



DOL News Brief

December 1, 2011

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Solis to Congress: Clock is Ticking on Payroll Tax Cuts and UI



During a visit to Capitol Hill on Wednesday, Secretary Solis discussed the urgency of extending the payroll tax cuts and continuing federal

funding for unemployment insurance benefits. "With so many working families hurting, we need to put more money in their pockets, not less," said Solis. Without action in Congress, a typical household earning \$50,000 a year would see their taxes go up by \$1,000. At the same time, 5 million people who lost their jobs through no fault of their own will be left without the support if funding for UI expires. For Vincent Brandon, an Army veteran who recently lost his job in a round of public sector job cuts in Allegheny County, Pennsylvania, the uncertainty is a harsh reality. "I would much rather have a paycheck than a UI check. I need to get back to work, not just for myself but also for my five-year-old daughter who relies on me for care and support, not to mention my son, who's currently in college," he said, "and for my fiance who is patiently waiting for a ring."

- View the Slideshow
• Use the Payroll Tax Cut Calculator
• Share Your Unemployment Story

On World AIDS Day: Fight Stigma, Promote Workplace Rights

"We must redouble our efforts to ensure that workplaces are free of discrimination on the basis of HIV status. This is both a human and a civil right. At the U.S. Department of



Labor, we are committed to working on multiple fronts to reduce the stigma surrounding this condition and ensure that HIV-positive workers

What's Hot

In Denver: Payroll Tax Cuts and UI

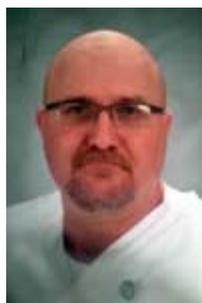
Earlier this week, Secretary Solis visited Denver to make the case for the American Jobs Act to the city's Latino community. During a discussion with local Latino leaders at the Colorado Organization for Latina Opportunity & Reproductive Rights, she was joined by Colorado Governor John Hickenlooper, Denver Mayor Michael Hancock and Rep. Diana DeGette, and highlighted the need to extend unemployment insurance and the payroll tax cuts. Later in the day, Solis met with workers receiving Unemployment Insurance during a visit to the Denver Workforce Center, a local One Stop career facility. "I was moved by the stories of these courageous people, who through no fault of their own have lost their jobs and now receive UI benefits," said Solis. "I marvel and am impressed by their courage and conviction. They are doing everything they can to get back to work. We need to do everything we can to make sure that happens."



- View the Slideshow

DOL Working for You

Laid-Off Machinist Becomes Nurse Thanks to Job Training Programs



Jeffrey Price overcame the misfortune of being laid off after 20 years as a machinist to begin a new career as a nurse, thanks to multiple programs funded by the department. Price said he was continually "frustrated looking for a factory job," and was working part-time as an emergency medical technician when he decided to make helping people his new career objective. With guidance from the Workforce Investment Act's dislocated worker program, Price enrolled in health care training paid for the by the American Recovery and Reinvestment Act. He successfully studied to become a

Licensed Practical Nurse and passed his state board exam. Price now works for a Tennessee medical management company.

Job Corps Student to Present Food Creations at Jamba Juice

James Stokes, an advanced culinary arts student at the Treasure Island Job Corps Center in California, is finishing up a successful eight-week food development internship for Jamba Juice, a national beverage and food company. Stokes, who also studied culinary arts at Wolf Creek Job Corps Center in Oregon, has developed seven possible new food entries for Jamba Juice. His

know their workplace rights," said Secretary Solis in a statement on World AIDS Day. The department has multiple ongoing efforts in the global fight against HIV/AIDS, including helping other countries develop policies and programs to combat job discrimination; enforcing the Family and Medical Leave Act so workers with HIV/AIDS have the workplace flexibility and medical privacy guaranteed by law; enforcing important safety standards to prevent inadvertent HIV/AIDS transmission in the workplace; prioritizing investigations of employment discrimination based on HIV/AIDS status; and conducting national outreach to increase access to workplace training, career counseling and employment-related services for people living with HIV/AIDS.

