



DOL News Brief

May 31, 2012

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The First Woman in the Cabinet



By all accounts, it was a job Frances Perkins had prepared for all her life. At age 8, she was being taught to read Greek, to prepare for college. When she attended Mount Holyoke, only 3

percent of women went on to higher education. In 1910, she earned a master's at Columbia, and a year later she witnessed young women jumping to their deaths in the Triangle Shirtwaist factory fire in New York City.



When she met with President-elect Franklin D. Roosevelt, she boldly presented her list of priorities, and in 1933 accepted FDR's request to be his labor secretary and the first woman Cabinet officer. Her legacy continues today, as author Kirstin Downey emphasized in her remarks this year at the department.

- [Watch Discussion with Kirstin Downey, Author of "The Woman Behind the New Deal"](#)

What's New

Judge Affirms OSHA SeaWorld Citations

An administrative law judge has upheld the Occupational Safety and Health Administration citations issued against SeaWorld of Florida LLC following the death of one of their trainers at SeaWorld Orlando in February 2010. SeaWorld had contested the citations before the independent Occupational Safety and Health Review Commission, which held two weeks of hearings last year. The commission issued the ruling May 30. "This is a win for the employees of SeaWorld. OSHA's intent has been to ensure the safety and health of employees who work with the corporation's killer whales in performances," said Dr. David Michaels, assistant secretary of labor for occupational safety and health. "Within 10 days after the judge's order becomes final, the company will now have to abate the hazards, so workers will not have to risk their lives to do their jobs."

- [Read the Blog Entry](#)

Champion for the Futures of Farmworker Children

Secretary Solis was honored May 31 by the Association of Farmworker Opportunity Programs, which presented her with the Champion for the Futures of Farmworker Children Award. The award recognized her commitment to improving the lives of farmworkers around the country through education and training. AFOP promotes better living and working conditions for farmworkers by providing job training, supportive services and housing assistance to more than 20,000 migrant and seasonal farmworkers each year. "The AFOP and the Labor Department share an interest in helping migrant and seasonal farmworkers earn a living with dignity and respect," said Secretary Solis. "I am honored to receive this award and commend the AFOP on its good work."



- [Read the News Release](#)

Medal of Freedom for Huerta



Dolores Huerta, cofounder of the National Farm Workers Association and civil rights pioneer, received the Presidential Medal of Freedom on May

29. Raised by a single mother in Stockton, Calif., Huerta experienced the conditions faced by many migrant farm workers as a young girl. Her accomplishments include the founding of the United Farm Workers of America with Cesar Chavez and securing basic rights for California farmworkers and their families. "Huerta's lifetime of advocacy on behalf of the underserved and exploited minorities makes her a role model and a source of inspiration," said Secretary Solis. "She is widely considered the most influential and

National News

\$26 Million Jobs Accelerator Challenge Announced



The department's Employment and Training Administration is one of six federal funding partners for the third round of the Advanced Manufacturing Jobs and Innovation Accelerator Challenge, a \$26 million effort to foster job creation through public-private partnerships. "The Jobs Accelerator Challenge is

accomplished Latina union organizer in American history." Huerta was inducted into the Department of Labor's Hall of Honor earlier this month at the United Farm Workers convention in Bakersfield, Calif.

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

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## Job Training in Maryland

More than 30 members from the Latino community in Hyattsville, Md., greeted Secretary Solis at CASA de Maryland's Prince



George's Welcome Center on May 30. The audience included students, recent graduates and leaders from the community along with staff from CASA de Maryland. The one-stop community center offers services ranging from English classes and legal assistance to job training programs, with the goal of helping Latinos transition to jobs in health care, construction and other fields. "This administration is working around the clock to offer opportunities for middle-class families and underserved communities to grow. We will not be satisfied until everyone that wants to work finds a job," said Secretary Solis. "And that's what our partnership with CASA de Maryland offers."

