



DOL News Brief

April 21, 2011

[Subscribe](#) | [Send Feedback](#) | [PDF Version](#)

[SHARE](#) [f](#) [t](#) [e](#) ...



Solis Talks Tech in the Valley

Secretary Solis visited her home state of California this week to meet with state officials and Silicon Valley employers to discuss job growth and hiring needs. On Wednesday she met with the state's Secretary of Labor & Workforce, Marty Morgenstern and the California Labor Commissioner, Julie Su in Sacramento. While in the state capitol building, she also had a chance to revisit her past, taking a moment to view the desk where she once sat as a member of the California State Senate. Solis later met with state labor leaders.



Palo Alto played host to her next stop, as she visited the North American headquarters of Better Place, a company that is rapidly moving electric vehicles and green jobs from concept to reality.

The following morning, Solis toured Cisco Systems' San Jose headquarters and learned how technology that connects workers with training and development opportunities remotely could improve services. Lastly, she made her way to Mountain View, home of Intuit, Inc., to meet with CEO Brad Smith and other business leaders to discuss the administrations' commitment to strengthening science, technology, engineering, and math education and ensuring that the public workforce system continues to meet the changing need of high-growth industries. Solis also called on the business leaders to join the growing number of private employers making a commitment to hiring talented young people for summer jobs.

- [View the Slideshow](#)
- [Learn more about Summer Jobs](#)

Celebrating OSHA at 40

Assistant Secretary for the Occupational Safety and Health Administration Dr.

What's Hot

New Online Tool Aids Federal Mine Inspectors

Federal mine inspectors, who issue citations when a mine operator violates a specific health or safety standard, have a new online tool to assist them in their recordkeeping duties. The Mine Safety and Health Administration's Inspectors' Portable Application for Laptops, or IPAL, is now equipped with an online tool to alert federal inspectors that certain violations will be reviewed for special assessment as flagrant violations. When an inspector electronically enters a violation that meets the criteria for review as a potential flagrant violation, IPAL will display a pop-up message reminding the inspector to complete a Special Assessment Review Form for that violation. That form will automatically open after the warning message has displayed. A flagrant violation is defined as "a reckless or repeated failure to make reasonable efforts to eliminate a known violation of a mandatory safety and health standard that substantially and proximately caused, or reasonably could have been expected to cause, death or serious bodily injury." A civil penalty of up to \$220,000 may be assessed for each flagrant violation. "The pop-up message is a tool to assist our inspectors in citing violations efficiently and accurately," said MSHA Assistant Secretary Joe Main.

- [Read the News Release](#)

Take Three: US-Korea FTA

The administration recently indicated the Korea-United States free trade agreement is ready for review by Congress. Korea is a major trading partner with the U.S. The Department of Labor, through its Bureau of International Labor Affairs, has been playing a vital role relating to labor issues under that process. Secretary Solis answers three questions about the agreement.

How will the agreement affect our economy?

It represents an opportunity for the U.S. to increase exports, support job creation and bolster our economy. The U.S. International Trade Commission estimates that America's economic output will grow more as a result of the agreement with Korea than under the last nine trade agreements combined.

Does the agreement address workers' rights in Korea?

In a global economy, it's imperative that increased trade and competition are not accompanied by lowering of labor standards by our trading partners, because if labor rights violations are tolerated in other countries, the playing field shifts against American workers. Korea is a developed economy with high labor standards, an advanced industrial relations system and modern government institutions for workers to exercise their rights. The agreement commits the parties to maintain labor laws that meet internationally recognized standards and to enforce their labor laws. It also provides mechanisms for regular monitoring and dialogue on labor issues.



David Michaels spoke on Thursday at the Center for American

Progress on the impact OSHA has had in the lives of workers over the last 40 years. "Before OSHA, when a worker was killed on the job, maybe there was an investigation, maybe there wasn't," said Michaels. "When a worker died of an occupational disease, often many years after exposure, it was just one of those unfortunate things that workers and their families had to deal with." Michaels was later joined by workers, experts and business leaders to discuss additional measures that can be taken to ensure the safety of worker in all workplaces.

- [Read Dr. Michaels' Speech](#)
- [View the Event](#)

Goodwill Honors Oates for Outstanding Leadership

Goodwill Industries International has honored Jane Oates, assistant secretary of the Employment and Training



Administration, with the Goodwill 2011 Outstanding Leadership Award for Federal Executives. Oates was recognized for her leadership to design and deliver high-quality training and employment programs for the nation's workers, and for her life-long commitment to public service. "Jane Oates has been a true friend of Goodwill in our ongoing effort to generate opportunities for people to achieve economic stability and build strong families and vibrant communities," said Jim Gibbons, president and CEO of Goodwill Industries International. "We appreciate the leadership and initiative that Jane has shown while leading the Employment and Training Administration."

