



DOL News Brief

January 12, 2012

Subscribe | Send Feedback | PDF Version



The Bright Future of Insourcing

What's Hot



As a precursor to the president's Bringing Business Back roundtable, Secretary Solis and Assistant Secretary of Labor for Employment and

Made in America

Secretary Solis joined President Obama on Wednesday at an "Insourcing American Jobs" forum as he called on companies across the nation to invest in America. The White House event brought together labor leaders, elected officials and business executives from large and small companies to discuss why it is competitive to locate in the United States and what more can be done to encourage and support a trend of bringing jobs back to the U.S. Participants shared thoughts on how partnerships can help address challenges and accelerate insourcing efforts. In the coming weeks, the president will put forward new tax proposals to reward companies that choose to invest in America.



Training Jane Oates visited the Chesapeake Bay Candle Co. factory in Glen Burnie, Md., on Tuesday. They learned firsthand how this family-owned small business, which once manufactured exclusively in China and Vietnam, is successfully fulfilling its commitment to grow jobs in America. The Glen Burnie facility is the first for the company in the U.S., currently employing 35 people with plans to nearly triple its workforce in the coming year after selling more than \$84 million in products to Nordstrom, Bloomingdale's, Kohl's, Target and other retail chains last year.

- View the Slideshow
Read the White House Blog

- View the Slideshow

Grant Competition Continues to Build Job Skills for Ex-Offenders

A new \$20.6 million competition was announced on Thursday that will make 17 grants available, at approximately \$1.21 million each, to organizations that provide employment and support services to help former offenders reintegrate into their communities. The grants represent the fifth generation of the Reintegration of Ex-Offenders-Adult Program. "By supporting these employment training programs, we are fulfilling a core promise of our justice system: Those who do wrong and serve their time deserve a second chance to make a positive contribution to their families and their communities," said Secretary Solis. "Ultimately, these investments are turning 'tax takers' into 'tax payers,' and helping to relieve a major economic strain on state and local budgets, while also helping individuals get back on their feet and enhancing community stability."

- Read the News Release

Meet the DOL Leadership Team

If mining were a language, Joseph Main would be a fluent speaker. For more than 40 years, the assistant secretary of labor for mine safety and health has been an advocate for miners throughout the country. The Greene County, Pa., native began working in a coal mine in 1967. In 1974, he joined the United Mine Workers of America for a career that



spanned three decades. During that time, Main garnered hands-on experience inspecting and evaluating mining conditions, plans and systems, and was involved in a number of mine emergencies and accident investigations. He went on to become a mine safety consultant, focusing on research and analysis on prevention of mine accidents and disasters, and the development of training programs and facilities to prepare miners, rescue teams and emergency responders for mine emergencies. Main came to the Mine Safety and Health Administration in

DOL Working for You

Helping Veterans Transition Back to Civilian Life

Retired Air Force Lt. Col. David Jensen wanted to find a job in his native Wisconsin that mirrored his military skills in program management and procurement. He soon realized that securing the job would be harder than he had thought. So he went to a local workforce development office, where he received career advice and counseling from a Disabled Veterans' Outreach Program representative Jeffrey Murphey who



2009, and began implementing initiatives to end black lung, reduce mining fatalities and step up enforcement of the nation's 14,500 mining operations. He realizes the importance of establishing solid relationships with stakeholders in the mining industry and supports alliances the agency has cultivated.



Most recently, Main signed an alliance agreement with the International Association of Bridge, Structural, Ornamental

and Reinforcing Iron Workers to foster safer and more healthful working conditions at mines throughout the nation. Among the initiatives the two organizations will undertake are the creation of injury and industry case studies to identify hazardous safety and health conditions and practices, and the development of training programs for individuals working on or near mine construction projects.

- [Read More About the Alliance](#)
- [Learn More About Main](#)

## Putting Ability in the Spotlight

"Characters with a disability are still virtually non-existent on scripted network television shows,"



Assistant Secretary of Labor for the Office of

Disability Employment Policy Kathy Martinez told an entertainment industry meeting themed "Disability IS Diversity: Reflecting the True American Scene." She was quick to point out that characters with a disability have fared significantly better on cable channels. During remarks on Wednesday from Baruch College in New York City and via video link to participants in Los Angeles, Martinez encouraged more than 100 participants to be change agents who keep the industry focused on reflecting the true profile of the American public. The event was sponsored by the Actors' Equity Association, the American Federation of Television and Radio Artists, and the Screen Actors Guild. For the past three years, the organizations have co-led an "Inclusion in the Arts & Media of People with Disabilities" campaign with the goal of increasing job

encouraged him to target employers and attend a job fair. After weighing several employment offers, he landed a good-paying job working for a local military manufacturer. When asked about the service he received, Jensen said, "It helped determine what my market value was."

