



## DOL News Brief

August 25, 2011

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### VETS and OFCCP Support Illinois Warrior Summit



The Department of Labor was one of more than 250 organizations and 100 employers to support the Illinois Warrior Summit at Chicago's

Soldier Field on Tuesday to assist veterans and service members with obtaining information about benefits, employment, education, housing and legal services. The Veterans' Employment and Training Service and the Office of Federal Contract Compliance Programs staffed information booths. "This is a great event for us to tell our veterans thank you and make them aware of services and opportunities available," said Siggie Letheby, a department recruitment coordinator who helped organize the event. More than 4,000 people attended the summit, which also featured the Midwest Valor Games with nearly 150 wounded veterans participating in sporting events.

- [View the Slideshow](#)

### Department Hosts Free Informational Forum in San Antonio

Earlier this month, about 125 employers and representatives of advocacy groups and community-based organizations in the San Antonio area participated in the department's free informational and outreach forum at the University of Texas at San Antonio to learn more about wages, health benefits, job safety, affirmative action and veterans' re-employment rights. Agencies and offices that offered free workshops included the Wage and Hour Division, the Occupational Safety and Health Administration, the Women's Bureau, the Veterans' Employment and Training Service, the Employee Benefits Security Administration and the Office of Federal Contract Compliance Programs. "Our hope is that this outreach effort will help employers understand their responsibilities and provide workers with

## What's Hot

### Labor Rights Week to Kick Off with Events Around the Country

The ambassadors of El Salvador, Costa Rica and the Dominican Republic will join Secretary Solis for a historic signing of joint declarations and letters of arrangement to protect the labor rights of migrant workers from these countries who are employed in the U.S. The ambassadors of Mexico, Nicaragua and Guatemala, who previously signed agreements with the Labor Department, also will participate in the ceremony. The event will be webcast live at 1 p.m. EDT on Monday, Aug. 29, and will coincide with more than 50 events at embassies and consulates nationwide in recognition of Labor Rights Week.

- [Watch the Signing on Monday](#)

### New Online Tools Shed Light on Enforcement Work



Enhancements to the department's online enforcement database were made this week. The updated website has a number of new features, including map displays of inspection and violation data from the Occupational Safety and Health Administration and Mine Safety and Health Administration, as well as the ability to view individual inspection records

and the enforcement history of a particular company or mine. "These improvements to our online enforcement database are part of our commitment to open, transparent enforcement," said Secretary Solis. In addition to mapping capabilities, the updated site allows users to easily view important agency metrics; perform keyword searches; filter data by year, violations or penalties; and export search results or an entire data set into downloadable formats.

- [Read the News Release](#)
- [See the New Enforcement Database](#)

### Coal Mines in Tenn., W.Va. Back on Hot Seat

Coal mines in Tennessee and West Virginia that received warning notices last November are back on the hot seat. The Mine Safety and Health Administration – which issued notifications that two coal mines faced a potential pattern of violations for chronic noncompliance with safety and health regulations – has determined that Solid Fuel Inc.'s No. 1 Mine in Claiborne County, Tenn., and Rhino Eastern LLC's Eagle 1 Mine near Bolt, W.Va., failed to maintain initial improvements. In the five months since its last evaluation, Solid Fuel's rate of significant and substantial violations more than quadrupled. Rhino's rate increased sixfold, and one of its miners was killed in June when a 32-foot-long section of wall collapsed on him. "The need to monitor long-term compliance of potential POV mines was an issue raised by the Department of Labor's Office of Inspector General, and one with which we fully agree," said MSHA Assistant Secretary Joseph Main. "MSHA will not allow mines to abandon corrective action programs

knowledge of their rights," said Melissa Speer, director of OFCCP for the Southwest and Rocky Mountain regions.

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## Federal Compliance Symposium

Nancy Leppink, deputy administrator for the Wage and Hour Division, gave introductory remarks last Tuesday at the 26th federal compliance symposium for employers of people with disabilities that DOL has sponsored in cooperation with the National Industries for the Blind and NISH, a national organization that creates employment opportunities for individuals with significant disabilities. Participants were provided current information and compliance tips on Section 14(c) of the Fair Labor Standards Act – a provision that authorizes employers, after receiving a certificate from the Wage and Hour Division, to pay special minimum wages to workers whose disabilities impair their earning or productive capacity for the work being performed.



