



DOL News Brief

March 31, 2011

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WOMEN ORGANIZE!

Women organizers from all over the country gathered on Monday to commemorate Women's History Month with a forum

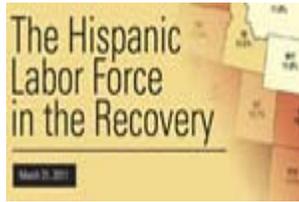


highlighting the legacy of the 1911 Triangle Shirtwaist Factory fire in New York. The forum, hosted by Secretary Solis and Valerie Jarrett, senior advisor to President Obama and chair of the White House Council on Women and Girls, included a panel of women organizers that included a domestic worker, a call center worker, a child care provider, and a cashier. Each one shared their personal stories of poor working conditions and wages that prompted them to organize. Solis opened the forum with remarks about the significance of the Triangle fire even today. "A century later, we reflect not only on the loss of 146 lives that tragic afternoon, but also on the movement they inspired and the commitment of those who carry on their call for reform and justice."

- View the Slideshow
• Watch the Panel Discussion
• Read the Secretary's Blog

What's Hot

New Report: Highlights Status of the Latino Labor Force in the U.S.



Through a teleconference, Secretary Solis this week unveiled DOL's first comprehensive look at the state of the Latino workforce over the recent recession and recovery. "It is clear to me that when a community grows and prospers, the nation succeeds as a whole," she said. The report touches on a number of important factors, including the industries

where Latinos are most represented and where they can expect to see job growth in the future. The report also revealed that unemployed Latinos experienced a shorter duration of unemployment and were less likely to join the ranks of the long-term unemployed compared with their white and African-American counterparts.

- Read the Report
• Listen to the Teleconference

Catch Workers Before They Fall!

"We must always be a nation that catches workers before they fall." That was the message Secretary Solis delivered to more than 1,000 New Yorkers, and millions across the country, during last Friday's commemoration of the 100th anniversary of the Triangle Shirtwaist Factory fire. On March 25, 1911, 146 people – mostly immigrant women and girls – died in a terrible factory fire. Many of the victims jumped to their deaths from the 8th and 9th story windows, since emergency exits at the sweatshop were locked. Since that time, the Triangle fire has come to symbolize how far we've come in workplace health and safety, and the work we still need to do.



- Read the Secretary's Speech
• View the Slideshow
• Watch the MSNBC Interview

En la Casa Blanca, sí se puede!



March 31 marks Cesar Chavez Day. The observance is intended to promote community service and honor the legacy of the Arizona-born Chicano civil rights activist, who noted that "once social change begins, it cannot be undone." As part of this year's observance, Secretary Solis joined White

House Director of Intergovernmental Affairs Cecilia Muñoz, Secretary of Agriculture Tom Vilsack and Secretary of the Interior Ken Salazar for a White House screening of the film "Common Man, Uncommon Vision: The Cesar Chavez Story." The forum also featured a presidential

News You Can Use

OSHA Action Summits for Worker Health and Safety Continue

The Occupational Safety and Health Administration will host a Southern New Jersey Summit for Latino/Immigrant Worker Safety and Health on Sunday, April 10, at St. Teresa of Avila Church in Bridgeton. Workers, community organizations, faith-based groups and government officials will come together to discuss worker rights and employer responsibilities, with a

proclamation in honor of Chavez, who died in 1993 but would have turned 84 this week. The film's screening was followed by a panel discussion with the three Cabinet members, who discussed the myriad ways in which the administration is carrying on the legacy of Chavez.

- [Read the President's Proclamation](#)
- [Read the Secretary's Statement](#)
- [View the Slideshow](#)
- [Download the Cesar Chavez Day Poster](#)

Goodbye to a Trailblazer

Our nation lost a political pioneer with the passing of Geraldine Ferraro on March 26. An attorney, member of the House of Representatives,



and long time advocate of equity for women, Ferraro became the first woman vice-presidential candidate in 1984. "Whether it was in the classroom, in the courtroom, on Capitol Hill, or in cracking the glass ceiling as the first female candidate for vice president, Geri sought to uphold the ideals of equality, justice and opportunity," said Secretary Solis. "Her legacy and example will live on in the hearts and minds of all Americans." Solis and several Congressional members paid tribute to Ferraro at a reception this week.

