Compliance in Chicago is hosting an outreach event March 7 for faith-based groups, community organizations and neighborhood leaders to introduce them to the work of OFCCP and informative programs on a variety of Equal Employment Opportunity topics useful to the groups they serve. OFCCP Director Patricia Shiu and Congressman Bobby L. Rush will participate in the event, which will include both in-person and teleconference attendees. Representatives from the Women's Bureau, Wage and Hour Division, Employment and Training Administration and the Equal Employment Opportunity Commission, will also provide information on their programs.

- [Learn More](#)

MSHA — Spring Thaw Workshop

- [March 1 — Riverton, WY](#)
- [March 1 — State College, PA](#)
- [March 1 — Ontario, CA](#)
- [March 8 — Pinesdale, WY](#)
- [March 9 — Visalia, CA](#)

OFCCP — Affirmative Action Steps

- [March 29 — Honolulu, HI](#)

OFCCP — Audit Process Review

- [March 24 — Los Angeles, CA](#)

OFCCP — Building Partnerships for the

employee benefit plans – most covered by the Employee Retirement Income Security Act. She also pleaded guilty to one count of making false statements in documents required by law. Cox is to be sentenced on June 1, 2011.

- [Read the News Release](#)

WHD Investigation Results in Resort Agreeing to Pay Security Officers

The Wage and Hour Division has recovered \$58,496.63 in back wages from Gaylord Palms Resort and Convention Center in Kissimmee, Fla., for failing to pay overtime compensation to 48 security officers. After conducting employee interviews and reviewing time and payroll records, investigators found that the security officers were paid "straight time" wages, rather than one and one-half times their regular rates of pay for overtime hours. "These officers worked many long hours protecting the health and safety of thousands of visitors, but were denied the overtime pay protections," said Michael Young, director of the Jacksonville District Office of the department's WHD. "This action underscores the Labor Department's commitment to ensure workers receive the wages they work hard for and deserve."

- [Read the News Release](#)

Help With Health Insurance Coverage for New Hampshire Workers

Being without healthcare coverage can be one of the most stressful aspects of losing one's job. The department is helping to ease this burden for about 150 jobless New Hampshire residents. Through a \$744,000 National Emergency Grant, these workers will receive partial premium payments for health insurance coverage. Funds will also be used to upgrade the state's existing benefit payment system. The grant, awarded to the New Hampshire Department of Resources and Economic Development, will be used to provide "gap filler" payments for unemployed individuals who are receiving Trade Adjustment Assistance benefits and who are eligible for the Health Coverage Tax Credit program.

- [Read the News Release](#)

DOL Recovers \$780,000 for Employees of Long Island, NY, Pizzeria

The Labor Department has recovered a total of \$780,000 (\$390,000 in minimum wage and overtime pay and an equal amount in liquidated damages) for 40 employees of Martino's Pizzeria Inc., a corporation doing business as Mama's Pizzeria and Restaurant in Copiague, N.Y. The judgment resolves a lawsuit filed against the company and its owners for allegedly violating the federal Fair Labor Standards Act. The company also will pay \$20,000 in civil money penalties to the Labor Department. "Our experience has shown that many full service pizza/pasta restaurants on Long Island are willfully underpaying their employees," said Irv Miljoner, director of the division's Long Island District Office. "That was the case here. We are targeting similar employers in this industry for enforcement actions."

- [Read the News Release](#)

Company Fined for Exposing Workers to Cave-in Hazards

Latex Construction Co. Inc. of Conyers, Ga., has been cited by the Occupational Safety and Health Administration with a repeat violation and a \$35,000 penalty for failing to provide its employees with protection against cave-ins while working in a trench. In addition, a serious citation with a maximum \$7,000 penalty was issued for failing to provide an adequate escape for workers in an excavation. "This employer is aware of OSHA's requirements but left the workers unprotected," said Andre Richards, director of OSHA's Atlanta-West Area Office. "Being irresponsible about workers' safety is unacceptable, and OSHA will not tolerate it."

