



DOL News Brief

February 2, 2012

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What Works in San Diego



In his State of the Union address last week, President Obama said he "hears from many business leaders who want to hire in the United

States but can't find workers with the right skills. It's inexcusable. And we know how to fix it." On Friday, Secretary Solis toured a Job Corps Center outside of San Diego to show what's possible when America invests in skills training for clean energy and manufacturing jobs to put our young people to work. On the day of her visit, 105 students graduated with new skills in fields ranging from "green" welding to hybrid automotive repair to health care career training to the culinary arts. "This is exactly what the president was talking about," Solis said at the conclusion of her visit, which also included a lunch with students, local union officials and community leaders that was prepared by the center's culinary students. "Job Corps is certainly part of the fix."

- [View the Slideshow](#)

Rustbelt Resurgence

Speaking to local leaders in Pontiac, Mich., at a symposium celebrating the city's 150th anniversary, Director of the Office of Recovery for Auto Communities and Workers Jay Williams emphasized that Pontiac will join other Midwestern cities in experiencing an economic resurgence.



"Youngstown, Ohio went through a process very similar to this 10 years ago," said Williams, that city's former mayor. "It has helped redefine what Youngstown is about. Pontiac, like Youngstown, is one of those communities that are helping to lead rustbelt resurgence and shed that rustbelt image." The symposium brought together representatives from federal and local

What's Hot

FLOTUS and DOL: Joining Forces to Support Military Families

A very special guest joined Secretary Solis on Monday to announce proposed revisions to the Family and Medical Leave Act that would expand military family leave and better support caregivers for our military service members when they return home. In an event filled with veterans, military leaders and caregivers, first lady Michelle Obama highlighted several efforts, including a proposal extending the entitlement of military caregiver leave to family members of veterans for up to five years after leaving the military. Additionally, the proposal would extend qualifying emergency leave to employees whose family members serve in the regular armed forces. Currently, the law only covers families of National Guard members and reservists. "Keeping the basic promise of America alive means ensuring that everyone has the resources, support and opportunities they need and have rightfully earned," said Solis. "The proposed revisions announced today are an important step toward keeping that promise."



- [Read the News Release](#)
- [Watch the Video](#)
- [View the Slideshow](#)
- [Read the First Lady's Remarks](#)
- [Read the Secretary's Remarks](#)
- [Learn More About FMLA](#)

Workers to Benefit from New Disclosures on 401(k) Fees

The department's rule requiring 401(k) plan service providers to furnish information about investment fees and expenses to plan sponsors has been finalized, and will lead to similar disclosures required later this year to workers saving for retirement in 401(k) accounts. "This rule, and its companion participant-level fee disclosure rule, will greatly increase the level of transparency in retirement plans," said Secretary Solis. "When businesses that sponsor retirement plans, and the workers who participate in those plans, get better information on associated fees and expenses, they'll be able to shop around and make informed decisions that will lead to cost savings and a larger nest egg at retirement." The department announced its final action on this rule in a joint briefing with the Treasury Department which unveiled its proposals to broaden the availability of retirement plan annuity options to allow for a lifetime income stream upon retirement.

- [Read the News Release](#)
- [Read More About Changes to Rule](#)
- [Read the Secretary's Blog Entry](#)

Public Tapped for Pay Gap App

government, local industry and economic development organizations to promote opportunities for growth in the city.

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## DOL Poster Art Meets Architecture in San Francisco



While employees in the Labor Department's Frances Perkins Building are accustomed to seeing the thought-provoking posters that grace the

building's elevators, employees working in regional and field offices rarely have that opportunity. Recently, that changed for the 800 DOL employees – and 1,000 other federal employees – working at the San Francisco Federal Building that has served as the western regional headquarters for the Labor Department, Department of Health and Human Services and main office for Rep. Nancy Pelosi's district office since the building opened in 2007. The posters were the third exhibit to be displayed in the main lobby of the building, which is one of the most visited public buildings in San Francisco, as part of an effort to provide interesting visual displays to employees and visitors alike. Tour groups from around the world come to marvel at the building's unusual architecture and its 'green' features. "We recognized the posters made a profound impact on employees, and wanted to share them with our regional staff here in San Francisco," said Doug Betten, regional administrator for Administration and Management. "They deserve to be seen by as many people – within DOL and outside the department – as possible." Betten and his staff selected 10 posters based on the themes they felt would best resonate with the agencies and staff in the building, based on the people featured, as well as on the intrinsic artistic merit of some of the posters. Cesar Chavez, founder of the United Farm Workers and an early advocate for labor rights among the migrant and seasonal workers throughout California and the West, is featured in one of the posters on display. Harvey Milk, a former San Francisco County Supervisor who was shot along with San Francisco Mayor George Moscone and was a pioneer in gay rights advocacy, is featured another poster promoting understanding and diversity. One poster references DOL's Facebook page, linking the department's activities to the San Francisco area-based tech and social networking company.