- [Read the Secretary's Statement](#)

True Blue



Secretary Solis, DOL senior staff members and 15 leaders of diversity and inclusion from top US companies participated in a "Deep Dive"

session hosted by D.C.-based True Blue Inclusion. The meeting brought together people who make things happen in business and in government, with an aim to create new dialogue, build productive relationships and address pressing issues of mutual concern from varied perspectives. And that's what happened. Solis encouraged the group to proactively propose areas of joint collaboration, and not to be shackled by past encounters or experiences. The strength of commitment by the participants was evident during the discussion and the department is planning to have an additional gathering with the group in the future.

focus on the construction industry and vulnerable worker populations. Attendees will benefit from workshops, demonstrations, guidance on construction scaffolding and fall hazards and information and wage and hour issues. On Friday, April 15, OSHA will hold a Greater Philadelphia Summit at the Cardinal Bevilacqua Community Center.

- [Learn More](#)

Fiduciary Definition Transcript Available; Comment Period Open

Soliciting, collecting and analyzing public comments is a proven path to thoughtful and effective regulations. The Employee Benefits Security Administration this week posted the transcript from a public hearing on a proposed rule that would redefine who is considered a "fiduciary" when they give investment advice for a fee under the Employee Retirement Income Security Act. EBSA previously announced that the time for the submission of public comments would be extended until after the testimony was posted. Members of the public are invited to submit comments through April 12.

- [Read the News Release](#)
- [Read the Fact Sheet](#)

Calling Organizations to Apply to Deliver Online Courses

The Occupational Safety and Health Administration is seeking competitive applications from organizations to provide 10- or 30-hour online OSHA Outreach Training Program courses in the construction, general and maritime industries. The program trains workers on their rights, describes employer responsibilities, explains how to file a complaint and describes work-related hazards. Applications must be received by OSHA's Directorate of Training and Education by June 29. "As a result of interest in Outreach Training Programs, we are initiating this competition to ensure that we are providing quality training for all participants," said Assistant Secretary of Labor for OSHA David Michaels.

- [Read the News Release](#)

New Address for ERISA Compliance Program

Administrators of employee benefit plans who want to take advantage of the Delinquent Filer Voluntary Compliance Program now must send submissions to a new address: DFVC DOL, P.O. Box 71361, Philadelphia, PA 19176-1361. There is no overnight delivery available. The program is designed to encourage voluntary compliance with annual reporting requirements under the Employee Retirement Income Security Act, and avoid assessment of potentially higher civil penalties on delinquent annual report filings.

- [Delinquent Filer Calculator](#)

Briefing to Provide Overview of Developments in Coal Mine Tragedy

A public event will be held June 29 in Beckley, W.Va., to brief the public on physical evidence gathered during the ongoing investigation of the Upper Big Branch Mine explosion that occurred last April. During the briefing, officials from the Mine Safety and Health Administration also will provide summaries of other evidence obtained by investigators. "We take very seriously the need to keep the public informed as to what we're learning and when we're learning it," said Joseph A. Main, assistant secretary for MSHA. "We also take seriously the efforts of the FBI and the U.S. attorney to bring to justice those who may have broken the law. Throughout this investigation, we've worked hard to balance those important goals."

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

Solis Shares Commitment to Investments in Communities

Speaking to members of the National Urban League on Tuesday, Secretary Solis reiterated the commitment of the Obama administration



and the Labor Department to continue to make strategic investments in communities that have been impacted the greatest during the recession. "The 8 million jobs that were lost from February 2008 to February 2010 surpass the combined losses of all the jobs lost in the last three recessions," said Secretary Solis. "But I'm happy to report that we are now turning the corner. We've seen private sector job growth for 12 straight months – adding 1.5 million jobs. And the unemployment rate has dropped from 9.4 to 8.9 percent in the last three months – a drop we haven't seen since the early 1980s."

