



DOL News Brief

July 5, 2012

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Civil Rights Act...and the Future



The nation celebrated the 48th anniversary of the Civil Rights Act earlier this week. This landmark legislation is a pivotal moment in American history, and a major step towards ending discrimination.

But it also had a significant impact on the work and future of the U.S. Department of Labor.

President Lyndon B. Johnson signed the Civil Rights Act on July 2, 1964. A year later, he issued Executive Order 11246, establishing the department's Office of Federal Contract Compliance Programs, which ensures equal employment opportunity for government contractors and subcontractors. Title VII of the Civil Rights Act was one of the sources of legislative authorization for the Executive Order.



• [Read Executive Order 11246](#)

What's New

\$20 Million Awarded for Job Training to Help Homeless Veterans

More than \$20 million in grants have been awarded by the department to fund job training and support services to help more than 11,000 veterans succeed in civilian careers. The grants were awarded on July 2 through the Homeless Veterans



Reintegration Program, with some of the grants set aside to serve formerly incarcerated veterans, homeless female veterans, and veterans with families. The grants, Secretary Solis said, will "take us one step closer to the goal of ending veteran homelessness altogether."

• [Read the News Release](#)

PSA Available for Program to Help Unemployed Veterans



A public service announcement urging unemployed veterans to apply for education and training through a new program was released by the department this week. In the PSA, Secretary Solis explains that the new Veteran Retraining Assistance Program is designed for unemployed veterans between

the ages of 35 and 60 and provides benefits for education and training for high-demand jobs. Qualifying veterans can receive up to 12 months of assistance equal to the full-time Montgomery GI Bill active duty rate, currently \$1,473 per month. Veterans can apply on a first-come, first-served basis for training programs that begin on or after July 1, 2012. Assistance available through this program will end on March 31, 2014. The program is a joint initiative with the Department of Veterans Affairs.

• [Learn More About VRAP](#)
• [View the PSA](#)

Welcome New Citizens



In a U.S. naturalization ceremony in New York City, 21 new American citizens received a special welcome from Secretary Solis. "I know each of you has a

unique story and unique contributions you'll bring to our democracy," Solis told the group. Taking the oath of citizenship just two days before Independence Day, the new citizens represented 18 different countries and diverse backgrounds. Among them were a university student, a cook, a mother of three, a patient care technician, and a finance executive. "My parents met — and fell in love — in an American citizenship class," Solis said. "So I owe the naturalization process so very much. It gave birth to my family."

• [Read Solis' Remarks](#)
• [Read the Blog Entry](#)
• [View the Slideshow](#)

News You Can Use

Seeking Nominations for Federal Advisory Council

The Occupational Safety and Health Administration is accepting nominations for six new members to serve on the 16-member Federal Advisory Council on Occupational Safety and Health. FACOSH advises the secretary of labor on matters relating to the occupational safety and health of federal employees, as part of an effort to keep to a minimum the number and severity of injuries and illnesses in the federal workforce. FACOSH also encourages each federal department and agency to establish and maintain

"It's a New Day"

"It's a new day" in the struggle for dignity and fair treatment of immigrant families, Secretary Solis said at a women's luncheon hosted by the League



of United Latin American Citizens on June 29 in Orlando. Solis said as many as 9 million Latinos will leave the ranks of the uninsured as a result of the Supreme Court ruling affirming the constitutionality of the Affordable Care Act. She also heralded the administration's decision to remove the specter of deportation from young immigrants, saying it will allow them to obtain work authorizations and contribute to the U.S. economic recovery. But she stressed her top priority is helping get the economy back on track for all workers. "My department has been out there every day — meeting with workers, employers and stakeholders — to make sure all of our workers have safe workplaces and are paid the wages they are owed. I can't stress how critical these efforts are in tough economic times, especially for immigrant women."

