



DOL News Brief

September 15, 2011

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Solis' San Antonio Jobs Tour



Veterans living in San Antonio, Texas, welcomed Secretary Solis at the American GI Forum Residential Center for Veterans last Friday, where she discussed jobs that would be created in Texas under President Obama's American Jobs Act and highlighted

ongoing department-funded programs. That same evening, Solis continued to share the president's message with hundreds of members of the Mexican American Legal Defense and Education Fund during an annual awards event. The following day, Solis and MALDEF's president, Tom Saenz, hosted an immigration discussion with the community through an open town hall at the Guadalupe Cathedral Arts Center.

- [View the GI Forum Slideshow](#)
- [View the MALDEF Slideshow](#)

WIA Recipient Has Prime Seat for President Obama's Jobs Speech

Nurse Gracey Ibarra took part in a little piece of history last Thursday, when she visited with first lady Michelle Obama and then joined her for the



president's American Jobs Act announcement before a joint session of Congress. Ibarra became interested in a medical career after earning a nursing assistant certification two years ago with the help of Inter-County Community Council in Oklee, Minn., a grantee of the Employment and Training Administration's Youth Program, which is funded under the Workforce Investment Act. Her advocacy work with the program led to her being invited to the White House. Ibarra, a single mother, told her local newspaper the experience "was the most exciting trip" of her life. Earlier in the day, Ibarra sat down with Secretary Solis to share her story. "To those

What's Hot

Biden, Solis Launch Effort to Help States Reduce Improper UI Payments

During a Cabinet meeting on Wednesday, Secretary Solis joined Vice President Biden and other administration colleagues to launch a project to help states reduce improper unemployment insurance payments. Solis unveiled an online map showing each state's improper unemployment insurance payment rate, the types of problems contributing to the rate and the steps each state has taken to improve. Solis announced six high priority states — Virginia, Indiana, Colorado, Washington, Louisiana and Arizona —



with which DOL is working to ensure the development of comprehensive turnaround plans to reduce improper payments. "States bear the responsibility of operating an efficient and effective benefits program, but as partners the federal government must be able to hold them accountable for doing so," said Solis.

"These new measures demonstrate our commitment to working closely with states to ensure the integrity of the system, turn around underperforming programs and save taxpayer dollars." Solis also announced nearly \$192 million in grant awards to implement waste-cutting initiatives and improve unemployment insurance programs.

- [View the Website](#)
- [Read the News Release](#)
- [Read the Secretary's Blog Entry](#)
- [Watch the Cabinet Meeting](#)

Around DOL

DOL Celebrates Hispanic Heritage Month

In commemoration of Hispanic Heritage Month, Secretary Solis kicked off DOL's festivities with a rooftop reception for more than 200 national and local Latino community leaders, faith-based advocates, administrative appointees and members of Congress in honor of the contributions of Latinos to our nation and the workforce. The reception was catered



by the Potomac Job Corps and featured live music by Mariachi Los Amigos. In her welcoming remarks, Solis praised the work of her guests to advance the progress of the Latino community. "Our American family will only be as

who say the phrase 'investments in the American worker' is just Washington doublespeak for irresponsible spending — to those who say we can't afford to invest in skills training vital to putting this country back to work — I say: Meet Gracey Ibarra," said Solis in her blog post about their conversation.

- [Read the Secretary's Blog Entry](#)
- [Learn More about American Jobs Act](#)

Solis Pays Tribute to 9/11 Victims



On Sept. 11, by volunteering their time in the community, people across the nation — including President Obama — paid tribute to the men

and women who tragically lost their lives a decade ago. More than 1,000 homeless individuals lined up at St. Vincent Catholic Charities in Las Vegas, Nev., during this National Day of Service and Remembrance to be served a free hot meal by Secretary Solis. Later, she sat down to talk with residents of the charities' shelter, funded in part by the Labor Department under the Workforce Investment Act. The shelter also offers programs to assist with finding a job and gaining independence, and has become a place of employment for many who were once in need themselves. Before leaving Las Vegas, Solis delivered the keynote address at the Laborers' International Union of North America 9/11 tribute to thousands of members from construction workers to mail handlers.

