



DOL News Brief

September 22, 2011

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Growing the Green Economy



Before the House Committee on Oversight and Government Reform, Secretary Solis testified on Thursday about the department's

work to train workers for the green jobs of the future. She noted that DOL is playing an important role in making sure businesses have credentialed and qualified workers to help grow the green economy. Solis mentioned several individuals who are benefiting from this training, including students from the Latin American Youth Center YouthBuild Public Charter School. Keith Hall, commissioner of the Bureau of Labor Statistics, also testified before the committee.

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

What's Hot

DOL, IRS and 11 States Coordinate on Employee Misclassification

The Department of Labor, the Internal Revenue Service and 11 states have agreed to share information and coordinate law enforcement efforts related to reducing misclassification of employees by businesses in order to avoid providing employment protections. On Monday, Secretary Solis signed a memorandum of understanding with the IRS, and officials from Connecticut, Maryland, Massachusetts, Minnesota, Missouri, Utah and Washington signed memorandums with the department's Wage and Hour Division and other offices. Solis also announced that agreements would be signed between WHD and the state labor agencies of Hawaii, Illinois and Montana, as well as with New York's attorney general. Reducing misclassification is important for leveling the playing field for law-abiding employers and ensuring that employees receive the protections to which they are entitled under federal and state law.



- [View the Slideshow](#)
- [Read the News Release](#)

DOT, ED and DOL Collaborate for Aviation Workforce Development

Joined by Secretary of Transportation Ray LaHood and Secretary of Education Arne Duncan, Secretary Solis co-hosted the First Semi-Annual



Aviation Workforce Management Conference on Wednesday. The conference was formed to bridge the gap of information and understanding that exists between the aviation workforce and its management, and to develop collaborative and innovative actions in science, technology, engineering and mathematics education. Following a panel discussion and questions from the audience, the secretaries signed a memorandum of understanding to establish a collaborative effort to foster the development of a skilled workforce through STEM programs and initiatives relating to aerospace workforce development.

- [View the Slideshow](#)

Agencies Partner to Support High-growth Industry Clusters in 21 States

Secretary Solis, along with leaders from the Commerce Department and Small Business Administration, held a national press call to announce the winners of the \$37 million Jobs and Innovation Accelerator Challenge, a competition launched in May to support the advancement of 20 high-growth regional industry clusters. Investments from three federal agencies and technical assistance from 13 additional agencies will promote development in advanced manufacturing, information technology, aerospace and clean technology in rural and urban regions spanning 21 states. Projects are being driven by local communities that identified the economic strengths of their areas, with funding awarded to the best proposals.

- [Read the News Release](#)

Around DOL

OSHA Construction Roundtable Convenes



During a meeting with the Alliance Program Construction Roundtable on Tuesday, Deputy Assistant Secretary for the Occupational Safety and Health Administration Jordan Barab shared remarks on OSHA's activities and priorities related to the construction industry.

OSHA established the Alliance Program Construction Roundtable to bring construction-

related Alliance Program participants together to discuss and share information on workplace safety and health, as well as develop and share construction-related compliance assistance tools and other resources for workers and employers.

- [View the Slideshow](#)
- [Learn More about the Construction Roundtable](#)

Senate Takes Action on TAA

An extension of the Trade Adjustment Assistance for Workers program was passed on a bipartisan vote in the Senate Thursday evening, bringing this revitalized workforce development program one step closer to implementation. TAA provides resources, job training and health benefits to American workers who lost their jobs to foreign competition or outsourcing, through no fault of their own. "Both parties worked across the aisle once again to fit the program for the future and pave the way for the approval of trade agreements with Panama, Colombia and South Korea," said Secretary Solis. "TAA and these agreements are essential components of the administration's broader efforts to hasten our recovery and get more American job seekers back to work."

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

A Community Committed to Jobs



"This community has its act together," praised Secretary Solis Tuesday evening at a meeting of more than 250 job seekers and volunteers of the

Career Network Ministry at McLean Bible Church in Vienna, Va. The ministry provides networking support, training in the latest social media tools such as LinkedIn, and emotional and spiritual counseling that is available to all members of the community. Solis illuminated key provisions in the American Jobs Act that will benefit the many out-of-work middle class professionals served by the ministry, including wage insurance, work-sharing, and self-employment assistance. She was heartened by the displays of commitment and faith among those gathered at the weekly session, "You are all here tonight because you believe in your community and your country that puts people and families first, which is why we must pass this jobs bill on behalf of working families from communities just like this one."