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

Women Veterans Summit



Sixty-four service providers and women veterans participated in the Women Veterans Resource Summit on the campus of Georgia

Perimeter College on June 18. The summit was sponsored by the department's Women's Bureau. The speakers included Dr. Katherine Jones, military sexual trauma coordinator at the Atlanta VA Medical Center, and Women's Bureau Regional Administrator Paulette Lewis, who discussed the agency's work on behalf of women veterans and reviewed the agency's trauma care guide. The summit included presentations by representatives of the Employment and Training Administration and Veterans Employment and Training Service, Department of Health and Human Services, Atlanta VA Medical Center, Social Security Administration, Centers for Disease Control and Prevention, the State of Georgia and Georgia Perimeter College.

- [View the Slideshow](#)
- [Learn About the Trauma Guide](#)

College Lab Tour

The advanced manufacturing laboratories at Reading

effective occupational safety and health programs. Nominations will be accepted for three federal agency management representatives and three labor organization representatives. Members will serve terms not to exceed three years.

- [Read the News Release](#)

International Scene

Establishing an International Economic Dialog

Understanding the global economy can help policymakers better understand how to weather economic downturns. As part of an on-going effort to share U.S. experiences with the international community, the secretary's chief economist, Dr. Adriana Kugler, met with delegations of business and economic leaders from South Korea and Yemen last week to provide an overview of the American economy and recent trends in employment. Kugler discussed how programs like Unemployment Insurance helped to stabilize the economy during the depths of the recession and how efforts to expand training programs and employment services to vulnerable communities help drive economic recovery.

DOL Working for You

From Job Corps to College Scholarship



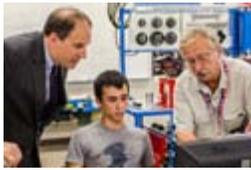
Solomon Tesfamichael, a Muhlenberg Job Corps Center student, has been awarded a Berea College Scholarship. Located in Berea, Ky., the college provides an educational opportunity primarily for students who have great promise and limited economic resources. Born in the East African country of Eritrea, Solomon was living in Atlanta before deciding to attend the Job Corps Center in Greenville, Ky., where he has completed his high school diploma and earned a certificate in Medical Office Support and Pharmacy Technology. At Berea, he will study pre-medicine with the long-term goal of engaging in research of diseases. "My Job Corps experience has been

more than I expected. It has been a wonderful experience getting to meet and study with people from all walks of life. I love the diversity that Job Corps allows you to experience," Solomon said.

Lesson Learned at Safety Conference Saves Worker's Eyesight

Sharon Chestnut, a dietary worker at a rehabilitation center in Warminster, Pa., saved her eyesight when she carried out 99 percent of the safety precautions necessary to flush out a chemical that accidentally splashed in her eyes. She immediately went to an eyewash station and remembered to bring the can of Sterno containing the chemical to the hospital so that doctors would be able to quickly treat her. Chestnut learned how to respond at the District 1199C Training & Upgrading Fund's 1st annual Safety Conference on March 31. The safety conference, funded by a Susan G. Harwood grant, was awarded by the Occupational





Area Community College in Reading, Pa., were visited by Deputy Secretary of Labor Seth Harris last week. The college is part of a Pennsylvania community college consortium that was awarded \$20 million through the department's Trade Adjustment Assistance Community College Career Training Program. The program required community colleges to partner with local businesses – encouraging companies to ensure jobs in growing industries by providing a skilled workforce. This funding helped the college introduce 14 career programs designed to help local residents find high-wage, high-demand jobs in industries such as advanced manufacturing, energy and health-care technology.

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

Job Corps Trains With Coast Guard



Students in the seamanship program at the Tongue Point Job Corps Center recently participated in an emergency response drill with the U.S. Coast

Guard. The Tongue Point center, in Astoria, Oregon, has three sea-going vessels, including the Ironwood, a former Coast Guard buoy tender that students used in the drill. The students received training on the 13th Coast Guard District's new Emergency Towing System, an equipment package for disabled vessels requiring assistance. At the Tongue Point center, about 60 students enroll in the seamanship program at any one time, and graduates qualify to join the Merchant Marine.