- [View the Slideshow](#)

Borzi: Fee Disclosures Grow Retirement Nest Eggs

Fee disclosure to participants in 401(k) type plans plays a critical role in ensuring that retirement savers get the most for their investments. Assistant Secretary for the Employee Benefits Security Administration Phyllis Borzi made this point during keynote remarks at the National Association of Government Defined Contribution Administrators national conference in Albuquerque, N.M. She offered the audience — made up of plan administrators for nearly all 50 states as well as municipal governments and retirement industry private sector companies — an update on EBSA efforts to ensure comprehensive fee disclosure for plan participants.

- [Learn More About Fee Disclosure](#)

strong as our Latino community," she said. The department's agencies will host activities and events throughout the observance.

- [View the Slideshow](#)

Philadelphia Forum Strengthens Workforce Partnerships



Recently, more than 250 people attended the "Recalibrating the Workforce System" three-day forum sponsored by the Employment and Training Administration and the American Society for Training and Development in Philadelphia. The conference, one in a series of six happening across the country, explored ways to recalibrate the workforce system

based on current resources, today's changing economy, the current unemployment picture and a changing customer base. Topics addressed re-energized the workforce system and strengthened partnerships among workforce development, education, economic development, employer, federal agency and community professionals.

AARP's Signorille Appointed to ERISA Advisory Council

Mary Ellen Signorille has been appointed by Secretary Solis to the Advisory Council on Employee Welfare and Pension Benefit Plans, also known as the ERISA Advisory Council. Signorille was appointed as a representative of the general public and will serve the unexpired portion of the term of Portia Wu, who recently resigned from the council to accept a senior position within the Obama administration. Signorille is a senior attorney with AARP Foundation Litigation. She brings to the council more than 30 years of experience with the Employee Retirement Income Security Act.

- [Read the News Release](#)

It Happened on the Hill

Bon Appétit! Primrose Judges Top Chefs



Job Corps National Director Edna Primrose judged healthy meals prepared by teams of food service managers at a Job Corps "Top Chef Competition" held near Capitol Hill on Thursday. "The preparation, presentation and flavor of each dish tasted were exceptional," said Primrose after tasting entries in categories such as side dishes, entrées and desserts. Other judges included Holly McPeak, nutrition adviser, U.S. Department of Health and Human Services, Office of Disease Prevention and Health Promotion, as well as corporate and private chefs, and Job Corps students.

The ultimate goal in providing nutritious meals at centers, Primrose said, is to help students receive the best possible foundation to a healthy lifestyle after graduating. Besides participating in the competition, managers attended a comprehensive training seminar with leading chefs and experts, tested new approaches to healthy cooking, and developed new menus and options for Job Corps centers. They also met with White House officials in charge of healthy food initiatives, such as first lady Michelle Obama's Let's Move campaign.

- [View the Slideshow](#)
- [See the Winners' "Menu"](#)

Oates on Challenges Facing the Agriculture Industry

Employment and Training Administration Assistant Secretary Jane Oates testified on Tuesday before the House Subcommittee on Workforce

A Case for Work-Sharing

Deputy Secretary Seth Harris spent Monday in Rhode Island with members of the state's congressional delegation promoting work-sharing



proposals in the American Jobs Act. Harris, Sens. Jack Reed and Sheldon Whitehouse, and Rep. Jim Langevin toured the Pilgrim Screw Co. – a family-owned small business that successfully has implemented Rhode Island's work-share program and avoided laying off 35 workers. "Under the president's proposal, employees working fewer hours would receive partial unemployment insurance benefits while maintaining part-time employment with their employer," said Harris. "Small businesses like Pilgrim are able to hold on to their experienced workers during tough economic times and retain the capacity to scale up production quickly when orders increase."

- [Read Deputy Secretary Harris' Blog Entry](#)

Dallas 'Quilts of Valor'



As part of the National Day of Service and Remembrance, nearly 200 Dallas-based federal employees attended a 9/11

memorial ceremony to remember the lives that were lost, honor first responders and volunteers and pay tribute to veterans and active military who continue to keep us safe. Employees from the Department of Labor, Federal Labor Relations Authority and Federal Executive Board participated in the Quilts of Valor program by making and donating 17 quilts that were displayed during the ceremony. The program is a national, volunteer-driven initiative that provides quilts to active military soldiers and veterans injured during service. More than 45,000 quilts have been donated to service members since 2003.