MSHA Tests Rescuers' Skills



Approximately 200 federal and state officials, miners, local law enforcement and emergency responders participated in a search and rescue

exercise at Mountain Coal Company's West Elk mine in Gunnison County, Colo. The mock mine emergency drill, which lasted eight hours, enabled participants to hone their skills and test

How will the agreement affect American workers?

This agreement enjoys unprecedented support, including from the United Auto Workers and other labor groups. The effect of the agreement on U.S. jobs could be very positive. It is expected to improve the competitiveness of U.S. exports to Korea when tariffs are removed on a wide range of products. The tariff reductions on goods exports alone will lead to significant increases in U.S. exports to Korea that will support more than 70,000 American jobs. More services exports to Korea will support tens of thousands of additional jobs. And fewer non-tariff barriers and stronger rules will support even more.

DOL Working for You

Job Corps, VETS Helps Veteran Help Others

Since the age of 12, Sherrie Harris wanted to join the military. Two Department of Labor programs provided her with the discipline she needed to fulfill that goal and lead to her current job helping veterans find employment in Oklahoma. Harris spent time at the Albuquerque Job Corps in N.M., and Oklahoma's Treasure Lake Job Corps, where she received a high school diploma and certificates in maintenance and carpentry. She then joined the Army, where she spent time in Kosovo during America's peace keeping mission. Thanks to two grants from the department's Veterans' Employment and Training Service to Workforce Oklahoma, Harris works as a Local Veterans Employment Representative, helping fellow vets write resumes, search for employment and land jobs. Harris said her Job Corps experience "helped structure my life" and VETS funding put her "in the awesome position to help veterans."



WRP Grad Helps WHD in BP Oil Spill Cases



Although he was the new guy on the job for the Wage and Hour Division in Florida, Kevin Sheil helped lead his office in its investigations of cleanup companies hired during the BP oil spill last year. His work was so good that he was part of the team that won a Secretary's Exceptional Achievement Award from the Labor Department. Sheil came into government service thanks to a stint in the Office of Disability Employment Policy's Workforce Recruitment Program. Sheil, who has learning disabilities, has a Master of Business

Administration from the University of North Florida and a

Bachelor of Science in Economics from Auburn University in Alabama. The WRP helped him land a job with the Department of Homeland Security in Georgia, as a technology support assistant. As a WHD investigator, he helps enforce the federal minimum wage, overtime pay, and the Family and Medical Leave Act, among others. "I make sure people get paid," he said of his current job, adding that the WRP "helped me learn how government works."

DOL in Action

OSHA Cites Georgia Cleaning Products Manufacturer

Goodwin Ammonia Co. in Lawrenceville, Ga., has been cited by the

new technologies in mine rescue. The scenario was scripted with various challenges and twists that unfolded as the day progressed. Participants did not know the outcome of the scenario in advance. Actors, a smoke machine and other effects were used to make the drill as realistic as possible. During the exercise, new technologies were deployed, including real-time mapping, underground tracking and the Mine Safety and Health's new emergency command vehicle. "Mine rescue teams are the backbone of emergency response in the mining industry," said MSHA Assistant Secretary Joe Main. "Since there is no such thing as being overly prepared for a mine emergency, we believe very strongly in the value of these types of exercises."

EBSA Working to Ensure Lifetime Income for Americans

In recent decades, more and more American workers have come to rely on 401(k) and other self-directed retirement plans as their primary vehicle for retirement savings. The department's Employee Benefits Security Administration promotes efforts to educate workers on saving for retirement, and develops safeguards to ensure that the retirement savings of American workers will be there when they need them most, long after they leave the workforce. "The availability of a stream of lifetime income for American retirees is a major focus for the agency," said Deputy Assistant Secretary for EBSA Michael Davis at a recent seminar on financial security. "We are working with the Department of Treasury to identify and promote the mechanisms that will assist workers in having retirement savings that last throughout their golden years." The seminar was hosted by the Aspen Institute in Washington, D.C., and attended by consumer advocates, congressional staff, administration officials, pension experts and representatives from the insurance and financial services industry.