- [View the Slideshow](#)

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## Oates at Leadership Forum

Assistant Secretary of Labor for Employment and Training Jane Oates attended the 2012 National Leadership Forum for the Career and Technical Education Foundation held at Union Station in Washington, D.C. Oates remarks focused on the importance of employer-recognized credentials for job training programs, the value of summer jobs for young people to help them gain important early career and life skills, and highlighted the number of online tools available for job seekers to find the right job or training opportunity.

- [Learn More About Summer Jobs+](#)
- [Visit "My Skills My Future"](#)
- [Visit "My Next Move"](#)

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## Solis Meets First Woman to Lead Rural Letter Carriers

Secretary Solis welcomed Jeanette

one way the federal government is helping to support the manufacturing industry, a vital source of middle-class jobs," said Secretary Solis. "The innovative products developed as a result of this federal grant program will help our economy maintain its global competitive advantage, while also creating jobs at home." The Jobs Accelerator Challenge was announced May 29, and approximately 12 projects are expected to be chosen through a competitive interagency grant process. The deadline for applications is July 9.

- [Read the News Release](#)
- [Learn the Guidelines for Submissions](#)

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## It Happened on the Hill

An All-Out Effort to Support the Troops

The department is using new legislation and existing programs and resources to help transitioning military personnel "obtain meaningful careers, maximize their employment opportunities, and protect their employment rights," Deputy Assistant Secretary of Labor for Veterans' Employment and Training Service Ismael Ortiz told the House Veterans Affairs Committee on May 31. In the most recent program year, more than 1.7 million veterans were given training and employment support through departmental funding of 2,800 One-Stop career centers, he said. Under the recently enacted VOW to Hire Heroes Act, the Departments of Labor and Veterans Affairs have established the Veterans Retraining Assistance Program for unemployed veterans aged 35 to 60. Ortiz told the committee that the department and other agencies are fully committed to supporting veterans in the civilian labor market.

- [Read the Testimony](#)
- [Read Ortiz's Blog Entry](#)

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## International Scene

International Trade, Impact on Jobs

Secretary Solis met with Inter-American Development Bank United States Executive Director Gustavo Arnavat and Under Secretary of Commerce for International Trade Francisco J. Sánchez on May 30 to discuss international trade and its impact on U.S. jobs. Increased trade throughout the region can help boost the number of jobs in America and IDB's business partners can play an important role in getting unemployed Americans back to work. Solis, along with Assistant Secretary of Labor for Employment and Training Jane Oates, also spoke about President Obama's call to streamline the workforce system to help employers find trained workers. This includes efforts to connect IDB's businesses and employers to the local workforce system that is part of the national One-Stop Career Center network.

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## News You Can Use

Prepare for Summer With the HEAT Mobile App

Temperatures are on the rise, summer is imminent, and the Occupational Safety and Health Administration has a mobile application designed to keep outdoor workers safe. As part of OSHA's nationwide campaign to prevent heat-related illnesses, the OSHA Heat Safety Tool is available for iPhone and Android platforms and allows workers to view the risk level for outdoor work based on the heat index



Dwyer, the first woman president of the National Rural Letter Carriers' Association, to the department this

week. The 107-year-old NRLCA is one of four Postal Service unions and is the only craft with a majority female membership. During their meeting, Solis expressed her appreciation for the close working relationship between the NRLCA and the Labor Department over the years. They also spoke about the future of rural postal delivery, the NRLCA continuing membership growth, and how proposed changes to postal delivery service may impact its members.

## Safety, Health Alliance in Denver

The Occupational Safety and Health Administration and the Mexican Consulate in Denver formed an alliance last week to enhance workplace



safety and health for Mexican and other Spanish-speaking workers in Colorado and eastern Montana. "With the signing of this alliance, we welcome the unique opportunity to join the Mexican Consulate in emphasizing safety and health in high-risk industries," said Greg Baxter, OSHA's regional administrator in Denver. As part of the alliance, OSHA and the consulate will work collaboratively to develop training and education programs for workers in general industry and construction with an emphasis on fall, electrical, caught in/between and "struck by" hazards, as well as employee rights and employer responsibilities in the workplace.