- [Learn More about Section 14\(c\)](#)

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## Show Support. Get the Badge!



The Campaign for Disability Employment now offers an easy way to show support for its national "What can YOU do?" public awareness initiative. By proudly displaying a new badge, businesses and

organizations of all sizes and in all industries can help spread the CDE's simple but significant message that, at work, it's what people CAN do that matters. Employers are also invited to visit the CDE website to obtain disability employment resources and share their own workplace policies and practices that promote equality and full access for people with disabilities. The CDE is funded by DOL's Office of Disability Employment Policy.

- [Visit the CDE Site](#)

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## Do You Like Us? Follow Us!

This newsletter is THE source for DOL information. But, if you want to stay timely, you need to like us on Facebook and follow



us on Twitter. And for extra info you won't find anywhere else, the DOL Blog has special items and information about the activities at DOL. Don't forget our YouTube channel and our Flickr

after meeting short-term goals."

- [Read the News Release](#)

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## DOL Working for You

### Workforce Collaboration Helps Woman Find Employment

Thanks to two programs and the collaboration of state workforce and human resource agencies, Lacey Tinnell was able to go from unemployed to full-time worker. Tinnell found summer employment through WorkNow Kentucky, an American Recovery and Reinvestment Act-funded program to assist families in need. There she learned about manufacturing automotive piston rings at NPR Manufacturing LLC in Bardstown, Ky. Showing initiative, Tinnell continued on with NPR under a separate on-the-job training program offered by the Lincoln Trail Workforce Investment Board that allows employees to earn while they learn. After passing an aptitude test for manufacturing, Tinnell was hired as a production associate. Tinnell said the programs helped her reinvent herself. She "would not have had the opportunity" without those two programs, said NPR's human resource manager, Colla Luckett.



### TAA Puts Worker on New Career Path



After 18 years of working for a thermostat manufacturer, Rick Williams was laid off and has described the experience as "emotionally hard and traumatic." But the Arkansas native found hope in the Trade Adjustment Assistance program. Williams used the program to further his education, learn new skills and find work in a new career. TAA

allowed him to enter a local community college to take courses not only in welding and basic electronics, but also in math, history and English, giving him "a more well-rounded education," he said. He has completed a degree in industrial equipment maintenance and now has a full-time job with the local water department, reading meters and fixing leaks. Williams admitted the course work was hard but said the schooling gave him the experience he needed.

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## News You Can Use

### BLS Releases Workplace Fatality Report

The Bureau of Labor Statistics released preliminary results from the National Census for Fatal Occupational Injuries for 2010. The number of fatal work-related injuries remained virtually the same as 2009. In response to the report, Secretary Solis issued a statement highlighting the progress made over the decades since the Occupational Safety and Health Act was signed into law, but cautioned that we still have much work to do. "As our economy continues to strengthen and the workforce expands, we at the Department of Labor will remain resolute in our mission to ensure that safety is not sacrificed as America's workers provide for themselves and their families," said Solis. "My constant focus is 'good jobs for everyone,' and safety is an essential part of that equation."

- [Read the Secretary's Statement](#)
  - [Read the BLS Report](#)
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## Upcoming Deadlines & Events

Check out the grant opportunities with DOL.

- [Open Funding Opportunities](#)

### EVENTS SPOTLIGHT: Investigators to Field Workers' Concerns at Mexican Consulate in Atlanta

Investigators from the Wage and Hour Division's Atlanta District Office will be at the Mexican Consulate in Atlanta daily from 9 a.m. to noon EDT from Aug. 29 to Sept. 2 to inform workers of their rights under the Fair Labor Standards Act and other laws enforced by the Department of Labor. Spanish-speaking staff will be available to answer questions, provide guidance and take complaints of violations relating to minimum wage rules, overtime regulations and child labor laws, among other issues.

