



DOL News Brief

January 26, 2012

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Community College Partnership Puts Reno, Nev., Nurses to Work



In his State of the Union address Tuesday, President Obama announced his goal to train 2 million workers for new careers by funding

partnerships between America's community colleges and local employers. Five days earlier, Secretary Solis joined second lady Dr. Jill Biden in Reno to see firsthand how the successful model has helped address a nursing shortage and put Nevadans to work. At a roundtable event at Renown Medical Center, Solis and Biden heard from graduates of a DOL-funded training program for nurses at Truckee Meadows Community College. To date, the school has helped more than 125 graduates find jobs in the nursing profession. "Our nursing schools turned away more than 67,000 qualified applicants in 2010 due to an insufficient number of faculty, clinical sites, classroom space and budget constraints," Solis said. "Investments like these help people land good jobs and improve health care outcomes. The research is clear: More nurses mean fewer deaths, fewer infections and shorter hospital stays."

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

Solis Listens in O-Town

During a visit to the Orlando area on Monday, Secretary Solis spent the day engaging with fire fighters, electrical workers, business



leaders and community activists. Her first stop was the International Association of Fire Fighters' 20th Ernest A. "Buddy" Mass Human Relations Conference, where she delivered a moving keynote address in which she spoke to the need

What's Hot

Solis and DOL Officials Visit 'States of the Union'

Following the State of the Union address on Tuesday, Secretary Solis and Labor Department officials traveled to states across the country to talk about the president's plans to create jobs for an "America Built to Last." In Los Angeles, Solis moderated a town hall meeting Thursday at East Los Angeles College and explored with students and community members how the president's plan to invest in worker training, manufacturing and energy development will impact Los Angeles and California. On Friday Solis will visit a Job Corps center outside of San Diego to see and hear about the experiences of students who received specialized job training in areas ranging from hybrid automotive repair to advanced welding.



In Pittsburgh on Wednesday, Deputy Secretary Seth Harris toured the welding, automotive, HVAC and advanced manufacturing labs at the Community College of Allegheny County, a DOL grantee.



Assistant Secretary of Labor for Employment and Training Jane Oates traveled to South Florida on Thursday to discuss the importance of a skilled American workforce and highlight Labor Department programs helping to prepare workers for new careers. She opened the trip addressing the American Association of Community Colleges Workforce Development

Institute in Miami before participating in a town hall meeting with women business leaders at Miami Dade College. Oates capped off the visit Thursday evening by giving the commencement address at the OIC of Broward County, which provides a number of job training programs through grants from DOL. Jay Williams, director of the Office of Recovery for Auto Communities and Workers, joined several local manufacturing companies in Youngstown, Ohio, on Wednesday for a roundtable discussion sponsored by the Youngstown/Warren Regional Chamber of Commerce. Key stakeholders were brought together to discuss the importance of auto manufacturing, including its role in the growth of the U.S. economy.

- [View the Slideshow](#)
- [Read the Blueprint for an "America Built to Last"](#)

International Scene

DOL Hosts Meeting On Child Labor In Ghana and Cote d'Ivoire

Stakeholders attending the Child Labor Cocoa

for diversity and inclusion at all levels of public service. Solis proceeded to "Resource Employment Solutions" to meet with leaders from the Latino community to talk about jobs, immigration reform and other relevant topics. At her last stop, she talked to more than 50 members of different unions hosted by the International Brotherhood of Electrical Workers. "President Obama and I know that a strong economy depends on a strong, growing middle class...and developing a strong middle class depends on a vibrant and organized labor movement," Solis said.

- [View the Slideshow](#)

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## Doing More for Female Vets



The Labor Department's Women's Bureau, Veterans' Employment and Training Service and Office of the Assistant Secretary for

Administration and Management participated in the "VA for VETS" Career Fair and Expo in Washington, D.C., last week. More than 4,000 veterans attended the fair, which featured nearly 6,000 job opportunities and employment resources. With women representing 25 percent of veterans in attendance, the WB's booth provided information on its new "Trauma-Informed Care for Women Veterans Experiencing Homelessness: A Guide for Service Providers." A member of the agency's staff accompanied one woman to the U.S. Department of Veterans Affairs' Homeless Veterans Office booth and advocated on her behalf after learning that she was soon to become homeless. The woman was provided immediate assistance.

