



## DOL News Brief

March 10, 2011

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### People Taking Action



Nearly 700 members of the National People's Action, a network of 25 grassroots organizations from 13 states promoting

banking reform, affordable housing, immigration rights and worker rights issues heard from Secretary Solis last Sunday. In a rousing speech, she affirmed DOL's commitment to all workers, highlighted the department's efforts to protect low-wage and immigrant workers, and stressed the importance of continuing to expand the work of the Wage and Hour Division and the Occupational Safety and Health Administration. WHD and the Center for Faith-Based and Neighborhood Partnerships have been working together the past year with NPA affiliates in Iowa, Kansas, Massachusetts, Michigan and Rhode Island to develop stronger collaborative relationships at a regional level.

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

### DOL - APEC Working Meeting

The Asia Pacific Economic Cooperation Human Resources Development Working Group held its 33rd meeting in Washington, D.C.,



earlier this week. The department's Bureau of International Labor Affairs heads the United States delegation to the APEC working group. The working group heard views on education and human resources development. During her remarks, Secretary Solis said, "APEC is rich in diversity and human resources. It spans four continents, 21 economies, and encompasses nearly two billion workers. We welcome APEC's commitment to spread the benefits of economic growth to the workers who make it possible."

- [View the Slideshow](#)

### What's Hot

#### 'Stand Down' Grants Totaling \$600K to Assist Homeless Veterans

DOL's Veterans' Employment and Training Service has provided \$600,000 in "Stand Down" grants to assist an estimated 10,000 homeless veterans with opportunities to reintegrate into society. The grants are being awarded under the department's Homeless Veterans' Reintegration Program. "Stand Down events across the country will reach thousands of homeless veterans – including homeless female veterans – with opportunities to re-enter America's workforce," said Secretary Solis, who is also chair of the Interagency Council on Homelessness. Applications for the grants will be accepted from state workforce agencies, state and local workforce investment boards, veterans' service organizations, local public agencies and nonprofit organizations, including community and faith-based organizations.

- [Read the Grant Solicitation](#)
- [Read the News Release](#)

### News You Can Use

#### WHD Opens New Office in Houston, Texas

The department's Wage and Hour Division has opened a new office at 17625 El Camino Real, Suite 482 in Houston, Texas. The new office will serve as an extension to support the WHD Houston District Office on south Gessner and will ensure workers in low-wage industries, including laborers on federal construction and service contracts, are paid fairly for hours worked. "This office will be a one-stop shop for employers seeking compliance assistance concerning the federal labor laws we enforce," said Cynthia Watson, regional administrator for the WHD in the Southwest.

- [Read the News Release](#)

### Around DOL

#### OSHA Enhances Public Health Partnerships

The Occupational Safety and Health Administration and the National Institute for Occupational Safety and Health this week held a two-day meeting with more than 60 attendees, mostly epidemiologists from state public health programs along with staff from the Bureau of Labor Statistics. The goal of the meeting was to improve collaboration between OSHA and state public health programs to identify occupational health problems. The end results of effective partnerships will be the development



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## Did You Catch Us On TV?



The business world was watching DOL last Friday, as CNBC's Squawk Box broadcasted the entire three hours of their show live from the

department's Labor Hall of Fame. Secretary Solis made an early morning visit to discuss the nation's economic situation, as well as "job sharing," an innovative approach some employers are taking to lessen the impact of layoffs. This is the second time the department has hosted "Squawk." We hope to do it again soon.

- [Watch Secretary Solis' Interview](#)
- [View the Slideshow](#)

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## Destination Casa Blanca

Small business, collective bargaining and the Latino unemployment rate were some of the topics award-winning broadcast journalist



and author Ray Suarez and Secretary Solis talked about during a recent TV interview. Suarez comes from PBS' "The News Hour" and NPR's "Talk of the Nation," and has embarked on his own political show called "Destination Casa Blanca," which airs nationwide. Suarez asked about the state of the economy and Secretary Solis replied, "The tax cuts that passed in December are helping families have a little more in their pocket to spend and it's reflecting in the gradual improvement in our economy."

- [Broadcast Time and Date](#)

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## DOL Women Recognized at Women's Policy, Inc. Cong. Dinner



In honor of the new leadership of the Congressional Caucus for Women's Issues, a bipartisan caucus of women members of Congress, Secretary

Solis keynoted the Women's Policy Inc.'s Congressional Gala on Wednesday night. As a past co-chair, Solis has a special affinity for this dynamic group of women. In her keynote speech, Solis gave the crowd an inspirational account of

and sharing of information that can help prevent a health crisis in the workplace when it comes to the use of chemicals on jobsites and environmental and occupational hazards. Much of this will be accomplished through improved public health referrals to OSHA and collaboration on outreach, education, and training efforts.