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

Trade Agreements Center Stage

During Wednesday's meeting of the Labor Advisory Committee for Trade Negotiations and Trade Policy, Secretary Solis expressed her



appreciation to committee members for a successful trade adjustment assistance package and action plans to improve labor rights under the free trade agreements. She also discussed the need to move forward with fair trade to provide opportunities for American workers, as well as the critical role that enforcement plays in ensuring fair trade. Finally, Solis asked American labor union leaders for their continued input during ongoing trade agreement negotiations. U.S. Trade Representative Ron Kirk acknowledged the importance of input from the group in developing "solid products." He emphasized that trade is a part of the equation for stimulating jobs in the U.S.

- [View the Slideshow](#)

8 Mining Operations Put on Notice

Using one of the tougher enforcement tools at its disposal, the Mine Safety and Health Administration alerted eight mine operators that

creations, which he is presenting to a corporate review panel, include both caprese and bean and cheese quesadillas, as well as eggplant crostini. Stokes' paid internship resulted from a visit by Secretary Solis to Jamba Juice headquarters last summer, where the company committed to placing and training youth in summer jobs. Stokes said his time at both Job Corps centers plus his culinary internship have "helped me gain valuable employment skills" and a better chance to realize his ultimate goal of owning his own restaurant or catering business.



International Scene

Grant Awarded to Combat Child Labor in Ethiopia

World Vision has been awarded a \$10 million cooperative agreement by the Bureau of International Labor Affairs to combat exploitative child labor in Ethiopia. The funds will be used to reintegrate younger children into education systems and to transition children of legal working age into vocational education and apprenticeship training. "The United States is working with the international community to end all exploitative child labor by 2016," said Secretary Solis. "Our grant will provide increased education and awareness, and critical assistance to families and governments to help bring us closer to our goal."

- [Read the News Release](#)

DOL in Action

Texas Manufacturer Cited for Serious Violations

The Occupational Safety and Health Administration has cited Ameri-Tech Industries LLC, doing business as Ameri-Tech Building Systems, for serious safety violations at the company's manufacturing facility in Troy, Texas. The violations include failing to provide fall protection, such as horizontal lifelines used with full-body harnesses and lanyards; provide machine guarding for table saws, as well as anti-kickback features; and require the use of hand protection while working with sheet metal. Proposed penalties total \$52,200.

- [Read the News Release](#)

Florida Agricultural Initiative Nets \$840,000 in Back Wages, Penalties

Through an enforcement initiative focused on hand-harvested crops in central Florida, the Wage and Hour Division has recovered \$156,205 in back wages for 689 agricultural workers and assessed employers \$685,506 in civil money penalties over the past year. "We have found widespread noncompliance in the agricultural industry that causes many vulnerable workers, including migrant and seasonal laborers, to suffer substandard wages, unsafe housing and transportation, and harsh working conditions," said James Schmidt, director of the division's Tampa office, which is coordinating the initiative.

- [Read the News Release](#)

Waymar Construction Cited After 16-year-old Injured on Job Site

each is on notice for a potential pattern of violations. Among their options, these mines may submit to MSHA a corrective action plan to reduce the rate of significant and substantial violations. Mine operators that do not meet their targets are subject to closure orders until the violations are fixed. In April, MSHA unveiled a POV screening tool enabling mine operators to regularly monitor their compliance and injury records and make adjustments accordingly.

- [Read the News Release](#)
- [View the POV Single Source Page](#)

He's One To Watch

One of our own was honored this week during the PR News awards event at the National Press Club in Washington.

Michael Trupo of the Office of Public Affairs was named one of "15 to Watch," among young public relations professionals nationwide. Trupo was



nominated for the award by Senior Advisor to the Secretary for Communications and Public Affairs Carl Fillichio for his work on several major initiatives and handling of media situations for multiple DOL agencies.

- [View the Slideshow](#)
- [Learn More](#)

Job Corps Student Earns Diploma Before Succumbing to Cancer



This week, Secretary Solis expressed heartfelt condolences to the family, friends and classmates of 18-year-old Blue Ridge Job Corps student Misladis "Milly" Almaguer who earned her high school diploma days before succumbing to cancer on Nov.

