



## DOL News Brief

February 9, 2012

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### Budget Talk

On Monday, Feb. 13, from 1:30-3:30 p.m. EST Secretary Solis and assistant secretaries from the department's agencies will host a live Web chat to discuss the department's fiscal year 2013 budget request. All are welcome to submit questions. If you can't view it in real time, a transcript of the chat will be available on the department's website.

- Participate at <http://www.dol.gov/budget>

### Praises For PLAs

The Federal Transit Administration issued a groundbreaking approval Wednesday that will allow transit agencies, for federally funded transit projects, to direct their hiring to our nation's most vulnerable workers and generate economic impact in low-income communities. Los Angeles is leading the way with a construction careers policy and project labor agreement by investing nearly \$72 billion in transit projects. Forty percent of these construction jobs will be set aside for workers in underserved communities and 10 percent for workers with employment barriers such as being a veteran, formerly homeless or incarcerated. The FTA approval also comes on the heels of a recent Navy decision to use a project labor agreement as part of a construction contract in Washington state. The decision will promote economy and efficiency by ensuring unnecessary delays during the project. In praising the approval, Secretary Solis said, "PLAs are a win-win for businesses and workers. They help to ensure on-time and on-budget completion of projects and provide career pathways for workers that need them the most." She added that the approval "furtheres President Obama's vision for an 'America Built to Last,' where everyone gets a fair shot at success."

### Auto Recovery Director in Ohio

President Obama's vision of an "America Built to Last" is based on innovations found

### What's Hot

#### Getting the "SOTU" Message Out in the Sunshine State

As part of her efforts to bring themes and messages from President Obama's State of the Union address directly to people, Secretary Solis traveled to South Florida earlier this week to meet with small business owners, community advocates, and the next generation of workers. Solis kicked off her visit in Homestead, with an outdoor town hall meeting at "Bargain Town" — an open air market that serves as a small business incubator for immigrant Latinos. The enterprise was created after Hurricane Andrew devastated the community and is a practical and profitable way for people to gain entrepreneurial skills.



Local elected leaders also joined the event, prompting Secretary Solis to note: "This is how we get things done, when business and government come together around an important goal." The next day, Solis paid a visit to the Miami Job Corps Center to highlight skills and innovation, a key theme in the president's State of the Union speech. She

toured the center's advanced manufacturing, construction and green energy programs, and topped her visit with a lunch prepared by students in the culinary arts program. Before heading back to Washington, Solis visited Miami Dade College's North Campus, where she met with community leaders to discuss a range of issues from the State of the Union speech, from veterans' employment to growing careers in science, technology, engineering and math.

- [View the Slideshow](#)

### News You Can Use

#### Comment on Improving Opportunities for Workers with Disabilities

The Office of Federal Contract Compliance Programs has extended the comment period for its proposed rule requiring federal contractors to set a hiring goal of having 7 percent of their employees be qualified workers with disabilities. Interested parties now have until Tuesday, Feb. 21, to analyze the issues raised in the proposal and to provide their comments.

- [Read the News Release](#)
- [Submit Comments](#)

#### EBSA to Host Women's Retirement Forum in Boston

When compared with men, many women are at a disadvantage heading into



at many companies and universities across the U.S. On Thursday,

Jay Williams, director of the administration's Office of Recovery for Auto Communities and Workers, visited two such sites in Dayton, Ohio. Williams' first stop was a tour the General Motor Co.'s award-winning Duramax diesel engine manufacturing plant, one of the largest employers in the area. He then visited the University of Dayton's Innovation Center to participate in a roundtable discussion with students, faculty and local businesses. The center gives engineering students firsthand experience in developing innovative solutions for challenges faced by business clients, preparing them with the skills they will need in the real world. Since 1996, the students have solved more than 600 industry problems for 130 different clients.