- [Read the News Release](#)

Community

- [March 29 — Jacksonville, FL](#)

OFCCP — Community Connections

- [March 1 — Alcorn State, MS](#)
- [March 2 — Holly Springs, MS](#)
- [March 2 — Riverdale, GA](#)
- [March 3 — Charlotte, NC](#)
- [March 8 — Columbia, SC](#)
- [March 9 — Atlanta, GA](#)
- [March 10 — Doraville, GA](#)
- [March 15 — Raleigh, NC](#)
- [March 16 — Decatur, GA](#)
- [March 22 — Jackson, MS](#)
- [March 22 — Atlanta, GA](#)
- [March 24 — Roswell, GA](#)
- [March 31 — Memphis, TN](#)

OFCCP — Community Outreach Day Job Fair

- [March 17 — Blackwood, NJ](#)

OFCCP — Compliance Assistance Seminar

- [March 30 — Miami, FL](#)

OFCCP — Compliance Assistance Seminar for Construction Contractors

- [March 8 — Mountainside, NJ](#)
- [March 9 — Orange, CA](#)
- [March 9 — Buffalo, NY](#)
- [March 10 — Seattle, WA](#)
- [March 22 — Mountainside, NJ](#)
- [March 22 — Jacksonville, FL](#)
- [March 30 — Hartford, CT](#)

OFCCP — Compliance Assistance Seminar for Recordkeeping

- [March 15 — Dallas, TX](#)

OFCCP — Compliance Assistance Seminar for Supply and Service Contractors

- [March 2 — Nashville, TN](#)
- [March 2 — San Francisco, CA](#)
- [March 3 — Memphis, TN](#)
- [March 3 — Monterey, CA](#)
- [March 4 — Richmond, VA](#)
- [March 9 — Nashville, TN](#)
- [March 9 — Birmingham, AL](#)
- [March 10 — Memphis, TN](#)
- [March 16 — Nashville, TN](#)
- [March 16 — Hartford, CT](#)
- [March 17 — Seattle, WA](#)
- [March 17 — Memphis, TN](#)

Furniture Manufacturer Fined for Repeat Violations

The Occupational Safety and Health Administration has cited United Furniture Industries Inc. in Okolona, Miss., for 18 safety violations and \$66,000 in proposed penalties. OSHA issued one citation for the company's repeated failure to label feeder and branch electrical circuits, plus 15 serious citations and two other-than serious citations that include allowing accumulation of explosive dust, electrical hazards and blocked, unmarked and inadequate exits.

- [Read the News Release](#)

OSHA Cites Alabama Company for Endangering Workers

FABCO Equipment Co. Inc. in Albertville, Ala., has been cited by the Occupational Safety and Health Administration with 19 safety and health citations and penalties totaling \$71,764. The hazards identified during the latest inspection served as a follow-up to one conducted in November 2009 and include failing to train employees in using and handling hazardous chemicals. The company also was cited with four repeat, 11 serious and three other-than-serious citations.

- [Read the News Release](#)

US Minerals to Pay \$83,000 for Failing to Protect Workers

The Occupational Safety and Health Administration has issued the U.S. Minerals LLC facility in Baldwin, Ill., seven citations, including one willful, three repeat and three serious citations, for allegedly failing to develop and implement procedures to control hazardous energy, install guard rails where necessary and maintain equipment. The company faces penalties totaling \$83,000 following an inspection that began during September 2010. U.S. Minerals has been cited by OSHA five times in the past year at its four facilities nationwide and has been issued more than \$1.2 million in fines.

- [Read the News Release](#)

OSHA to Grain Operators: Protect Your Workers

The Occupational Safety and Health Administration has notified more than 10,000 grain operators across the U.S. of their legal obligation to keep their employees safe from the known hazards of working inside grain bins. More than two dozen workers, some of them teenagers, were killed last year when they were trapped and buried inside grain bins. A total of 51 such incidents were recorded in 2010 by Purdue University, the most since tracking began in 1978. Common sense safety standards exist to prevent injuries and fatalities in the grain handling industry. A letter from Assistant Secretary of Labor for OSHA, Dr. David Michaels, details the safeguards employers need to have in place. The letter was sent primarily to small establishments, falling on the heels of a letter sent in August to several thousand larger companies.

