



DOL News Brief

August 9, 2012

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The Fair Labor Standards Act Through the Years



The Fair Labor Standards Act was signed on June 25, 1938, by President Franklin D. Roosevelt after more than a year of debate in Congress; it is still as relevant to workers today as it was when it was passed.

The Act sets minimum standards of living necessary for health, efficiency, and the general well-being of workers. It created the Wage and Hour Division and some of the core labor standards in this country, including minimum wage, overtime, recordkeeping and child labor provisions.

Today, the FLSA protects the nation's workforce by requiring employees to be paid at least the current federal minimum wage of \$7.25 per hour and overtime pay of one-and-one-half-times the regular rate of pay for any hours worked beyond 40 in a workweek.



WHD and the FLSA ensure a viable standard for American workers, and is the legal basis for some of the most important work that the Department of Labor can do.

Focus on Latino Employment



Latinos make up the highest number of those who are uninsured, have the highest dropout rates and have lost their homes at a

disproportionate rate in the recent housing crisis. These factors, combined with high unemployment rates, became the center of discussion during a dialogue this week hosted by the Center for American Progress. "To compete and to win in the 21st century as a country, we need to develop a skilled workforce that is ready to take on the jobs of the future," Secretary Solis told nearly 200 Hispanic leaders, policy experts and stakeholders gathered on August 7 in Washington, D.C., for the two-part panel presentation, "Ensuring that the Ladder of Opportunity Remains Strong for the Latino Community." Chief Economist Adriana

What's New

VETS Launches P3

A week after the monthly U.S. jobs report showed a 2.5 percent drop in the unemployment rate over the last year for post-9/11 veterans, Secretary Solis outlined plans to help even more transitioning service members find work as civilians. Speaking at the American Veterans National Conference in Daytona



Beach on August 8, Solis unveiled the new P3 campaign of the department's Veterans' Employment and Training Service. Beginning next January, separating service members will "prepare" for civilian employment by participating in a revised three-day employment workshop to better translate their military job skills. The department will "provide" each post-9/11 veteran with a Gold Card entitling them to six months of one-on-one job search assistance at one of 2,800 American Job Centers nationwide. And VETS investigators will "protect" the legal rights of transitioning service members to reclaim the job they left for deployment, or receive priority consideration for positions in the federal workforce.

- View the Slideshow
Read Blog Post

National News

Regulation Requires Mine Operators to Find and Fix Hazards

Effective examinations are the first line of defense to protect miners working in underground coal mines. When mine operators conduct such checks before and during a shift, they can address health and safety hazards before they become more dangerous and cause harm to workers. The Mine Safety and Health Administration completed its rule on Examinations of Work Areas in Underground Coal Mines for Violations of Mandatory Health or Safety Standards last April, and on August 6 that rule went into effect. The regulation requires mine operators to identify and correct hazardous conditions and violations of nine health and safety standards that pose the greatest risk to miners, including the kinds of conditions that led to the deadly explosion at the Upper Big Branch Mine in April 2010. Last year, MSHA issued approximately 158,000 violations, of which approximately 77,000 were attributable to underground coal mines, even though these mines represent just 4 percent of all mines.

- Read the News Release
Read the Blog Post

Enforcement Initiative Spotlights Southern California Garment Industry

A multiyear enforcement initiative focused on Southern California's garment

Kugler participated on a panel titled "Jobs, the Economy, and the Emerging Middle Class" and focused on the steady and broad-based recovery that has occurred over the past 29 months. Cecilia Munoz, director of the White House Domestic Policy Council, also gave remarks. The White House released a report on the Latino community titled "An America Built to Last: President Obama's Agenda and the Hispanic Community" on August 8.

- [View the Slideshow](#)
  - [View the White House Report](#)
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## Oates from Coast to Coast

On a packed trip spanning three states in three time zones, Assistant Secretary for Employment and Training Jane Oates took to the road to meet with state and local workforce development leaders, training partners, and employers to hear about innovative strategies helping to get America back to work. The trip kicked off in South Carolina on August 6 where Oates spoke to the Southeast Economic and Workforce Development conference — a gathering of local economic and workforce development professionals from across the southeast — about regional strategies to maintain global competitiveness.

