



DOL News Brief

June 14, 2012

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OSH Act, Making an Impact



Looking back at the improvements in safety and health in the American workplace, it is easy to forget that it wasn't even 50 years ago that the Occupational Safety and Health

Administration was created. President Lyndon B. Johnson in 1968 submitted a report to Congress on the state of hazards in the workplace. Two years later, under President Richard M. Nixon, OSHA was created by passage of the Occupational Safety and Health Act. Then-



Secretary of Labor James Hodgson appointed George Guenther as the assistant secretary to lead the fledgling agency. Congress established OSHA as a national public health agency dedicated to the basic proposition that no worker should have to choose between their life and their job. Just a few years after its founding, in June 1978, OSHA issued a cotton dust standard to protect 600,000 workers from the crippling hazards of "brown lung," or byssinosis, in the textile industry. Implementation of the cotton dust standard has almost eliminated byssinosis among American textile workers — one of the significant Centennial Moments in the Labor Department's history.

- Learn More about OSHA
• Learn About National Safety Month

Solis Dedicates Job Corps Center



Secretary Solis had the honor of officially opening the Ottumwa Job Corps Center, on June 8. Assistant Secretary of Labor for Employment and

Training Jane Oates also attended the event in

What's New

Workforce Funding — Investing in Innovation

Carnegie Mellon University welcomed Secretary Solis to Pittsburgh on June 14 for a visit highlighting innovative approaches to training workers for hi-tech jobs in a 21st century economy. The university currently houses an incubator for technology start-up companies focused on taking research to market, including Astrobotic, a



Pittsburgh company focused on affordable space robotics technology and competing in the Google Lunar X Prize. This home to innovation served as a perfect backdrop for the announcement of nearly \$147 million in grants through the Workforce Innovation Fund. The grants will help pioneer new workforce training models across the country to deliver services more efficiently, facilitate cooperation across programs and funding streams, and focus on partnerships with specific employers or industry sectors to develop programs that reflect current and future skill needs. Secretary Solis also announced a new round of grants — a \$20 million "Pay for Success" funding opportunity where government only pays for services that achieve measurable results, shifting the risk of investment from the government to the private sector.

- View the Slideshow
• Read the Secretary's Remarks
• Read the News Release
• Learn More About the Workforce Innovation Fund
• Read the Pay for Success Grant Solicitation

Secretary, Ambassadors Sign Workplace Partnerships



Ambassadors of Honduras, the Philippines, Peru and Ecuador joined Secretary Solis June 11 for a historic signing of new partnerships on worker rights at the department headquarters. Solis told an audience of nearly 200 guests that the agreements help ensure workers "are aware of the right to safe workplaces and to receive full payment of

the wages owed to them under the laws of the United States." Under the agreements, regional enforcement offices of the Occupational Safety and Health Administration and the Wage and Hour Division will cooperate with local consulates of the four countries to inform migrant workers about U.S. health, safety and wage laws. The ceremony was streamed live to thousands at consulates and embassies around the country. The department previously signed agreements with Mexico, Nicaragua,

Ottumwa, Iowa, along with Iowa Senator Tom Harkin. The career training and education center is designed to offer instruction to 300 students in health care, information technology, manufacturing and transportation. Job Corps, a Department of Labor program, is the nation's largest federally funded residential career technical training and education program for young people (ages 16 through 24). At 125 centers nationwide, the program trains 60,000 young people each year in more than 100 different career areas.

- [View the Slideshow](#)
- [Learn More About Job Corps](#)

Workplace Equality

Kathy Martinez, assistant secretary of labor for disability employment policy, stressed the importance of creating a work environment that is flexible and open to the talents of all qualified individuals, including those with disabilities, in speeches during the last week. "Today, our nation benefits from an increasingly diverse workforce, one that offers a number of different perspectives and rich ideas to American businesses of all sizes and in all industries," she said. "And disability is such an important dimension of this diversity." Martinez spoke to the Southeast Industry Liaison Group at their "Winning the Race for Equality and Diversity" conference in Charlotte, N.C.; the Disability Program Managers and Selective Placement Program Coordinators at the Department of Homeland Security's Disability Forum in Washington, D.C.; and employees and guests at the KPMG Workplace Equality and Fairness event in Washington, D.C.