- [View the Slideshow](#)

## A Renewed Media Focus on Registered Apprenticeship



DOL's Registered Apprenticeship program has been the subject of two recent media reports highlighting the impact that structured on-the-job learning can have in helping workers establish skills that lead to long-term careers. The Association of Career and Technical Education's flagship magazine, "Techniques," dedicated the entire March issue to apprenticeship, and an Employment and Training Administration article about the benefits of Registered Apprenticeship was included. In addition, last week, as part of its America At The Crossroads

series, NBC Nightly news highlighted a Registered Apprenticeship program in Kentucky as an example of a best practice in helping workers and companies in the manufacturing industry become more competitive.

- [Read the ETA Article on Registered Apprenticeship](#)
- [Watch the NBC Nightly News Feature on Kentucky](#)

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## WB Hosts Delegation in Celebration of International Women's Day

Women's Bureau Director Sara Manzano-Diaz hosted an international delegation of 19 women leaders from grassroots organizations in Latin America and the Caribbean this week.



They came from Argentina, Bolivia, Chile, Colombia, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela to learn how women effect change, as well as grassroots civic engagement efforts in the U.S. Manzano-Diaz told the group about the Women's Bureau's vision to empower all working women to achieve economic security, and she initiated a spirited dialogue on such topics as the glass ceiling, equal pay, girls as the future workforce, child labor and green jobs.

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## DOL Working for You

### Equine Career Realized Through Department Funding



Kaycee Peterson is turning her passion for horses into a full-time occupation. That's because of the help she received from Minnesota's Concentrated Employment Programs, funded by the department's workforce development system. With career assistance and training from CEP, Peterson began work as a stable hand taking care of scores of Morgan horses and several breeds of specialty cats and dogs for an internationally known local breeder. She feeds the animals, provides them with exercise and medications, and cleans up after them. It is hard work, she admits,

but Peterson is already making plans to go to college to earn degrees in both business and equine management. The training she said, "gave me the hands on experience and the drive" to work towards a career caring for and raising horses.

her beginnings from her education to her early work in elected office and her priorities now as the secretary of labor for women workers. The evening featured lively speeches from 112th Congress Co-Chairs, Rep. Gwen Moore of Wis. and Rep. Cynthia Lummis of Wyo. Women's Bureau Director Sara Manzano-Diaz was also recognized at the dinner.

- [View the Slideshow](#)

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## OFCCP's Midwest Host Outreach to Faith-Based Leaders

The Chicago Office of Federal Contract Compliance Programs hosted a faith-based outreach event earlier this week. More than 80 local faith leaders



attended. "This event was a great opportunity to educate our community leaders and stakeholders about the many DOL resources and programs available," said Sandra Scott Zeigler, OFCCP regional director for the Midwest. Representatives from the Employment and Training Administration, Wage and Hour Division, Women's Bureau and Equal Employment Opportunity Commission joined OFCCP's regional director in informing the audience how their agency can help the constituents of the faith community. Other speakers included OFCCP's Director Patricia Shiu, DOL Secretary's Representative for Region V Ken Bennett and U.S. Congressman Bobby Rush of Chicago.

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## Upcoming Deadlines & Events

Check out the grant opportunities with DOL.

[Open Funding Opportunities](#)

Event Spotlight:

Women's History Month: A Fireside Chat.

To celebrate Women's History Month, the Women's Bureau and the YWCA of Greater Atlanta are co-sponsoring a "Fireside Chat" with prominent Atlanta businesswomen on March 16. The panel will talk about their experiences, discuss their successes and share the challenges faced in their careers.

- [Learn More](#)
- [Women's History Month Flyer](#) (PDF)

MSHA — 2011 Nevada Mine Rescue Contest

- [March 15-17 — Winnemucca, NV](#)

## Training Grad Reinvents Herself into Green Energy Occupation

Following the loss of her accounting job, Michelle Long was looking to reinvent herself. She found that opportunity through the department-funded "Pathways out of Poverty" program. After working with career counselors and determining that green energy jobs were an emerging field she wanted to enter, Long enrolled in the Bridgeport, Conn., "Green-Up" program run by DOL grantee Workplace Inc. There she learned energy efficiency, Occupational Safety and Health Administration safety rules, and lead and asbestos abatement, eventually earning 10 certificates upon graduation. Less than a month later, she was hired as a service manager by a local building and development company which conducts home energy audits. The training program "lead to my success and gave me the tools necessary to start over in a new career," Long said.



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## DOL in Action

### Toolkit to Increase Employment of People with Disabilities



Assisting federal agencies in recruiting, employing and retaining individuals with disabilities is the objective of an online toolkit provided Monday by the department's Office of Disability Employment Policy. Designed in collaboration with the Office of Personnel Management, the toolkit contains a five-step process that agencies can easily follow. "The online toolkit is designed to make it easy for federal employers to find and hire excellent workers who happen to have disabilities," said Kathy Martinez,

assistant secretary of ODEP. "Federal agencies – and all employers – are strengthened when they include people with disabilities among their ranks."