- [View the Slideshow](#)
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## WHD Collaborates with

Seeking new ways to improve gender income equality, the Labor Department and its National Equal Pay Task Force partners announced a software application development contest. "While progress has been made in recent decades, the pay gap continues to disadvantage many women, with consequences not only for them, but for their families and the economy as a whole," said Secretary Solis. The Equal Pay App Challenge encourages the use of publicly available data and resources to create innovative, easy-to-use apps that educate users about the pay gap and provide tools to combat it. Entries must be submitted by March 31, and prize winners will be announced in April.

- [Read the News Release](#)
  - [Learn More About the Contest](#)
  - [Listen to a Conference Call](#)
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## News You Can Use

### Union Membership Remained Steady in 2011

Union membership in 2011 remained largely unchanged from the prior year, a new Bureau of Labor Statistics report shows. The unionization rate of employed wage and salary workers was 11.8 percent in 2011, and 11.9 percent in 2010. Among private sector employees, the rate remained 6.9 percent. The report shows advantages to union membership. Among full-time wage and salary workers, the median weekly earnings of union members were \$938, compared to \$729 for nonunion workers. Union women earned median weekly earnings of \$879, an amount 34.6 percent higher than their nonunion counterparts, who earned just \$653 by comparison. "Prior reporting shows that union members have greater access to health care, retirement and leave benefits. The BLS data make it clear that union jobs are critical to a strong economy," said Secretary Solis.

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

### MSHA Launches 'Rules to Live By 3'



The Mine Safety and Health Administration this week launched the third phase of "Rules to Live By," an outreach and enforcement program designed to strengthen efforts to prevent mining fatalities. The focus is on 14 safety standards that were chosen because violations related to each have been cited as contributing to at least five mining accidents

and at least five deaths during a 10-year period. MSHA inspectors will receive online training and, beginning April 1, focus increased attention on these standards with enhanced enforcement efforts, increased scrutiny for related violations, and instructions to inspectors to more carefully evaluate gravity and negligence when citing violations that cause or contribute to mining fatalities.

- [Read the News Release](#)
- [Listen to the Call](#)
- [Learn More About 'Rules to Live By 3'](#)

### Campaign for Disability Employment Announces Video Contest

Can YOU promote positive change and challenge misconceptions about disability employment? Show us by entering the *What can YOU do?* Video Contest sponsored by the Campaign for Disability Employment, a national collaborative effort funded by the Office of Disability Employment Policy. The

## Consulate

The Wage and Hour Division's Tampa and Jacksonville District Offices have signed an agreement with the Mexican Consulate in Orlando, Fla., to



collaborate on providing information, guidance and access to education and training resources to help Mexican nationals understand their rights while working in the U.S. The agreement promotes a dialogue on workers' rights and includes a program to make Mexican nationals aware of U.S. labor laws. "By stopping the exploitation of foreign workers, we protect the rights of American citizens to good jobs. This agreement is another step in the Labor Department's commitment to fair compensation and safe working conditions for everyone employed in the U.S.," said Oliver Peebles III, the division's regional administrator.

- [Read the Agreement](#)

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## Shiu to Job Corps Grads: Be Great



Patricia Shiu, director of the Office of Federal Contract Compliance Programs, joined students, families, community partners and staff members gathered at the Paul Simon Job Corps Center in Chicago, Ill., on Friday for a commencement ceremony.

Shiu challenged 75 graduates to pursue greatness, saying, "Today, you leave this center with the skills, the training and, I hope, the confidence to take on the jobs where we so desperately need your talents." The graduates join a group of about 2 million young Americans who have completed the Job Corps program since President Johnson launched it in 1964.

- [Read Shiu's Remarks](#)

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## EBSA Investigator Recognized

A senior investigator with the Employee Benefits Security Administration was recognized by the U.S. Department of Justice for her work in



uncovering a more than \$1 million embezzlement scheme. Last month, David B. Fein, U.S. attorney for the district of Connecticut, presented EBSA's Mary Goreham an award for helping to

contest seeks compelling videos that reflect the diversity of skills that people with disabilities add to America's workforce and economy, challenge misconceptions about disability and employment, and/or highlight employers' inclusive programs and practices. The deadline is March 30.