- [View the Slideshow](#)
- [Read the Trauma Guide](#)

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## OSHA Partnership to Protect Workers on Penn State Project



The Occupational Safety and Health Administration will work with Philadelphia, Pa.-based Torcon Inc. to protect workers involved in the

construction of the Penn State University Biological Research Laboratory. The partnership aims to prevent risky conditions and behaviors, especially as these relate to falls, and struck-by, caught-in and electrical hazards, that could result

Coordinating Group meeting at the Department of Labor on Monday received an update on actions taken to combat child labor in Ghana and Cote d'Ivoire. During the meeting, Deputy Secretary of Labor Seth Harris reaffirmed the department's commitment to addressing this problem, Specifically, he highlighted monitoring and remediation programs as the department's primary tools to tackle the issue. Later, stakeholders participated in break-out sessions and provided feedback on the implementation of efforts moving forward. Sen. Tom Harkin and Rep. Eliot Engel were also in attendance.

- [View the Slideshow](#)

## WHD, Nicaraguan Consulate General Sign Agreement



The Wage and Hour Division and the Consulate General of Nicaragua signed an agreement in Houston establishing an understanding to protect the rights of migrant workers in Texas. The agreement will provide information to constituents of the Nicaraguan Consulate on topics such as minimum wage, overtime compensation, child labor standards,

farm labor contracting, and migrant labor housing and transportation. The division also will train consulate staff to ensure they have a working knowledge of statutes it enforces, including the Fair Labor Standards Act, the Migrant and Seasonal Agricultural Worker Protect Act and the H-2A agricultural guest worker program. "We are excited to initiate a partnership with the Nicaraguan Consulate to promote the rights of workers guaranteed by federal wage and hour labor laws," said Cynthia Watson, the division's regional administrator.

- [View the Slideshow](#)

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## DOL Working for You

### Employment Subsidy Program Helps Employ West Virginian

Jenny DuCellier found herself "underemployed and living paycheck to paycheck" in West Virginia but took advantage of a state subsidy program to find a good-paying job. With the state also providing some living expenses for food and day care, the single mom went back to school, earning an associate degree in paralegal studies. DuCellier then found a job with a law firm where her salary is paid by the West Virginia health and human resource department under the Employment Subsidy Program. Local Workforce Investment Boards, which are in large part funded by the department, help administer such programs. DuCellier's goal is to continue her education and eventually go to law school. She said she was motivated "to do more to support myself financially in something I love doing."



### Blue Collar Worker Enters Health Care Field

When a car accident ended his employment as a concrete finisher, Kevin Stoner turned to department grantee Michigan Works! for guidance in settling on a new career in health care. Stoner received help in how to write a resume and using the Internet for training and job searches related to prosthetics. He used job shadowing at a local orthotics and prosthetics company to learn design, fabrication and use of the devices,

in worker fatalities, injuries or illnesses.

- [Read the News Release](#)

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## New Protections for Retirement Savers are Moving Forward

Deputy Assistant Secretary for the Employee Benefits Security Administration Michael Davis was in Boston this week to tell brokers that rules on fee disclosure and fiduciary duty are moving forward. His remarks came during Financial Research Associates' annual New Opportunities in the DCIO Market meeting. Davis said the department's re-proposal on fiduciary is on track to come out in the first part of this year. Data requested from the financial services industry will assist in formulating a deeper economic analysis as requested by some critics of the original proposal. Upcoming rules on fee disclosure will be out soon and offer an unprecedented level of information to employers who sponsor retirement plans and, in turn, workers saving for retirement.

- [Learn more about EBSA initiatives](#)

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## Martinez Addresses Aging Health Care Workforce

Kathy Martinez, assistant secretary of labor for Office of Disability Employment Policy, held a one-day symposium in New Brunswick, N.J., on Thursday to examine the challenges for the health care industry posed by an aging workforce. Martinez told state and national experts in health care and workforce development that "with a workforce already older than found in many other sectors, health care employers will need to re-think their current employment policies and practices in order to retain talented older staff and create job opportunities for new trainees of all ages." The symposium was developed for the Office of Disability Employment Policy through the John J. Heldrich Center for Workforce Development at Rutgers University.

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## 'Can Do' Attitude in Kansas City

Job clubs and career ministries across the Kansas City, Mo., metropolitan area are leveraging social capital in their congregations and communities to help Americans get back to work. On Thursday, the department's Center for Faith-based and Neighborhood Partnerships held



eventually honing his skills so well that he was offered a job as a prosthetic technician at a local rehabilitation hospital. Stoner said the program "gave me the help I needed to determine my new career path."

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## DOL in Action

### December Impact Inspection Shuts Down Kentucky Coal Mine

Coal Creek Mining LLC's No. 2 Mine in Floyd County, Ky., was one of 13 mines targeted for impact inspections last month. The Mine Safety and Health Administration issued 32 citations and 12 orders to the mine, which subsequently shut it down. Among hazards found were accumulations of loose coal beneath conveyer belts and drives and in the presence of ignition sources, an unsecured explosives storage magazine outside the mine and a 5-gallon oil bucket full of burning materials near the intake portals. "It is troubling that, after all this time, MSHA inspectors continue to find such serious hazards, and some mine operators allow such conditions to exist," said Assistant Secretary of Labor Joseph Main.