- [Read the Coast Guard's News Release](#)

Opening Doors in St. Louis

The Office of Federal Contract Compliance Programs St. Louis District Office debuted a new video, "OFCCP - We Open the Doors of Opportunity," at a



community event on June 28. The event highlighted education, outreach and compliance for community-based organizations as well as state, local and federal agencies. Missouri State Senator Maria Chappelle-Nadal keyed the event, which also included remarks by Dr. Alisa Warren, executive director of the Missouri Commission on Human Rights, and Mattie Moore, representing Senator Claire McCaskill.

Safety and Health Administration to provide hazard training and education for underserved workers and employers. "They taught us what to do in an emergency. I stayed calm, didn't panic, and I was giving out orders," she said.

DOL in Action

\$27.3 Million to be Restored to Benefit Plans

The National Rural Electric Cooperative Association this week agreed to restore \$27,272,727 to three association-sponsored employee benefit plans covered by the Employee Retirement Income Security Act. This agreement follows an investigation by the department's Employee Benefits Security Administration that found the association selected itself as a service provider to the plans, determined its own compensation and made payments to itself that exceeded the association's direct expenses in providing services to the plans, in violation of ERISA. The agreement calls for the association to discount the amount of permissible direct expenses for which it seeks reimbursement from all three plans in the amount of \$22,727,272. The balance of the settlement payment, \$4,545,455, already has been paid directly to the association's 401(k) plan.

- [Read the News Release](#)

Workers Exposed to Hazards at Dallas Grain Facility

Southwest Feed Mills Inc. has been cited by the Occupational Safety and Health Administration with 12 serious safety violations for exposing workers to combustible dust, falls, unguarded machines and other hazards at the company's Dallas facility. "Excessive amounts of fugitive grain dust at this grain handling facility expose workers to possible fires and explosions," said Stephen Boyd, director of OSHA's Dallas Area Office. A December 2011 inspection was initiated as part of OSHA's Regional Emphasis Program on Grain Handling Facilities. The proposed penalties total \$45,000.

- [Read the News Release](#)

OSHA Settles Whistleblower Complaint With Trucking Company

The Occupational Safety and Health Administration has settled a whistleblower complaint with Heartland Transportation Inc. in Knoxville, Tenn. The department's findings alleged a worker was terminated for complaining about defective vehicles, a violation of the Surface Transportation Assistance Act. Heartland Transportation, a contract mail carrier for the U.S. Postal Service, will pay the complainant \$31,200, including \$9,895 in back wages.

- [Read the News Release](#)

Trenching Hazards at Two Florida Companies

Two Florida companies, Major Plumbing LLC and MAPP Construction LLC, have been cited by the Occupational Safety and Health Administration for trenching hazards. OSHA opened an inspection after receiving a complaint in January that an excavation sidewall had collapsed and buried a worker, who sustained a broken hip and was hospitalized. The incident occurred while workers were installing two grease traps for a new Wal-Mart store on Ranch Lake Boulevard in Bradenton. Proposed penalties are \$61,600 for Major Plumbing and \$63,000 for MAPP Construction.

- [Read the News Release](#)

- [Watch the Video](#)
- [View the Slideshow](#)

Mississippi Forum



Staff from the Office of Federal Contract Compliance Programs and the Women's Bureau recently attended the African American Regional

Policy Forum held at Jackson State University in Mississippi and sponsored by the White House and Rep. Bennie Thompson.

The forum was part of an ongoing series of regional discussions occurring in communities nationwide to connect administration officials with local leaders on a wide range of policy concerns. OFCCP representatives discussed the agency's activities with more than 200 local leaders, including efforts to promote equal employment opportunities.