- [Learn About Retirement Planning](#)
- [Learn About the Aspen Institute](#)

Philly Hosts Professional Training

"The Passion and Purpose" marked the theme of the department's Philadelphia region's annual Administrative Professional Training



Day, held April 20. Approximately 20 department support staff participated in the day-long training. Attendees enhanced their knowledge and skills needed to become high performers and achieve

Occupational Safety and Health Administration for 16 safety and health violations. Proposed penalties total \$128,550. The inspection was part of an October 2010 site-specific targeting program focused on industries with high occupational injury and illness rates. The company was cited for exposing workers to amputation hazards from a lack of machine guarding.

"Eliminating safety barriers and failing to develop emergency plans because they are inconvenient or time-consuming is no excuse for endangering employees," said William Fulcher, director of OSHA's Atlanta-East Area Office. "Employees should not have to risk their safety or health for a paycheck."

- [Read the News Release](#)

Grant to Assist Tsunami Recovery Efforts Along Oregon Coast

The department has provided a \$284,023 National Emergency Grant to assist recovery efforts following the March 11 tsunami wave surge. Awarded to the Oregon Department of Community Colleges and Workforce Development, the funds will be used to create temporary jobs to help repair damage to coastal areas of Curry County. "The citizens of Oregon's southern coastal areas deserve our support as they repair damage inflicted by the tsunami's waves," said Secretary Solis. "The grant will help the people in these communities get back on their feet, and I am pleased that my department has the opportunity to offer assistance."

- [Read the News Release](#)

WHD to Combat Violations Among Tampa Area Restaurants

Wage and Hour Division's Tampa District Office has begun an enforcement initiative focusing on restaurants in Hillsborough County, Fla., due to past significant and systemic violations at Tampa area restaurants. From 2006 to 2010, the Tampa office conducted 1,166 investigations of restaurants, recovering more than \$2.8 million in minimum wage and overtime back wages for 3,873 workers. "The restaurant industry employs some of our country's lowest-paid workers who, especially during hard economic times, are vulnerable to exploitation," said James Schmidt, WHD's district director in Tampa. "Investigators will be making unannounced visits to full-service restaurants in Hillsborough County to remedy widespread labor violations and ensure that law-abiding employers who pay their workers full and fair wages are not placed at a competitive disadvantage."

- [Read the News Release](#)

OSHA Cites Pocahontas Aluminum for Safety and Health Violations

The Occupational Safety and Health Administration cited Pocahontas Aluminum Co. Inc. with 19 alleged serious and five alleged repeat safety and health violations at the company's facility in Pocahontas, Ark. Proposed penalties total \$154,770. "This is not the first time this company has exposed its employees to workplace safety and health hazards," said Carlos Reynolds, OSHA's Little Rock Area Office director. "OSHA's standards must be followed to avoid accidents and injuries."

- [Read the News Release](#)

Additional Funding to Continue Recovery Efforts in Puerto Rico

In the wake of Tropical Storm Otto that struck Puerto Rico in October 2010, the department has provided a \$1 million National Emergency Grant increment to continue cleanup and recovery efforts. Awarded to the Puerto Rico Department of Labor and Human Resources, the funds will create temporary jobs for eligible dislocated workers to assist in these efforts. "Puerto Rico was hit hard by natural disasters last year and is still dealing

success in their careers. They also shared experiences, learned new ideas and formed valuable networking relationships.

OSHA Committed to Philly Workers



More than 100 attendees participated in the action summit for Latino and immigrant construction workers, hosted by the Philadelphia Region's

Occupational Safety and Health Administration on April 15. The event included workshops and demonstrations about issues ranging from proper work safety procedures and recognizing and eliminating scaffolding and fall hazards on construction sites. Participants also received information on federal wage protections, and had the opportunity to ask questions and voice concerns. During the summit, an alliance between OSHA and the Mexican Consulate in Philadelphia was officially signed, confirming both agencies' continued commitment to Latino and immigrant worker safety.

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

Retirement Planning For Women

For many women, planning for retirement is a mystery. Women live longer than men on average, and often face challenges in saving for a secure retirement. Minority women face even greater challenges. Taking that into account, the department's Employee Benefits Security Administration recently hosted a web forum to educate women workers on retirement planning, and ways to reach retirement goals. The forum was geared towards those women who are about 10 to 15 years from retirement, focusing on getting retirement planning on track and ways to fill in any savings gap. Co-sponsoring the web forum were the Women's Institute for a Secure Retirement, MANA - A National Latina Organization, and the American Nurses Association. If you missed it, you can still register and view the webcast.

- [EBSA Forum: Taking the Mystery Out of Retirement Planning](#)

Upcoming Deadlines & Events

Check out the grant opportunities with DOL.