- [Visit the Federal Hire Website](#)
- [Read the News Release](#)

### Assistance for Idaho Workers Affected by Layoffs

The department this week provided a \$1,288,296 National Emergency Grant increment to continue providing re-employment and retraining services to about 1,000 workers affected by layoffs at Micron Technology Inc. located in Boise, Idaho. "Layoffs are traumatic events, but the Department of Labor is committed to helping workers get back to work and back on their feet," said Secretary Solis. "I am pleased that this supplemental funding will help those already benefitting from employment and training services to continue preparing for good jobs in growing industries."

- [Read the News Release](#)

### OSHA Cites Cotton Manufacturer for Endangering Employees

The Occupational Safety and Health Administration responded to a report that a worker had died after falling from a ladder at Parkdale America LLC in Lavonia, Ga. While conducting the inspection, compliance officers discovered a number of other violations, including accumulations of explosive dust, and found that the company was not monitoring workers' exposure to cotton dust. As a result, the company has received 16 safety and health citations, including one related to the fatality.

- [Read the News Release](#)

### Support for 400 Dislocated Massachusetts Workers

A grant in the amount of \$1,570,907 to assist 400 workers affected by the

MSHA — Mine Rescue Contest

- [March 22-24 — Beaver, WV](#)

MSHA — Spring Thaw Workshop

- [March 15 — St. Cloud, MN](#)
- [March 17 — Redding, CA](#)
- [March 22 — Sheridan, WY](#)
- [March 23 — Verona, NY](#)
- [March 29 — Torrington, WY](#)

OFCCP — 15th Annual State of the State Conference

- [March 24 — Lima, OH](#)

OFCCP — ABCs of the AAP

- [April 15 — Los Angeles, CA](#)

OFCCP — Affirmative Action Steps

- [March 29 — Honolulu, HI](#)

OFCCP — Audit Process Review

- [March 24 — Los Angeles, CA](#)

OFCCP — Building Partnerships for the Community

- [March 29 — Jacksonville, FL](#)

OFCCP — Community Connections

- [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](#)
- [April 5 — Mountainside, NJ](#)

OFCCP — Compliance Assistance Seminar for Construction Contractors

- [March 22 — Mountainside, NJ](#)
- [March 30 — Hartford, CT](#)
- [April 19 — Mountainside, NJ](#)

OFCCP — Compliance Assistance Seminar for Recordkeeping

- [March 15 — Dallas, TX](#)

OFCCP — Compliance Assistance Seminar for Supply and Service Contractors

- [March 16 — Nashville, TN](#)

closing of Sonoco Packaging Products in Devens, Mass., and layoffs at Debbie's Staffing in Ayer, Mass., was provided by the department this week. "Many of these workers – who have lost jobs through no fault of their own – face significant language and education barriers to new employment," said Secretary Solis. "This grant will make available the services they need to re-enter the workforce." Awarded to the Massachusetts Department of Workforce Development, the grant will provide these dislocated workers with access to "wrap-around" and supportive services.

- [Read the News Release](#)

Misclassified Supervisors, Workers to Receive More Than \$754,000

A Wage and Hour Division investigation has found that temporary supervisors were misclassified under the Fair Labor Standards Act. Beck Disaster Recovery Inc. of Maitland, Fla., has agreed to pay \$754,578 in overtime back wages to 89 current and former temporary field supervisors. The company misclassified the supervisors as exempt from overtime payments but reduced their pay when they missed time from work. "Misclassification of employees as exempt from the FLSA has become a common problem and one the Labor Department is determined to bring to light," said Secretary Solis. "When violations of the law are found, we will take appropriate action to ensure workers are paid in full." In addition to the back pay, the company has reclassified the workers as nonexempt, hourly employees.

- [Read the News Release](#)

Department Sues Coin Builders LLC to Recover More Than \$1.3 Million

DOL has sued Coin Builders LLC of Wisconsin Rapids, Wis., and its president, Joseph Kreeger, to restore more than \$1.3 million plus interest to the company's profit-sharing plan following an Employee Benefits Security Administration investigation. "The Labor Department is committed to ensuring workers can keep what they earn. And we will hold companies and their executives accountable when they ignore their responsibilities as fiduciaries and put workers' hard-earned retirement income at risk," said Secretary Solis. The lawsuit alleges that Kreeger, who was not bonded as required, improperly transferred \$1.3 million in plan assets to a Coin Builders LLC bank account.