## Skills Training in NJ

Assistant Secretary of Labor for Employment and Training Jane Oates visited New Jersey on Thursday to take part in two events to promote skills



training for high-growth and emerging industries, part of President Obama's "Blueprint for an America Built to Last." In Camden, Oates participated in a town hall discussion at Cooper University Hospital about the importance of skills training to prepare workers for good jobs in growing industries, including health care. She also took a tour of the laboratory facility of North Brunswick-based Chromocell Corp., a life sciences company that seeks to improve consumer products and patients' lives through science and technologies.

- [View the Slideshow](#)

## Harris Visits Turbine Facility



Deputy Secretary of Labor Seth Harris visited Kirkwood Community College in Cedar Rapids, Iowa, last week to see firsthand how

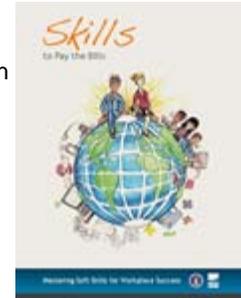
department grants are helping community colleges partner with local employers in the renewable energy industry and better train American workers to succeed in a skills-based

retirement. Women are more likely to work in part-time jobs that don't qualify for a retirement plan. They're also more likely to interrupt their careers to take care of family members, therefore working fewer years and contributing less toward retirement. And, on average, a female retiring at age 65 can expect to live another 19 years, 3 years longer than a man retiring at the same age. On Feb. 25, the Employee Benefits Security Administration and the Center for Retirement Research at Boston College will host "Women and Retirement: What Every Woman Should Know Before It's Too Late," a public forum to address these issues.

- [Download Your Invitation](#)

## New Curriculum Released to Teach Youth Critical Skills

The Office of Disability Employment Policy has released a new curriculum, Skills to Pay the Bills: Mastering Soft Skills for Workplace Success, to teach "soft" skills like communication, attitude, teamwork and professionalism to youth. These critical and often-overlooked life skills are essential for finding and keeping a job. It's also clear that the need for these skills is immense: nearly three-quarters of employers indicated high school graduates were deficient in such basic skills as punctuality, verbal communication and working productively with others.



- [Read the News Release](#)

## Around DOL

### Agreement Signed to Reduce Employee Misclassification

Nancy J. Leppink, deputy administrator of the Wage and Hour Division, and California Secretary of Labor Marty Morgenstern have entered into a memorandum of understanding regarding the improper classification of employees as independent contractors. The memorandum will guide efforts by the Labor Department and California to protect the rights of employees and level the playing field for responsible employers. This partnership is the 12th of its kind for the department. "This memorandum of understanding helps us send a message: We are standing together with the state of California to end the practice of misclassifying employees," said Leppink. "This is an important step toward making sure that the American dream is still available for workers and responsible employers alike."

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

## International Scene

### Solis and EU Commissioner Talk Employment



During a meeting last Thursday, Secretary Solis and European Commissioner for Employment, Social Affairs and Inclusion László Andor talked about employment challenges facing the United States and the European Union, as well as initiatives to address them. They also discussed ways to collaborate among the G20 labor and

employment ministers, who are scheduled to meet in Mexico City in May

economy. Kirkwood has partnered with local wind turbine companies to develop an innovative training program for jobs in the industry. "Community colleges, like Kirkwood, are a critical component of preparing the skilled workers that American businesses need to be competitive," Harris said. "The president believes the kind of public-private partnerships that Kirkwood has with area employers are key to training workers to succeed in our economy."

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## 2012 Student Database Launched

The Workforce Recruitment Program for College Students with Disabilities database now has information for employers on 2,700



job seekers, including 153 veterans with disabilities. On Tuesday, nearly 400 federal hiring managers, recruiters and HR specialists attended an event hosted by the U.S. Department of Agriculture designed to showcase the database. Among the speakers was Assistant Secretary of Labor for Disability Policy Kathy Martinez. "WRP provides a pipeline for agencies to bring people with disabilities on board both today and for years to come," said Martinez in a call-to-action, urging federal agencies to actively hire candidates from the database. A webinar for federal employers will be held on Feb. 28 from 1 - 2 p.m. EST.