- [Read More](#)
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## Five-State Listening Tour

A 10-day, eight-city, five-state listening tour aimed at increasing understanding about the Office of Federal Contract Compliance Programs' mission to



protect the civil rights of Americans in the federal contracting workforce was just completed by OFCCP's Director Patricia Shiu. Her first stop was Pittsburgh, where she participated in a celebration marking the 22nd anniversary of the signing of the Americans with Disabilities Act. Shiu then traveled to Philadelphia to host a roundtable with vulnerable worker groups and to meet with leaders from the local Asian American and Latino communities. In New York City and Buffalo, Shiu headlined events focused on protections afforded by the ADA to workers with disabilities. A forum to honor women veterans in New Brunswick, N.J., turned into an impromptu job fair when female veterans shared personal stories about their struggles to find work. More than a dozen employers in the room - many of them federal contractors - met with audience members on-the-spot and offered to assist with their job searches. Women were also the focus of a roundtable in Boston, hosted by the regional office of the department's Women's Bureau. Shiu also hosted two events in New Britain, Conn., and New Bedford, Mass., to highlight the need to increase

industry, beginning with operations in downtown Los Angeles' Fashion District, was launched on August 7 by the department's Wage and Hour Division. The investigations, which will spread throughout Los Angeles and Orange counties in coming weeks, are the latest effort to address consistent and widespread violations of the Fair Labor Standards Act in the garment industry. In the past five years alone, more than 1,500 investigations of employers uncovered violations resulting in more than \$11 million in back wages due to 11,000 workers. "The department is committed to ensuring that all workers are fully and properly compensated," said Secretary Solis. "After all, their earnings put food on the table, provide shelter for their families and permit them to spend their wages in our local communities at a time when local businesses need them most." The investigations' results will be made public later this year.

- [Read the News Release](#)

## Grant Solicitation to Combat Child Labor in Cambodia

The Bureau of International Labor Affairs issued a \$10 million competitive grant solicitation that seeks qualified organizations to combat child labor in Cambodia's agriculture, fishing and fisheries/aquaculture, and domestic service sectors. Applicants should address ways to combat child labor by increasing children's access to quality education and vocational/skills training; promoting sustainable livelihoods for affected households; increasing beneficiaries' access to national social protection programs that help households overcome dependence on child labor to meet basic needs; and increasing access to decent jobs for young people of legal working age. The deadline for submitting applications is Oct. 2, 2012.

- [Read the News Release](#)
  - [Read the Blog Post](#)
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## News You Can Use

### Get Informed on Fees to Get the Most Out of Retirement Investments

New fee disclosure rules from the department's Employee Benefits Security Administration mean that workers nationwide will have unprecedented access to information on what it costs to invest in a 401(k). Watch this message from Secretary Solis to learn more from this new EBSA video on how 401(k) fees impact retirement savings.

- [Watch the Video](#)



### The Impact of Accessible Technology

The department's Office of Disability Employment Policy outlines the resources available for persons with cognitive and developmental disabilities in the workplace in a new webinar. The web-based discussion was held August 2 and led by Kathy Martinez, assistant secretary of labor for disability employment policy, and Ari Ne'eman, president and co-founder of the Autistic Self Advocacy Network. The webinar was part of a departmental initiative promoting the accessibility of workplace technology as a means to increase the hiring, retention and advancement of people with disabilities in the public and private sectors. A third webinar, "Accessibility and Emerging Technology — Keys to Improving the Employment of People with Disabilities," is scheduled for August 16.

- [Read the Transcript](#)

employment of women and minorities in the construction industry. "I love meeting with workers and employers during these trips," Shiu said "As I tell my investigators at OFCCP, every workplace tells a story, and it's our job to find out what that story is."

- [View the Slideshow](#)

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## Mexican Consulate Agreement



Extending a collaborative agreement for another two years, Wage and Hour Division's Southwest Regional Administrator Cynthia Watson and

Southeast Regional Administrator Oliver Peebles recently signed a renewal agreement with the New Orleans Mexican Consulate Consul General Andrea Garcia Guerra. This agreement will continue the collaborative relationship to provide Mexican nationals in Louisiana and Mississippi with information, guidance and access to education and training resources to help them exercise their workplace rights.