- [Read the News Release](#)

WHD Recovers Nearly \$190,000 in Back Wages for 57 Employees

The Wage and Hour Division has recovered \$189,790 in back wages for 57 foremen, technicians, field assistants and inside sales representatives of MESA Products Inc. in Tulsa, Okla., after an investigation found workers in California, Florida, Oklahoma, Ohio and Texas were paid straight time for hours worked above 40 in a workweek. Employees were given extra paid time off, rather than time and one-half their regular rates of pay for overtime hours, as required by the Fair Labor Standards Act. The company has agreed to pay the full amount, and to properly classify its employees and compensate them for all hours worked in the future.

- [Read the News Release](#)

Quick Action by OSHA Inspector Prevents Possible Injury or Death

The Occupational Safety and Health Administration's Rick Burns was performing a worksite inspection on a trench being dug by Trimat Construction in Mercerville, Ohio, when

- [March 16 — Hartford, CT](#)
- [March 17 — Seattle, WA](#)
- [March 17 — Memphis, TN](#)
- [March 22 — Jacksonville, FL](#)
- [March 23 — Orange, CA](#)
- [March 23 — Buffalo, NY](#)
- [March 24 — Memphis, TN](#)
- [March 30 — Nashville, TN](#)
- [March 30 — San Diego, CA](#)
- [April 20 — San Diego, CA](#)



he directed an employee to exit the trench believing collapse was imminent. Within five minutes, it did and could have buried the worker under six to seven feet of soil. "The actions of the compliance officer likely saved this worker's life," said David Wilson, assistant area director in the Columbus area office. "Cave-ins are a leading cause of worker fatalities during excavations." OSHA standards mandate that all excavations 5 feet or deeper be protected against collapse. The employee was working in a trench at a depth greater than 10 feet without cave-in protection. OSHA is conducting an investigation.

- [Visit OSHA's Site on Trenching And Excavation](#)

#### Beware Staffing Agencies Making Promises

The Labor Department recovered \$219,390 in back wages and liquidated damages for 44 Boston-area restaurant employees. The two restaurants included in the settlements both contracted with Operations Management Group, a staffing agency, to move many of their existing employees to OMG's payroll, resulting in the employees receiving less pay than the law requires. The restaurants set the hourly rate the employees would be paid and would report to OMG the number of hours each employee worked. Although the employees had received overtime pay when they were on the restaurants' payrolls, OMG paid them "straight time" at the rate set by the restaurants for all hours worked, including overtime hours, and failed to withhold tax deductions from their wages. New workers were also put on the OMG payroll and were likewise paid improperly. "The Wage and Hour Division wants to send a strong message that employers cannot evade their responsibility under the law by using staffing agencies or labor contractors," Nancy Leppink, acting administrator of the Wage and Hour Division, said in a statement. "These business practices are not a legal way to reduce labor costs." The Wage and Hour Division continues to investigate OMG.

- [Read the Latest OMG News Release](#)
- [Read the First OMG News Release](#)

#### EBSA Obtains \$1.25 Million Judgment for Repayment to 401(k) Plan

The Employee Benefits Security Administration has obtained a court judgment requiring Floyd Seibert to repay \$1,253,661 to the Central Home Care Services Inc. and Affiliates 401(k) plan. In 2007, Seibert pleaded guilty in a related criminal case for embezzlement from his company's pension plan and Medicare fraud. Seibert was ordered to pay more than \$3 million restitution regarding the pension fund. The restitution announced today represents interest owed on the earlier judgment already enforced against Seibert. "The Labor Department applauds the court's action to hold Floyd Seibert personally responsible for losses suffered by the plan," said Phyllis C. Borzi, assistant secretary of labor for EBSA. "Our legal action sends a clear message that the department will not tolerate fiduciaries who misuse plan assets for their own gain."

- [Read the News Release](#)

#### OFCCP — Introductory EEO/AA Workshop for Supply and Service Contractors

- [March 17 — Webinar](#)

#### OFCCP — Referral Agency Open Forum

- [March 16 — Houston, TX](#)

#### OFCCP — Veteran Career Fair

- [March 15 — Newark, NJ](#)
- [March 24 — Chicago, IL](#)

#### OFCCP — Women in Non-Traditional Jobs Workshop

- [March 31 — San Antonio, TX](#)

#### OLMS — Compliance Assistance Seminar

- [March 18 — Buffalo, NY](#)
- [March 23 — Dallas, TX](#)
- [March 23 — Syracuse, NY](#)

#### WB — National Dialogue on Workplace Flexibility

- [March 31 — Silver Spring, MD](#)

#### WB — Women Working Together Writing the Next Chapter of HerStory

- [April 15 — Philadelphia, PA](#)

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- In this week's newsletter: Celebrating #Women; Taking Action; \$600K for #VETS Stand Down <http://s.dol.gov/B#veterans> [48 minutes ago](#)
- New on the Blog - OSHA's David Michaels Weighs In on "Breaking Windows" <http://bit.ly/eY2cuQ> [55 minutes ago](#)

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