Talking Jobs in Des Moines



Secretary Solis met with more than 40 members of Iowa's Latino community at Des Moines' United Way on June 8 to discuss job training

programs, the employment situation, workers' rights and other topics. "I'm here to hear directly from you, and I want to make sure you are aware of a variety of programs available by the Labor Department to help you enter or re-enter the workforce," said Solis to the group, which included students, entrepreneurs, local government employees and others. Solis was joined by Assistant Secretary of Labor for Employment and Training Jane Oates and United Way's leadership and staff. Sandra Sanchez-Naert, co-chair of Iowa's Division of Latino Affairs,

Guatemala, El Salvador, Costa Rica, the Dominican Republic and India.

- [View the Slideshow](#)
- [Read the News Release](#)
- [Read the Secretary's Remarks](#)
- [Read the Blog Entry](#)
- [Watch the Video of the Ceremony](#)

Solis Sees What Big Brown Can Do for Training

For service-oriented companies like UPS, having a highly trained, healthy workforce can mean the difference between a repeat customer and a one-time delivery. So when UPS realized that it was taking younger drivers significantly more time to become proficient and that more of them were leaving the company during their initial



training period, UPS turned to the department's Employment and Training Administration for help. With a \$1.8 million loan and the help of partners like MIT and Virginia Tech, UPS created Integrad, a high-tech training facility located across the street from its main Washington, D.C., area shipping facility in Landover, Md. Secretary Solis visited the facility, which opened in 2007, on June 12 to see what it takes to hit the streets in the distinctive brown delivery trucks, and how committing to safety helps a company's bottom line. The facility features a wide variety of training stations designed to mirror what drivers experience on their routes. At one station, drivers train on the right way to enter and exit the truck, learning how to save more than 14,000 pounds of force on their bodies. At another, drivers strap into a harness for a walk down a simulated icy sidewalk to stress the importance of both the driver and the package arriving safely. Prior to visiting the training facility, Secretary Solis and Assistant Secretary of Labor for Employment and Training Jane Oates caught up with a few drivers to say hello before they headed out on their daily deliveries.

- [View the Slideshow](#)

News You Can Use

Updated Guide to State and Local Workforce Data Now Available

The Employment and Training Administration has released the second edition of its popular "Guide to State and Local Workforce Data," which provides comprehensive coverage of the most valuable workforce data sources from government and the private sector. This edition includes new entries on employment projections, educational attainment and credentials, health insurance, and many more topics. Unlike other guides, it offers direct links to the data to connect users immediately to what they need. The guide can be easily customized by the user, and is designed for a wide audience, including department grant applicants and recipients; educators, trainers and career counselors; business and labor; economic developers; and community and faith-based organizations. It also provides key definitions, and tips for using workforce statistics. Each entry includes summary statistics on the number of states and localities for which data are available, contact information if the user needs help, and much more.

- [Read the Guide](#)

Free Training on Prevailing Wage Requirements

moderated the question-and-answer session on green jobs, fair wages, and how to find government resources.

- [View the Slideshow](#)

Progress as Possibilities

"Progress doesn't happen in a moment. It happens in a movement," Patricia A. Shiu, director of the Office of Federal Contract Compliance Programs, said in a keynote address at a National Council on Disability forum at the University of California Los Angeles on June 8. Shiu highlighted the efforts OFCCP is undertaking to focus on veterans and people with disabilities. These efforts, she said, "are not just going to make history. They are going to make possibilities for 33 million working-age Americans with disabilities." A federal policy panel included Jane Suhr, OFCCP Los Angeles district director; Eve Hill of the Justice Department; Henry Claypool of the Health and Human Services Department, and Nancy Sanders of the Labor Department.

Honoring OSHA's Leader

For distinguished leadership in the field of public health, Dr. David Michaels, assistant secretary of labor for occupational safety and health,



received the Allan Rosenfield Alumni Award for Excellence from his alma mater, the Columbia University Mailman School of Public Health, last week. The award honors Dr. Rosenfield's legacy of leadership in public health, research, education, health care administration, public policy and practice. Reflecting on his graduate studies, Michaels said, "The reason we're in public health is to understand the world so we can transform it and make the world a better place. Columbia is where I got the tools to do that."