Pilgrim's Pride Whistleblower Case Settled

The department has entered into a settlement agreement with Pilgrim's Pride Corp. in Mount Pleasant, Texas, to resolve an investigation by the Occupational Safety and Health Administration into the company's termination of an employee who raised environmental complaints in violation of the whistleblower provision of the Federal Water Pollution Control Act. The complainant was terminated after alerting the Texas Commission on Environmental Quality that process and storm water containing excessive amounts of chromium, lead and mercury were discharged into the environment. Prior to OSHA issuing its investigative findings, the parties reached an agreement in which the employer will pay the complainant \$50,000. Pilgrim's Pride also has agreed to post a notice to employees advising them of their whistleblower rights, purge any derogatory information in the employee's personnel file directly related to the incident and provide a neutral job reference. In exchange, the employee will not seek reinstatement.

- [Read the News Release](#)

Fishy Biz Settles Suit, Pays Back Wages

Something Fishy Inc., a Warwick, R.I., business that sells, installs and services aquariums and fish ponds, and the company's president, Kurt Harrington, have paid \$2,835 in back wages and liquidated damages to three workers to resolve a department lawsuit alleging violations of the Fair Labor Standards Act. Under the terms of a consent judgment entered in the U.S. District Court for the District of Rhode Island in Providence, the defendants also have paid \$1,168 in civil penalties to the department for the violations.

- [Read the News Release](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

EBSA — Health Benefits Laws Compliance Assistance Seminar

- [July 25-26 — Billings, MT](#)

OFCCP — The ABC's of the AAP

- [July 19 — Los Angeles, CA](#)

OFCCP — Analyzing Personnel Activity Data

- [July 26 — Omaha, NE](#)

OFCCP — Building Community and Veteran Partnerships

- [July 11 — Tallahassee, FL](#)

OFCCP — Building Partnerships for the Community

- [July 12 — Charlotte, NC](#)

OFCCP — Compliance Assistance Seminar

- [July 18 — Boston, MA](#)

OFCCP — Compliance Assistance for First Time Supply and Service Contractors

- [July 10 — Philadelphia, PA](#)
- [July 17 — Atlanta, GA](#)

New York Receives Additional \$5 Million for Storm Cleanup

To assist with the continuing cleanup and recovery efforts in New York in the wake of Hurricane Irene and Tropical Storm Lee, the department announced on June 29 a \$5 million National Emergency Grant incremental award. Subsequent to the Federal Emergency Management Agency declarations in August and September 2011, this grant was awarded on September 16, 2011, for up to \$16,186,108, with \$5,395,369 released initially. This latest incremental funding of \$5 million will bring the total NEG funds awarded for this project to \$10,395,369. Additional funding, up to the amount approved, will be made available as the state demonstrates a continued need for assistance.

- [Read the News Release](#)

Oil Industry Supply Company Faulted on Safety Hazards

Spa Pipe and Supply LP, doing business as Smith Pipe of Abilene, Texas, has been cited by the Occupational Safety and Health Administration with six serious and six repeat violations for exposing workers to multiple safety hazards. The investigation was part of the agency's Site-Specific Targeting Program. Serious violations include failing to properly utilize electrical components as labeled and to provide the required machine guarding. Repeat violations included failing to ensure compressed gas cylinders and valves were properly secured and to install and properly adjust work rests and tongue guards on bench grinders. Similar violations were cited in 2011. Proposed penalties total \$129,800.

- [Read the News Release](#)

Community College to Pay Back Wages, Benefits

Baton Rouge Community College in Louisiana has agreed to pay a former

OFCCP — Compliance Assistance Seminar for Construction Contractors

- [July 12 — Omaha, NE](#)
- [July 18 — Philadelphia, PA](#)

OFCCP — Compliance Assistance Seminar for Supply & Service Contractors

- [July 11 — Nashville, TN](#)
- [July 25 — Nashville, TN](#)

OFCCP — Developing Written Affirmative Action Plans

- [July 25 — Columbus, OH](#)

OFCCP — Implementing an Effective Affirmative Action Program: Obtaining Meaningful Results

- [July 16 — Chicago, IL](#)

OFCCP — Maintaining Applicant Flow Data

- [July 19 — Omaha, NE](#)

OFCCP — OFCCP and Napa Valley College Veterans Conference

- [July 11 — Napa, CA](#)

OFCCP — Preparing for an Evaluation by OFCCP (Non-Construction Contractors)