- [Read the News Release](#)

### Jennie-O Turkey Store Cited After Amputation at Processing Facility

Jennie-O Turkey Store Inc. has been cited by the Occupational Safety and Health Administration for 11 safety violations at its Barron, Wis., facility after a worker's arm was amputated below the shoulder while conducting cleaning activities in a confined space. OSHA has proposed \$318,000 in fines. The company, based in Willmar, Minn., is a division of Austin, Minn.-headquartered Hormel Foods Corp.

- [Read the News Release](#)

### Colorado Cantaloupe Farmer Fined for Substandard Worker Housing

The Wage and Hour Division has fined cantaloupe farmer Eric Jensen, who owns and operates Jensen Farms in Holly, Colo., \$4,250 in civil money penalties for failing to provide migrant worker housing that meets the requirements of the Migrant and Seasonal Agricultural Worker Protection Act. Jensen rents rooms at a building called the Gateway Motel in Holly, which he owns and where investigators found overcrowded rooms without beds, windows that did not open, a lack of laundry facilities, a lack of smoke detectors and unsanitary conditions.

- [Read the News Release](#)

### K.M. Davis Contracting Cited for Exposing Workers to Cave-in Hazard

The Occupational Safety and Health Administration has cited K.M. Davis Contracting Co. Inc. with one willful safety violation for exposing workers to a cave-in hazard at a Marietta, Ga., work site. The company faces proposed penalties totaling \$53,900.

- [Read the News Release](#)

a Job Clubs Symposium at St. James United Methodist Church that brought together more than 150 faith and community leaders and job club coordinators with representatives of local nonprofits and the workforce investment system. Jay Williams, director of the administration's Office of Recovery for Auto Communities and Workers, shared information about the revitalization of the auto industry in Kansas City. He also highlighted President Obama's proposals on American manufacturing announced in the State of the Union address. Williams held a similar roundtable meeting with another group of community leaders, including St. James' senior pastor, Emanuel Cleaver III.

- [View the Slideshow](#)

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## Upcoming Deadlines & Events

### [Open Funding Opportunities](#)

EBSA — Voluntary Fiduciary Correction Program and Abandoned Plan Program Workshop

- [January 27 — Fort Wright, KY](#)

OFCCP — 16 AA steps and Other Requirements for Construction Contractors

- [February 23 — San Diego, CA](#)

OFCCP — Building Partnerships for the Community

- [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

- [February 1 — Richmond, VA](#)
- [February 2 — Pittsburgh, PA](#)
- [February 15 — Pittsburgh, PA](#)
- [February 16 — Boston, MA](#)

OFCCP — Community Outreach and Education Event

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

OFCCP — Compliance Assistance Seminar

- [February 1 — Boston, MA](#)
- [February 8 — Boston, MA](#)
- [February 15 — Boston, MA](#)

Home Health Care Workers Get \$210,000 in Back Wages, Damages

Aspen Nursing Services Inc. has been ordered by a federal court to pay \$210,000 in back wages and liquidated damages to 22 aides who worked for the company's home health care division, Aspen Community Living, in Louisville, Ky. The judgment results from a lawsuit filed by the Labor Department alleging violations of the Fair Labor Standards Act. The suit arose from an investigation by its Wage and Hour Division.

- [Read the News Release](#)

\$148,000 in Fines Proposed to Loveland Products for Safety Hazards

Loveland Products Inc. in Fairbury, Neb., has been cited by the Occupational Safety and Health Administration for 25 safety violations, 14 of which relate directly to OSHA's standard regulating the process safety management of highly hazardous chemicals. Loveland Products Inc. faces proposed penalties of \$148,000.

- [Read the News Release](#)

Department Sues Chinese Buffet in Austin, Texas

Following an investigation by the Wage and Hour Division, a lawsuit has been filed against Chi Buffet LLC and owner Susan Chan in Austin, Texas, for violations of the federal Fair Labor Standards Act affecting 75 current and former kitchen, busing and wait staff employees. The complaint alleges that Chi Buffet, doing business as Chi Chinese Buffet, and Chan willfully failed to pay proper minimum and overtime wages, and seeks back wages for a three-year period plus an equal amount in liquidated damages, as well as injunctive relief.

- [Read the News Release](#)

Growmark Cited for Failing to Protect Grain Bin Workers

Growmark, which operates Frontier FS, a grain handling facility in Ixonia, Ill., has been cited by the Occupational Safety and Health Administration with five safety violations, including one willful violation for failing to de-energize and lock out sweep augers before workers entered grain bins. OSHA initiated an investigation in August 2011 under its local emphasis program for grain handling facilities. Proposed fines total \$84,000.