- [Learn More About the Contest](#)

## Former Nuclear Weapons Employees Notified of Compensation

The department is notifying former workers of 26 New Jersey and 25 California facilities about benefits that may be available to them under the Energy Employees Occupational Illness Compensation Program Act. The program is administered by the Office of Workers' Compensation's Division of Energy Employees Occupational Illness Compensation. Survivors of qualified workers also may be entitled to benefits.

- [Read the California News Release](#)
- [Read the New Jersey News Release](#)

## New Rule on Volunteer Service for SCSEP

The Employment and Training Administration is moving forward with new regulations to recognize volunteer service as an additional performance indicator for the Senior Community Service Employment Program. The new indicator will allow ETA to capture data on several aspects of volunteer work, including whether a participant had been performing the work before involvement in the SCSEP program, the type of work, the setting in which the work is performed and the number of volunteer hours per week.

- [Read the News Release](#)

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## International Scene

### Solis and India's Labor Minister Sign MOU on Labor Cooperation

Secretary Solis and Minister of Labour and Employment Mallikarjun Kharge of the Republic of India signed a memorandum of understanding on Thursday to cooperate on future labor and employment issues. The memorandum is an outgrowth of a 2010 meeting between Solis and Kharge following a conference of the G20 labor and employment ministers hosted by the U.S. Department of Labor. "Our governments share a firm commitment to workers and their rights," said Solis. "Today marks the launch of a new program to share valuable information that will ensure that workers' rights are respected."



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

### Solis, Colombia Minister Meet on Labor Rights



Secretary Solis met with Colombia Minister of Labor Rafael Pardo on Wednesday to discuss ongoing technical cooperation between the Labor Department and Colombia, as well as recent achievements by Colombia to protect workers' rights. The department also awarded a \$2 million grant to the International Labor Organization to support implementation of the Colombia Action Plan Related to Labor Rights. "Minister Pardo and his

investigate Michael Millman, an employee benefit plan manager who pleaded guilty and was sentenced in March 2011 for stealing from the Nutmeg Benefit Group LLC and the Nutmeg Welfare Benefit Plan and Trust. Millman also pleaded guilty to wire fraud and defrauding Essex Savings Bank. Goreham's work resulted in a court ordered restitution of approximately \$975,410.

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## Mines are Safer, Says MSHA Chief

Enforcement and regulatory actions, along with industry outreach, are making mines safer. That's the message Assistant Secretary of Labor Joseph Main delivered this week at the West Virginia Coal Association's 39th Annual Mining Symposium in Charleston. The Mine Safety and Health Administration chief highlighted a number of strategic initiatives that have been implemented which the agency believes have markedly improved miner safety and health, including monthly impact inspections, the pattern of violations program, and education and outreach throughout the industry. Main affirmed that one of the pivotal keys to improved mine safety and health is for operators to take more responsibility.

- [Read the News Release](#)
- [Read Main's Remarks](#)
- [Read the Blog Entry](#)

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## DOL Programs Help Vets

Departmental programs are helping returning service members maximize their employment opportunities in the labor market, Ismael Ortiz, deputy assistant secretary of the Veterans' Employment and Training Service told members at a House Veterans Affairs Economic Subcommittee hearing Thursday. The Jobs for Veterans State Grants, which fund employment outreach specialist positions at 3,000 One-Stop Career Centers nationwide, provided services to nearly 589,000 veterans last year, with 201,000 veterans finding jobs, said Ortiz. In 2011, more than 144,000 transitioning service members and spouses attended the VETS' Transition Assistance Program Workshops held in 272 locations worldwide, he added. Other programs Ortiz highlighted included a VETS/ U.S. Chamber of Commerce partnership that produced 100 national hiring fairs for veterans in the past year, as well as partnerships with other federal agencies and states designed to facilitate civilian apprenticeships and employment opportunities for military personnel.

- [Read Ortiz's Testimony](#)

leadership team share our commitment to worker rights and strong and effective labor law enforcement," said Secretary Solis. "The grant is but one effort to help ensure that Colombia has all the tools to carry out this commitment."

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

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## DOL Working for You

### Navy Veteran Lands Green Job in St. Louis

Navy veteran Mark Cook overcame periods of unemployment to land a good, green job at a recycling plant in St. Louis, Mo. He received career guidance and help from St. Patrick Center, a local Labor Department grantee, under the Homeless Veterans Reintegration Program. Cook took classes to learn new skills in resume preparation and job interviewing. He even received help in preparing for and earning his Missouri driver's license. He now is a supervisor at a facility that recycles glass and has set his sights on eventually becoming a plant manager. Cook said the veterans' program "gave me the confidence to know that I could go out and eventually get a good job."