- [Read Columbia University Article](#)

Enhanced Mine Enforcement

Speaking at a one-day seminar sponsored by Pennsylvania State University's Miner Training Program near Pittsburgh, Joseph Main, the assistant secretary of labor who heads the Mine Safety and Health Administration, said that despite numerous challenges resulting from the worst coal mining disaster in 40 years, compliance is improving at the nation's mines. "Following the April 2010 explosion of the Upper Big Branch Mine, one of my most significant

The Wage and Hour Division will be hosting four free training conferences throughout the United States to provide outreach on the rules concerning prevailing wage requirements under the Davis-Bacon Act, the McNamara-O'Hara Service Contract Act, and the labor standards provisions of the American Recovery and Reinvestment Act of 2009. The training will take place in Los Angeles, July 24-26; Miami, July 31-Aug. 2; Philadelphia, July 10-12 and Seattle, Aug. 7-9. To attend a conference, send an email to whdpsc@dol.gov that includes the participant's name, title, organization and email address, as well as the city selected for the training. A department representative will respond and advise whether the request can be accommodated.

Around DOL

Chávez Public Policy Symposium, in the Chávez Auditorium

On June 6, the César Chávez Public Policy Charter School in Washington, D.C., held its inaugural Public Policy Symposium at the department's César E. Chávez Memorial Auditorium. After a year-long research and writing phase, five graduating students — Sitra Addus-Salaam, Mariah Green, DaJohn Hart, Khadija Jones and



Sabrina Winston — showcased their analytical skills by presenting policy initiatives on timely issues such as health care, foreign food aid, and environmental justice. The department's deputy chief of staff, Mary Beth Maxwell, welcomed the students, educators, public policy experts and guests to the department and thanked the teachers who make a difference in the lives of students every day. Ms. Irasema Salcido, the founder and CEO of the Chávez Schools, and Dr. Maurice Jackson, professor of history and African American studies at Georgetown University, also delivered remarks. Upon their high school graduation, all five students will attend colleges and universities throughout the country, taking with them the interdisciplinary perspective they learned at the Chávez school.

Safety, Safety, Safety, Right Here at Frances Perkins!



For more than 40 years, the department has organized Safety Day for employees at the Frances Perkins Building. On June 13, 40 exhibitors, including nonprofit organizations, the department's agencies, and a fire department, provided information about how employees can be safe on the job, at home, and in everyday life. In her remarks,

Secretary Solis stressed that the department's Safety Day 2012 provides employees with a chance to look out for one another. "We are an important part of each other's lives and this wonderful group of exhibitors here today can help make sure that everyone in our Labor Department family has the knowledge and tools to stay safe here at the office, on the road and in our homes," Solis said. Dr. David Michaels, assistant secretary of labor for occupational safety and health, provided opening remarks.

- [View the Slideshow](#)
-

challenges was keeping MSHA focused on our overall mission and agenda to advance mine safety," said Main. "That tragedy clearly identified that more needed to be done to provide miners with a voice in the workplace, and that MSHA needed to more aggressively use its tools under the Mine Act to enforce the law. We began taking actions immediately after the disaster, and we are still continuing to implement a number of initiatives to make mines safer."

- [Read the News Release](#)
- [Read Assistant Secretary Main's Remarks](#)

Regulations and Growth

Speaking at the Carnegie Endowment for International Peace, the department's chief economist, Dr. Adriana Kugler, highlighted the role regulations can play in improving the efficiency of markets and help encourage growth in the economy. Kugler's remarks on June 8 emphasized the importance of effectively measuring not just the costs of complying with regulations but also quantifying the benefits of regulations. For example, minimum wage requirements and overtime protections contribute to helping workers earn wages to support families and spend back into the economy, while workplace safety protections ensure businesses run smoothly and workers can avoid injuries that keep them from earning wages.