- [Learn More](#)

### EBSA — Compliance Assistance Seminar on HIPAA and Other Health Benefit Laws

- [September 21-22 — Troy, NY](#)

### EBSA — Multi-Subject Compliance Seminars

- [September 14 — Dallas, TX](#)

### OASAM — Small Business Contracting Opportunities Summit: Helping Small Businesses Grow to Create Good Jobs for Everyone

- [August 26 — San Francisco, CA](#)

### OFCCP — AAP Development and Preparing for a Desk Audit

- [September 22 — Los Angeles, CA](#)

### OFCCP — Building Partnerships for the Community

- [September 7 — Charlotte, NC](#)
- [September 15-16 — Jackson, MS](#)
- [September 16 — Jackson, MS](#)

### OFCCP — Community Outreach and Education Event

- [September 8 — Richmond, VA](#)
- [September 22 — Richmond, VA](#)

## DOL in Action

### Union Pacific RR Violates Whistleblower Act, Ordered to Pay \$615K

The department has ordered Union Pacific Railroad Co., headquartered in Omaha, Neb., to pay a total of \$615,000 to three employees following separate investigations by the Kansas City, Mo., and San Francisco, Calif., offices of the Occupational Safety and Health Administration that determined the company violated the whistleblower protection provisions of the Federal Railroad Safety Act. The company terminated two employees and suspended one in retaliation for reporting workplace safety concerns and a work-related injury.

- [Read the News Release](#)

### Workers at 7 California Restaurants Receive \$145K in Back Wages

A Los Angeles-area Japanese restaurant group is paying \$144,721 to 66 dishwashers, prep cooks and cooks following an investigation by the Wage and Hour Division that disclosed systemic violations of the Fair Labor Standards Act. Workers at seven Bishamon Group Restaurants in Monterey Park, Covina, Arcadia, Costa Mesa and downtown Los Angeles worked an average of 45 to 50 hours per week and were paid straight time instead of time and one-half their regular rates for the overtime hours. A call from one kitchen employee to the Employment Education and Outreach hotline prompted the investigation. EMPLEO is an alliance of organizations and government agencies in Southern California that assists Spanish-speaking workers and employers with work-related concerns.

- [Read the News Release](#)
- [Read the News Release](#) Español
- [Read the News Release](#) Japanese

### Texas Construction Company Cited for Scaffolding Hazards

The Occupational Safety and Health Administration has cited Roma Construction in Atascosa, Texas, with serious and repeat violations for exposing workers to scaffolding hazards while applying stucco to the exterior of a home at the company's worksite in San Antonio. The inspection was part of OSHA's regional emphasis program to prevent occupational fatalities and injuries from falls, electrical hazards, and "struck by" and "caught by" hazards. In 2009, OSHA cited the company for similar violations. Proposed penalties total \$50,820.

- [Read the News Release](#)

### Tennessee Coal Mine is Target of Impact Inspection

Federal mine inspectors continued their assault on non-compliance and issued 375 citations and orders to 10 coal mines and five metal/nonmetal mines last month. Among those reviewed during July's impact inspections was Wilcoal Mining Inc., Tri State One Mine in Claiborne County, Tenn. An inspection party from the Mine Safety and Health Administration issued citations to the mine operator for numerous safety violations, including a lack of emergency roof support supplies, excessive coal accumulation, and noncompliance with the mine's approved emergency response plan.

- [Read the News Release](#)

### Puerto Rico Cleaning Up Safely After Hurricane Irene

As residents of Puerto Rico recover from damage inflicted by Hurricane Irene, the Occupational Safety and Health Administration is urging workers and members of the public engaged in hurricane cleanup activities to be aware of the hazards they might encounter and the steps they should take to protect themselves. Hazards may include illness from exposure to contaminated water or food, exposure to the elements and heat stress, downed electrical wires, carbon monoxide, and fall and "struck-by" hazards

**OFCCP — Compliance Assistance  
Seminar: Reasonable Accommodations**

- [September 29 — Miami, FL](#)

**OFCCP — Compliance Assistance  
Seminar for Construction Contractors**

- [September 8 — Memphis, TN](#)
- [September 22 — Memphis, TN](#)