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

Secretary Solis Talks American Jobs Act With Small Business

The Federal Office of Small and Disadvantaged

International News

ILAB Announces \$10 Million Solicitation to End Child Labor in Ethiopia

The Bureau of International Labor Affairs issued a \$10 million competitive solicitation for cooperative agreements to combat exploitative child labor in Ethiopia, with a focus on the weaving industry and rural areas of the country. The grant will fund projects that target all forms of child labor in Addis Ababa as well as the Gamo Gofa and Wolaita zones. Innovative, effective and integrated approaches will be used to increase community awareness, improve children's access to quality education and vocational training, promote sustainable livelihoods for households with children and increase beneficiaries' access to national programs that help households eliminate dependence on child labor to meet basic needs.

- [Read the News Release](#)
- [Grant Application Information](#)

News You Can Use

OSHA Updates Hazard Alert for Salons

An updated hazard alert about potential formaldehyde exposure from working with certain hair smoothing and straightening products was issued by the Occupational Safety and Health Administration. During recent investigations, OSHA has found hazardous levels of formaldehyde in salons using Brazilian Blowout Acai Professional Smoothing Solution and Brasil Cacau Cadiveu. In addition, the agency recently cited two manufacturers and two distributors for violations that include failing to list formaldehyde on product labels and on hazard warning sheets that are distributed to users of the product. The updated alert also comes on the heels of a warning letter sent by the U.S. Food and Drug Administration to Brazilian Blowout alerting the company that its product is misbranded. "Misleading or inadequate information on hazardous product labels is unacceptable," said OSHA Assistant Secretary Dr. David Michaels. "Salon owners and workers have the right to know the risks associated with the chemicals with which they work and how to protect themselves."

- [Read the News Release](#)
- [Read the Hazard Alert](#)
- [Read OSHA's Letter to Brazilian Blowout](#)
- [Read the FDA Warning Letter](#)

Rule to Protect Workers' Retirement Savings to be Re-proposed

The Employee Benefits Security Administration announced that it will re-propose a rule to redefine who is a fiduciary for the purposes of investment advice to 401(k)-type plan participants and individual retirement account savers. As a result, this important consumer protection initiative will benefit from additional input, review and consideration.

- [Read the News Release](#)



Business Utilization Directors Interagency Council held its monthly meeting at the Labor Department last week. Following guest presentations from the Veteran Institute for Procurement and 2011 Congressional Minority Business Awards Committee, Secretary Solis joined the discussion and highlighted the elements of the American Jobs Act that would support small and disadvantaged businesses. The OSDBU Council is an informal organization of federal small business program officials that comes together to exchange and discuss information on acquisition methods, issues and strategies to increase the utilization of small businesses as prime and subcontractors to meet federal agency requirements for services and goods.

- [Learn About the American Jobs Act](#)

WB Stands Up for Women Veterans



No woman in uniform should ever come home to homelessness, Women's Bureau Director Sara

Manzano-Díaz told an audience of 100 during the 2011 Congressional Black Caucus Legislative Conference on Thursday. Manzano-Díaz opened a panel discussion on "The Homelessness Experience of African-American Veterans," which was sponsored by Rep. Gwen Moore of Wisconsin. She described the resources available to women veterans through her agency, highlighting a new Trauma-Informed Care for Women Veterans Guide and recent stand downs sponsored around the country to help women veterans reintegrate into their communities and families. Manzano-Díaz concluded with a call to action to "stand up for our women veterans."

- [Read and Download the Trauma Guide](#)
- [Attend a Stand Down](#)

Borzi Delivers Brown Lecture

Assistant Secretary for the Employee Benefits Security Administration Phyllis Borzi was welcomed back as a distinguished alumna of

OSHA Issues Updates Whistleblower Investigations Manual

The Occupational Safety and Health Administration released a new edition of its Whistleblower Investigations Manual — one of a series of measures to improve OSHA's Whistleblower Protection Program that were announced in August. The new edition contains updates to case handling procedures, information on the new laws enacted since the manual was last updated in 2003 and other information to guide OSHA's Whistleblower Protection Program, which addresses retaliation complaints under the 21 whistleblower statutes delegated to OSHA. "The ability of workers to speak out and exercise their legal rights without fear of retaliation is crucial to many of the legal protections and safeguards that all Americans value," said OSHA Assistant Secretary Dr. David Michaels.

