



## DOL News Brief

September 29, 2011

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### Partnering for Education



"People like you put a college application in my hand. People like you explained to my parents how we could afford it. People like you gave me the tools

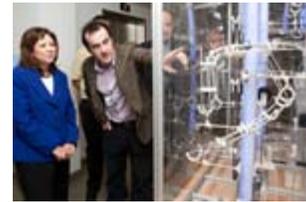
to get accepted into college and to thrive once I did," said Secretary Solis in praise of TRIO and the Council for Opportunity in Education during their annual conference on Tuesday evening. Solis also urged the organizations to work in conjunction with the Labor Department to meet President Obama's ambitious goal of being the best educated nation by 2012. TRIO is a set of federally-funded college opportunity programs that motivate and support students from disadvantaged backgrounds in their pursuit of a college degree. Through its numerous membership services, COE works in conjunction with colleges, universities, and agencies that host TRIO programs to specifically help low-income students enter college and graduate.

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

### What's Hot

#### \$500 Million to Comm. Colleges for Training, Workforce Development

Secretary Solis was joined by Dr. Jill Biden on Monday to announce nearly \$500 million in grants to community colleges around the country for the development of programs that provide pathways to good jobs for dislocated workers who are changing careers. "This initiative is about providing access to training that leads to real jobs," said Solis. "These federal grants will enable community colleges, employers and other partners to prepare job candidates, through innovative programs, for new careers in high-wage, high-skills fields, including advanced manufacturing, transportation, health care and science, technology, engineering and math occupations." Following the announcement, Secretary Solis visited one of the grantees, Anne Arundel Community College in Maryland, and later joined AACC President Dr. Martha A. Smith, Maryland Labor Secretary Alexander Sanchez, Anne Arundel County Executive John Leopold, and AACC alumnae Marlena Clark to discuss the importance of community colleges and the grants to compete in the global economy.



- [View the Slideshow](#)
- [Read the News Release](#)
- [View the Grant Winners](#)
- [Read the Secretary's Remarks](#)

### 'I Can' PSA on Air

The Campaign for Disability Employment, developed by the Department of Labor's Office of Disability Employment Policy, is a national public



education effort built around the "I Can" public service announcement. The PSA shows a montage of seven people with disabilities sharing what they CAN do on the job when given the opportunity. The PSA has received awards from three national organizations: PRWeek, the Public Relations Society of America and PR News. To date, it has aired on more than 500 radio and television stations and a variety of cable networks, including A&E Biography. It also will air on the Fox News and Fox Business networks as

#### Nearly \$25 Million to Improve Opportunities For People With Disabilities

The Department of Labor has awarded nearly \$25 million in grants and other funding to improve the employment picture of the nation's workers with disabilities. Seven states – California, Hawaii, Ohio, South Dakota, Tennessee, Washington and Wisconsin – were provided a total of \$21,166,560 under the Disability Employment Initiative to improve education, training, and employment opportunities and outcomes for youth and adults who are unemployed, underemployed and/or receiving Social Security disability benefits. Additionally, the Office of Disability Employment Policy provided \$3,787,000 in continued funding to five organizations managing consortia that develop models, provide technical assistance and share best practices to improve employment opportunities for people with disabilities. "Many employers know that incorporating the talents of all employees and potential employees, including those with disabilities, is a key to success," said Secretary Solis. "Today's federal grants will help to better connect employers with qualified individuals with disabilities so their skills and unique capabilities will no longer be untapped resources."

- [Read the \\$21 Million News Release](#)
- [Read the \\$3.8 Million News Release](#)

well as the Scripps network.