- [View the Slideshow](#)
- [Visit the Quilts of Valor Site](#)

CHCI Honors Solis' Advocacy

The Congressional Hispanic Caucus Institute presented

Protections about "Workforce Challenges Facing the Agriculture Industry." Oates discussed the Labor Department's role in administering portions of the H-2A temporary agricultural guest worker program. Responding to criticism of the program, Oates said, "It is important that the department continue to focus on maintaining a fair and reliable H-2A process while enforcing necessary protections for both U.S. and nonimmigrant workers. To do so is good not only for workers but also for law-abiding employers." She was joined at the hearing by leaders in business, agriculture and labor, along with department staff including Assistant Secretary for Congressional and Intergovernmental Affairs Brian Kennedy and Director of the Office of Foreign Labor Certification Dr. William Carlson, among others.



- [Watch the Hearing](#)
- [Read the Testimony](#)

News You Can Use

New Website to Suggest Improvements for Workforce System

The U.S. Departments of Labor, Education, and Health and Human Services are jointly seeking opinions from stakeholders about how to improve the workforce system. A new website allows anyone to share experiences and discuss approaches to transforming systems, changing service strategies and investing funds in new ways designed to improve outcomes for job seekers and employers. The site also encourages stakeholders to blog about innovative practices using specific criteria.

- [Visit the Site](#)
- [Read the Blog Criteria](#)

EBSA Issues Interim e-Disclosure Policy to 401(k) Plan Participants

The Employee Benefits Security Administration has put forth an interim policy regarding the use of electronic media to satisfy disclosure requirements under the department's final participant-level fee disclosure regulation. Technical Release 2011-03 allows plan administrators to furnish electronically information required under the final participant disclosure rule. Continuous access websites may be used, if certain conditions and safeguards are met. The interim policy states that the department will not take enforcement action based solely on a plan administrator's use of electronic technologies to make the required disclosures if the administrator complies with the conditions in the technical release.

- [Read the News Release](#)
- [Read Technical Release 2011-03](#)

Prevailing Wage Webcast for Gov Contracting Officials Oct. 4 and 5

The Wage and Hour Division will host a free online conference for federal, state and local contracting officials to provide information on federal rules concerning prevailing wages and other labor law requirements. The conference will be webcast live from 10 a.m. – 3 p.m. EDT on both Tuesday, Oct. 4, and Wednesday, Oct. 5. To participate in the online conference, contracting officials should send name, title, organization, session(s) of choice and email address to whdpcw@dol.gov.

- [Read the News Release](#)

OSHA Establishes Safety Partnership with Ryan Companies



Secretary Solis with the coveted Chair's Award for her lifetime of advocacy on behalf

of the Latino community at its annual gala dinner in the nation's capital on Wednesday. During her acceptance speech, Solis continued that advocacy by calling on Congress to pass the American Jobs Act to help put unemployed Latinos back to work. "My parents believed that America offered a promise of opportunity," Solis said. "They taught me that if you did the right thing, anybody could make it in America.

Congress has to decide whether America is a nation that keeps the promise our parents passed down to us or a nation that erodes that promise." Approximately 3,000 people — including multiple Cabinet secretaries, members of Congress and foreign dignitaries — attended the banquet. President Obama delivered the keynote address.

- [View the Slideshow](#)

WB Economic Security Forum



The Women's Bureau's Philadelphia Regional Office, joined by the U.S. Equal Employment Opportunity Commission, Drexel

University, and other federal agencies and nonprofit organizations, hosted the "Women's Economic Security Forum: Promoting Equal Pay, Workplace Flexibility and Resources for Women-Owned Businesses" on Monday. Nearly 85 attendees participated in discussions on equal pay and workplace flexibility, and workshops, and received free resources designed for women-owned businesses. "We were honored to join our partners to educate the public about equal pay and other topics relevant to women's economic security," said Lucia Bruce, the bureau's regional administrator.

- [View the Slideshow](#)

Job Clubs Help NASA Workers

DOL's Center for Faith-based and Neighborhood Partnerships has linked up with Brevard Workforce to help launch a faith-based



job clubs network in Central Florida to assist workers displaced by the end of NASA's Space

US Inc.