- [Read the News Release](#)

DOL Working for You

All Aboard! Amtrak, Thanks to Job Corps and TCU/IAM

Tashina Thomas started out on a different career path at the Potomac Job Corps Center in Washington, D.C. But after taking aptitude tests that showed strong math and English skills, Thomas switched her interest to transportation. Now she is poised to become a locomotive engineer for Amtrak. At Potomac, Thomas took advanced transit training offered



by the Transportation Communications Union/International Association of Machinists and Aerospace Workers. After graduating from Job Corps, she began employment with Amtrak as a coach cleaner and worked her way up to conductor. Thomas is finishing training that will allow her to eventually become a locomotive engineer. The program "prepared me for the work world by providing me with advanced training skills," she said. TCU/IAM is celebrating its 40th anniversary partnering with Job Corps. Over the last year, 97 graduates were placed in transportation jobs at average pay of \$13.91 an hour.

ARRA Funding Gives Coloradan Brighter Future



The economic downturn caused construction veteran Richard Haley and his wife to lose just about everything they owned. But his recent energy training through American Recovery and Reinvestment Act funding to Colorado has created a future so bright that he said, "I am going to have to get a pair of darker sunglasses." The former spec home builder decided he needed to reinvent himself by learning all he could about building green. The Recovery Act paid for his college training in energy auditing, sustainable buildings and renewable energy such as solar and wind. He graduated as a

certified building analyst and has hired five employees to help him on local construction projects designing offices. He intends to hire many more workers. Haley calls himself a "poster child" for the Recovery Act's success because the training he received through it "got me back on my feet" and will also "help save our planet."

DOL in Action



Catholic University Law School this week as she delivered the 2011 Brendan Brown lecture.

Borzi spoke to students about making the most of their law school years and the different paths that one can take in a legal career. She also discussed the work that EBSA does to safeguard the savings of millions of Americans.

- [Read the article from Catholic University](#)
- [Learn more about EBSA](#)

Colorado Women Veterans Conference and Healthfair Expo



The Women's Bureau, in partnership with other federal, state and local agencies, as well as nonprofit organizations, held a first Colorado Women

Veterans Conference and Healthfair Expo last Saturday. The conference welcomed more than 175 women veterans from every branch of service to the Wings Over the Rockies Museum in Denver. Maj. Gen. Rita Aragon, the first female Oklahoma secretary of military and veterans affairs, keynoted the event, and Lt. Col. Cynthia Rasmussen, a nurse practitioner specializing in military sexual trauma issues for the Veterans Health Administration, also spoke. Representatives from colleges; the health care, job services and housing industries; and other service providers offered assistance for attendees. "The conference gave everyone an opportunity to hear stories that are unique to women who have served in the military and to get access to the services they need to reintegrate and succeed in civilian life," said Marzy Bedford-Billinghurst, the bureau's regional director.

- [View the Slideshow](#)

Future Leaders Meet with Deputy Assistant Secretary Davis

Deputy Assistant Secretary for the Employee Benefits Security Administration Michael Davis and



NYC Supermarket Cited for Locking In Employees, Obstructing Exits

The Occupational Safety and Health Administration has proposed \$62,300 in fines against Mermaid Meat Co., doing business as Fine Fare Supermarkets, after an inspection found that night shift employees of the Brooklyn, N.Y., supermarket were locked in and not allowed to leave the building without permission. This situation would prevent the workers from quickly exiting the workplace in the event of a fire or other emergency. "One hundred years ago in New York City, 146 workers died in the Triangle Shirtwaist Factory fire. Many of them died because they were locked in and unable to escape swiftly," said Dr. David Michaels, OSHA's assistant secretary. "Conditions from 1911 should not continue to exist in 2011."