- [View the Slideshow](#)

## Revvng Up Auto Communities

The Office of Recovery for Auto Communities and Workers is launching a joint initiative with the Environmental Protection Agency and the Mayors Automotive Coalition to connect local automotive communities with federal, state and local resources to clean up and revitalize closed automotive plants. Jay Williams, director of

in their area. Then, with a simple "click," workers and employers are reminded about the protective measures that should be taken, such as drinking enough fluids, scheduling rest breaks, planning for emergencies, gradually increasing the workload for new workers, training on heat illness signs and symptoms, and monitoring each other for signs and symptoms of heat-related illness. Available in English and Spanish, vital safety information is available whenever and wherever so that everyone can take precautions, work productively and beat the heat!

- [Download the Mobile App](#)
- [Visit Heat Illness Prevention Website](#)

## Showing What Workers With Disabilities CAN Do



At work, it's what people CAN do that matters. And you can see that for yourself in the three videos selected by the department as the top winners in its "What Can YOU Do?" contest. As part of the Campaign for Disability Employment (a collaboration of leading disability and business organizations funded by the department's

Office of Disability Employment Policy), the contest called on filmmakers to produce videos that challenge common misconceptions about disability employment. The employer category winners are Adam Dylewski of Washington, D.C., and the Chemists with Disabilities Committee of the American Chemical Society, for the video "Chemists with Disabilities: We All Can." Analytical chemist Judy Summers-Gates discusses her work, which "involves making sure that food, drugs, cosmetics, medical devices and blood products are safe for the American public." The youth category winner, Jake Johnson of Clarence, N.Y., produced "What WILL You Do?" which focuses on the importance of developing and reaching goals. Dylan Johanson of Rosendale, N.Y., won in the general public category for "Challenge Your Assumptions," which tells the story of Margaret, a school cafeteria employee, who acted quickly to help a choking child. Runners up will be selected by the public, so cast your vote today.

- [Read the News Release](#)
- [More Information About the Campaign](#)
- [Watch the Videos](#)
- [Vote Here](#)



## Around DOL

Mee Moua Helps Commemorate AAPI Month

To conclude the department's

ORACW, met with local mayors, federal partners and community representatives this week in Buena Vista, Mich., in the first of a four-part series of "Auto Community Revitalization Roundtable" meetings. "Bringing these key stakeholders from the local, regional, state and federal levels to the table can result in a more robust dialogue, and therefore lead to more efficient solutions, both in the short term and the long term," Williams said. Additional roundtable discussions will take place this summer in Anderson, Ind.; Lansing and Flint, Mich.; and Walton Hills, Ohio.

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## Maxwell at CBTU Convention

Mary Beth Maxwell, deputy chief of staff to Secretary Solis, addressed approximately 400 delegates and guests of the 2012 Convention of the Coalition of Black Trade Unionists in St. Louis on May 25. In her remarks, Maxwell highlighted the work of CBTU in promoting community benefit agreements that help ensure underserved communities have access to good jobs with career pathways. The 2012 convention included several tributes to the late Addie Wyatt, the original chairperson of the CBTU Women's Committee. Wyatt was recently inducted into the department's Hall of Honor for her extraordinary contributions to the labor, civil rights and women's movements.

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## Protecting Rights



The Office of Federal Contract Compliance Programs protects the rights of all American workers, including citizens who may have made mistakes in their

past. Michele Hodge, regional director for the mid-Atlantic region, provided that reminder at the recent 2012 Mid-Atlantic Behavioral Health Conference held in Annapolis, Md. The event was attended by approximately 100 behavioral health-care professionals, state and federal agencies, and community-based organizations in the region. Participants focused on ways to provide help to formerly incarcerated persons, such as legal aid, wellness support and mental preparedness for acclimating back into society's mainstream and joining the workforce.