- [View the Slideshow](#)
- Register for Webinar [WRPmarketing@dol.gov](mailto:WRPmarketing@dol.gov)

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## Green Scene: Woman's Guide to Success in Green Economy



To help women find and keep jobs in the clean energy economy, the Women's Bureau has released the online publication "Why Green is Your Color: A Woman's Guide to a Sustainable Career." The guide highlights

a range of in-demand and emerging jobs, training opportunities and career development tools, and will serve as a resource for workforce professionals, educators and women's advocacy organizations. "Many occupations in the clean energy economy remain virtually untapped by women," said Sara Manzano-Díaz, director of the department's Women's Bureau.

- [Read the News Release](#)

2012. The bilateral relationship between the Labor Department and the European Commission dates back to the 1996 creation of the U.S.-EU Working Group on Employment and Labor-Related Issues. This year, the working group is slated to hold a roundtable and the 7th U.S.-EU Joint Conference on Occupational Safety and Health.

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## DOL Working for You

### Job Corps Grad Becomes Entertainment Professional

Darian Grady escaped an impoverished early life in Michigan and has risen to the top of the entertainment profession thanks to the nurturing he received at the Detroit Job Corps Center. Grady, 21, admits to being a troublemaker as a teenager, but enrolled in Job Corps because "it was time to do something better with my life." Positive, productive experiences at Job Corps helped him become a model student while earning his high school diploma and an office administration certificate. Grady first worked as a paralegal for a law firm. Later he landed a job as national tour promoter for UniverSoul Circus, which combines pop music, theater and circus acts, and is one of the nation's best-attended live entertainment productions. "Job Corps helped me become a successful, independent young man," Grady said.



### Career Fair Leads to Food Service Job



A job club career fair hosted with support from the department's Center for Faith-based and Neighborhood Partnerships has helped Gerald Hooks fulfill his passion for cooking and land a job in the restaurant industry. Hooks went to the fair, also sponsored by his Georgia church, for the opportunity to network. He impressed interviewers and was hired to become a manager in the Waffle House restaurant chain. "I finally have a job that I can consider a career," Hooks said. CFBNP partners with faith-based groups, volunteers, community organizations and neighborhood leaders. It provides information and promotes DOL programs and resources.

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## DOL in Action

### Grant Continues Employment Services for Texas Military Communities

About 1,450 individuals affected by the realignments and closures of military facilities throughout Texas will continue to receive re-employment services thanks to a \$3,058,366 National Emergency Grant increment the department provided on Monday. "When base realignments and closures lead to job losses for those who support our military communities, it is our responsibility to assist these workers on their path toward new opportunities," said Secretary Solis.

- [Read the News Release](#)

### 2 Teenage Workers Suffer Leg Amputations at Grain Facility

Zaloudek Grain Co. has been cited by the Occupational Safety and Health Administration with several serious safety violations after two 17-year-olds suffered leg amputations when they became caught in an inadequately guarded conveyor auger while cleaning out a grain flat storage structure at the company's facility in Kremlin, Okla. Violations include failing to affix or secure the machine guard over the moving conveyor auger and provide

## Partner for 21st Century Economy

In support of President Obama's goal of developing the skilled workforce needed by innovative businesses, Deputy Secretary Seth Harris traveled to



Asheville, N.C. to visit Asheville-Buncombe Technical Community College's business incubator and learn about one of their success. AvL Technologies Inc. is a global corporation providing mobile satellite communication antenna systems and positioners. Harris stated that "creating high quality jobs for a 21st century economy requires the type of public-private sector cooperation we are finding here in western North Carolina. By bringing together industry, educational institutions, and the federal government, we can encourage the types of industries that offer a brighter future for skilled workers and their families."