### Job Corps Grad Becomes Alaskan IT Professional



Tyler Barnes, 19, took full advantage of all that was offered him at the Alaska Job Corps Center. He earned his high school diploma, driver's license and computer and safety accreditations there, while also serving in a leadership role as a student advisor. To make ends meet, Barnes worked part time at a local movie theatre. His hustle and determination caught the eye of management, who quickly offered him a series of corporate promotions. Barnes has parlayed his hard work into a job as director of information technology services for Coming Attractions Theatres of the Pacific

Northwest. Job Corps "gave me life skills and taught me a trade, communications and how to work with others," he said.

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## DOL in Action

### FMLA and the Flight Crews Who Keep Our Skies Safe

Since the Family and Medical Leave Act was enacted in 1993, workers have been able to take unpaid, job-protected leave for specified family and medical reasons. For airline flight crews, whose work hours are often difficult to track, the department announced proposed revisions making the benefits of the FMLA more accessible. Secretary Solis was joined by Association of Flight Attendants International President Veda Shook and Deputy Administrator of the Wage and Hour Division Nancy J. Leppink in announcing the proposed revisions.

- [Read the News Release](#)

### DOL Granted Injunction Against Stone Milling Operation

A federal judge has granted the Labor Department a preliminary and permanent injunction to enjoin the operators of a Pawlet, Vt., slate milling operation from interfering with, hindering or delaying an inspection by the Mine Safety and Health Administration. When MSHA personnel attempted an inspection in August 2011, one of the mill's operators, John McFarren, repeatedly refused them entry and to provide information, and otherwise

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## Upcoming Deadlines & Events

### [Open Funding Opportunities](#)

Event Spotlight: OFCCP Hosts Student Internship Open House

The Office of Federal Contract Compliance Programs will host a Student Internship Open House on Wednesday, Feb. 8, at the Department of Labor's Frances Perkins Building from 10 a.m. to noon EST. While working for OFCCP, student interns will assist in enforcing the contractual promise of affirmative action and equal employment opportunity required of those who do business with the federal government. To attend the open house, RSVP by Friday, Feb. 3, to Clifton Doughty Jr. at [DoughtyJr.Clifton@dol.gov](mailto:DoughtyJr.Clifton@dol.gov).

OFCCP — 16 AA steps and Other Requirements for Construction Contractors

- [February 23 — San Diego, CA](#)

OFCCP — Analyzing Personnel Activity Data

- [February 16 — Omaha, NE](#)

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

OFCCP — Compliance Assistance/Technical Assistance Seminar

- [February 29 — Columbus, OH](#)

OFCCP — Compliance Assistance

impeded the inspection process.

- [Read the News Release](#)

WHD Re-proposes Portion of Regulation on Child Labor in Agriculture

Responding to feedback from the public and Congress, the Wage and Hour Division announced that it will re-propose the portion of its regulation on child labor in agriculture interpreting the "parental exemption." This exemption allows children of any age who are employed by their parent, or a person standing in the place of a parent, to perform any job on a farm owned or operated by that person. The department will solicit input on how to protect children while respecting rural traditions. Secretary Solis pledged to continue working with the U.S. Department of Agriculture to ensure that all portions of the child labor in agriculture rule reflect input from rural communities. The Labor Department will continue to consider feedback from the public, Congress and the Agriculture Department on portions of the rule outside of the parental exemption before it is finalized.

- [Read the News Release](#)
- [Read More About the Proposed Rule](#)

Polymeric Fined After Worker's Hand Amputated by Shear Machine

Ohio-based rubber manufacturer Polymeric has been cited by the Occupational Safety and Health Administration with four safety violations, including a willful violation for failing to ensure that a rubber-cutting shear was kept in good working order after a worker suffered an amputation at the company's Cuyahoga Falls, Ohio, rubber manufacturing facility. Additionally, one repeat violation was issued for failing to conduct an annual review of lockout/tagout procedures to control hazardous energy.

- [Read the News Release](#)

OLMS Investigation Leads to New Union Officer Election in Virgin Islands

A new supervised election has been agreed to by the officers of Our Virgin Islands Labor Union in Christiansted, St. Croix. The agreement follows an investigation by the Office of Labor-Management Standards which established that the union failed to hold its regularly scheduled election of officers and representative council. The union will conduct nominations, an election, and installation of officers and representative council under OLMS supervision.