- [Learn More About OFCCP](#)

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## Green Scene: Boston Women's Bureau Links STEM and Green

The Women's Bureau regional staff in Boston

observance of Asian American and Pacific Islander Heritage Month, special guest Mee Moua, the nation's first elected Hmong state senator, described her life's journey to a packed room of Labor Department employees on May 29. Moua, the president and executive director of the Asian



American Justice Center, served as a Minnesota state senator representing Ramsey County's District 67 from 2002-2011. In her remarks, Moua said her experiences highlight the trajectory of the AAPI community. From being born in a bamboo hut in Laos, to moving to the United States at age 9, to overcoming and enduring family hardship and racial stereotypes, to attending college and becoming a lawyer, Moua's life has been one of strength, courage, and determination. As she rose to become a leader in the AAPI community, she learned that "being at the table" matters — to be a voice for those who are voiceless and those who have struggled. Moua closed with memorable words from her mother, "Over time, someone might not like you because of what you look like, but they will respect you because of who you are."

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## DOL Working for You

Job Corps Grad to Hit the Open Road



Darius Phillips, who grew up poor in Jacksonville, Fla., said he tried to avoid trouble while reaching for his dream of being on the open road. He enrolled in the Muhlenberg Job Corps Center in Greenville, Ky., seeking "to make a better future for myself and my family."

Phillips received his high school GED at the center while

completing commercial driving and heavy equipment training. He is about to begin work as a trucker for the nation's largest refrigerated carrier, headquartered in Utah. Phillips' advice to Job Corps students is to "stay focused on what you want to accomplish and do not let anything get in your way."

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## New Yorker Finds Work Through Disability Initiative

Morgan La Femina overcame his disability to reach high academic levels, including a master's in public policy and health care administration. Despite his achievements, he was "frustrated" when his resume failed to produce worthwhile job offers. La Femina sought help at a New York State One-Stop, where he received professional career guidance and job coaching through the Disability Employment Initiative funded by the department as well as benefits afforded by the Social Security Administration's Ticket to Work program. Interviews soon followed and he now works for a local organization helping others with disabilities. La Femina said the guidance



participated in the Southeastern Massachusetts STEM Expo "Envision Your Future" on May 24 at Bridgewater State University. More than 750 students, teachers and guests attended the Expo and workshops. The Women's Bureau showcased its "Why Green Is Your Color" guide, providing students with information on Science, Technology, Engineering, and Mathematics (STEM) careers linked to green careers. The event was funded by STEM Connect through the Massachusetts Department of Education. Other participants included the National Aeronautic and Space Administration, Federal Aviation Administration and local businesses.

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## Upcoming Deadlines & Events

### [Open Funding Opportunities](#)

#### Calendar Highlight

EBSA Compliance Assistance Seminar

The Employee Benefits Security Administration will host a retirement plan compliance assistance seminar in Boston June 6. The seminar is designed to help small business owners understand their fiduciary responsibilities when operating private sector retirement plans.

- [More Information](#)

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EBSA — COBRA Compliance Workshop

- [June 29 — Dallas, TX](#)

EBSA — Getting It Right...Know Your Fiduciary Responsibilities

- [June 6 — Boston, MA](#)
- [June 13 — New York, NY](#)

EBSA — Health Benefits Laws Compliance Assistance Seminar

- [June 13-14 — St. Louis, MO](#)

EBSA — HIPAA and Affordable Care Act Compliance Workshop

- [June 29 — Dallas, TX](#)

OASAM — Vendor Outreach Session

- [June 19 — Washington, DC](#)

OFCCP — AAP Development & Preparing for a Desk Audit

- [June 20 — Los Angeles, CA](#)

OFCCP — The ABC's of the AAP

- [July 19 — Los Angeles, CA](#)

OFCCP — Beyond the Written AAP

- [June 27 — Tallahassee, FL](#)

he got helped him "deal with the ups and downs" of resume writing and job interviewing and he is on the path towards living an independent life.