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## Forging Connections in Tampa

Believing that informed workers are empowered workers, Labor Department officials met with community leaders and local government officials to listen and share information during the White House Hispanic Community Action Summit in Tampa, Fla. Led by Rob Angelo, regional representative for Secretary Solis, officials from the department's Wage and Hour Division, Office of Federal Contract Compliance Programs, and Occupational Safety and Health Administration spoke with participants on issues including wage theft, worker safety and health protections, whistleblower statutes and job training. The new relationships created at the summit strengthen the department's efforts to provide effective services to workers in Florida.

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## WB Holds Roundtable on Renewable Energy in NC



Women's Bureau Director Sara Manzano-Díaz led a discussion last week of 22 women educators, policy analysts, workforce

professionals and business owners at the North Carolina State University's North Carolina Solar Center. The roundtable followed up on the president's State of the Union address and

training for workers assigned to enter grain structures. Proposed penalties total \$21,500.

- [Read the News Release](#)

## Maryland Company Sued to Restore Employees' 401(k) Contributions

The department has filed a lawsuit against Towson Rehabilitation Center LLC located in Towson, Md., and Chief Executive Officer Howard Neels for failing to remit employees' contributions to the company's 401(k) plan, in violation of the Employee Retirement Income Security Act. The suit resulted from an investigation by the Employee Benefits Security Administration, which found that, since January 2006, the defendants failed to remit employee contributions to the plan, remitted certain contributions late without interest and failed to segregate plan assets from general assets.

- [Read the News Release](#)

## Manhattan Masonry Contractor Cited After Worker Falls 80 Feet

Manhattan, N.Y.-based Navillus Contracting Tile Inc. has been cited by the Occupational Safety and Health Administration for alleged violations of safety standards at a work site in Brooklyn. OSHA conducted an inspection after an employee fell 80 feet to a lower level from the top of a 118-foot-high scaffold. Hazardous conditions at the site resulted in citations for six serious and one repeat violation carrying \$74,500 in proposed fines.

- [Read the News Release](#)

## Subway Franchisee Sued Over Back Wages Owed to 68 Employees

The department has sued Subway franchisee Hray Enterprises and owners Joseph Hray and Tammy Hray for alleged violations of the federal Fair Labor Standards Act's minimum wage, overtime and child labor provisions. The lawsuit resulted from an investigation by the Wage and Hour Division, and seeks to recover back wages and damages for 68 current and former workers of five Subway eateries operated in Warren, Cortland and Brookfield, Ohio. The suit also seeks penalties for allowing minors to perform hazardous tasks prohibited by child labor regulations.

- [Read the News Release](#)

## NC Printing Company Ordered to Reinstate Whistleblower

The Occupational Safety and Health Administration has ordered the reinstatement of a former truck driver employed by Salisbury, N.C.-based commercial printing company, Rowan Business Forms. The driver was fired after reporting safety concerns about the brakes in his truck. OSHA also has ordered the company to pay the worker more than \$83,000 in back wages, interest, and compensatory and punitive damages.

- [Read the News Release](#)

## MSHA Seeks Information for Miners' Rights Survey

The Mine Safety and Health Administration is performing a pilot study to determine how to survey miners' understanding of their rights under the Federal Mine Safety and Health Act of 1977 and the degree to which they believe they are free to exercise those rights at work. "The overarching goal is for miners to be able to address health and safety concerns at work," said Joseph A. Main, assistant secretary of labor for mine safety and health. "But in order to achieve that goal, we've first got to pinpoint the reasons why some don't speak up." MSHA aims to implement an anonymous survey in a setting and format that will result in candid and reliable responses.

- [Read the News Release](#)

commitment to develop American energy, as well as relevant job skills so workers can obtain good jobs in the energy industry. Participants represented businesses and institutions with a broad spectrum of innovative initiatives, including a proposed electric transportation infrastructure, recycled construction materials used to build affordable housing, renewable energy projects and in-demand workforce training. Two young business owners participated as alumna of Leadership Connections, a leadership/technical training center that received seed funding from the Women's Bureau more than 10 years ago. Women's Bureau Senior Policy Analyst Nancy Negrón and Regional Administrator Paulette Norvel Lewis also participated in the conversation.