- [Watch The PSA](#)

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## Engaging California



As part of the White House Office of Public Engagement stakeholder outreach, Secretary Solis joined Assistant to the President and Senior

Advisor David Plouffe and Environmental Protection Agency Administrator Lisa Jackson in a briefing for California community leaders last Friday. More than 100 representatives from California unions, non-profits, and community organization had the opportunity to meet with key leaders and learn more about the work of the administration. Solis discussed the president's American jobs Act and highlighted ways the bill will address challenges the state currently faces, "From creating good jobs, to supporting California's businesses – big and small – so that they stay there, to keeping youth off the streets, teachers on the job and funding a system of higher education that is one of the best in the country, there's work to be done in the Golden State. I'm proud to serve a President who is fighting to pass a bill that will reap benefits not just in California, but in communities in every state across the nation."

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## Denver Welcomes Harris for White House Business Council Meeting

The mile-high city played host to a White House Business Council meeting that brought together Denver Mayor Michael Hancock, local business leaders and others to meet with Deputy Secretary Seth Harris at the Denver Metro Chamber of Commerce. Harris spoke about regional business issues, as well as President Obama's recently unveiled American Jobs Act. While in Denver, Harris also met with faculty and leaders from the University of Denver and the Community College of Denver before delivering a keynote address to participants of the University of Denver Workplace Law Program.

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## Protecting Retirement Advice

Speaking before the Plan Sponsor Council of America, Deputy Assistant Secretary Michael Davis said that – despite the Employee Benefits Security Administration's decision to re-propose a rule on the definition of "fiduciary" – his agency isn't "backing down" on holding investment advisers accountable for their work. He

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## Around DOL

### Solis Welcomes New Veterans Advisory Group Members



During the inaugural meeting on Thursday, Secretary Solis met with the new members of her Advisory Committee on Veterans Employment, Training and Employer Outreach. She applauded them for their voluntary service and said she looked forward to reviewing their recommendations to improve departmental programs for transitioning service members

and veterans. Members of the committee come from diverse leadership backgrounds including business, academia, human resources, unions, consulting, the military and nonprofit organizations. During their two-year appointment, the group will provide Solis with an assessment of the employment and training needs of veterans and their integration into the workforce, as well as outreach efforts necessary to help employers hire veterans.

- [View the Slideshow](#)

### Happy 95th Birthday to FECA!

September marks the 95th anniversary of the Federal Employees' Compensation Act, which was enacted in 1916 to provide compensation to federal workers injured in the line of duty. Originally staffed by a three member Employees' Compensation Commission and a \$50,000 budget, the program has grown to provide medical benefits and compensation to more than a quarter million federal employees who have been injured at work. The Act also provides survivor benefits should a worker die due to an employment injury, and obligates employees receiving benefits to undergo medical evaluations and to seek and accept suitable work if they are able. The Labor Department took over administration of the program in 1950, where it is currently administered by the Office of Workers' Compensation Programs.

- [Learn more about FECA](#)

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## News You Can Use

### Young Workers: Know Your Rights, Plan for the Future

Many young workers aren't aware of the laws that protect their health benefits, and the wisdom of getting an early start on saving for retirement. The Employee Benefits Security Administration has produced two new videos aimed at younger workers with information critical to their physical and long-term financial health. EBSA's videos provide quick and relevant detail, and offer links to other invaluable online tools to help workers take full advantage of their employer-sponsored benefits.



- [Watch the Videos in English and Spanish](#)

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## DOL Working for You

### STEM Recipient Lands Well-Paying Job

Positive reinforcement and focused career advice provided by the department-funded Science, Technology, Engineering and Mathematics career

acknowledged that EBSA didn't expect "the firestorm of opposition" generated by the original proposal and said officials are meeting with interested stakeholders to get the job done right. Davis also said that individual retirement accounts would continue to be covered to ensure IRA holders receive the same level of protections given to plan participants. EBSA will re-propose its rule in early 2012, allowing the public an opportunity to review changes and provide additional input. The council's membership is comprised of 1,200 employers representing more than six million workers.