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## DOL in Action

### Mine Inspectors Issue 335 Citations at 12 Mining Sites

Inspectors from the Mine Safety and Health Administration issued 335 citations and orders during targeted impact inspections at 12 mining operations last month. In one case, at the Rebco Coal Inc., Valley Mine #1 in Claiborne County, Tenn., the inspection party cited a broad range of violations involving ventilation, accumulations of combustible materials, electrical equipment, trailing cables and fire protection. In previous inspections at the underground coal mine, equipment had been tagged out of service; however, when the operator resumed production a week prior to the impact inspection, the equipment had not been repaired. "This unexpected inspection found several safety violations that placed miners at serious risk, a failure by the mine operator to conduct basic find and fix examinations, and a disregard for violations previously cited by inspectors," said MSHA Assistant Secretary Joseph Main.

- [Read the Release](#)

### Training Aid for Washington State Workers

The Washington State Employment Security Department was awarded a \$1,549,275 National Emergency Grant by the department to provide training and support services for about 520 workers affected by layoffs. The grant will be used to assist former employees at the Washington State Department of Corrections, the Washington State Employment Security Department, the Washington State Liquor Control Board, the Washington State Parks and Recreation Commission, and eight other Washington state and local government agencies. "Workers who served the state of Washington and their local communities are now faced with the challenge of finding re-employment," said Secretary Solis. "The federal grant announced today will help these workers prepare for jobs in growing local industries."

- [Read the News Release](#)

### OLMS to Supervise Union Elections in California, Pennsylvania

The United Industrial and Service Workers of America in Colton, Calif., has agreed to hold nominations and elections for all officer positions by the end of August under supervision of the Office of Labor-Management Standards. OLMS found the union failed to hold mandatory elections of officers within three years as required by law. In Shavertown, Pa., the Graphic Communications Conference, International Brotherhood of Teamsters Local 137-C, has agreed to conduct new nominations and a new election for all contested officer positions. The new election will occur by the end of October under OLMS supervision. An OLMS investigation there disclosed numerous violations related to the accountability, secrecy, and handling of ballots.

### 135 Workers in Texas to Receive \$485,000 in Back Wages

Aspen Power LLC in Lufkin, Texas, has paid \$485,107 in overtime back wages to 135 current and former construction and production workers following an investigation by the Wage and Hour Division's Houston District Office. The investigation found that the employer had misclassified the employees as independent contractors and failed to maintain accurate payroll records. "In this case, employees worked as many as 12 hours a day, seven days a week, without overtime compensation. That practice is illegal and unacceptable," said Cynthia Watson, regional administrator for the Wage and Hour Division in the Southwest.

OFCCP — Building Community and Veteran Partnerships

- [June 21 — Houston, TX](#)

OFCCP — Community Based Education & Outreach

- [June 7 — Memphis, TN](#)
- [June 7 — Philadelphia, PA](#)
- [June 12 — Baltimore, MD](#)
- [June 14 — Memphis, TN](#)
- [June 20 — Richmond, VA](#)
- [June 26 — Baltimore, MD](#)

OFCCP — Compliance Assistance Seminar for Construction Contractors

- [June 6 — Richmond, VA](#)
- [June 20 — Philadelphia, PA](#)
- [June 21 — Houston, TX](#)
- [July 12 — Omaha, NE](#)

OFCCP — Get the Inside Scoop

- [June 6 \(AM\) — Fresno, CA](#)
- [June 6 \(PM\) — Fresno, CA](#)

OFCCP — How to Prepare Affirmative Action Programs

- [June 7 — Detroit, MI](#)

OFCCP — Maintaining Applicant Flow Data

- [July 19 — Omaha, NE](#)

OFCCP — National Origin Discrimination

- [June 14 — Omaha, NE](#)

OFCCP — Retaliation Complaints

- [June 21 — Omaha, NE](#)