- [Read the Agreement](#)

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## Outreach in Philadelphia

The Women's Bureau in Philadelphia recently joined Boat People SOS, a national Vietnamese-American community organization serving the Southeast



Asian immigrant population, to present information on equal pay and green jobs. Approximately 50 Vietnamese, Chinese and Filipino students participating in the Summer Youth Career Exploration Program, a program to expose Asian American and immigrant youth to professional career experiences and possibilities, participated in the event.

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## Baton Rouge Forum

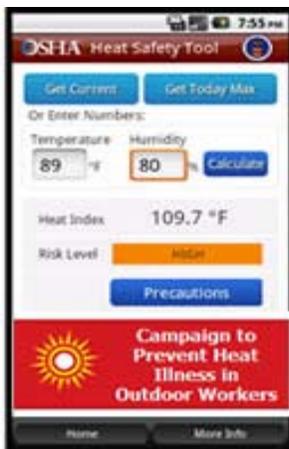


About 100 employers, advocacy groups and community-based organizations attended the department's free informational and outreach forum at the Baton Rouge Community College on August 2. Regional administrators and program specialists from the Employee

Benefits Security Administration, Wage and Hour Division, Occupational Safety and Health Administration, Office of Federal Contract Compliance Programs, Veterans' Employment and

- [Listen to the Audio](#)
- [Register for the August 16 Webinar](#)

It's Still Hot! Get your HEAT App



Even though summer is winding down, it remains hot in many parts of the country. Whether you are in the field, on the tarmac or at a construction site, workers should follow these three simple steps: water rest and shade. The Occupational Safety and Health Administration has developed a mobile application for critical information that allows workers and employers to view the risk level for outdoor work based on the heat index in their area. The app shows the signs and symptoms of heat illness, and first aid information that can save a life if heat illness strikes. Stay prepared, and together we can beat the heat.

- [Download the App](#)
- [Find your Local Weather Forecast](#)

America's Economy App

"America's Economy," the U.S. Census Bureau's first-ever mobile application, will provide constantly updated statistics on the U.S. economy, including data from the department's Bureau of Labor Statistics. The app's features include monthly economic indicators, trends, and a schedule of upcoming announcements. The app, unveiled on August 9, fulfills a key goal of President Obama's recently announced digital strategy to provide the public with greater access to government information and services.

- [Read the News Release](#)

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## Around DOL

Hiring Fair at Frances Perkins

More than 800 job seekers attended the department's hiring fair for veterans and individuals with disabilities at the Frances Perkins Building on August 8. Angel Menendez, a 23-year Marine veteran and currently a consultant, said, "The Labor Department would be a great agency to work for because it is the story of America - all work starts with labor." Evangelina Dominguez, a former federal employee with a disability who is unemployed, felt the hiring fair offered "an opportunity to reintroduce myself to the federal workforce." John Moran, deputy assistant secretary of labor for veterans' employment and training, participated in the fair. "This is a great example of the department's commitment to have veterans and people with disabilities interviewed and hired to fill critical positions right now," he said. Dominguez agreed, adding "this is a great team effort with all working together to help us find positions."

Lights, Camera, Action — for "The American Veteran"



The department's headquarters served as the backdrop for an upcoming segment of "The American Veteran," produced by the Department of Veterans Affairs to be shown to troops around the world on the Pentagon Channel. The video crew produced stand-ups featuring show host and veteran

Training Service and the Women's Bureau answered questions and concerns. Workshops covered fair labor standards, wages, health benefits, job safety, pension protection, record keeping, affirmative action, veterans' re-employment and women's rights.