### Training Workers to Make A Difference

Shortly after repairing a piece of hospital equipment used in cesarean section births, Steve Kitzman heard the wail of a newly born baby. At that moment, he thought to himself, "I actually fixed the machine that helped deliver that child." After being laid off from a job in the auto industry, Kitzman eventually reinvented himself. He received community college training paid for by Michigan Works!, a Labor Department grantee. Kitzman graduated cum laude with a degree in applied sciences. He says his current job as a biomedical repair technician for a local medical device company not only makes him happy, it's making a difference in the lives of others.



## DOL in Action

Gray Metal Products Cited for Repeat and Serious Safety Hazards

Gray Metal Products has been cited for alleged repeat and serious violations of workplace safety standards at its Avon, N.Y., manufacturing plant. The metal products manufacturer faces a total of \$90,040 in proposed fines following an Occupational Safety and Health Administration inspection that identified several instances of hazards that also were cited and then corrected in 2007, but which have since recurred.

- [Read the News Release](#)

Security Co. Pays Back Wages for Misclassifying Guards

Custom Security Solutions Inc. of Knoxville, Tenn., has agreed to pay \$62,038 in back wages to 34 security guards who were improperly classified as independent contractors following a Wage and Hour Division investigation. The company also has agreed to maintain future compliance with the Fair Labor Standards Act by ensuring that employees are properly classified and compensated for all hours worked in accordance with federal law.

- [Read the News Release](#)

Grants Assist Massachusetts, Connecticut Workers

Two National Emergency Grants were provided by the Labor Department this week to assist laid off and dislocated workers in Massachusetts. The first, an \$857,225 increment of a larger award, will help workers affected by layoffs and closings at 11 companies in Massachusetts and one company in Connecticut representing a variety of industries. The funds will provide employment-related assistance to approximately 430 workers. A second grant of \$738,179 will assist about 320 workers affected by layoffs from Evergreen Solar Inc. in Devens and Marlborough, Mass., and two staffing companies, Advantage Technical Resourcing and Kelly Services.

opportunities for people with disabilities in motion pictures and television, both in front of and behind the camera.

---

## Rebuilding the Auto Industry and Communities

Jay Williams, director of the Office of Recovery for Auto Communities and Workers, completed a whirlwind trip to Michigan this week, highlighted by a visit to the 2012 North American International Auto Show in Detroit. Williams got an up-close look at innovation in the American auto industry alongside Secretary of Transportation Ray LaHood and joined Energy Secretary Steven Chu for a meeting with key technology leaders from several auto manufacturers. He then met with local officials in Pontiac, Mich., and visited Raleigh Michigan Studios – housed in an office building shuttered by GM – which is creating jobs in a new industry that the region can build on moving forward. In fact the feature film "Oz the Great and Powerful" just wrapped filming. Williams rounded out the trip speaking to the Suppliers Partnership for the Environment and the Automotive Communities Partnership, two organizations helping to strengthen the American auto industry. His message to both: this administration remains committed to seeing the American automotive industry return, and bring with it good manufacturing jobs across the country.

- [Read the Blog Entry](#)

---

## First Federal Agency to Sign an Alliance with ODEP

The Office of Disability Employment Policy has signed its first federal agency alliance with the U.S.



Department of

Homeland Security's

Customs and Border Protection. The alliance is intended to increase the agency's hiring of people with disabilities, in accordance with Executive Order 13548. "Today's alliance is an opportunity for ODEP and CBP to demonstrate disability employment practices that will not only result in increased hires at CBP but can easily be replicated by other federal agencies," said Kathy Martinez, assistant secretary of labor for ODEP. CBP currently employs more than 58,000 people. And employees with disabilities comprise about 2 percent of the bureau's total workforce. "The more diverse we are, the much better off we're going to be as a country, as an organization and certainly as CBP," said David Aguilar, the agency's acting commissioner.

- [Read the Mass.-Conn. News Release](#)
- [Read the Evergreen Solar News Release](#)

### Interstate Brands Cited for Safety Hazards at Hostess Plant

Interstate Brands, doing business as Hostess Brands, has been cited for eight serious and two repeat alleged violations of workplace safety standards at its Biddeford, Maine, production plant. The company, which manufactures Hostess products, faces a total of \$104,700 in proposed fines following an Occupational Safety and Health Administration inspection, which identified mechanical, electrical, fall and exit hazards.