- [Read the News Release](#)

OLMS Investigation Leads to New Union Officer Election in Puerto Rico

A new supervised election has been agreed to by the officers of Service Employees International Union Local 601 in Mercedita, Puerto Rico. This outcome follows an investigation by the Office of Labor-Management Standards which established that the union failed to hold its regularly scheduled election of officers as required by the local's bylaws. The union will conduct nominations and an election for offices including president, vice president, and recording secretary under the supervision of the OLMS.

Penney Construction Cited for Exposing Workers to Cave-in Hazards

A total of \$169,000 in fines have been proposed by the Occupational Safety and Health Administration against contractor Penney Construction Co. LLC, chiefly for exposing its workers to cave-in hazards while repairing a sewer line in a 10-foot-deep trench in Hartford, Conn. OSHA found that not only did the trench lack protection to prevent the walls from collapsing, the employer continued to send workers into the trench even after being informed that conditions posed imminent danger. OSHA has placed Penney Construction in its Severe Violator Enforcement Program.

OFCCP — Compliance Assistance Seminar - Construction

- [February 15 — San Francisco, CA](#)
- [February 29 — Philadelphia, PA](#)
- [February 29 — Richmond, VA](#)

OFCCP — Compliance Assistance Seminar - Supply & Service Contractors

- [February 15 — Richmond, VA](#)

OFCCP — Everything you Want to Know About Adverse Impact

- [February 16 — Houston, TX](#)

OFCCP — Meeting with Executive Director of the Immigrants' Assistance Center

- [February 1 — New Bedford, MA](#)

OFCCP — Meeting with the Massachusetts Commission on the Status of Women

- [February 9 — Newport, RI](#)

OFCCP — Meeting with NE ILG Chairperson

- [January 31 — Boston, MA](#)

OFCCP — Preparing for an OFCCP Evaluation

- [February 9 — Philadelphia, PA](#)

OFCCP — Planning Meeting for the JobNet Veterans Job Fair in April

- [January 27 — Boston, MA](#)

OFCCP — Policy Group for Trades Women Issues Meeting

- [February 28 — Boston, MA](#)

OFCCP — Ready, Set, Go for Construction Contractors

- [February 15 — San Jose, CA](#)

OFCCP — Supply and Service AAP Development Seminar

- [February 1 — Pittsburgh, PA](#)

OFCCP — The Plus Company

- [February 10 — Nashua, NH](#)

OFCCP — Tools of the Trade: Understanding AAP Requirements

- [February 9 — Houston, TX](#)

OFCCP — Transition Assistance Meeting

- [February 9 — Newport, RI](#)

- [Read the News Release](#)

\$93,000 in Fines Proposed Against Truck Body Maker

Morgantown, Pa.-based Morgan Corp., doing business as Morgan Truck Body LLC, has been cited by the Occupational Safety and Health Administration for 24 safety and health violations, including exposing employees to electrical, amputations and fire hazards. OSHA initiated the inspection under its Site-Specific Targeting Program. The program targets industries with high occupational injury and illness rates. Proposed penalties total \$93,000.

- [Read the News Release](#)

Strawberry Shipment Halted After Child Labor, Other Violations Found

The Wage and Hour Division found Santa Cruz, Calif.-based farm labor contractor Jorge Castro Farms in the Salinas Valley in violation of the child labor provisions of the Fair Labor Standards Act and the housing, safety and health provisions of the Migrant and Seasonal Agricultural Worker Protection Act. Upon discovery of the violations, the department invoked the FLSA's "hot goods" provision to preclude the shipment of 10,000 pounds of strawberries until the company complied with the laws and workers were paid \$34,900 in back wages plus \$13,900 in penalties.

- [Read the News Release](#)

Daisy Construction Ordered to Pay for Willful Violations

An administrative law judge with the Occupational Safety and Health Review Commission has found that Newport, Del.-based Daisy Construction willfully violated the Occupational Safety and Health Administration's trenching standards and ordered the company to pay \$59,000 in penalties. The decision resolves litigation after citations were issued for the company for failing to properly protect employees from trench cave-ins.

- [Read the News Release](#)

MTE Contracting Cited for Trenching Hazards in Mississippi

The Occupational Safety and Health Administration has proposed \$55,375 in penalties against Memphis, Tenn.-based contractor MTE Contracting LLC for four safety violations at a Verona, Miss., store construction site. One willful violation, with a \$44,000 penalty, involves failing to use either a trench shield system or a sloping and benching system to prevent soil from collapsing into the trench.

- [Read the News Release](#)

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