23. On medical leave for cancer treatment since June, Milly told center staff, "I don't care if I only live a few weeks or many years, I want to earn my high school diploma." Job Corps staff member Ellen Wagner helped Milly study for her exam and even administered the final test at the student's hospital bedside. During her enrollment in Blue Ridge, located in Marion, Va., Milly also completed nursing assistant training and was certified by the Virginia Board of Nursing. "On behalf of the Department of Labor, I extend my deepest sympathies to Milly's family," said Solis. "Her extraordinary strength and courage to

The department has cited Waymar Construction LLC in Shelby, Ohio, for child labor and safety violations after a 16-year-old fell off a scissor lift during roofing operations at a Sandusky, Ohio, job site on May 23. The worker suffered cranial trauma and fractures. The Wage and Hour Division assessed civil money penalties of \$30,350 for allowing a minor to operate a hoisting device and perform roofing work in violation of the Fair Labor Standards Act's child labor provisions. Also, the Occupational Safety and Health Administration cited the company for failing to ensure that workers were protected from fall hazards and were provided fall protection training.

- [Read the News Release](#)

Cancellation of Cargill Meat Solutions' Government Contracts Sought

The Office of Federal Contract Compliance Programs is seeking cancellation of Cargill Meat Solutions' existing government contracts and debarment from entering into future contracts. OFCCP alleged that the company systematically discriminated against more than 4,000 qualified job applicants at its Springdale, Ark., facility. Cargill also failed to meet its legal obligations to recruit and conduct outreach to veterans. "This is an unfortunate case in which thousands of qualified workers were denied the opportunity to compete fairly for jobs," said OFCCP Director Patricia A. Shiu.

- [Read the News Release](#)

Atlanta Roofing Contractor Fined Nearly \$185,000

The Occupational Safety and Health Administration has cited Midsouth Steel Inc. of Atlanta for four safety violations for exposing workers to fall hazards while performing roofing work on a 44,000-square-foot recycling facility. The company received three willful violations including allowing employees to work from an aerial lift without fall protection, exceeding an aerial lift's load capacity, and not providing fall protection for employees working on a steep pitched roof. Proposed penalties total \$184,800.

"Management knowingly exposed its workers to fall hazards because they were more concerned with completing the job faster than providing a safe work site," said Andre C. Richards, director of OSHA's Atlanta-West Area Office. "It is the employer's responsibility to ensure that workers are safe on the job."

- [Read the News Release](#)

More Than \$2 Million Collected For Long Island Restaurant Employees

An ongoing enforcement initiative conducted by the Wage and Hour Division found widespread noncompliance with the minimum wage, overtime and record-keeping provisions of the Fair Labor Standards Act among restaurants on Long Island. WHD recently completed 46 investigations of pizza and pasta establishments, recovering \$2,341,507 in back wages for 578 employees. Also, \$202,315 in civil money penalties were assessed against employers for willful and repeated violations.

- [Read the News Release](#)

Wis. Steel Foundry Cited for Exposing Workers to Respiratory Hazards

The Occupational Safety and Health Administration has cited Northern Steel Castings Inc. for two safety and four health violations at its Wisconsin Rapids carbon steel foundry. The violations include overexposing workers to crystalline silica, a known respiratory hazard. Proposed fines total \$95,480.

- [Read the News Release](#)

Initiative Focuses on Violations in Construction Industry

complete her education in the face of adversity will live in our hearts."

OSHA Photo Contest Winners

The Occupational Safety and Health Administration announced the winners of its first photo contest to raise public awareness of



occupational safety and health. To celebrate its 40th anniversary, the agency held the "Picture It! Safe Workplaces for Everyone" photo contest, challenging anyone with a passion for photography to capture an image of workplace safety and health. OSHA also held a second contest for



staff. "Each winning photograph tells its own powerful story of the contribution of workers to our great country's success, and America, and of the vital importance of protecting their health and safety. I am deeply grateful to everyone who contributed their time and talent to this contest," said Assistant Secretary Dr. David Michaels, expressing his enthusiasm for the overwhelming response to the contest and the quality of the submissions.