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

OSHA Establishes Safety Partnership

The Occupational Safety and Health Administration and the Wisconsin Occupational Safety and Health Consultation Program have established a partnership with Vogel Bros. Building Co. to reduce workers' exposure to hazards and the likelihood of serious injuries at the construction site of the Mentor Commercialization Upgrade Project in Madison. "This partnership reflects our recognition of the importance of construction workers' safety and health, and our commitment to providing greater fall protection," said Kim Stille, OSHA's area director. "Partnerships such as this one help develop effective safety programs, and improve open and continuous communication among OSHA, employers and workers."

- [Read the News Release](#)

Walmart Store Restores Job, Pay to Employee After Investigation

Following an investigation by the Wage and Hour Division, Wal-Mart Stores Inc. has reversed local management's decision to terminate an employee at its Douglas, Ga., store. After the Labor Department raised allegations that the termination violated the Family and Medical Leave Act, the store reinstated the employee, paid her \$20,899 in back wages, restored all benefits and bonuses, and deleted all negative references to unexcused absences from her personnel record.

- [Read the News Release](#)

Back Wages for Employees of Buffalo Bills' Janitorial Contractor

The department has recovered \$22,000 in back wages and liquidated damages for 26 janitorial services employees of Knights Facilities Management Inc. after an investigation by the Wage and Hour Division found violations of the Fair Labor Standards Act. Michigan-based KFM provides grounds maintenance and janitorial services through its office at Ralph Wilson Stadium in Orchard Park, which is used by the National Football League's Buffalo Bills team. The investigation determined that KFM employees were required to work long hours and often on weekends to service special events, such as Buffalo Bills home games, without being paid proper minimum wage or overtime compensation. Additionally, KFM did not correctly calculate all hours worked and failed to combine all hours worked on different jobs, causing employees to be paid less than the minimum wage.

Special Assistant to the Secretary in the Office of Public Engagement Ashanti Gholar met with members of the Dallas Chapter of Jack and Jill of America on Monday. Jack and Jill, a national organization of mothers with children ages 2-19, is dedicated to building future leaders by supporting children through leadership development and volunteer service. Davis and Gholar discussed their transition into the administration, as well as daily activities at the Labor Department.

Pay Equity for College Women



More than 30 college women attended the Office of Federal Contract Compliance Programs' pay equity seminar at San Francisco State

University on Tuesday. Members of the Delta Kappa Sigma sorority were provided information on the persistent pay gap for women as part of a broader effort to raise awareness among young women just entering the workforce of the impact of pay discrimination on their future earnings. In America, women are paid an average of 80 cents for every dollar paid to men, and the pay gap is even larger for women of color. Eliminating compensation-based discrimination is a top priority for OFCCP.

DOL's Ethics Program Selected for 'Excellence and Innovation' Award

The U.S. Office of Government Ethics recently awarded the department's ethics program the "Excellence and Innovation Award" at its annual, government-wide conference, recognizing the commitment of DOL leadership in promoting a strong ethical culture by making ethics an integral part of management discussions. For the past two years, the department's ethics officials have provided more than 50 presentations on a wide variety of topics during the deputy secretary's weekly management meeting with senior officials. Robert Shapiro and Rob Sadler were given the award by Don Fox, acting director of OGE. Conference participants also voted a presentation by the DOL ethics team as best in the "Leadership Involvement" category.

Upcoming Deadlines & Events

Check out the grant opportunities with DOL.

- [Open Funding Opportunities](#)

MSHA — Penn State Mine Safety

[Read the News Release](#)

Former Union Employee Imprisoned for Embezzlement

Following an investigation by the Office of Labor-Management Standards, Teresa Wilson, former office manager for the United Association of Plumbers and Pipefitters Local 41 in Missoula, Mont., and former president of the Southwestern Montana Central Labor Council, was convicted of one count each of embezzlement from a labor union, bank fraud and aggravated identity theft. She was sentenced to three years and one day of imprisonment and five years of supervised release, and was ordered to pay restitution of \$124,599. Wilson embezzled funds by taking checks intended for Local 41 and its joint apprenticeship training fund, depositing them into the Central Labor Council account, and then using the money for personal purchases. She also forged the signature of the former Central Labor Account secretary-treasurer on checks and used the money for gambling.