**OFCCP — Compliance Assistance  
Seminar for Supply & Service Contractors**

- [August 30 — San Diego, CA](#)
- [August 31 — Nashville, TN](#)
- [September 1 — Memphis, TN](#)
- [September 7 — Nashville, TN](#)
- [September 7 — Birmingham, AL](#)
- [September 14 — Nashville, TN](#)
- [September 15 — Memphis, TN](#)

**OFCCP — Educational Outreach**

- [August 27 — Providence, RI](#)
- [September 7 — Boston, MA](#)

**OFCCP — How to Prepare & Comply with  
an OFCCP Construction Compliance  
Review**

- [August 31 — Los Angeles, CA](#)

**OFCCP — Industry Liaison Group Meeting**

- [September 6 — Nashville, TN](#)

**OLMS — Compliance Assistance Seminar**

- [August 30 — Hagerstown, MD](#)
- [September 1 — Philadelphia, PA](#)
- [September 7 — Philadelphia, PA](#)
- [September 15 — Harrisburg, PA](#)

**WB — Stand Down for Women Veterans**

- [August 26-27 — Boston, MA](#)
- [August 27 — San Antonio, TX](#)
- [September 10 — Tampa, FL](#)

**WHD — Labor Rights Week Events**

- [August 29 — Cicero, IL](#)
- [August 29 — Atlanta, GA](#)
- [August 29 — Kansas City, MO](#)
- [August 30 — Bensenville, IL](#)
- [August 31 — Chicago, IL](#)
- [September 1 — Waukegan, IL](#)

to name a few.

- [Read the News Release](#)
- [Read the News Release](#) Español
- [More Information Available](#) (English and Spanish)

**NJ Aluminum Railing Manufacturer Cited for Workplace Hazards**

F&C Professional Aluminum Railing Corp. was cited by the Occupational Safety and Health Administration for 20 workplace safety and health violations following an inspection of the company's Plainfield, N.J., facility. The violations, which carry \$51,480 in total proposed penalties, include hazards associated with over-exposure to chemicals, the lack of a written hazard communication program and insufficient respiratory protection.

- [Read the News Release](#)

**Georgia Plastic Fined for Serious Safety Violations**

The Occupational Safety and Health Administration has cited Plastican Inc., a division of Bway Holding Corp., with 11 safety violations following an inspection at the company's facility in Macon, Ga. The violations include exposing employees to fall, electrical and unguarded equipment hazards. Penalties total \$51,757.

- [Read the News Release](#)

**OLMS to Oversee New Union Officer Election in Iowa**

A new supervised election has been agreed to by officers of the United Transportation Union General Committee of Adjustment 387 in Sioux City, Iowa, following an investigation by the Office of Labor-Management Standards that uncovered legal violations during a run-up to the union's February elections. The probe revealed that union equipment and stationery were used to create and distribute campaign material in support of a candidate, and that a nominee was not elected by secret ballot vote by the members he represented. The union's agreement with OLMS calls for new nominations for the posts of general chairman and first vice general chairman, with the election to be held by Dec. 31.

**Estis Well Service in Louisiana Cited Following Worker Death**

The Occupational Safety and Health Administration has cited New Iberia, La.-based Estis Well Service for one willful and eight serious safety violations following a land-based portable rig tipping over and fatally crushing a worker. The willful violation is for failing to provide rails or personal fall arrest systems for employees working on an elevated drill floor. Serious violations include failing to utilize confined space permits, to provide an emergency escape line or other form of emergency egress and to utilize industry-approved methods to anchor or brace a well rig. Proposed penalties total \$83,300.

- [Read the News Release](#)

**Grant to Assist Beef Processing Workers in Idaho**

A \$1,825,595 National Emergency Grant was provided for re-employment services to about 250 workers laid off by XL Four Star Beef Inc. In June, the company closed its beef processing and packing plant in Nampa, Idaho. The grant, awarded to the Idaho Department of Labor, will be used for skill assessment tools and career counseling to identify education and retraining opportunities, including English for speakers of other languages instruction.

- [Read the News Release](#)

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