- [Open Funding Opportunities](#)

with the aftermath of Tropical Storm Otto," said Secretary Solis. "I am glad my department can offer assistance and help the people of Puerto Rico continue to rebuild and recover."

- [Read the News Release](#)

Wage and Hour Initiative to Protect NJ Gas Station Workers

Gas station workers throughout New Jersey will benefit from a new enforcement initiative announced this week by the department's Wage and Hour Division. The effort is part of the division's goal to achieve sustainable and system-wide compliance in industries with high concentrations of vulnerable workers. "The Labor Department will not allow gas station employers — many of whom operate under the banner of multibillion-dollar corporations — to exploit workers and deprive them of their hard-earned wages," said George Ference, regional administrator of the WHD.

- [Read the News Release](#) (English)
- [Read the News Release](#) (en Español)

OSHA Cites Wind Farm Servicing Company After Worker Suffers Burns

Outland Renewable Services has been issued six citations for willful safety violations and \$378,000 in proposed penalties after a wind farm technician suffered severe burns. The incident took place at the Iberdrola Streator Cayuga Ridge South Wind Farm near Odell, Ill. "Green jobs are an important part of our economy, and sectors such as wind energy are growing rapidly. That growth comes with a continued responsibility for employers to ensure that the health and safety of workers is never compromised," said Secretary Solis. "Outland's management was aware of the potentially hazardous conditions to which its workers could have been exposed and showed intentional disregard for employee safety."

- [Read the News Release](#)

Continued Assistance for Recovery Efforts in Texas

The department has provided a \$3,849,481 National Emergency Grant increment to continue cleanup and recovery efforts in southern Texas in the wake of Hurricane Alex. This increment, awarded to the Texas Workforce Commission, will fund temporary jobs for eligible dislocated workers to assist in those efforts. "The floodwaters have receded, but many communities are still cleaning up, and I am glad my department can provide assistance," said Secretary Solis. "These funds will help the people of Texas rebuild and get back on their feet."

- [Read the News Release](#)

Long Island Pizzerias to Pay More Than \$181,000 in Back Wages

The Labor Department has obtained court judgments that require three commonly managed Long Island pizzerias, each doing business as Gino's Pizza Pasta Restaurant, to pay 61 employees a total of \$181,544. The court orders also require the defendants to pay \$22,002 in civil money penalties for willfully violating the Fair Labor Standards Act. Investigations conducted by the Wage and Hour Division disclosed that the defendants had violated the FLSA by paying some low-wage workers "straight time" wages for all hours worked, rather than time and one-half their regular rates of pay for hours exceeding 40 per week, as required. In addition, the employers had devised a system of falsifying timecards.

- [Read the News Release](#)

Fall Dangers, Building Corrosion Leads to Nearly \$126,000 in Fines

The Occupational Safety and Health Administration issued Aluminum

EBSA — HIPAA and Other Health Benefits Laws: Compliance Assistance Seminar,

- [May 17-18 — Austin, TX](#)

EBSA — Year Two of Electronic Filing with EFAST2 - A Compliance Assistance Webcast

- [April 27 — Webcast](#)

EEOMBD — Energy Employee Ombudsman Town Hall Meetings

- [May 3 — Aiken, SC](#)

MSHA — 4th Annual New Mexico Mine Health and Safety Conference

- [May 2-4 — Socorro, NM](#)

MSHA — Spring Thaw Workshop

- [April 27 — Pocatello, ID](#)
- [May 5 — Phoenix, AZ](#)

OFCCP — AAP Development Workshop for Supply and Service Contractors

- [May 4 — Pittsburgh, PA](#)

OFCCP — Building Partnerships for the Community

- [April 29 — Charlotte, NC](#)
- [April 29 — Raleigh, NC](#)

OFCCP — Community Outreach and Education Event

- [April 28 — Richmond, VA](#)

OFCCP — Compliance Assistance Seminar for Construction Contractors

- [April 28 — Memphis, TN](#)

OFCCP — Compliance Assistance Seminar for Supply & Service Contractors

- [April 27 — Nashville, TN](#)
- [May 4 — Nashville, TN](#)
- [May 5 — Memphis, TN](#)

OFCCP — Dawson Technical Institute Construction Committee Meeting

- [May 2 — Chicago, IL](#)

OFCCP — Equal Pay Forum

- [April 28 — Atlanta, GA](#)

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

- [April 27 — Denver, CO](#)

Finishing LLC in Adel, Ga., 18 safety citations and proposed \$125,818 in fines for a variety of hazards, including a lack of fall protection and dangers from the corroded components that endanger the facility's structural integrity. "This company has disregarded the safety of its employees and repeatedly allowed them to be exposed to struck-by hazards from structural failure, electrocution hazards and falls," said Robert Vazzi, OSHA's area director in Savannah. "Immediate action needs to be taken to protect employees from these workplace hazards."