- [View the Slideshow](#)

VETS, VA Collaboration Aiding Disabled Veterans, Hill Told



Collaboration between the U.S. Department of Veterans Affairs and the Veterans' Employment and Training Service is helping to increase employment opportunities for service-disabled veterans, VETS Deputy Assistant Secretary for Operations and Management John McWilliam told the House

Committee on Veterans Affairs' Subcommittee on Economic Opportunity Subcommittee Thursday. In fiscal year 2010, 4,989 disabled veterans who completed the VA's Vocational Rehabilitation and Employment program were referred to state workforce agencies "for intensive employment services," McWilliam said. Of these, 1,764 "were placed into employment for a placement rate of 35 percent. This was at an average annual wage of \$37,800." This "positive working relationship has also carried over into other initiatives and strengthened cooperation and coordination between VETS and our state work force partners," he added.

- [Read McWilliam's Testimony](#)

Flex Forum on Hospitality, Restaurant, Tourism Industries

Around DOL

New Alliance, ODEP and PPS



A new alliance between the Office of Disability Employment Policy and the Partnership for Public Service will help federal agencies fulfill President Obama's executive order to increase federal hiring of people with disabilities. "By working together, ODEP and the PPS will be able to identify what federal agencies need to fulfill the requirements of the executive order,

as well as offer valuable support and resources toward accomplishing those goals," said Kathy Martinez, assistant secretary of ODEP. The PPS is a nonpartisan organization that works to promote careers in the federal government.

- [Read the News Release](#)

YouthBuild Alumni Speak Up and Give Back

Five YouthBuild graduates from New York, Pennsylvania, Ohio, and Indiana traveled to Washington earlier this week to share their stories and their commitment to the program. They described to Assistant Secretary for Employment and Training Administration Jane Oates a past with broken homes, abuse, drugs and more. But more importantly, they told their stories of perseverance. Through YouthBuild they learned dignity and self respect, work ethics and skills in construction, math, and administrative work. "I believe that the cycle has been broken – that the generations that come behind me will be so much better than the generations before me – because of YouthBuild," said Maurice Randle, a 2001 graduate of the YouthBuild in Columbus, Ohio.



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- [View the Slideshow](#)

International Scene

WB Hosts South American Women Business Leaders

This week, Women's Bureau Director Sara Manzano-Díaz hosted women business leaders from Bolivia, Panama, Paraguay and Peru. They included the leaders of a 2 million-member organization of self-employed, mostly indigenous workers; an all-women association of artisans dedicated to preserving their country's traditional crafts and earning income to send their children to school; and an association of agricultural micro-entrepreneurs working to create sustainable livelihoods. Among the issues raised by the group were the development of girls and women as leaders; lack of Internet access; and the importance of increased educational opportunities for girls and women.



DOL Working for You

Job Corps Experience Molds Civil Rights Official

The lessons of racial tolerance and nondiscrimination he learned at the Hubert H. Humphrey Job Corps Center in St. Paul, Minn., helped mold Johnnie Burns and led him to his current job as assistant director of the

As part of its National Dialogue on Workplace Flexibility series, the Women's Bureau recently hosted a forum on Thursday in Silver Spring, Md.,



focusing on work-family solutions to challenges facing employees in the hospitality, restaurant and tourism industries. The event brought together dozens of women representing business, academia, policy and advocacy to discuss best practices.

- [Read the Blog](#)
- [View the Slideshow](#)

Combating Homelessness

Secretary Solis led her first meeting as chair of the U.S. Interagency Council on Homelessness earlier this week. The meeting featured bipartisan panels of city and state leaders who shared their successes, challenges and ideas for partnering with the federal government to combat homelessness. Mayor Michael Coleman of Columbus, Ohio, and Mayor Ashley Swearengin of Fresno, Calif., discussed their housing-first strategies and broad engagement of public and other organizations. Colorado Gov. John Hickenlooper, California Lt. Gov. Gavin Newsom and Utah Lt. Gov. Greg Bell discussed the importance of setting clear targets and carefully measuring performance. The governors pledged to serve as champions to combat homelessness and to engage other state leaders to do the same.

- [Learn More](#)

Main Before Senate Committee

During a hearing before the Senate's Health, Education, Labor and Pensions Committee, Mine Safety and Health Administration Assistant Secretary Joe Main testified on actions his agency has taken since last year's West Virginia coal mining tragedy that took 29 lives. Main reported on progress in MSHA's ongoing investigation into the cause of the explosion, saying that the underground portion is nearing completion. "While we are continuing our investigation at Upper Big Branch Mine, we know already that explosions in mines are preventable and that a workplace culture, which puts health and safety first, will save lives and prevent tragedy," Main testified.