- [Read the News Release](#)

### Manufacturing Company to Restore \$34,000+ to Employee 401(k) Plan

The U.S. District Court for the Eastern District of Pennsylvania approved a consent judgment and order to restore \$34,310 in plan assets to the employee 401(k) plan of Monocacyfabs Inc. in Bethlehem, Pa. The action resolves a lawsuit filed by the Labor Department against the company and plan trustees Michael Poole and Jean Shipley. An investigation by the Employee Benefits Security Administration determined that from January 2007 through June 2010, the defendants failed to remit some employee contributions to the plan and remitted others late and without interest.

- [Read the News Release](#)

### Mattress Company Pays More Than \$40,000 in Back Wages

Baton Rouge, La.-based Mattress Direct Inc., doing business as Mattress Direct of New Orleans, has agreed to pay \$40,253 to 96 current and former sales employees for violations of the Fair Labor Standards Act's overtime, minimum wage and record-keeping provisions. Investigations by the Wage and Hour Division revealed that employees were working up to 50 hours a week – some exceeding 120 hours in a pay period – but were not always paid at least the federal minimum wage or overtime when required.

- [Read the News Release](#)

### New York Manufacturer Fined More Than \$146,000

American Felt & Filter Co. has been cited for 35 alleged violations of workplace safety and health standards at its New Windsor, N.Y., plant. The company, which manufactures woolen felt for a variety of products, faces a total of \$146,300 in proposed fines for numerous safety and health hazards, including exposing employees to possible electrocution, crushing and struck-by injuries. Several violations are similar to those cited during earlier Occupational Safety and Health Administration inspections.

- [Read the News Release](#)

### Re-employment Help for Laid Off Workers in Utah

The Labor Department has awarded a \$618,597 National Emergency Grant increment to provide job placement, skills training and other re-employment services for workers affected by layoffs at ATK Launch Systems in Corrine, Utah. Funds will be used to continue assistance to employees served under an initial award of this grant as well as to 25 additional workers.

- [Read the News Release](#)

### NuTech Powder Coaters Fined for Combustible Dust

NuTech Powder Coaters LLC has been cited by the Occupational Safety and Health Administration with 20 violations for exposing workers to various safety and health hazards, including combustible dust accumulations, at the company's plant in Newnan, Ga. Proposed penalties total \$55,200.

- [Read the News Release](#)

- [Learn More about the EO](#)
- [Read the News Release](#)

---

## Webinar on Proposed OFCCP Rule



More than 1,100 workers, advocates, employers and other stakeholders learned more about proposed revisions to Section 503 of the

Rehabilitation Act of 1974 in a webinar hosted by the Office of Federal Contract Compliance Programs on Wednesday. In December, the department announced a proposal to improve employment opportunities for individuals with disabilities by strengthening the affirmative action requirements of federal contractors as outlined in Section 503. Naomi Levin, OFCCP branch chief for policy, described the content of the proposed rule and how to submit comments.

- [Learn More About Section 503](#)

---

## News You Can Use

### DOL Alerts Former Facility Workers About Potential Benefits

Former workers of 17 facilities associated with the Uranium Mill Tailings Radiation Control Act are being notified by the Labor Department about compensation and medical benefits potentially available to them under the Energy Employees Occupational Illness Compensation Program Act. Survivors of qualified workers also may be entitled to benefits. Former employees may be eligible if they worked at any of the facilities during a period of covered U.S. Department of Energy-funded environmental remediation efforts.

- [Read the News Release](#)

---

## Upcoming Deadlines & Events

### [Open Funding Opportunities](#)

Event Spotlight: OWCP Heads to Tennessee

The Office of Workers' Compensation Programs will send its traveling resource center to Oak Ridge, Tenn., Jan. 18 to provide information about a new class of former Y-12 plant employees recently added to the Energy Employees Occupational Illness Compensation Program Act's Special Exposure Cohort. The EEOICPA provides compensation and medical benefits to employees who became ill as a result of

### Bin Builders Agree to Pay More Than \$110,000 in Back Wages

Asmussen Bin Builders LLC has agreed to pay \$110,262 in back wages to 34 employees improperly classified as exempt from the Fair Labor Standards Act following an investigation by the Wage and Hour Division that found violations of the act's overtime and record-keeping provisions. Owned and operated by Richard and Paul Asmussen, the Astoria, S.D.-based commercial construction company builds large grain bins for agricultural cooperatives throughout the country.

- [Read the News Release](#)

### North Carolinians Get Health Premium Assistance

A \$2 million National Emergency Grant supplement was provided by the Labor Department to give an estimated 1,175 jobless workers in North Carolina partial premium payments for health insurance coverage. The state qualified for American Recovery and Reinvestment Act funds.