- [View the Slideshow](#)

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## Making Connections in NJ

Robert Angelo, the secretary's regional representative for the Boston, New York and Philadelphia regions, participated in the ninth annual Philadelphia Central Labor Council Leadership Conference on Monday in Atlantic City, N.J. Angelo provided 150 organized labor attendees with updates on current and future department initiatives, and discussed services available to union members throughout the department. Regional representatives from the Wage and Hour Division, Employee Benefits Security Administration, Occupational Safety and Health Administration, Office of Labor-Management Standards, and the Office of Federal Contract Compliance Programs, answered questions and established local contacts.

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## Upcoming Deadlines & Events

### [Open Funding Opportunities](#)

Event Spotlight: EEOC to Hold Hearing on Pregnancy and Caregiver Issues

The U.S. Equal Employment Opportunity Commission will hold a hearing on pregnancy discrimination and caregiver issues on Wednesday, Feb. 15, at 9:30 a.m. EST at its headquarters, located at 131 M St. NE, Washington, D.C. 20002. Melvina Ford, senior policy advisor for the Labor Department's Wage and Hour Division, will conduct a panel titled "Statutory Framework and Enforcement Efforts."

- [Learn More](#)

EBSA — Women and Retirement: What Every Woman Should Know Before it's Too Late

## Clara Construction Cited for Fall Hazards

Clara Construction LLC has been cited by the Occupational Safety and Health Administration with 10 serious and one repeat safety violation at a Jersey City, N.J., work site. Proposed penalties total \$46,200. OSHA initiated an inspection as part of a local emphasis program for fall hazards.

- [Read the News Release](#)

## Pallet Manufacturer to Pay \$50,000 for Child Labor Violations

J.N. Pallet Co., of Conneautville, Pa., has agreed to pay \$50,000 in civil money penalties to resolve child labor violations cited by the Wage and Hour Division. The company violated the child labor provisions of the Fair Labor Standards Act by allowing minors to work in a room where products are manufactured and to operate powerful equipment, which resulted in the amputation of several fingers of one of the minors.

- [Read the News Release](#)

## Wal-Mart Faces \$365,500 in Fines for New, Recurring Hazards

Wal-Mart Stores Inc. has been cited by the Occupational Safety and Health Administration for a total of 24 alleged repeat and serious violations of workplace safety and health standards following an inspection of the retail chain's supercenter store in Rochester, N.Y. The Bentonville, Ark.-based retailer faces a total of \$365,500 in proposed fines following inspections initiated in response to a complaint about potential fall, confined space, lockout/tagout, hazard communication and bloodborne hazards.

- [Read the News Release](#)

## MSHA Centralizes Oversight of Assessments, Accountability Programs

In an effort to centralize oversight of certain compliance-related actions, the Mine Safety and Health Administration this week created the Office of Assessments, Accountability, Special Enforcement and Investigations. The reorganization incorporates into one office the management, support and coordination of both routine and special assessments; as well as agency headquarters' accountability functions and special enforcement strategies, such as the citing of flagrant violations, investigations of retaliation claims and possible criminal violations, impact inspections, the pattern of violations program and the use of injunctive authority. According to Assistant Secretary of Labor for Mine Safety and Health Joseph Main, the formation of this division will enable the agency to better manage and coordinate its use of special enforcement tools against the most serious violators of the Federal Mine Safety and Health Act of 1977.

- [Read the News Release](#)

## Bennett Electrical Services Cited for Defective Crane

Hialeah, Fla.-based Bennett Electrical Services Co. Inc. has been cited by the Occupational Safety and Health Administration after an employee was seriously injured. The defective boom of a truck-mounted crane became separated from the truck and knocked the operator off his station and onto the ground. OSHA cited the company for one willful and two serious violations with \$50,400 in proposed fines.