Job Clubbing in the Big Apple



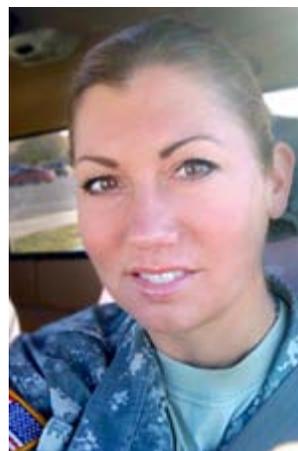
Leaders from New York's faith-based and nonprofit communities came together at Marymount Manhattan College on June 11 to discuss the role of job

clubs and other community-based programs in getting New Yorkers back to work. The event was sponsored by Senator Kirsten Gillibrand and featured groups working with the Center for Faith-based and Neighborhood Partnerships' Job Clubs Initiative. A panel of job club leaders representing churches in Queens, Mt. Vernon, and Salem, N.Y., and a synagogue in Manhattan discussed some of the key features of their programs, such as helping to restore people's dignity, leveraging employer relationships within the congregation, and using technology for job networking. A second panel of leaders from New York's workforce investment system discussed programs and resources that community-based job clubs can tap into to expand their efforts and support job seekers.

DOL Working for You

USERRA Helps Missouri Army Vet Get Job Back

With an assist from the Department of Labor, Theresa Slater got her job, workplace seniority and lost wages restored under the Uniformed Services Employment and Reemployment Rights Act. After her active service duty in the Army ended, Slater returned to her job as a security officer in Missouri. But she found that her company had changed her status to new employee, which cost her 13 years of seniority and required her to take company training courses over again. Slater filed a USERRA claim concerning her loss of seniority. Shortly after that, a small infraction of company policy by Slater led to the company firing her. Slater amended her claim alleging that the company retaliated against her for exercising her re-employment rights under USERRA. The department investigated the case and found that Slater was protected from termination for up to one year under USERRA and informed the company. Slater then went to arbitration, where she was offered back her original job, with her seniority restored and more than \$20,000 in back wages. Slater said that "the department's investigation of my case made me feel confident I would win" in arbitration.



Making the Move From Wall Street to an Eco-friendly Company

Former Wall Street investment banker Andrew Kessler turned adversity into a green job business opportunity through the department-funded Self Employment Assistance Program in New York State. After being laid off from HSBC, a global investment bank, Kessler received entrepreneurial training, self-employment and business counseling from SEAP workplace counselors while collecting his unemployment benefits. Kessler said the three-month learning experience compelled him to "conduct due diligence in a thoughtful way and put together a business plan" to become a fledgling entrepreneur. This led to his starting Turning Earth LLC, an organics recycling company in Pennsylvania that helps turn food, farm and yard wastes into compost and biogases.



DOL in Action

Allen Stanford Sentenced to 110 Years in Investment Fraud Case

A multiagency investigation has led to a 110-year prison sentence for R. Allen Stanford, former board chairman of Stanford International Bank. Stanford was sentenced in Houston on June 14 for orchestrating a 20-year investment fraud scheme in which he misappropriated \$7 billion from SIB to finance his personal businesses. The department's Employee Benefits Security Administration played a role in the investigation that led to Stanford's conviction. On March 6, 2012, Stanford, 62, was convicted on 13 of 14 counts by a federal jury following a six-week trial and approximately three days of deliberation. The jury also found that 29 financial accounts located abroad and worth approximately \$330 million were proceeds of

[View the Slideshow](#)

- [Learn More About Job Clubs](#)

Hispanic Summit in Delaware

More than 100 workers, employers and representatives from community organizations participated in the Hispanic Safety



Summit, hosted by the Philadelphia Region's Occupational Safety and Health Administration on June 10 at the Iglesia Dios Maranatha Church in Seaford, Del. Attendees participated in safety and health workshops related to the poultry, landscaping and construction industries.

Representatives from the Philadelphia Area Project on Occupational Safety and Health demonstrated how to properly wear a fall protection harness and encouraged workers to be their own safety advocates. OSHA staff discussed the agency's Heat Campaign and representatives from the Wage and Hour Division provided information on federal wage protections.

- [View the Slideshow](#)

Heat Campaign in Dallas



The Occupational Safety and Health Administration provided five Spanish-speaking volunteers to participate in Univision's Phone

Bank Program in Dallas to promote OSHA's annual Heat Illness Campaign. "This education and outreach initiative focuses on the hazards of working outdoors in the heat and the steps that need to be taken to prevent heat illness," said John Hermanson OSHA's regional administrator in Dallas. OSHA's representatives answered questions from call-in viewers asking about their rights associated with becoming overheated on the job: How often can they take breaks or rest periods, and how can they stay hydrated?