- [Read the News Release](#)

### HBMG to Restore Workers' 401(k) Contributions

The Labor Department has obtained a consent judgment and order resolving its lawsuit against Austin, Texas-based HBMG Inc. and Manuel Zarate, the company's president. Defendants allegedly violated the Employee Retirement Income Security Act by failing to timely and completely remit workers' contributions and loan payments to the plan from Jan. 15, 2006, through Dec. 31, 2009, and from Jan. 15, 2010, through March 21, 2011.

- [Read the News Release](#)

### Gemini Linen Rental Fined More Than \$126,000 for Workplace Hazards

Gemtex Inc., doing business as Gemini Linen Rental, has been cited for workplace safety and health violations at its Palmyra, N.J., facility. Occupational Safety and Health Administration investigators uncovered 37 serious and 11 other-than-serious violations, including electrical hazards, incomplete record keeping, and failure to develop and implement a written respiratory protection program. Proposed fines total \$126,875.

- [Read the News Release](#)

### Oregon Union Official Sentenced for Embezzling More Than \$68,000

Toni Lancaster, former office manager for the United Brotherhood of Carpenters and Joiners, Millwrights & Machine Erectors Local 711 in Portland, Ore., pleaded guilty last year to embezzling more than \$68,000. She has been sentenced to five months of home confinement and three years of probation, and was ordered to pay full restitution. Court action followed an Office of Labor-Management Standards investigation that found Lancaster had issued herself unauthorized duplicate paychecks over a period of six years.

### Laid-Off Oregon Workers Receive Aid

The Department of Labor announced a \$165,000 National Emergency Grant increment this week to continue providing re-employment and training services to about 175 workers affected by the closure of Joe's Sports in Wilsonville, Ore. The grant was awarded to the Oregon Department of Community Colleges and Workforce Development.

- [Read the News Release](#)

### Construction Company Cited for Alleged Trench Collapse Exposure

working in the nuclear weapons industry.

OWCP — Traveling Resource Center to assist Nuclear Weapons Workers

- [January 18 — Oak Ridge, TN](#)

MSHA — 16th Professional Development Mine Safety Seminar for Supervisors

- [January 18-19 — Allentown, PA](#)

MSHA — Mining Blasting Safety and Application Seminar

- [January 18-19 — Beaver, WV](#)

MSHA — Missouri Mine Safety and Health Conference

- [January 19-20 — Osage Beach, MO](#)

OFCCP — 16 AA steps and Other Requirements for Construction Contractors

- [February 23 — San Diego, CA](#)

OFCCP — Beyond the AAP

- [January 19 — San Diego, CA](#)

OFCCP — Building Partnerships for the Community

- [January 24 — Baltimore, MD](#)
- [January 26 — Memphis, TN](#)
- [February 9 — Charlotte, NC](#)
- [February 9 — Memphis, TN](#)
- [February 14 — Baltimore, MD](#)
- [February 16 — Memphis, TN](#)
- [February 22 — Atlanta, GA](#)
- [February 22 — Jacksonville, FL](#)

OFCCP — Community Based Organizations Roundtable Collaboration

- [January 18 — Pittsburgh, PA](#)
- [February 2 — Pittsburgh, PA](#)
- [February 15 — Pittsburgh, PA](#)
- [February 16 — Boston, MA](#)

OFCCP — Community Outreach and Education Event

- [February 1 — Philadelphia, PA](#)
- [February 15 — Dover, DE](#)
- [February 28 — Baltimore, MD](#)

OFCCP — Compliance Assistance Seminar

- [January 18 — Boston, MA](#)
- [January 26 — Boston, MA](#)
- [February 1 — Boston, MA](#)

Sunland Construction Inc. of Eunice, La., has been cited by the Occupational Safety and Health Administration with two willful violations for exposing workers to the possibility of a trench collapse while replacing high pressure gas lines at a worksite in Newnan, Ga. Proposed fines total \$140,000.

- [Read the News Release](#)

Temp Agency to Pay More Than \$244,000 in Overtime Back Wages

The Temp Team Inc., based in Dallas, Texas, has agreed to pay \$244,104 in back wages to 252 current and former employees after an investigation by the Wage and Hour Division found violations of the Fair Labor Standards Act's overtime and record-keeping provisions. The company provides staffing services through recruiting, hiring and placing temporary employees at client establishments nationwide.

- [Read the News Release](#)

Environmental Company Fined \$480,000 for Lead Exposure  
Welch Group Environmental LLP of Belton, S.C., has been cited by the Occupational Safety and Health Administration for 17 health violations after being contracted to clean and reclaim the lead at Delray Shooting Center in Delray Beach, Fla. Proposed fines total \$480,000. Eleven willful violations include failing to use engineering controls to reduce employee exposure to lead and not monitoring the lead levels in employees' blood.