- [Read the News Release](#)

## Labor Department Sues Mass. Flooring Business for Labor Violations

The department has sued Herrera's Floors, a Chelsea, Mass.-based floor installation business, and owner Osmin Herrera for alleged violations of the overtime, record-keeping and retaliatory discharge provisions of the Fair Labor Standards Act. An investigation by the Wage and Hour Division found

- [February 25 — Boston, MA](#)

MSHA — Spring Thaw Workshop

- [February 15 — Verona, NY](#)
- [February 15 — Hutchinson, KS](#)
- [February 28 — State College, PA](#)
- [February 29 — Billings, MT](#)

OFCCP — 16 AA steps and Other Requirements for Construction Contractors

- [February 23 — San Diego, CA](#)

OFCCP — ABC's of Compliance for Supply & Service Contractors

- [February 23 — Online](#)

OFCCP — Analyzing Personnel Activity Data

- [February 16 — Omaha, NE](#)

OFCCP — Building Partnerships for the Community

- [February 14 — Baltimore, MD](#)
- [February 16 — Memphis, TN](#)
- [February 22 — Atlanta, GA](#)
- [February 22 — Jacksonville, FL](#)
- [March 1 — Charlotte, NC](#)
- [March 1 — Memphis, TN](#)
- [March 8 — Memphis, TN](#)

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 15 — Boston, MA](#)

OFCCP — Compliance Assistance/Technical Assistance Seminar

- [February 29 — Columbus, OH](#)

OFCCP — Compliance Assistance Seminar - Construction

- [February 15 — San Francisco, CA](#)
- [February 29 — Philadelphia, PA](#)
- [February 29 — Richmond, VA](#)
- [March 8 — Philadelphia, PA](#)

that the defendants willfully and repeatedly failed to pay employees for all hours worked at job sites in several New England states, misclassified employees as independent contractors, refused to make payroll records available to the department in a timely manner and unlawfully discharged an employee who refused to work overtime hours unless properly compensated.

- [Read the News Release](#)

Investigation Leads to New Union Election in the DC

A new supervised election has been agreed to by the American Association of University Professors in the District concerning its election of officers completed on April 15, 2011. An Office of Labor-Management Standards investigation found the following violations: a lack of secrecy because the third party balloting agent could determine how members voted; a person who was no longer a member was a candidate; the nomination notice for the Association of State Conferences Chair position was inadequate; some members were denied the right to vote; and the union failed to provide adequate safeguards when employers and AAUP employees had access to some members' voting credentials. The union agreed to conduct – under OLMS supervision – new nominations and a new election for the ASC Chair; as well as new nominations, if needed, and a new election for three at-large council members and District 1 through 10 council members.

Labor Law Enforcement Effort Launched at Fort Bliss in Texas

The Wage and Hour Division has launched a concentrated law enforcement effort at Fort Bliss in El Paso to promote compliance with Davis-Bacon and Related Acts and the Fair Labor Standards Act among contractors and subcontractors working on a multibillion-dollar construction project. To identify and remedy common violations, the division is conducting investigations at sites throughout the 1,700-square-mile Army installation and reviewing employment practices, pay records and circumstances of joint employment.

- [Read the News Release](#)

OLMS to Supervise Union Election in Indiana

The officers of International Longshoremen's Association Local 1969, based in Portage, Ind., have agreed to conduct new nominations; a new election for the offices of president, business agent and auditor; and an installation of officers under supervision by the Office of Labor-Management Standards. The agreement follows an OLMS investigation that determined the union improperly applied a non-uniform and retroactive candidate qualification in its June 2011 officer election. The new election and installation of officers will be conducted by May 10, 2012.

Louisiana Supermarket Workers Receive \$64,500 in Back Wages

Celina's International Supermarket LLC and Kenner Supermarket Inc. in Kenner, La., have paid 18 current and former cashiers, stockers, and wait and kitchen staff \$64,503 in back wages following an investigation by the Wage and Hour Division that found violations of the Fair Labor Standards Act. Employees were not paid for hours worked cleaning the establishments after closing, resulting in their pay falling below the federal minimum wage. Some who worked more than 40 hours in a week did not receive overtime compensation, or their work hours were not recorded.