The Occupational Safety and Health Administration and the Illinois Onsite Safety and Health Consultation Program have established a partnership with Ryan Companies US Inc. to promote effective safety and health programs during the construction of the Kone Building Project in Moline, Ill. "This partnership reflects our common objective to provide a safe and healthful environment for employees working in the construction industry through increased training and implementation of best work practices," said Tom Bielema, OSHA's area director. The company will implement a site-specific safety and health program. It also will mentor subcontractors who have not yet developed their own safety and health programs.

- [Read the News Release](#)

National News

2020: An End to Homelessness



The Obama administration has set the ambitious goal of ending family homelessness by the year 2020. On Tuesday, Secretary Solis, joined by members of the Interagency Council on Homelessness including Housing and Urban Development Secretary Shaun Donovan, Health and Human Services Secretary Kathleen Sebelius and Veterans

Affairs Secretary Eric Shinseki, as well as Mayor Vincent Gray, visited the Community of Hope Girard Street Shelter in Washington, D.C., to discuss prevention of family homelessness. They met a 22-year-old single mother living in the shelter with her 18-month-old daughter while she works two full-time jobs and attends community college to get her degree in early childhood education. "This mom was a former Workforce Investment Act summer youth program participant who had fallen on hard times," Solis said. "She told me she sleeps three hours a day and depends on the shelter while she works so hard to improve her family's life." At the council meeting, Secretary Donovan said that the administration recently reached the 1 million milestone in the number of families it has helped keep out of homelessness through its coordinated efforts.

- [View the Slideshow](#)

DOL Working for You

Jobs Through Recycling

Training in recycling and resource management is being fostered by a DOL community-based job training grant at Santa Monica College in California. The program "Jobs through Recycling" provides students with intensive class sessions and field trips to learn about recycling and zero-waste methods.



One student, local businessman Ken Eskenazi, said he and his classmates were provided "a great opportunity to connect with experts and benefit from a team effort." They developed a reusable shipping packaging material made from recycled plastic that could greatly reduce packing waste. The product has drawn interest from international companies. Earlier this year, Employment and Training Administration Assistant Secretary Jane Oates said of the college's program, "In these incredibly tough financial times, thinking smarter is what's needed and is

Shuttle program. During their kick-off event, "Faith in the Future," Deputy Director of the White House Office of Faith-based and Neighborhood Partnerships Alexia Kelley addressed a group of 50 faith leaders, encouraging them to sponsor clubs in partnership with Brevard Workforce. The kick-off was held at a training center in Rockledge, Fla., that is funded by a DOL National Emergency Grant. Following the event, several job club experts from across the country led a training session for congregation leaders and their lay staff on how to start-up and run a job club.

Tampa Stand Down for Women



The Women's Bureau held its fourth "stand down" for women veterans experiencing homelessness at the Hunt Center in Tampa, Fla., last Saturday.

More than 100 women veterans from every military branch, and whose service ranged in time from post-World War II to Iraq and Afghanistan, attended the event. A keynote address by Paulette Norvel Lewis, the bureau's regional administrator, followed opening remarks by Sara Rome, CEO of Tampa Crossroads, and greetings from Mayor Bob Buchhorn and Rep. Kathy Castor. "There were many poignant moments during the day as the women told their stories and received the help and support they need to move forward with their lives," Lewis said.

- [View the Slideshow](#)

DOL Agencies Share Worker Rights Info During Festival

During a recent Mexican Independence Day celebration in Philadelphia, the Occupational Safety and Health



Administration and the Wage and Hour Division worked side by side with community partners, including the Philadelphia Commission on Human Relations, to educate workers of Mexican heritage about their rights on the job. Agency representatives also answered questions.

DOL Official Discusses Economy with Business Leaders

Michael Davis, deputy assistant secretary for the Employee Benefits Security Administration and a

exactly what you're doing."

OFCCP Comes to Aid of Disabled Veteran



When increased travel demands put a disabled Army veteran in danger of losing his job, he turned to the Office of Federal Contract Compliance Programs for assistance. The worker's expanded truck driving route took him away from the U.S. Department of Veterans Affairs hospital where he was receiving treatment for post-traumatic stress disorder and other medical conditions. He also alleged that, in his 17 years with the company, he had never been promoted. OFCCP resolved the matter through mediation and conciliation within about four months. The worker is now undergoing

company paid training for future work with promotion potential and received nearly \$41,000 in lost wages. Regina Jones, assistant director of the agency's Mountainside, N.J., district office, said that OFCCP's actions support Secretary Solis' goal of "good jobs for everyone" and show "a broad spectrum of commitment from the top down" in protecting veterans.