Tennessee Nursing Home Workers to Receive Back Wages

King's Daughters and Sons Home of Bartlett, Tenn., has agreed to pay \$54,081 in back wages to 66 current and former employees following a Wage and Hour Division investigation that found violations of the Fair Labor Standards Act's overtime provisions. Although employees worked through their meal breaks, resulting in hours eligible for overtime pay, the employer deducted 30 minutes per day from their work hours for those periods.

- [Read the News Release](#)

California Union Official Sentenced for Embezzling More Than \$174,000

Tracy Ford, former secretary-treasurer of Machinists Lodge 1528 in Modesto, Calif., pleaded guilty last year to one count of embezzling union funds and one count of making a false statement in a financial report required to be filed. She has been sentenced to five years of probation, which includes 10 months of home detention with electronic monitoring (with the exception of work). Ford was also ordered to pay \$174,100 in restitution. The sentencing follows an Office of Labor-Management Standards investigation that found Ford had issued herself extra unauthorized salary

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 — Construction Requirements

- [February 9 — Omaha, NE](#)

OFCCP — Everything you Want to Know About Adverse Impact

- [February 16 — Houston, TX](#)

OFCCP — Meeting with Lawrence Community Works

- [February 7 — Lawrence, MA](#)

OFCCP — Meeting with Massachusetts Immigrant and Refugee Advocacy Coalition

- [February 3 — Boston, MA](#)

OFCCP — MEGA Project Meeting

- [February 8 — St. Louis, MO](#)

OFCCP — Preparing for an OFCCP Evaluation

- [February 9 — Philadelphia, PA](#)

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 — Section 503 of the Rehabilitation Act of 1973

- [February 17 — Los Angeles, CA](#)

OFCCP — Technical Assistance Training

- [February 16 — Detroit, MI](#)

OFCCP — Tools of the Trade: Understanding AAP Requirements

- [February 9 — Houston, TX](#)

OFCCP — US Army Great Lakes Veteran's Job Fair

- [February 10 — Redford Township, MI](#)

OFCCP — Women in Nontraditional Jobs

checks totaling \$147,425 and made \$27,466 in unauthorized employer contributions on behalf of another individual in exchange for drugs.

\$202,000+ Recovered for Cogburn Health Services Employees

The Wage and Hour Division has recovered \$202,634 in back wages for 312 employees of Cogburn Health Services Inc. in Mobile, Ala., following an investigation that found the company violated the minimum wage and overtime provisions of the Fair Labor Standards Act. Employees at two of the company's rehabilitation and long-term care facilities were not paid on their scheduled payday.

- [Read the News Release](#)

Washington Beef Agrees to Pay for FMLA Violation

Washington Beef, a subsidiary of Boise, Idaho-based Agri Beef Co., has agreed to pay a former employee \$50,000 in back wages. This settlement follows an investigation by the Wage and Hour Division that found the Toppenish, Wash., meat processor unlawfully terminated the employee for taking Family and Medical Leave Act leave for two serious medical conditions. The case was investigated by the division's Seattle District Office and litigated by the regional solicitor's office in Seattle.

- [Read the News Release](#)

Printing Press Manufacturer Cited for Exposing Workers to Hazards

KGP Group Inc., doing business as SpeQtrum Prepress Production Services, has been cited by the Occupational Safety and Health Administration for exposing workers to "struck by" hazards at its facility in Euless, Texas. OSHA initiated an inspection under the agency's Site-Specific Targeting Program, which focuses enforcement efforts on industries with high injury and illness rates. Proposed penalties total \$44,800.

- [Read the News Release](#)

Stores Fined for Allowing Minors to Operate Paper Balers

Ultra Mart Foods, the operator of two Pick 'n Save grocery stores in Sheboygan, Wis., has agreed to pay \$20,000 in civil money penalties for allowing eight minors to load and operate scrap paper balers in violation of the child labor provisions of the Fair Labor Standards Act. The penalties were assessed following an investigation by the Wage and Hour Division.

- [Read the News Release](#)

Baltimore-based Marketing Co. Cited for Repeat Workplace Hazards

Vertis Communications has been fined \$120,700 by the Occupational Safety and Health Administration for exposing employees to 12 — including two repeat — safety and health violations at its Monroe Township, N.J., facility. The violations include the company's failure to properly guard machines and control hazardous energy. Due to the repeat violations and the nature of the hazards, OSHA has added Vertis to its Severe Violator Enforcement Program.

- [Read the News Release](#)

- [February 23 — Omaha, NE](#)

OLMS — Webinar on Completing the Form LM-30

- [February 14 — Online](#)

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- Statement by Secretary of Labor Hilda L. Solis on January employment numbers [02/03/2012] <http://t.co/PyaaR6iL> 16 minutes ago

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