Minneapolis Department of Civil Rights. "I was a knucklehead, running the streets, involved in bad stuff and almost getting shot," Burns, 38, admitted about his teenage years in a rough Milwaukee neighborhood. But the structured environment of Job Corps forced him to share dorm rooms with students of all races, learn about diversity and be around counselors "who cared about you." Armed with his clerical training at Job Corps and a high school diploma, Burns worked his way up from part-time work to full-time employment in the state's transportation department. He eventually moved to the civil rights department, where, as he is finishing college work, he supervises six people whose work ensures affirmative action, civil rights and nondiscrimination policies in local contracts. "Job Corps saved my life and molded me into a complete person."

Green Job Results from Recovery Funding

When John Elliott found himself out of work as a construction industry executive, he turned to the green jobs training program offered through Colorado's Labor's Community Agency – a Recovery Act/departamental funding recipient – to land a new, cutting edge career. Elliott, 53, became interested in and studied energy efficiency, weatherization and energy auditing, and eventually became certified. He has since secured a job as a program director for a local nonprofit that provides weatherization and retrofitting of low-income housing. The training program, Elliott said, "played a major role because it gave me an opportunity to learn about the field and get my foot in the door" of an exciting career.



DOL in Action

Judge Upholds OSHA Citation Against Wal-Mart Stores Inc.

The department's Occupational Safety and Health Administration applauds the recent ruling of the independent OSH Review Commission upholding the citation and full penalty issued to Wal-Mart Stores Inc. for inadequate crowd management following the November 2008 trampling death of a worker at one of the company's retail locations in New York. "This is a win for both workers and consumers," said Assistant Secretary of Labor for OSHA David Michaels. "Today's ruling supports OSHA's position that, even in the absence of a specific rule or standard, employers are still legally responsible for providing a place of employment free of recognized hazards that are likely to cause serious injury or death. If not properly managed by retailers, a large crowd poses a significant threat to the lives of workers and customers."

- [Read the News Release](#)

Stennis Space Center Guards Get \$282,000 in Back Pay

The Wage and Hour Division has secured an agreement from the International Security Management Group to pay more than \$282,000 in back wages for 46 security employees, after an investigation revealed that the company had failed to pay employees the required prevailing wage rates and fringe benefits for all hours worked in violation of the federal McNamara-O'Hara Service Contract Act. "ISMG security guards worked long hours, maintaining vigilance over federal facilities and risking their own safety to ensure that of others. These workers deserve to be paid properly,"

Resources for Latinas



In keynote remarks to the Institute for Women's Policy Research on March 25, Women's Bureau Director Sara Manzano-Diaz

described the economic and employment plight of Latinas, highlighting the launch of a financial literacy course in Spanish to assist them in achieving financial security. The event, which unveiled the report "Organizations Working with Latina Immigrants: Resources and Strategies for Change," was sponsored by the institute, the National Council of La Raza, and the Wilson Center for International Scholars. Manzano-Diaz told the audience, "I am committed to providing tools to assist Latina immigrants in achieving the American dream because their children represent a beacon of hope for our country and the world."

KC Women Working Together

More than 150 women and girls of diverse backgrounds attended the "Women Working Together: Writing the Next Chapter of HerSTORY"



networking conference in Kansas City, Mo., last week. The event was hosted by the Women's Bureau's Kansas City Regional Office to honor and celebrate the leadership and legacy of accomplished women. Sara Manzano-Díaz, director of the Women's Bureau, moderated a distinguished panel of local women leaders, including community activist Joanne Collins; Pauline Rios, the director of the Hispanic Initiative for Girl Scouts of Northeast Kansas and Northwest Missouri; and Sister Berta Sailer, who founded the largest single-site childcare center in Missouri.

- [View the Slideshow](#)

Our History is Our Strength



DOL's Dallas regional office hosted a 2011 Commemorative Women's History luncheon event on Thursday. This year's program entitled, "Our History is Our Strength," featured keynote speaker Clarice Tinsley, anchor of KDFW FOX-4 news in Dallas, who spoke about the changing roles

said Kenneth Stripling, WHD's district director in Birmingham, Ala.