- [Read the News Release](#)

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## Big News For Small Biz

Speaking to the largest federally-sponsored event on minority enterprise development, Deputy Secretary Seth Harris addressed more than 200 minority small business owners Wednesday. Harris highlighted several Labor Department initiatives to extend procurement opportunities to small businesses under provisions of the American Jobs Act. In fiscal year 2010, the department was the only Cabinet-level federal agency to exceed all goals for small and minority-owned businesses. The event was co-sponsored by the Small Business Administration and the Minority Business Development Agency to connect minority small-business owners with federal contracting opportunities.

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## Green Scene: Texas Job Corps Recognized for Green Efforts



The students and staff of the Job Corps Center in Laredo, Texas, have received the Community Green Award for raising consciousness about

protecting the air and water as well as being involved in several community-oriented environmental projects, including cleaning along the banks of the Rio Grande, clearing the Paso del Indio Trail at Laredo Community College, working with Keep Laredo Beautiful on the Beautification Project for District 7 and various other projects throughout the city. The center also replaced outdated wiring and bulbs throughout the campus to make them more eco-friendly; recycled used cooking oil, paper and building materials; and worked with eco-friendly tools and materials.

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## Coming Together in Detroit



pathways program in Massachusetts helped Paul Arsenault land a well-paying job. Arsenault, who went through a period of unemployment, felt he needed a better assessment of his skills for advancement in the science and technology fields. STEM mentors help program participants through listening, guidance, advice, teaching and professional support. Arsenault received help revamping his resume, which caught the eye of a recruiter. He now performs risk assessment and quality control for a local pharmaceutical manufacturer. The training he received "pointed me in the right direction and led to my success," he said.

### WIA Helps Nurse Upgrade Her Skills

When Virginia's Sandra Hale decided to upgrade her skills to become a registered nurse, she turned to the department-funded workforce investment program for help. She received financial assistance to attend community college from the local Clinch Valley Community Action Inc. under a Workforce Investment Act program that helped her pay for tuition, books, uniforms and even fuel. Hale graduated with an associate degree in nursing and now works for a home health care company, where her hourly wage has doubled. Hale said the WIA program helped her "gain the education I needed to obtain employment, become financially stable and provide for my family."



- [Learn More about Hale's Story](#)

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## DOL in Action

### MSHA Announces Brookwood-Sago Mine Safety Grant Recipients

Named in remembrance of the men who died at the Jim Walter Resources Inc. No. 5 Mine in Brookwood, Ala., in 2001, and at the Sago Mine in Tallsmanville, W.Va., in 2006, the Brookwood-Sago mine safety grant program is used for educating and training in the mining industry. A total of \$1 million was awarded to eight grantees this year to develop and implement training and related materials for mine emergency preparedness, as well as for the prevention of accidents in underground mines. "The ability to keep up with technological advances will not only lead to increased safety, but also gives us a unique opportunity to expand the types of training materials available," said Joseph Main, assistant secretary of labor for mine safety and health. "These materials will allow us to use new and innovative methods to train mine rescue responders and educate the mining community on safety, and that will save lives."

- [Read the News Release](#)

### Penn., Puerto Rico and Oregon Receive Funding for Storm Cleanup

The Pennsylvania Department of Labor and Industry was provided a \$10 million National Emergency Grant to assist with recovery efforts following Hurricane Irene. "This grant will create more than 2,100 temporary jobs for displaced workers to assist with the cleanup and rebuilding made necessary by storms, which hit areas of Pennsylvania hard," said Secretary Solis. A \$12,845,000 grant was awarded to the Puerto Rico Department of Labor and Human Resources to assist with cleanup and recovery efforts in the aftermath of Hurricane Irene that struck the island in August. Additionally, a

More than 400 local faith and community leaders came together earlier this week at Wayne County Community College in Detroit, Mich., to



discuss jobs, education and other important topics with administration officials as part of the White House's Connecting Communities for the Common Good tour. Jay Williams, director of the Office of Recovery for Auto Communities and Workers, delivered the closing plenary speech. He discussed cities in transition, such as Detroit, and how the American Jobs Act will help the city's small businesses and residents. Attendees participated in a series of breakout sessions throughout the day – two of which were hosted by Ben Seigel from DOL's Center for Faith-based and Neighborhood Partnerships: a jobs panel with local leaders from the mayor's office, Community Foundation for Southeast Michigan, and a local nonprofit organization; and a training session on job clubs and career network ministries.