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

- [June 13 — Mountainside, NJ](#)
- [July 18 — Mountainside, NJ](#)

OFCCP — Service and Supply Compliance Assistance Seminar for First Time Contractors

- [Jun 12 — Philadelphia, PA](#)

OFCCP — Technical Assistance Seminar

- [June 29 — Columbus, OH](#)

OFCCP — Workplace Accommodations

- [June 7 — Omaha, NE](#)

- [Read the News Release](#)

Employment Help for Laid Off Workers in Massachusetts

The department on May 31 awarded an \$868,974 National Emergency Grant increment to the Massachusetts Department of Workforce Development to provide employment-related services to about 400 workers affected by the closure of the Sonoco Packaging Products in Devens, Mass., and related layoffs by Debbie's Staffing in Ayer, Mass. The staffing agency provided temporary workers to the Sonoco packaging center. Secretary Solis said, "The additional federal funds announced today will ensure that these dislocated workers continue to receive job training and re-employment assistance so they may obtain jobs in growing local industries."

- [Read the News Release](#)

Court Orders \$376,000 in Oregon Back Pay Case

A U.S. District Court judge in Oregon has ordered R.M. International Inc. to pay \$376,380 in back wages and liquidated damages to 177 employees. The ruling follows a trial resulting from an investigation by the Wage and Hour Division that found violations of the overtime provisions of the Fair Labor Standards Act. During the trial, the department alleged that the company's drivers failed to meet an exemption to the FLSA under the Motor Carrier Act for providing overtime compensation to some employees who operate motor vehicles on public highways in interstate commerce. The court found that the employees in question did not qualify for the exemption and should have been paid overtime. R.M. International Inc. is headquartered in Portland and provides truck testing services to Freightliner, a Portland truck manufacturer and a division of Daimler-Chrysler.

- [Read the Release](#)

Grower Fined for Providing Substandard Housing to Migrant Workers

A Washington state agricultural employer has agreed to pay \$11,100 in penalties following an investigation by the Wage and Hour Division. Azzano Orchards in Omak, Wash., provided migrant workers with housing units in poor repair and unsanitary. Units were not inspected prior to use, as required, and did not have adequate drainage, safe wiring and lighting, or fire extinguishers. Some did not have windows. The employer failed to disclose to workers rates of pay, periods of employment, crops to be harvested and other conditions. The grower farms and harvests apples, pears and cherries sold in other states and overseas.

- [Read the News Release](#)

Employers in Kansas, Idaho Earn OSHA 'Stars'

Companies in Kansas and Idaho have been recognized as "star" workplaces for safety and health by the Occupational Safety and Health Administration. NuStar Energy-Central East Region in Wichita, Kan., was designated as a "star," the highest honor in OSHA's Voluntary Protection Programs. J.R. Simplot Co.'s Conda Pump Station in Soda Springs, Idaho, also was approved for continued participation in its Voluntary Protection Programs at the "star" level. The Conda Pump Station originally was approved as a "star" site in 1996 and has maintained that status since.

- [Read the Kansas News Release](#)
- [Read the Idaho News Release](#)

Chicken Processor Faces \$67,600 in Proposed Fines

MB Consultants Ltd., doing business as Murray's Chickens, has been cited by the Occupational Safety and Health Administration for eight alleged violations of workplace safety and health standards at the company's South

OLMS — Compliance Seminar

- [July 12 — Lake Buena Vista, FL](#)
- [July 19 — Birmingham, AL](#)
- [July 19 — Nashville, TN](#)

OSHA — National Advisory Committee on Occupational Safety and Health (NACOSH) Meeting

- [June 19-20 — Washington, DC](#)

Fallsburg, N.Y., chicken processing facility. Among the violations, OSHA found deficiencies in the facility's hazardous energy control, or "lockout/tagout" program, which is designed to prevent machinery from unintentionally starting up during maintenance. Proposed fines total \$67,600.

- [Read the Release](#)

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