- [Read the News Release](#)

West Virginians Receive Support to Cover Health Insurance Payments

A \$500,000 National Emergency Grant to provide an estimated 500 jobless workers in West Virginia with partial premium payments for health insurance coverage was announced this week. "Searching for a new job is difficult enough without worrying about paying for health expenses out-of-pocket if the job seeker or a family member needs medical attention," said Secretary Solis. "Helping these West Virginians bridge the gap between jobs and maintain affordable insurance coverage is one way we can support the state's working families during this challenging time."

- [Read the News Release](#)

Grants to Provide Training and Supportive Services for Young Parents

DOL has made approximately \$5.5 million available under the Young Parents Demonstration Program. "Our nation's young people are one of our greatest resources," said Secretary Solis. "Through these grants, young parents can gain the educational and occupational skills that are necessary for a successful, economically self-sufficient future for themselves and their families." The program provides educational and occupational skills training services that lead to family economic self-sufficiency for young mothers and fathers as well as expectant parents ages 16 to 24.

- [Read the News Release](#)

Workers Affected by Whirlpool Plant Closure to Receive Services

The department has provided a National Emergency Grant of more than \$202,000 to assist 70 workers affected by the closure of a Whirlpool Corp. manufacturing facility in Benton Harbor, Mich. "The Department of Labor is working to get America back to work by providing job seekers the skills necessary to land the good-paying jobs of the future," said Secretary Solis. "Ensuring these manufacturing workers in Michigan can access the career counseling and employment services needed to enter new jobs in promising industries is the right thing to do for our economy."

- [Read the News Release](#)

Farm Labor Contractor Cited Following Traffic Fatalities

The Wage and Hour Division has cited Carmen Maria Santos for operating as a farm labor contractor without registering with the department. The Labor Department became aware of the contractor after a traffic accident in Lafayette, Tenn., that resulted in the death of two farmworkers and serious injuries to five others who were being transported in the contractor's van. "The Labor Department requires farm labor contractors to register with the department specifically to prevent tragedies such as this one," said Nettie Lewis, acting district director of the WHD in Nashville. "This loss of life might not have occurred if farmers had made sure that they were employing an authorized contractor who was transporting workers in a safe vehicle operated by a properly licensed driver."

- [Read the News Release](#)

Convenience Store Chain Settles Whistleblower Case

A settlement agreement has been reached with Modern Oil Co. Inc., doing business as Kwick Stop Convenience Store in Shawnee, Okla., resolving a lawsuit that the company illegally terminated a cashier who complained that beverage boxes were stacked too high and creating a safety hazard. The consent judgment provides for injunctive relief, reinstatement of the

women have played in the workplace. Madeleine Le of the regional solicitor's office also shared her personal experience as a woman from Vietnam and what it was like to relocate to the United States. Both Tinsley and Le attributed their success to family values, especially having strong mothers as role models. About 60 Labor Department employees walked away with the message that anything can be accomplished by setting your mind to it, even at impossible moments.

Upcoming Deadlines & Events

Check out the grant opportunities with DOL.

- [Open Funding Opportunities](#)

EBSA — Voluntary Fiduciary Correction Program Workshop

- [April 4 — Fort Wright, KY](#)

OFCCP — AAP Development Workshop for Supply and Service Contractors

- [April 6 — Pittsburgh, PA](#)

OFCCP — ABCs of the AAP

- [April 15 — Los Angeles, CA](#)

OFCCP — Compliance Assistance Seminar for Construction Contractors

- [April 19 — Mountainside, NJ](#)

OFCCP — Compliance Assistance Seminar for Supply and Service Contractors

- [April 5 — Mountainside, NJ](#)
- [April 20 — San Diego, CA](#)

OFCCP — Equal Pay Day Event

- [April 13 — San Jose, CA](#)

OFCCP — Information Session for Asian American/Pacific Islander Community Based Organizations

- [April 27 — Denver, CO](#)

OFCCP — Open House

- [April 28 — Dallas, TX](#)

OFCCP Webinar — Compliance Assistance for Construction Contractors

- [April 14 — Orange, CA](#)

OFCCP Webinar — Supply & Service Workshop

- [April 20 — San Diego, CA](#)

OSHA — Greater Philadelphia Area

employee as a full-time cashier and payment of \$17,000 in back wages. Defendants must also post notices at their facilities of the Occupational Safety and Health Act's anti-discrimination and anti-retaliation provisions.