- [View the Slideshow](#)

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## Borzi Talks with New England Employee Benefits Council

Assistant Secretary of Labor for Employee Benefits Security Phyllis Borzi knows that workers saving for retirement deserve the best advice possible when investing in 401(k)-type plans and IRAs. She shared this message with the New England Employee Benefits Council last Friday during the group's 2011 Washington Update. Borzi told the audience that the department is working towards a re-proposal of its fiduciary rule that will provide the strongest possible protections for retirement savers. "When a client pays for expert investment advice, we want to be sure they are getting what they pay for. The advisor must stand behind the advice they give and must be required to put the client's interest first, ahead of the advisor's own financial interests," Borzi said.

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## Feds Feed Families



Department of Labor employees generously donated a grand total of 7,853 pounds of food and non-perishables for the "Feds Feed Families"

campaign – exceeding the agency's goal by 853 pounds. All food donations were given to the Capital Area Food Bank, which partners with

grant increment of \$89,673 was provided to the Oregon Department of Community Colleges and Workforce Development to continue cleanup and recovery efforts resulting from the severe winter storms, flooding, mudslides, landslides and debris flows that struck the state in January.

- [Read the Pennsylvania News Release](#)
- [Read the Oregon News Release](#)
- [Read the Puerto Rico News Release](#)

## Kraft Foods Facility Cited

Kraft Foods Inc. has been cited by the Occupational Safety and Health Administration for 12 serious and one other-than-serious safety violation for deficiencies in the company's process safety management program and other violations, at a facility of its subsidiary, Oscar Meyer, in Madison, Wis. "Failing to follow process safety management standards when workers are exposed to hazardous substances puts them at an unacceptable risk for injury and illness," said Kim Stille, OSHA's area director in Madison. "Employers have a responsibility to ensure that work environments are healthful and safe." Proposed fines total \$75,000.

- [Read the News Release](#)

## Alabama's ABC Coke Cited Following Fatality

ABC Coke in Birmingham, Ala., a division of Drummond Co., has been cited by the Occupational Safety and Health Administration with 27 serious safety and health violations following the death of a worker who was crushed by a transport vehicle while attempting to un-jam a coal bin chute. Proposed penalties total \$124,000.

- [Read the News Release](#)

## Back Wages, Damages Sought for Baristas Coffee Workers

The department filed a lawsuit to recover back wages and liquidated damages for employees of Baristas Coffee Co. after an investigation by the Wage and Hour Division found violations of the Fair Labor Standards Act at espresso stands in Auburn, Kent, SeaTac, Shoreline and Tacoma, Wash. Investigators discovered that employees sometimes were paid with checks that were unsigned or drawn on accounts with insufficient funds. In addition, employees were not paid proper overtime wages.

- [Read the News Release](#)

## Marietta Industrial Enterprises Cited After Worker's Death

The Occupational Safety and Health Administration has cited Marietta Industrial Enterprises Inc., which operates Refuse Recycling in Marietta, Ohio, for 21 safety violations. OSHA opened an inspection after a worker was found dead inside the rotating drum assembly of a machine used to screen recyclables from other refuse on March 30. "No one should ever lose his or her life because safety procedures were not followed. It is the employer's responsibility to train workers and ensure that the workplace is free from unnecessary hazards," said Deborah Zubaty, OSHA's area director in Columbus.