- [Read the News Release](#)

DOL Sues Alaska Energy Company for Violating FMLA

The Labor Department has sued ASRC Energy Services Alaska, a subsidiary of Arctic Slope Regional Corp., for violating the Family and Medical Leave Act. An investigation by the Wage and Hour Division found that the Anchorage-based energy company had counted weeks an employee was not scheduled to work as weeks of family and medical leave. Consequently, the individual's employment was terminated illegally for exceeding an approved amount of leave. The employee had been assigned to a rotational schedule, with several weeks of continuous work followed by weeks of time off.

- [Read the News Release](#)

Manufacturing Plant Found to be Violating Child Labor Regulations

The Wage and Hour Division has found S & H Pallet Industries in violation of the Fair Labor Standards Act's child labor provisions after a 17-year-old worker's arm was severed in an accident at a Waveland, Ind.-based wood pallets manufacturing plant. An investigation revealed that the company employed six minors, including an 11-year-old, and all were regularly permitted to perform prohibited hazardous tasks. Civil money penalties assessed total \$82,514.

- [Read the News Release](#)

Poultry Processor Fined More Than \$142,000 for Safety Violations

KD Acquisition I LLC, doing business as Coleman Natural Foods, has been cited by the Occupational Safety and Health Administration with eight safety violations at its KD 5 plant in Braselton, Ga. Violations include a lack of machine guarding. Proposed penalties total \$142,150.

- [Read the News Release](#)

President of Shuttered Co. to Restore \$114,000+ to Profit-sharing Plan

- [February 8 — Boston, MA](#)
- [February 15 — Boston, MA](#)

OFCCP — Compliance Assistance Seminar - Construction

- [February 29 — Philadelphia, PA](#)

OFCCP — Internet Applicant Rule

- [January 26 — San Diego, CA](#)

OFCCP — Preparing for an OFCCP Evaluation

- [January 26 — Philadelphia, PA](#)
- [February 9 — Philadelphia, PA](#)

OFCCP — Supply and Service AAP Development Seminar

- [January 18 — Philadelphia, PA](#)
- [February 1 — Pittsburgh, PA](#)

OFCCP — The Journey to Equal Pay

- [January 19 — Houston, TX](#)

The Labor Department has obtained a consent order and judgment requiring Harry Fishleigh III, president and part owner of defunct North Coast Wood Products Inc. in Mentor, Ohio, to restore a total of \$114,176.86 to the company's profit-sharing plan, for which he was the trustee. The order and judgment resolve a lawsuit alleging violations of the Employee Retirement Income Security Act. Fishleigh improperly transferred the total plan assets belonging to 11 plan participants to his son between July 2006 and July 2009. The legal action resulted from an investigation by Employee Benefits Security Administration's Cincinnati office.

- [Read the News Release](#)

Go Plastics Cited for Combustible Dust and Other Hazards

The Occupational Safety and Health Administration has cited Go Plastics LLC with 22 safety and health violations for exposing workers to dangers from falls, shocks, combustible dust and other hazards at its Canton, Ga., plant. Proposed penalties total \$55,755.

- [Read the News Release](#)

Violations Found at Mass., Recycler Facility After 2 Workers Injured

The Occupational Safety and Health Administration has cited Prolerized New England Co. LLC, doing business as Schnitzer Northeast, for 10 alleged serious violations of workplace safety standards at its Everett, Mass., recycling facility, where two workers were injured. The facility's hazardous energy control procedures, which should ensure machines are deactivated and their power sources locked out before employees perform maintenance work, were incomplete and not clearly communicated to employees. Proposed penalties total \$70,000.

- [Read the News Release](#)

Follow USDOL on 

- New on the Blog - Moving Forward: The Future of America's Auto Communities  
<http://t.co/i2oluX0e> 35 minutes ago
- US Labor Department settles charges of racial discrimination with Houston-based defense contractor JacintoPort [...]  
<http://t.co/rZjCMxto> about 2 hours ago

[Previous Issues](#) | [Follow us on Twitter](#) | [Subscribe](#) | [Send Feedback](#) | [Unsubscribe](#)

U.S. Department of Labor, Frances Perkins Building, 200 Constitution Ave., NW, Washington, DC 20210  
[www.dol.gov](http://www.dol.gov) | Telephone: 1-866-4-USA-DOL (1-866-487-2365) (1-866-487-2365) | TTY: 1-877-889-5627 | [Contact Us](#)