- [Read the Letter](#)

Migrant Farm Worker Protection Law Violations in Calif. Lead to Fines

The Wage and Hour Division has recovered \$35,710 in back wages owed to 93 workers of Marchi Farms, a Pescadero, Calif.-based agricultural employer, after an investigation determined that the company failed to disclose the terms and conditions of employment to its workers. Marchi Farms also paid a \$10,012 fine for violations of federal housing, safety and health regulations. The employer required workers to purchase work-related equipment at their own expense. Several workers had rent and utility charges for employer-provided housing illegally deducted from their wages. "These migrant employees worked as many as 60 hours per week weeding, harvesting and packing beans, broccoli, leeks and Brussels sprouts. In return for their hard work, they were denied fair wages and forced to live in substandard housing camps," said George Friday Jr., administrator of the

- [March 23 — Orange, CA](#)
- [March 23 — Buffalo, NY](#)
- [March 24 — Memphis, TN](#)
- [March 30 — Nashville, TN](#)
- [March 30 — San Diego, CA](#)

OFCCP — Employment Liaison Committee

- [February 25 — Wellston, MO](#)

OFCCP — Information Session with Non-Government Civil Rights Groups

- [March 9 — Denver, CO](#)

OFCCP — New York Construction Union Education Exchange Forum

- [February 28 — New York, NY](#)

OFCCP — Referral Agency Open Forum

- [March 16 — Houston, TX](#)

OFCCP — Veteran Career Fair

- [March 15 — Newark, NJ](#)

OLMS — Compliance Assistance Seminar

- [March 1 — Columbus, OH](#)
- [March 1 — Little Rock, AR](#)
- [March 3 — Cincinnati, OH](#)
- [March 3 — Charleston, WV](#)
- [March 18 — Buffalo, NY](#)
- [March 23 — Dallas, TX](#)
- [March 23 — Syracuse, NY](#)

Wage and Hour Division's Western Region.

- [Read the News Release](#)
- [Read the News Release](#) (Spanish)

WHD Recovers more than \$42,000 for Bakery Workers

The Wage and Hour Division has recovered \$42,244 in back wages and damages for seven workers at Bini Bakery Corp. of Niles, Ill., and its parent company, Anna Bini USA Corp. of Chicago. An investigation determined that the companies and their principals, Soon Hwa Choi and John Kim, violated the Fair Labor Standards Act by not paying overtime and, in the case of some employees, the minimum wage.

- [Read the News Release](#)

OSHA Orders Company to Reinstate Whistleblower

The Occupational Safety and Health Administration has ordered United Auto Delivery and Recovery/Memphis Auto Auction to reinstate a former truck driver who was fired in violation of the whistleblower provisions of the Surface Transportation Assistance Act for repeatedly complaining to a supervisor about mechanical problems with a truck. The company has been ordered to pay the worker more than \$111,000 as compensation for back wages plus interest, compensatory damages and punitive damages, delete any adverse references related to the discharge from the employee's personnel file and post a fact sheet informing employees of their rights. "Employees have the legal right to report unsafe driving situations, not only for their own safety, but also to protect the public from unsafe trucks on the roads," said Cindy Coe, OSHA's regional administrator in Atlanta.

- [Read the News Release](#)

Spotlight on States: California

Storm Recovery Aid for Californians

Clean-up and recovery efforts continue in California after severe storms battered the Golden State during the last days of autumn into early winter. The department is pitching in with more than \$11 million in National Emergency Grant funds. Awarded to the California Employment Development Department, funds will be used to create temporary jobs in support of storm recovery efforts. "Storms, flooding and mud flows have caused extensive damage to roads, wastewater treatment plants, trail bridges and trails throughout California," said Secretary of Labor Hilda L. Solis. "Such events can exact a high toll from communities. Providing grant assistance to Californians to aid recovery is the right thing to do."

- [Read the News Release](#)

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