- [Read the News Release](#)

Services for Workers Laid-Off From Mohegan Sun

This week the department provided a \$335,400 National Emergency Grant to assist about 100 workers affected by layoffs at the Mohegan Sun Casino in Uncasville, Conn. "The Labor Department is committed to helping all Americans who have lost jobs through no fault of their own," said Secretary Solis. "This grant will provide training and other services to help dislocated workers prepare for good jobs in Connecticut's growing industries." Workers will have assistance with resume writing and interviewing skills; vocational assessments; and training for jobs in high-growth sectors, such as advanced manufacturing, "green" energy and health care.

- [Read the News Release](#)

DOL Sues 2 Cincinnati Gas Stations to Recover Back Wages

The Labor Department has filed suit to recover back wages and an equal amount in liquidated damages for 23 current and former workers at the BP and Marathon gas stations located in Cincinnati. "These employers, while operating under the banner of multibillion-dollar corporations, willfully and repeatedly deprived vulnerable workers of their rightful minimum wage and overtime compensation," said George Victory, director of the Wage and Hour Division district office in Columbus. The Wage and Hour Division found that the employees are owed \$111,468.

- [Read the News Release](#)

OSHA Intervenes in Time to Protect Workers From Trench Collapse



Occupational Safety and Health Administration Mobile, Ala., Area Office Compliance Officer Eliseo Hernandez and Assistant Area Director Joseph Roesler were traveling to an inspection near Auburn, Ala. on Wednesday. Along the way they noticed an open excavation where employees were not protected from cave-ins.

Immediately, they stopped and opened an inspection. The excavation was approximately 5 and 1/2 feet deep where two employees were working under an excavator bucket connecting a water line. Just after the Compliance Officer removed the employees from the hazard, the wall of the excavation fissured and collapsed. No one was hurt, and the emphasis program on excavation and trenching demonstrated its value.

- [View OSHA's Construction e-Tool on Trenching and Excavation](#)

MSHA Targets 16 Mines in March for Special Inspections

Specially targeted impact inspections continued in March at 16 coal and metal/nonmetal mines around the country. Mine Safety and Health Administration inspectors issued dozens of citations, orders and safeguards at mine operations with poor compliance histories and particular compliance concerns. "Although we believe these impact inspections are making a positive difference for miners, some operators apparently aren't getting the message that it is ultimately their responsibility to find and fix problems at

OFCCP — Open House

- [April 28 — Dallas, TX](#)

OLMS — Compliance Assistance Seminar for Recordkeeping

- [April 27 — Marksville, LA](#)

WB — Women Working Together Writing the Next Chapter of HerStory

- [April 25 — Philadelphia, PA](#)

Follow USDOL on 

- In this week's newsletter: #MSHA gets IPAL; #OSHA @ 40; @ [HildaSolisDOL](#) in California <http://s.dol.gov/DW> [about an hour ago](#)
- #WageandHourDivision launches initiative to protect New Jersey gas station workers <http://s.dol.gov/EO> [about 15 hours ago](#)

their mines," said MSHA Assistant Secretary Joe Main. "When they take that responsibility seriously, miners are safer and healthier."

- [Read the News Release](#)

OSHA Cites APBN Inc. for Failing to Protect Workers

The Occupational Safety and Health Administration has issued APBN Inc. of Campbell, Ohio, 13 safety citations for failing to provide fall protection and implement water safety procedures for workers sandblasting and painting the Interstate 75 Disalle Bridge, as part of an Ohio Department of Transportation project. The company faces penalties totaling \$193,200 and will be placed in OSHA's Severe Violator Enforcement Program. "Falls are a leading cause of injury and death in the workplace. There is no excuse for failing to provide protection for employees facing fall and water hazards," said Jule Hovi, OSHA's area director in Toledo.

- [Read the News Release](#)

[Previous Issues](#) | [Follow us on Twitter](#) | [Subscribe](#) | [Send Feedback](#) | [Unsubscribe](#)

U.S. Department of Labor, Frances Perkins Building, 200 Constitution Ave., NW, Washington, DC 20210
www.dol.gov | Telephone: 1-866-4-USA-DOL (1-866-487-2365) (1-866-487-2365) | TTY: 1-877-889-5627 | [Contact Us](#)