- [Read the News Release](#)

Funding for Storm Recovery and Cleanup Efforts in Puerto Rico

The department provided a \$300,000 National Emergency Grant increment to continue recovery and cleanup efforts in the wake of severe storms and flooding that struck Puerto Rico in May 2010. Awarded to the Puerto Rico Department of Labor and Human Resources, the grant is funding temporary jobs filled by eligible dislocated workers assigned to recovery efforts. "The floodwaters may have receded, but Puerto Rico is still cleaning up," said Secretary Solis. "The funds are part of the administration's commitment to all working families, including those on 'la isla del encanto.'"

- [Read the News Release](#)

Contested Citations of \$761,000 by Mine Operator Must be Paid

A Kentucky coal mine operator who contested \$761,000 in fines had those fines upheld this week by the Federal Mine Safety and Health Review Commission. Stillhouse Mining LLC, which operates the Mine No. 1 near Cumberland, was cited in December 2006 for violations relating to mine ventilation, roof control and pre-shift examinations. An anonymous phone call from a miner to a Mine Safety and Health Administration field office supervisor prompted the inspection that uncovered those violations. "No miner should be subjected to the kinds of conditions that were found at Stillhouse Mining," said MSHA Assistant Secretary Joe Main. "Although the case was not resolved for more than four years, we are extremely pleased with the judge's decision."

- [Read the News Release](#)

Landscaping Contractor to Pay Back Wages to H-2B Workers

Vanderbilt Landscaping Inc. has agreed to pay \$18,496 in back wages to 42 workers for violations of the Fair Labor Standards Act. The Wage and Hour Division has also ordered the company to pay \$18,000 in penalties for violating the H-2B visa rules governing the employment of nonimmigrant temporary workers, which the company is appealing. "The Labor Department vigorously enforces rules governing nonimmigrant temporary workers, to protect the rights of those workers as well as those of U.S. citizens," said Nettie Lewis, WHD's acting district director in Nashville. "The Wage and Hour Division requires accurate advertising of job duties and rates of pay so that U.S. citizens will be given a fair chance at obtaining these jobs."

- [Read the News Release](#)

National News

Task Force on Puerto Rico's Status Unveils Comprehensive Report

The President's Task Force on Puerto Rico's Status unveiled its report this month, providing a meaningful way forward on the question of status while making significant recommendations important to Puerto Rico's economic development. The Department of Labor provided specific recommendations in four critical areas: Improving the Workforce System to Support Job Creation and Economic Development; Improving Workplace Compliance and Knowledge about Workers' Rights; Expanding Employment Assistance Services to Veterans; and Improving Access to Employment for People with Disabilities.

Action Summit for Latino/Immigrant Construction Worker Health and Safety

- [April 15 — Philadelphia, PA](#)

OSHA — Small Business Teleconference on Proposed Recordkeeping Rules

- [April 11 — Washington, D.C.](#)
- [April 12 — Washington, D.C.](#)
- [April 12 — Washington, D.C.](#)

OSHA, WHD — Southern New Jersey Action Summit for Latino and Immigrant Workers

- [April 10 — Bridgeton, NJ](#)

WB — Women Working Together Writing the Next Chapter of HerStory

- [April 25 — Philadelphia, PA](#)

- [Read the Report](#)

¿Habla Español?



Today the U.S. Department of Labor launched "La Nota" – a monthly Spanish language newsletter. It highlights DOL efforts specifically geared to non-English speaking workers. In our first issue: details from Secretary Solis' Hispanic workforce report, our efforts in Puerto Rico, international initiatives and information

about our upcoming Latino worker safety conference in Philadelphia. Want to get La Nota every month delivered via email? It's easy. Just click the link below to enter your subscription.

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- Statement by Secretary of Labor Hilda L. Solis on Cesar Chavez Day [03/31/2011]
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