Assistance and guidance was also provided for any complaints.

- [View the Slideshow](#)
- [Learn More about the Heat Campaign](#)

Retirement Plan Questions

Small and mid-sized employers who sponsor retirement plans for their workers are to be applauded, Michael L. Davis, deputy assistant

Stanford's fraud and should be forfeited.

- [Read the Department of Justice News Release](#)

Spotlight on Southern California Landscaping Industry

The Wage and Hour Division has launched an enforcement initiative designed to inform workers about their rights and to prevent minimum wage, overtime and record-keeping violations in Southern California's landscaping industry. Investigators will make unannounced visits to contractors, landscaping companies and work sites to interview employees and conduct thorough reviews of employment practices. Seventy-seven percent of all landscaping companies investigated nationwide in 2010 and 2011 were found in violation of the Fair Labor Standards Act, which resulted in more than \$4.8 million in back wages recovered for more than 6,000 workers.

- [Read the News Release](#)

Investment Firm Ordered to Restore \$1.2 Million to Pension Accounts

Following an investigation by the department and a lawsuit, a federal court in Chicago has issued a default judgment against the co-founder and director of Results One Financial LLSC, a defunct Elmhurst-based investment management company. Steven Salutric has been ordered to restore more than \$1.2 million to four pension plan client accounts from which he allegedly withdrew funds from 2005 through 2009 in violation of the Employee Retirement Income Security Act. The department's suit alleged that Salutric misdirected the assets of client plans to entities in which he had an interest, including a film distribution company, a restaurant and a real estate partnership, and to a church where he served as treasurer.

- [Read the News Release](#)

Former Union Official Sentenced for Wire Fraud, False Tax Return

A multiagency investigation has led to the conviction and sentencing of a former union official who defrauded his union and filed a false tax return. Kenneth Aurecchia, former vice president of Plumbers International and former business manager for Plumbers Local 51 in East Providence, R.I., was sentenced to six months of home confinement (including electronic monitoring), three years of probation, 150 hours of community service, and ordered to pay a fine of \$40,000. An investigation conducted by the department's Office of Labor-Management Standards, Office of Inspector General and Employee Benefits Security Administration and the Internal Revenue Service's Criminal Investigations Division found that Aurecchia defrauded the union by getting advances for travel expenses from smaller groups tied to the plumbing industry while he was receiving union reimbursement for those costs. Aurecchia paid restitution totaling \$107,515 prior to sentencing. On January 24, 2012, Aurecchia pled guilty to one count of wire fraud in the amount of \$107,515, and one count of filing a false tax return in the amount of \$17,886.

Storm Cleanup Assistance for Pennsylvania

The department awarded approximately \$3.3 million as a National Emergency Grant increment on June 14 to the Pennsylvania Department of Labor and Industry to assist with continuing storm clean-up and recovery efforts. The commonwealth was struck by Hurricane Irene Aug. 26-30, 2011, and Tropical Storm Lee on Sept. 3, 2011. The funds will be used to support temporary jobs in affected areas. Secretary Solis said, "Hurricane Irene and Tropical Storm Lee have inflicted widespread damage on parts of Pennsylvania. The department's grant increment will fund assistance for recovery efforts in the communities touched by these devastating storms."

- [Read the News Release](#)

secretary of labor for employee benefits security, said at a recent Chicago conference. Davis also cautioned employers to carefully monitor retirement plan providers to ensure that fiduciary protections provided by law are met. At the conference hosted by PLANSPONSOR magazine, he discussed the department's efforts to update the definition of a fiduciary under the Employee Retirement Income Security Act to better protect employers and workers' assets, and encouraged employers to ask their investment advisers key questions to better understand the legal standard of care they are willing to provide to the plan and its participants.