DOL in Action

Mass. Adhesives Manufacturer Cited for 50 Violations After Explosion

Bostik Inc. has been cited by the Occupational Safety and Health Administration for 50 alleged violations of workplace safety standards following a March 13 explosion at the company's Middleton, Mass., plant in which four workers were injured. The adhesives manufacturer faces a total of \$917,000 in proposed fines. OSHA's inspection identified several serious deficiencies in the company's process safety management program, a detailed set of requirements and procedures employers must follow to proactively address hazards associated with processes that involve large amounts of hazardous chemicals. In this case, flammable acetone vapors leaked from an open valve and exploded after being ignited by an undetermined source.

- [Read the News Release](#)

Refinery Cited for Exposing Workers to Possible Fires, Explosions

ExxonMobil Refining and Supply Co. in Baton Rouge, La., has been cited by the Occupational Safety and Health Administration with 20 serious and two other-than-serious violations for exposing workers to possible fires and explosions, among other hazards. Serious violations include failing to investigate incidents as being related to process safety management, address inconsistent thickness measurements collected during pressure vessel inspections, and maintain accurate and updated engineering drawings. ExxonMobil's Baton Rouge facility employs about 2,100 workers and specializes in the production of gasoline, diesel, jet and aviation fuel and lubricating oils and waxes. Proposed penalties total \$126,600.

- [Read the News Release](#)

Puerto Rico Receives \$41.2 Million to Modernize UI System

Puerto Rico qualified for unemployment insurance incentive funds under the American Recovery and Reinvestment Act this week by modernizing the program to assist recent entrants into the workforce, part-time workers and individuals who become unemployed because of compelling family reasons. The Puerto Rico Department of Labor and Human Resources can use the funds to pay unemployment benefits or, if appropriated by the legislature, to administer its UI program or deliver employment services. "These funds help strengthen the social safety net as our economy continues to recover," said

member of the White House Business Council, recently sat down with business leaders in St. Louis, Mo., to hear their concerns. Chief among them are getting money flowing again through the economy via federal programs designed to spur lending to small businesses and encouraging banks to lend. "These meetings are crucial for us to really hear about what's happening in the economy at the regional and local levels," said Davis. "We're talking to them only about 10 percent of the time with the other 90 percent devoted to listening. We relay their concerns and ideas to the White House where they can be incorporated into actions that will invigorate the economy and promote job growth."

Upcoming Deadlines & Events

Check out the grant opportunities with DOL.

- [Open Funding Opportunities](#)

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

- [September 21-22 — Troy, NY](#)

MSHA — Penn State Mine Safety Workshop

- [September 28 — Woodside, DE](#)

OASAM — Using the Schedule A Initiative to Comply with the Executive Orders and Increase Federal Employment of Individuals with Disabilities at Your Agency: A Workshop for Human Resources Professionals

- [October 19 — Boston, MA](#)

OFCCP — AAP Development and Preparing for a Desk Audit

- [September 22 — Los Angeles, CA](#)

OFCCP — Community Outreach and Education Event

- [September 22 — Richmond, VA](#)

OFCCP — Compliance Assistance Seminar for Supply & Service Contractors

- [September 28 — San Diego, CA](#)

OFCCP — Educational Outreach, Montpelier Vermont Small Business Forum

- [September 27 — Montpelier, VT](#)

OFCCP — ILG Meeting Hartford, CT

- [September 23 — Hartford, CT](#)

OLMS — Financial Recordkeeping

Secretary Solis. "I am pleased that Puerto Rico has made important updates to its UI program to better meet the needs of today's workforce."

- [Read the News Release](#)
- [Read the News Release](#) Español
- [View all of the UI Modernization Incentives Distributed](#)

Beverage Company Ordered to Rehire, Compensate Whistleblower

The Occupational Safety and Health Administration has found a nutritional beverage company and its former CEO in violation of the whistleblower protection provisions of the Sarbanes-Oxley Act for improperly firing an employee. They have been ordered to re-hire the employee and pay approximately \$500,000 in back wages, interest and compensatory damages. Bond Laboratories, formerly based in Solana Beach, Calif., allegedly terminated the complainant, an officer, for objecting to the manipulation of sales figures that misrepresented the company's value to potential investors. The company is now headquartered in Omaha, Neb.