- [Read the News Release](#)

## Texas-based Patterson-UTI Drilling Cited for Multiple Violations

The Occupational Safety and Health Administration cited Snyder, Texas-based Patterson-UTI Drilling Co. LLC for serious and repeat violations of safety and health standards at its Odessa, Texas, worksite. The serious violations involve failing to protect employees from "caught-between" and "struck-by" hazards and repeat violations include failing to keep electrical equipment free from recognized hazards and to utilize proper grounding procedures. Proposed penalties total \$72,600.

food pantries, soup kitchens and other service organizations throughout the D.C. metropolitan area to help families in need. Special thanks to all of the DOL employees who donated!

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## POWER in Returning to Work

Last week, the Labor Department hosted the first meeting of President Obama's



Protecting Our Workers and Ensuring Reemployment, Return to Work Council – a group designed to expand and increase successful return to work outcomes for federal employees who sustain workplace injuries and illnesses. The Council, chaired by Office of Workers' Compensation Programs Acting Director Gary Steinberg and Division of Federal Employees' Compensation Director Douglas Fitzgerald, is comprised of representatives of the 14 agencies subject to the return to work goals under the POWER initiative, as well as representatives from DOL's Office of Disability Employment Policy and the Office of Personnel Management. ODEP Assistant Secretary Kathy Martinez spoke at the inaugural meeting of about the challenges facing employees who return to the workplace with disabilities and some of the ways employers can address these challenges.

- [Learn more about POWER](#)
- [View ODEP's Return to Work Tool Kit](#)

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## Upcoming Deadlines & Events

Check out the grant opportunities with DOL.

- [Open Funding Opportunities](#)

EVENTS SPOTLIGHT: 2011 National Mine Rescue, First Aid, Bench and Preshift Competition

Mine rescue teams are the first responders in a mining disaster. More than 100 teams will participate in a national competition next week in Columbus, Ohio to test the skills they may one day need to rescue trapped and injured miners underground.

- [Learn More](#)
- [October 3-6 — Columbus, OH](#)

EBSA — Health Benefits Laws Compliance Assistance Seminar

- [October 25-26 — Nashville, TN](#)

MSHA — Mine Safety and Health Public Hearing

- [Oct 18 — Denver, CO](#)
- [Oct 20 — Charleston, WV](#)

- [Read the News Release](#)

Pittsburgh Company Ordered to Restore 401(k) Funds

A federal judge has ordered Liberty-Pittsburgh Systems Inc. and its chief executive officer, Kevin T. Weir, to restore \$67,138 to the company's employee 401(k) plan. The action resolves a lawsuit filed by the Department of Labor. An Employee Benefits Security Administration investigation exposed the improper handling of employee contributions and participant loan repayments during a two-year period.

- [Read the News Release](#)

Dixon Ticonderoga Plant Cited for 23 Safety and Health Violations

Dixon Ticonderoga of Macon, Ga., has been cited by the Occupational Safety and Health Administration for 23 safety and health violations following a May inspection. The violations involve failing to develop lockout/tagout procedures to prevent unintended start-up of energy sources, unguarded equipment and electrical hazards. Proposed penalties total \$64,085.

- [Read the News Release](#)

Mine Operator Ends Refusal to Comply w/ Federal Requirements

Despite a federal requirement that all underground coal mine operators have plans in place for installing communications and tracking systems, S&M Coal Co.'s Buck Mountain Slope refused to comply for more than two years. The operator, along with several others in the anthracite region of northeastern Pennsylvania, expressed concern that radio emissions from these systems might interfere with blasting detonators used to extract coal underground. Following a series of court proceedings, the Mine Safety and Health Administration filed a lawsuit in April and, just last week, the operator completed installation. "The ability to communicate with miners underground and track their whereabouts is a key component during a rescue operation and will go a long way in giving miners the best possible chance for survival," said MSHA Assistant Secretary Joseph Main.