- [Questions to Ask Your Service Provider or Investment Adviser](#)
- [Help for Small Business Retirement Plans](#)

Updating ERISA Council

The 161st meeting of the ERISA Advisory Council was held at department headquarters this week. Assistant



Secretary of Labor for Employee Benefits Security Phyllis Borzi reminded the council that the nominations window for new council members is open and that the department receives more and more nominations each year — a sign that stakeholders recognize the importance of the group's work. Borzi was on hand to update the council on the progress being made on Employee Benefits Security Administration regulations and initiatives and to answer council member's questions. She stressed to the group how important it is to create rules and regulations that protect consumers and help people understand the challenges to saving for a secure retirement. There are an extraordinary number of people who do not know, and may have never asked, how much money they will need in retirement, Borzi said.

- [Learn more about the ERISA Advisory Council](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

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

- [June 22 — Orlando, FL](#)

EBSA — COBRA Compliance

Connecticut Restaurants Agree to Back Wages for 53 Workers

A group of four Connecticut restaurants and its owners have agreed to pay 53 workers a total of \$318,561 in back wages, plus interest, as well as \$53,680 in penalties to resolve a lawsuit filed by the department alleging violations of the Fair Labor Standards Act. An investigation by the Hartford District Office of the Wage and Hour Division found that the G.D. Diner of New Haven Inc., Athenian Diner of Middletown Inc., Athenian Diner of Milford LLC and Athenian Diner of Waterbury LLC violated the FLSA by paying kitchen employees fixed weekly salaries for all hours worked, without regard to overtime premium pay due for hours beyond 40 per workweek. In addition, the investigation found that a 17-year-old dishwasher at the Middletown restaurant operated a meat slicer and another 17-year-old dishwasher operated a meat chopper. Federal child labor provisions prohibit the operation of power-driven meat and poultry processing machines by workers under 18.

- [Read the News Release](#)

Safety Hazards at Texas Manufacturing Facility

The Occupational Safety and Health Administration has cited Progressive Inc. in Arlington, Texas with 15 safety violations for exposing workers to machine guarding and electrical hazards. OSHA's Fort Worth Area Office opened an inspection in February under the agency's Site-Specific Targeting Program, which directs enforcement resources to high-hazard workplaces where the highest rates of injuries and illnesses occur Proposed penalties total \$58,000.

- [Read the News Release](#)

Enforcement, Education Efforts at Colorado Agricultural Nurseries

The Wage and Hour Division has launched an enforcement initiative focused on Colorado's agricultural nursery industry to inform workers of their rights and increase employer compliance with the minimum wage, overtime, record-keeping and child labor provisions of the Fair Labor Standards Act. "A key focus of the initiative is to educate nursery employers about the requirements of the FLSA and to emphasize the applicability of the act's overtime pay provisions to nurseries and similar nonagricultural operations," said Cynthia Watson, regional administrator for the Wage and Hour Division in the Southwest.

- [Read the News Release](#)

Mississippi Correctional Facility Faulted on Employee Protections

The GEO Group Inc. in Meridian, Miss., has been cited by the Occupational Safety and Health Administration with six safety and health violations, including one willful, for exposing employees to workplace violence and failing to take adequate measures to reduce the risk of violence. Proposed penalties total \$104,100. "This employer knowingly put workers at risk of injury or death by failing to implement well-recognized measures that would protect employees from physical assaults by inmates," said Clyde Payne, OSHA's area director in Jackson. "Prisons may be inherently dangerous workplaces, but the employer is still required to take every reasonable precaution to protect corrections officers and other staff against safety and health hazards, including assaults."

- [Read the News Release](#)

Texas Community Centers to Pay Back Wages

Permian Basin Community Centers for Mental Health and Mental

Workshop

- [June 29 — Dallas, TX](#)

EBSA — Health Benefits Laws Compliance Assistance Seminar

- [July 25-26 — Billings, MT](#)

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 — Analyzing Personnel Activity Data

- [July 26 — Omaha, NE](#)

OFCCP — Beyond the Written AAP

- [June 21 — Houston, TX](#)

OFCCP — Building Community and Veteran Partnerships

- [July 11 — Tallahassee, FL](#)

OFCCP — Building Partnerships for the Community

- [July 12 — Charlotte, NC](#)

OFCCP — Community Based Education & Outreach

- [June 20 — Richmond, VA](#)
- [June 26 — Baltimore, MD](#)
- [June 28 — Ferguson, MO](#)