- [Read the News Release](#)

Brass Foundry Cited for Dust Exposure, Other Violations

Fall River Foundry has been cited by the Occupational Safety and Health Administration with 10 safety violations, including three repeat violations for

OFCCP — Compliance Assistance Seminar - Supply & Service Contractors

- [February 15 — Richmond, VA](#)

OFCCP — Development of Written Affirmative Action Programs

- [March 8 — Omaha, NE](#)

OFCCP — Everything you Want to Know About Adverse Impact

- [February 16 — Houston, TX](#)

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, as amended Seminar

- [February 17 — Los Angeles, CA](#)

OFCCP — Supply and Service AAP/Educational Seminar

- [March 7 — Pittsburgh, PA](#)

OFCCP — Technical Assistance Training

- [February 16 — Detroit, MI](#)

OFCCP — US Army Great Lakes Veteran's Job Fair

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

OFCCP — Women in Nontraditional Jobs

- [February 23 — Omaha, NE](#)

OLMS — Webinar on Completing the Form LM-30

- [February 14 — Online](#)

OSEC — Job Clubs & Career Ministries On the Front Lines of Getting Americans Back to Work

- [February 21 — Minneapolis, MN](#)
- [February 22 — Phoenix, AZ](#)

OSHA — Maritime Advisory Committee for Occupational Safety and Health (MACOSH) Meeting

- [February 22-23 — Washington, DC](#)

failing to protect workers from metal dust exposure at its brass foundry in Fall River, Wis. Proposed fines total \$57,600. OSHA opened an investigation under its National Emphasis Program for Primary Metal Industries, which focuses on identifying, reducing and eliminating workers' exposures to harmful chemical and physical hazards in establishments producing metal products.

- [Read the News Release](#)

Vann Energy Services in Nixon, Texas, Cited for 17 Serious Violations

Nixon, Texas-based Vann Energy Services LLC has been cited by the Occupational Safety and Health Administration for 17 serious violations after receiving a complaint about employees who were required to enter and clean oil field hydraulic fracturing tanks without receiving precautions about confined space atmospheric hazards. Other violations included failing to provide approved electrical systems for lighting at night and to ensure electrical equipment, such as fans, were approved for hazardous locations. Proposed penalties total \$70,200.

- [Read the News Release](#)

Suit Filed to Recover Nearly \$800,000 in 401(k) Funds

The department has filed a lawsuit against Bethesda, Md.-based Dynasty Construction Inc. and owner John J. Barrett III for breach of fiduciary duty with respect to the defunct company's 401(k) plan. According to the suit, more than \$775,000 from the 401(k) plan was invested in a fraudulent scheme in 2006, in violation of the Employee Retirement Income Security Act. The amount represented nearly all of the assets in the accounts of the 19 plan participants as of the end of 2005. The suit alleges that the defendants failed to adequately or prudently research the credentials of the financial representative they retained, and failed to adequately or prudently research or analyze the investment of plan assets in what turned out to be a fraudulent scheme.

- [Read the News Release](#)

Pacific Stevedoring Services Cited Following Worker Fatality

Pacific Stevedoring Services, a longshoring company based in Pago Pago, American Samoa, has been cited for five safety violations by the Occupational Safety and Health Administration following the death of a worker at the StarKist wharf in Atu'u, American Samoa. A crane's hydraulic cylinder failed due to the crane's capacity being exceeded, and a worker unloading tuna from a fishing vessel was struck in the head by the boom of the crane. In addition to the overloaded crane, OSHA found that communication between the signalman and crane operator was ineffective. Proposed penalties total \$51,100.

- [Read the News Release](#)



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- Compliance at metal and nonmetal mines improving, says MSHA assistant secretary [02/16/2012] <http://t.co/0uwW2oGi> about 4 hours ago

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