- [Read the News Release](#)
- [See the Winning Photos](#)

News You Can Use

New National Emphasis Program for Chemical Facilities

The Occupational Safety and Health Administration has created a new National Emphasis Program for chemical facilities to protect workers from catastrophic releases of highly hazardous chemicals. The program establishes policies and procedures for inspecting workplaces that are covered by OSHA's process safety management standard. "Far too many workers are injured and killed in preventable incidents at chemical facilities around the country," said OSHA Assistant Secretary Dr. David Michaels. "This program will enable OSHA inspectors to cover chemical facilities nationwide to ensure that all required measures are taken to protect workers."

- [Read the News Release](#)

New Special Exposure Cohorts

The department is notifying all former Ames Laboratory employees who worked at Iowa State

The Wage and Hour Division is conducting a multiyear enforcement initiative focused on the construction industry in Connecticut and Rhode Island, where the division has found widespread noncompliance with the minimum wage, overtime and record-keeping provisions of the Fair Labor Standards Act. Since 2008, WHD's Hartford District Office has conducted 183 investigations of construction industry employers in both states, recovering nearly \$3.3 million in back wages for 1,226 employees.

- [Read the News Release](#)

Construction Company Cited After Worker Dies from Scaffold Fall

The Occupational Safety and Health Administration has cited Igor Jerema Construction Co. in Buffalo Grove, Ill., for four willful safety violations after a worker applying stucco at a home under construction fell off a scaffold and sustained a fatal head injury. The company was cited for failing to: provide fall protection for employees working from scaffolding at levels more than 10 feet high; erect scaffold supports on a firm foundation; provide a ladder as a point of access for workers on the scaffold; and fully plank platforms on working levels of the scaffold. Proposed penalties total \$50,000.

- [Read the News Release](#)

Briggs & Stratton Cited at Central New York Manufacturing Plant

Briggs & Stratton Power Products Group LLC has been cited for repeat and serious violations of workplace safety standards at its Munsville, N.Y., manufacturing plant. The Wisconsin-based manufacturer faces a total of \$125,000 in proposed penalties, chiefly for mechanical, electrical and fall hazards. The Occupational Safety and Health Administration found several recurring hazards similar to those cited during a 2007 inspection.

- [Read the News Release](#)

Pre-Assessment Conferencing Procedures to Commence

The Mine Safety and Health Administration will begin implementing pre-assessment conferencing procedures early next year to help reduce any backlog of future violations before the Federal Mine Safety and Health Review Commission. The new procedures are based on the results of a pilot program launched by MSHA Assistant Secretary Joseph Main in August 2010 that evaluated the effect of the pre-assessment conference on contested citations. Most mine operators surveyed expressed satisfaction with the conferencing procedures used during the pilot.

- [Read the News Release](#)

Texas Drilling Company Cited After Worker Electrocuted

Houston, Texas-based oil and gas drilling contractor Nabors Drilling USA LP was cited by the Occupational Safety and Health Administration for two alleged workplace safety violations after a worker was electrocuted. The company was cited for one repeat safety violation for failing to ensure flexible cords and cables were protected from damage. The company was also cited for one serious violation for failing to ensure electrical equipment remained free from recognized hazards.

- [Read the News Release](#)

Florida Restaurant Initiative Nets \$682,000+ in Back Wages, Penalties

An ongoing enforcement initiative conducted by the Wage and Hour Division targeting full-service buffet restaurants in South Florida has found consistent and widespread noncompliance with the minimum wage, overtime, and record-keeping provisions of the Fair Labor Standards Act. In fiscal year 2011, the division completed 34 investigations, recovering

University in Ames, Iowa; Vitro Manufacturing employees who worked in Canonsburg, Pa.; W.R. Grace and Co. workers who were employed at the Curtis Bay, Md., facility; and Y-12 employees who worked at the Oak Ridge, Tenn., facility about new classes added to the Special Exposure Cohort of the Energy Employees Occupational Illness Compensation Program Act. The EEOICPA provides compensation and medical benefits to workers who became ill as a result of working in the nuclear weapons industry. Survivors of qualified workers also may be entitled to benefits. For additional information or to schedule an appointment for claim-filing assistance, contact the resource centers listed in the news releases.