OFCCP — Compliance Assistance Seminar for Construction Contractors

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

OFCCP — Creating Pathways to Success

- [June 21 — Kansas City, MO](#)

OFCCP — Developing Written Affirmative Action Plans

- [July 25 — Columbus, OH](#)

OFCCP — Equal Pay Conference

- [June 27 — Burlington, VT](#)

OFCCP — Implementing an Effective

Retardation, doing business as PBCC, has agreed to pay \$68,990 in overtime back wages to 78 employees after an investigation found overtime violations at 12 of the company's facilities in Alpine, Fort Stockton, Midland, Odessa, Presidion and Van Horn, Texas. The Wage and Hour Division investigation found that the company incorrectly classified intake specialists, early intervention specialists and rehabilitation providers, among others, as exempt from the Fair Labor Standards Act's overtime compensation requirements for professional workers.

- [Read the News Release](#)

OSHA Cites Electrical Contractor Following Fatality

PAR Electrical Contractors Inc., based in Kansas City, Mo., has been cited by the Occupational Safety and Health Administration for three alleged safety violations following the Dec. 22, 2011, death of an employee who was electrocuted while working on a power line 100 miles outside of Billings, Mont. Two serious violations involved exposing workers to electrocution hazards. One repeat violation involved failing to keep new conductors under positive control to prevent accidental contact with energized circuits. The company was cited for a similar violation identified at a Missouri job site in 2007.

- [Read the News Release](#)

New York Laundry Sued for Back Wages

The department has filed a lawsuit against Serklan Inc., a Yonkers, N.Y., wholesale commercial laundry and cleaning business, for violations of the minimum wage, overtime and record-keeping provisions of the federal Fair Labor Standards Act. An investigation by the department's Wage and Hour Division found that, since at least May 2009, the defendants violated the law by paying employees a flat salary in cash for all hours worked, including hours beyond 40 in a week. Consequently, the workers did not receive minimum wage and overtime pay required by the FLSA. The suit, filed with the U.S. District Court for the Southern District of New York by the department's Regional Office of the Solicitor, seeks back wages plus an equal amount in liquidated damages, both payable to the affected workers.

- [Read the News Release](#)

Employees Exposed to Hazards During Work on Store

Woodland Interiors Inc. of Hiram, Ga., has been cited by the Occupational Safety and Health Administration for exposing workers to fall hazards while installing insulation to exterior walls of a newly constructed grocery store. The company received a willful citation for allowing employees to work from an aerial lift without fall protection and a serious violation for failing to protect employees working from the roof of the building at heights up to 15 feet. Proposed penalties total \$43,400. "Falls are a leading cause of workplace fatalities, and employers need to ensure workers are protected," said Andre Richards, director of OSHA's Atlanta-West Office.

- [Read the News Release](#)

Tornado Recovery in the Dallas-Fort Worth Area

The department's Wage and Hour Division has launched an enforcement initiative in the Dallas-Fort Worth, Texas, area following recent tornadoes. "Many industries involved in rebuilding, such as roofing and residential construction, employ large populations of low-wage and vulnerable workers who are less likely to step forward and complain when subjected to wage violations," said Cynthia Watson, regional administrator for the Wage and Hour Division in the Southwest. The division seeks to increase public awareness of federal wage and hour laws, strengthen compliance among employers, and encourage workers to understand and exercise their rights.

- [Read the News Release](#)

Affirmative Action Program:
Obtaining Meaningful Results

- [July 16 — Chicago, IL](#)

OFCCP — OFCCP and Napa Valley
College Veterans Conference

- [July 11 — Napa, CA](#)

OFCCP — Maintaining Applicant Flow
Data

- [July 19 — Omaha, NE](#)

OFCCP — Retaliation Complaints

- [June 21 — Omaha, NE](#)

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

- [July 18 — Mountainside, NJ](#)

OFCCP — Technical Assistance
Seminar

- [June 29 — Columbus, OH](#)

OFCCP — Warriors to the Workforce

- [June 22 — Chicago, IL](#)

OFCCP — What Are Your Workplace
Rights?