- [Read the News Release](#)

Grain Facility Cited for Unsafe Working Conditions

Wagner's LLC in Flagler, Colo., has been cited by the Occupational Safety and Health Administration for one repeat, 13 serious and two other-than-serious safety violations for exposing workers to a variety of grain hazards during bulk birdseed handling and packaging operations. An investigation was initiated under OSHA's regional emphasis program focused on the grain handling industry. Proposed penalties total \$62,100.

- [Read the News Release](#)

\$10.7 Million in Safety and Health Training Grants

The Occupational Safety and Health Administration awarded \$10.7 million in Susan Harwood Training Grants to 37 new and 32 returning recipients to support in-person, hands-on training and educational programs for workers and employers in industries with high injury and fatality rates; workers who are young, have low literacy or limited English proficiency and/or are otherwise vulnerable; and small business employers.

- [Read the News Release](#)

Bank of America Found in Violation of Whistleblower Provisions

The Occupational Safety and Health Administration found Charlotte, N.C.-based Bank of America Corp. in violation of the whistleblower protection provisions of the Sarbanes-Oxley Act for improperly firing an employee. The bank has been ordered to reinstate and pay the employee approximately \$930,000, which includes back wages, interest, compensatory damages and attorney fees. The employee, who originally worked for Countrywide Financial Corp., which merged with Bank of America in July 2008, led internal investigations that revealed widespread and pervasive wire, mail and bank fraud involving Countrywide employees.

- [Read the News Release](#)

3 Marine Base Contractors Cited Following Worker Injury

Piedmont Mechanical Inc., Jim Boyd Construction Inc. and Chevron Energy Solutions Inc. have been cited by the Occupational Safety and Health Administration for safety hazards after a worker received burns from an electrical shock during the installation of a new landfill gas processing and compression facility at the U.S. Marine Corps Logistic Base in Albany, Ga. These contractors face a total of three willful and eight serious safety violations with proposed penalties of \$189,700.

and Union Officer Elections

- [September 22 — Tukwila, WA](#)

OLMS — Trustee Workshop Seminar

- [September 22 — Minneapolis, MN](#)

OSHA — Maritime Advisory
Committee on Occupational Safety
and Health Meeting

- [September 20-21 — Portland, ME](#)

WHD — 14th Annual Fiesta Fair of
Services

- [September 18 — Snow Hill, NC](#)

WHD — Mobile Mexican Consulate

- [September 24 — Mt. Airy, NC](#)

WHD — Prevailing Wage Conference
2011

- [October 4-5, 2011 — Washington, DC](#)

- [Read the News Release](#)

Nearly \$531,000 Recovered for 41 Washington Restaurant Employees

A federal judge has ordered Wok King International Buffet Inc. and New Wok King International Buffet Inc., both doing business as Wok King International Buffet in Kennewick, Wash., and company officers Guang Ri Weng and Zhen Fang Weng to pay \$265,483 in back wages plus an equal amount in liquidated damages to 41 employees. The order resolves a lawsuit that was filed by the Office of the Solicitor after an investigation by the department's Wage and Hour Division revealed violations of the minimum wage, overtime and record-keeping provisions of the Fair Labor Standards Act.

- [Read the News Release](#)

Willful Trenching Hazards Result in \$158,400 Fine for NJ Contractor

A-Absolute Construction Inc., based in Roselle, N.J., was cited by the Occupational Safety and Health Administration for three willful, one repeat and six serious violations for workplace hazards, including worker exposure to dangerous trenching hazards, at a Parsippany, N.J., work site. The company was similarly cited in 2008 after an unprotected trench caved in and trapped a worker, but it did not take necessary steps to prevent future trench collapses.

- [Read the News Release](#)

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- In this week's newsletter: Mapping Improper UI Payments, 9/11 Remembered, More on Jobs <http://t.co/gfSsEK6d> 52 minutes ago
- Statement by Secretary of Labor Hilda L. Solis on National POW/MIA Recognition Day [09/16/2011] <http://t.co/jXK0SBia> about an hour ago

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