- [Read the Ames News Release](#)
- [Read the Vitro News Release](#)
- [Read the W.R. Grace News Release](#)
- [Read the Y-12 News Release](#)

Construction Advisory Committee to Meet, Nominations Open

The Occupational Safety and Health Administration will convene a meeting of the Advisory Committee on Construction Safety and Health Dec. 13–16 in Washington. The agency also is accepting nominations to serve on the committee, which must be submitted by Jan. 23, 2012. See the Federal Register notice for details of the meeting and nominations.

- [Read the News Release](#)
- [Read Federal Register Notice](#)

Upcoming Deadlines & Events

Check out the grant opportunities with DOL.

- [Open Funding Opportunities](#)

Event Spotlight: National Advisory Committee on Occupational Safety and Health

The Occupational Safety and Health Administration will convene a meeting of the National Advisory Committee on Occupational Safety and Health on Dec. 14 and 15 in Washington. Comments and requests to speak must be submitted by Dec. 7. See the Federal Register notice for details.

- [December 14 – 15 — Washington, DC](#)
- [Read the News Release](#)
- [Read the Federal Register Notice](#)

OFCCP — Building Partnerships for the Community

\$667,704 in back wages for 271 restaurant employees. In addition, WHD has assessed \$14,520 in civil money penalties.

- [Read the News Release](#)

Nebraska Grain Facility Cited for Bin Hazards

The Occupational Safety and Health Administration has cited C.O. Grain Inc., a grain storage facility in Atkinson, Neb., for 16 safety violations for exposing workers to a variety of hazards during grain bin entry, including a lack of rescue equipment. OSHA initiated its inspection under a local emphasis program targeting grain handling establishments. Proposed penalties total \$132,000.

- [Read the News Release](#)

Initiative Focuses on Workers in NC's Residential Care Industry

The Wage and Hour Division is conducting an enforcement initiative focusing on the residential care industry in North Carolina, in which the division has found widespread violations of the Fair Labor Standards Act's minimum wage, overtime and record-keeping provisions. The initiative is particularly concerned about the treatment of employees at group home facilities that serve children, the aged and those who need help with self-care. "These caregivers make significant personal sacrifices in order to provide around-the-clock services for their clients, but are often denied overtime compensation and legal protections guaranteed by federal law," said Rick Blaylock, the division's Raleigh district director. "The goals of this initiative are to remedy systemic violations, educate employers about their legal responsibilities and promote sustained compliance throughout the industry."

- [Read the Fact Sheet](#)
- [Read the News Release](#)

Concrete Recycling Facility Cited for Multiple Safety, Health Violations

The Occupational Safety and Health Administration has cited Congress Materials LLC for one other-than-serious and 12 serious safety and health violations at the company's work site on Mosier Valley Road in Euless, Texas. Violations involve failing to repair broken railings on walkways to prevent falls, maintain and repair stairways and ladders, and failing to provide training on the use of respirators for employees exposed to dust created by concrete grinding. Proposed penalties total \$41,300.

- [Read the News Release](#)

Stanley Steamer to Pay Nearly \$193,000 in Back Wages, Penalties

Gerald Quatela, the owner of Stanley Steamer franchises in Atlanta and Richmond Hill, Ga., and Houston, Texas, has agreed to pay \$175,039 in back wages to 174 employees after an investigation by the Wage and Hour Division identified significant violations of the Fair Labor Standards Act. The department also assessed penalties of \$17,895 for the violations.

- [Read the News Release](#)

Oklahoma Meat Processing Plant Cited for Fall Hazards

The Occupational Safety and Health Administration has cited Sigma Processed Meats Inc. for 16 serious and three repeat violations for exposing workers to fall and other hazards at the company's processing plant in Seminole, Okla. Proposed penalties total \$204,800.