- [June 19 — New York, NY](#)

OLMS — Compliance Seminar

- [July 12 — Lake Buena Vista, FL](#)
- [July 19 — Birmingham, AL](#)
- [July 19 — Nashville, TN](#)
- [July 26 — Charlotte, NC](#)

OSHA — Maritime Advisory
Committee for Occupational Safety
and Health Meeting

- [July 24-25 — Seattle, WA](#)

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

- [June 19-20 — Washington, DC](#)

OSHA — Stakeholder Meeting to
Help Assess Effectiveness of State
Plans

- [June 25 — Washington, DC](#)

WHD — Fair Labor Standards Act
Seminar at the Indiana Latino Expo

- [June 23 — Indianapolis, IN](#)

WHD — Prevailing Wage Conference

- [July 10-12 — Philadelphia, PA](#)
- [July 24-26 — Los Angeles, CA](#)
- [July 31-Aug 2 — Miami, FL](#)

\$170,000 in Back Wages for 11 Restaurant Employees

San Jose Restaurante Mexicano in Columbia, S.C., has agreed to pay \$170,666 in back wages to 11 employees after an investigation by the Wage and Hour Division found the business violated the Fair Labor Standards Act's minimum wage, overtime and record-keeping provisions. "The Wage and Hour Division is committed to protecting low-wage employees in the restaurant industry, where we have found widespread FLSA violations resulting from practices such as having employees work for tips only, not recording all hours worked and failing to pay overtime compensation," said Michelle Garvey, director of the division's Columbia office, which conducted the investigation.

- [Read the News Release](#)

Inspection Finds Workers Exposed to Lead at Gun Works

Illinois Gun Works Ltd. has been cited by the Occupational Safety and Health Administration for 28 alleged health violations following a Jan. 21 inspection referred by the Illinois Department of Public Health. The inspection found two gun range operators were exposed to airborne lead levels up to 12 times the permissible level at the Elmwood Park, Ill., plant. The findings included 27 serious violations, with 13 involving violations of the lead standard. Proposed fines total \$111,000.

- [Read the News Release](#)

Investigation Leads to H-1B Workers Receiving More Than
\$740,000

Semafor Technologies LLC in Norcross, Ga., has agreed to pay 73 employees \$741,288 in back wages following an investigation by the Wage and Hour Division that found violations of the H-1B visa program, which allows non-immigrants to work temporarily in the United States. The company specializes in software development, on-site/off-site application outsourcing, infrastructure, consulting and product development services.

- [Read the News Release](#)

Chemical, Other Hazards Found at Hair Care Manufacturer

Zoto's International Inc. has been cited by the Occupational Safety and Health Administration with 44 alleged serious violations of workplace safety and health standards at the company's Geneva, N.Y., manufacturing plant. The maker of hair care products faces \$233,000 in fines for a cross-section of chemical, mechanical and electrical hazards following an inspection by OSHA's Syracuse Area Office.

- [Read the News Release](#)

Maintenance Worker Electrocuted at Beef Processing Plant

VPP Group LLC has been cited by the Occupational Safety and Health Administration with 11 safety violations – including two willful – after a maintenance worker was electrocuted at the company's Norwalk, Wis., beef processing plant on Dec. 9, 2011. OSHA's inspection found that the electrocution occurred when workers were sent to fix a leaking water pipe near equipment that had not been weatherproofed for use in wet locations. This allowed moisture and water to accumulate in electrical boxes and fixtures.

- [Read the News Release](#)

Worksite Lacked Fall Protection Equipment

Jr Stucco has been cited by the Occupational Safety and Health Administration for five serious and two repeat safety violations at a Dripping Springs, Texas, worksite where workers were erecting a concrete block wall on scaffolding without required fall protection equipment. OSHA opened an inspection in March as part of the agency's regional emphasis program on

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falls and has proposed \$48,180 in penalties.

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Health Violations Found at Manufacturing Plant

Flex-N-Gate Corp., which operates as Guardian West in Urbana, Ill., has been cited by the Occupational Safety and Health Administration with nine serious safety and health violations for failing to monitor workers' exposure to nickel, chromium, hydrochloric acid and sulfuric acid while cleaning electroplating tanks at the company's bumper manufacturing plant. Proposed fines total \$57,000 following a December 2011 inspection.

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