- [Read the News Release](#)

Nearly \$1 Million Proposed Penalties for Trailer Manufacturer

PJ Trailers Manufacturing Co. Inc. in Sumner, Texas, and Delco Trailers Co. Inc., a similar company owned by PJ Trailers, were cited by the Occupational Safety and Health Administration for exposing workers to unguarded machinery, fall hazards and accumulations of potentially hazardous dust and other violations. "Willful and repeat citations, as well as significant penalties, reflect the fact that management knew workers were exposed to dangerous conditions yet failed to provide them with basic safety protections. That choice is unacceptable and needlessly placed these workers' health and safety at risk," said Assistant Secretary of Labor for OSHA Dr. David Michaels. Proposed penalties total \$949,800.

- [Read the News Release](#)

Cheddar's Casual Café in Dallas Violates Provisions of FLSA

Following an investigation by the Wage and Hour Division, Cheddar's Casual Café Inc. in Dallas, Texas, will pay \$99,168 in back wages and \$62,417 in liquidated damages to 268 employees after it was found that the company violated the Fair Labor Standards Act's minimum wage and record-keeping provisions. Additionally, the company violated the Hazardous Occupations Order No. 12 by hiring five 16-year old workers to operate a trash compactor.

- [Read the News Release](#)

- [Oct 25 — Washington, PA](#)

MSHA — Mine Health and Safety Trainers' Seminar

- [Oct 11 — Beaver, WV](#)

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 — Coast to Coast Career Fairs - Boston, MA

- [November 7 — Boston, MA](#)

OFCCP — Special Emphasis Committee Disability Month

- [October 26 — Boston, MA](#)

WHD — Prevailing Wage Conference 2011

- [October 4-5 — Washington, DC](#)

WHD — Mobile Mexican Consulate of Raleigh

- [October 8 — Raleigh, NC](#)

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- In this week's newsletter: \$500 Mil to Comm. Colleges  
<http://t.co/GEaXJg6Y> about 2 hours ago
- "The ability to keep up with technological advances will not only lead to increased safety, but also gives us a..."  
<http://t.co/bPgZi2tz> about 20 hours ago

- [Read the News Release](#) Español

Sears, Roebuck and Co. Cited with Repeat Violations

Sears, Roebuck and Co. has been cited by the Occupational Safety and Health Administration for seven safety violations during an inspection at the company's Huntsville, Ala., department store. The company received three repeat, three serious and one other-than-serious violation including exposing workers to blocked exits, among other hazards. Proposed penalties total \$128,000.

- [Read the News Release](#)

Mine Inspections Have Impact

Since April 2010, the Mine Safety and Health Administration has been conducting impact inspections at mines that merit increased agency attention, and this week the agency released results from the August 2011 round of inspections. The twenty inspections, conducted at 16 coal mines and 4 metal/nonmetal mines, resulted in the issuance of 317 citations, 37 orders, and two safeguards. "As we continue to conduct impact inspections at mines with compliance problems or other health or safety issues, there are indications that the industry is getting the message and improving health and safety practices," said Joseph Main, assistant secretary for MSHA. "But for mine operators not getting the message, MSHA will use impact inspections and other enforcement tools at our disposal to protect the health and safety of their miners."

- [Read the News Release](#)
- [View Inspection Results](#)

Duna USA Cited for Multiple Safety and Health Violations

Duna USA Inc. in Baytown, Texas, has been cited by the Occupational Safety and Health Administration for 29 serious and three other-than-serious violations, including failing to ensure that employees utilize hearing protection to prevent hearing loss while cutting foam products, failing to develop an emergency action plan or develop adequate energy control procedures. Proposed penalties total \$136,800.

- [Read the News Release](#)

Brendle Sprinkler Co. Cited for Cave-in, Other Hazards

Brendle Sprinkler Co. Inc. of Montgomery, Ala., has been cited by the Occupational Safety and Health Administration with three safety violations – one willful, two serious – that occurred while the company was installing a fire suppression system at a McDonald's. The willful violation is for failing to provide a cave-in protection system while employees were working in a trench greater than 5 feet deep. Proposed penalties total \$68,530.

- [Read the News Release](#)
- [More on Trenching and Excavation Safety](#)

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