- [July 17 — Philadelphia, PA](#)

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

- [July 18 — Mountainside, NJ](#)

OLMS — Compliance Seminar

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

OSHA — Maritime Advisory Committee for Occupational Safety and Health Meeting

- [July 24-25 — Seattle, WA](#)

OWCP — DEEOIC staff participating in town hall meeting to assist nuclear weapons workers

- [July 17 — Upton, NY](#)

WHD — Prevailing Wage Conference

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

WHD — Understanding Special Minimum Wages under Section 14(c) of the FLSA

- [July 13 — Sacramento, CA](#)
- [July 19 — Birmingham, AL](#)

employee \$34,526 in back wages and benefits after an investigation by the Wage and Hour Division. The investigation, by the division's New Orleans District Office, found the college violated the Family and Medical Leave Act when it considered the employee's absence to care for a family member, as well as a request for leave for a personal serious health condition, as negative employment factors and consequently terminated the employee. "Leave may be taken all at one time or on an intermittent basis, as the condition requires," said Cynthia Watson, the division's regional administrator for the Southwest.

- [Read the News Release](#)

New Jersey Manufacturer Faces \$124,000 in Penalties

Earth Friendly Products has been cited by the Occupational Safety and Health Administration for exposing workers to safety and health violations at its Norwood, N.J., facility, and OSHA has proposed \$124,000 in penalties. OSHA's investigation revealed 23 serious violations, which included workers exposed to hazards involving machine guarding, confined space, and flammable liquid storage, among other violations. The company manufactures cleaning products and employs 38 workers at its Norwood site.

- [Read the News Release](#)

Additional \$12 Million for Storm Cleanup in Ohio

A \$12,193,752 National Emergency Grant supplement to assist with the continuing cleanup and recovery efforts in the wake of severe storms and floods in southeastern Ohio between April 4 and May 15, 2011 was announced June 29 by the department. The funds, awarded to the Ohio Department of Job and Family Services, will provide for the continuation of temporary employment for eligible dislocated workers to assist with the cleanup of affected areas in 21 counties. Subsequent to the Federal Emergency Management Agency declaration in July 2011, this grant was awarded on August 8, 2011, for up to \$16,233,360, with \$3.5 million released initially. This initial award was followed by incremental awards of \$5 million in January 2012, and \$7,733,360 in April 2012. This latest supplemental funding brings the total awarded for this project to \$28,427,112, which is projected to fund nearly 1,400 temporary jobs.

- [Read the News Release](#)

New York Metal Fabricator Cited for Failing-to-Abate Violations

Simtek Inc. in Amityville, N.Y., has been cited by the Occupational Safety and Health Administration for eight failure-to-abate violations. OSHA initiated a follow-up inspection in January to verify that the hazards found during a June 2011 inspection were corrected. The uncorrected violations involved failing to develop or implement lockout/tagout procedures and to provide training and tools to workers who perform maintenance on equipment, as well as electrical deficiencies. The company also received four repeat and one serious violation. Proposed penalties total \$138,765.

- [Read the News Release](#)

South Carolina Whistleblower Case Settled

CMM Realty Inc., a Columbia, S.C., real estate management company, and the Occupational Safety and Health Administration have settled a whistleblower complaint that alleged the illegal termination of a maintenance worker who raised workplace and environmental concerns regarding asbestos at a work site. The consent judgment provides \$45,000 to the employee as well as injunctive relief that prohibits CMM Realty from violating the whistleblower provisions of the OSH Act. "OSHA is committed

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to securing workers' right of protection from retaliation upon reporting workplace safety and/or environmental concerns," said Cindy A. Coe, OSHA's regional administrator in Atlanta.

- [Read the News Release](#)

[BLS_gov](#) Three-quarters of businesses used at least one green technology or practice in August 2011 go.usa.gov/vA6 #BLSdata

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[USDOL](#) In 1976, artist Jack Beal painted four large murals commissioned by the Department depicting "The History of... fb.me/17JFJh4aq

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