City Brewing Cited for Exposing Workers to Ammonia

City Brewing Co. LLC has been cited by the Occupational Safety and Health Administration for 16 serious safety violations at its La Crosse, Wis., brewery. These include, among others, a failure to comply with the requirements of OSHA's process safety management standard, which resulted in workers being exposed to ammonia during maintenance of pipe lines. The company faces \$108,000 in proposed fines.

- [Read the News Release](#)

\$27.7 Million in Irene Storm Relief for Impacted States

In the wake of widespread damage caused by Hurricane Irene, the department provided National Emergency Grants to assist New York, North Carolina, Vermont and New Jersey with recovery efforts. DOL awarded federal funds to New York totaling \$16,186,108, \$2 million to North Carolina, \$1.68 million to Vermont and \$7,795,700 to New Jersey to aid affected communities with recovery from Irene at both hurricane and tropical storm strength. "The Obama administration is committed to providing the resources necessary to help impacted communities in their time of need. These grants will create temporary jobs to help with cleanup, repair, renovation and reconstruction projects, as well as provide humanitarian aid and safety assistance to those most affected by the storm," said Secretary Solis.

- [Read the New York News Release](#)
- [Read the North Carolina News Release](#)
- [Read the Vermont News Release](#)
- [Read the New Jersey News Release](#)

Tyson Fresh Meats to Pay \$2.25 mil to Settle Sex Discrimination Cases

The Office of Federal Contract Compliance Programs announced that Tyson Fresh Meats Inc. has entered into two consent decrees to settle allegations of sex discrimination. The Dakota Dunes, S.D.-based company will pay a total of \$2.25 million in back wages, interest and benefits to more than 1,650 qualified female job applicants who were rejected for employment at facilities in Joslin, Ill.; West Point, Neb.; and Waterloo and Denison, Iowa. "Companies that profit from federal contracts must not discriminate in employment decisions," said Secretary Solis. "The settlement, one of the largest in OFCCP's history, means that women who were unfairly denied job opportunities will be compensated." Tyson Fresh Meats is a subsidiary of Springdale, Ark.-based Tyson Foods Inc., a federal contractor, and one of the largest processors of beef and pork in the world.

- [Read the News Release](#)

Operator of Pick 'N Save Grocery Cited After Worker's Fall

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 — Boston Career Fair

- [November 7 — Boston, MA](#)

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](#)

OFCCP — Special Emphasis Committee Disability Month

- [October 26 — Boston, MA](#)

WHD — Mobile Mexican Consulate

- [September 24 — Mt. Airy, NC](#)

WHD — Prevailing Wage Conference 2011

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

Mega Marts LLC, which operates the Pick 'N Save grocery store in Brookfield, Wis., has been cited by the Occupational Safety and Health Administration for two willful safety violations. OSHA initiated an inspection after a worker who was riding on the forks of a powered industrial truck fell and sustained compound fractures. The company faces \$126,000 in proposed fines.

- [Read the News Release](#)

OLMS to Supervise New Union Officer Election in Texas

A new call for nominations and election of officers under supervision by the Office of Labor-Management Standards has been agreed to by officers of American Federation of Government Employees Local 1010 in Beaumont, Texas. This follows an investigation by OLMS which uncovered that the union failed to hold a regularly scheduled election of officers in May 2011.

Charles Greer Lumber Cited; Nearly \$88,000 in Penalties Proposed

Wooden pallet manufacturer Charles Greer Lumber Co. has been cited by the Occupational Safety and Health Administration for 18 safety and health violations including six repeat, 11 serious and one other-than-serious. The citations follow an April inspection of the company's plant in Suwanee, Ga. Proposed penalties total \$87,780.

- [Read the News Release](#)

Mass. Dentist Sued for Allegedly Firing Concerned Employee

The Labor Department has sued a Beverly, Mass., dentist, N. Terry Fayad, and his practice for allegedly firing an employee who raised concerns about needlestick hazards and filed a health hazard complaint with the Occupational Safety and Health Administration. According to the complaint filed by the Boston Office of the Regional Solicitor, the employee raised concerns about an office procedure that required workers to remove protective caps from contaminated needles before putting the needles in disposal containers for sharps. This procedure exposed employees to injury and possible infection by bloodborne pathogens such as hepatitis and HIV. The lawsuit seeks the employee's reinstatement, payment of lost wages, benefits, interest, and compensatory and punitive damages.

- [Read the News Release](#)

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