- [Read the News Release](#)

Facility to Boost Protections Against Workplace Violence

- [December 6 — Baltimore, MD](#)
- [December 8 — Memphis, TN](#)
- [December 15 — Memphis, TN](#)
- [December 20 — Baltimore, MD](#)
- [December 22 — Memphis, TN](#)
- [January 10 — Baltimore, MD](#)
- [January 12 — Charlotte, NC](#)
- [January 24 — Baltimore, MD](#)

OFCCP — Community Based Organizations Roundtable Collaboration

- [December 14 — Pittsburgh, PA](#)
- [January 5 — Pittsburgh, PA](#)
- [January 18 — Pittsburgh, PA](#)

OFCCP — Community Outreach and Education Event

- [December 8 — Richmond, VA](#)
- [December 15 — Richmond, VA](#)
- [January 15 — Philadelphia, PA](#)

OFCCP — Compliance Assistance Seminar

- [December 7 — Boston, MA](#)
- [December 13 — Boston, MA](#)

OFCCP — Filing Complaints

- [December 6 — Portland, OR](#)

OFCCP — Supply and Service AAP Development Seminar

- [December 7 — Pittsburgh, PA](#)
- [January 11 — Pittsburgh, PA](#)

OFCCP — Supply and Service Educational Seminar for Small and New Contractors

- [December 13 — Baltimore, MD](#)

OSHA — Advisory Committee on Construction Safety and Health Meeting

- [December 13-16 — Washington, DC](#)

OSHA — National Advisory Committee on Occupational Safety and Health Meeting

- [December 14-15 — Washington, DC](#)

The department has reached a settlement agreement with The Renaissance Project Inc. that resolves citations and penalties issued to the Ellenville, N.Y., substance abuse treatment facility. The citations were issued after an untrained security guard, working alone, was fatally stabbed by a client. The settlement affirms the citations and also commits the facility to taking steps to better safeguard its employees against workplace violence. In addition, The Renaissance Project has agreed to institute measures to eliminate or reduce incidents of violence.

- [Read the News Release](#)
- [Preventing Workplace Violence](#)

California Union Sued for Failing to Hold Election

The department recently filed suit against the National Emergency Medical Services Association, located in Modesto, Calif., after the union allegedly failed to hold its regular officer election in June 2011. Title IV of the Labor-Management Reporting and Disclosure Act – as well as the union's own constitution – requires that members be allowed to elect officials at least once every three years. By failing to hold the election, the department contends that the union violated Sections 401(b) and 401(e) of the LMRDA. To remedy this violation, the department seeks to supervise an election for vice president, treasurer and five regional director positions.

Whistleblower Lawsuit Filed Against Colorado Animal Shelter

The Occupational Safety and Health Administration filed suit against Angels With Paws, an animal shelter in Lakewood, Colo., on behalf of an employee who was fired in violation of the whistleblower provisions of the Occupational Safety and Health Act. The employee had complained about safety and health hazards before filing a formal complaint with OSHA.

- [Read the News Release](#)

Cabinet Manufacturer Fined for Safety and Health Hazards

Wood-Mode Inc., a kitchen cabinet maker in Kreamer, Pa., was cited by the Occupational Safety and Health Administration for 29 safety and health violations including improper machine guarding, poor welding practices and exposed electrical wiring. OSHA initiated an inspection as part of a National Emphasis Program on Amputations. Proposed penalties total \$122,000.

- [Read the News Release](#)

Federal Contractors Sued for Discrimination at Minnesota Boat Plant

The Office of Federal Contract Compliance Programs has filed an administrative complaint against federal contractor Brunswick Corp. and its subsidiary, Lund Boat Co. The complaint asserts that the companies systematically discriminated against more than 200 women who applied for entry-level positions at Lund's boat manufacturing plant in New York Mills, Minn. "OFCCP's investigation found that even women with manufacturing experience were less likely to be hired than men without it. That's not fair. It's not right. And it's against the law," said Solicitor of Labor M. Patricia Smith.

- [Read the News Release](#)

Florida Packaging Company Sued for Whistleblower Statue Violation

The Occupational Safety and Health Administration has sued RockTenn Corp. for allegedly violating the whistleblower provisions of the Occupational Safety and Health Act at its Fernandina Beach, Fla., plant. The lawsuit alleges that management retaliated against an employee for raising safety concerns to company management.

- [Read the News Release](#)

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[ago](#)

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[about an hour ago](#)

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