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## Visiting Oil Fields

Dr. David Michaels, assistant secretary of labor for occupational safety and health, visited the Bakken oil formation of western North Dakota on August



3, observing site preparation and drilling operations of Ensign Energy Services, Inc., based out of Calgary, Alberta, and the well-servicing activities of Nabors Well Services of Belfield, N.D. The Occupational Safety and Health Administration and the National Institute for Occupational Safety and Health recently issued an alert on the hazards to workers of silica overexposure in hydraulic fracturing operations. The alert followed a cooperative study with oil and gas industry partners on ways to reduce the risk of developing silicosis disease, which reduces the lung's ability to absorb oxygen. Michaels also met with Bismarck OSHA staff to update them on initiatives and hear their experiences inspecting oil drilling operations.

- [View the Hazard Alert](#)

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## Highlighting Contract Law



In an effort to educate workers, contractors, union members and community leaders on federal contract laws, the Wage and Hour

Division hosted five free prevailing wage conferences at Fort Bliss, Texas, Philadelphia, Los Angeles, Miami and Seattle. The conferences were attended on average by more than 250 participants and focused on the requirements under the Davis-Bacon Act, McNamara-O'Hara Service Contract Act, and the labor standards provisions of the American Recovery and Reinvestment Act of 2009.

- [View the Slideshow](#)
- [View Videos and Transcripts](#)

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## LGBT Roundtable

A lesbian, gay, bisexual and transgender roundtable with community leaders in

Jonathan Kaupanger in and around the Frances Perkins Building, including segments shot on the roof, along Constitution Avenue, in the Cesar Chavez Auditorium, and in the offices of the Veterans' Employment and Training Service. John Moran, deputy assistant secretary of labor for veterans' employment and training, was interviewed by the show's executive producer Jeremy Wheeler on programs offered by the department to veterans, including the Transition Assistance Program, the Uniformed Services Employment and Reemployment Rights Act, and jobs initiatives targeted to returning service personnel. The monthly half-hour news magazine's schedule on The Pentagon Channel.

- [Watch the Pentagon Channel](#)

In Philadelphia, Painting the Image of Work

Philadelphia regional employees recently showed their artistic talents by participating in a special "paint day" for the "How We Fish" mural project.

Representatives from the Women's Bureau, Office of Public Affairs, Office of the Assistant Secretary for Administration and Management,

and the Bureau of Labor Statistics joined staff members from Citizens Bank to paint the mural, reflecting the value and meaning of work. The "How We Fish" mural, funded by the Citizens Bank Foundation, will be dedicated in the fall of 2012 and will hang permanently at the Archworks Building at 8th and Cherry streets in Philadelphia.

- [View the Poster](#)



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## DOL Working for You

Senior Employment Program Leads to Full-Time Work



After losing her full-time job, Vermont's Gail Ruggles worked five part-time jobs to support herself and her kids as she and they were attending colleges. But, Ruggles said, "I could not make ends meet no matter how hard I tried," so she turned to the department-funded Senior Community Service Employment Program offered by Vermont Associates for Training and Development, Inc. There she sharpened her skills on the computer and in office management and accounting, and found part-time work with a nonprofit. Then, through a federal government program that reimburses an employer who hires a worker undergoing training, Ruggles eventually landed a full-time

job with benefits for a medical technology company. The Senior Community Service program "offered an avenue to re-enter the workforce," she said.

DOL Pathways Funding Helps Former Prisoner

Serving 17 years in prison gave New Yorker Steuben Vega time to think. He decided to live every day under the mantra "our lives are not determined by what happens but how we respond." While in jail he earned a bachelor's degree in social



Miami was recently held by Nancy Leppink, deputy administrator for the Wage and Hour Division, to discuss Family and Medical Leave Act issues. Leppink highlighted the newly released Family Medical Leave Act employee guide, an easy-to-read language booklet designed to answer common FMLA questions and clarify who can take FMLA leave and what protections the FMLA provides. The guide addresses the FMLA definition of "son or daughter," including in loco parentis relationships even if the employee has no biological or legal relationship to the child.

- [Read the Guide](#)

## Seattle Symposium



Nearly 200 people attended the Office of Federal Contract Compliance Programs' free two-day symposium in Seattle on breaking down

barriers that keep individuals with disabilities from reaching their full potential in the workplace. Attendees at the August 6 and 7 symposium chose from 21 different classes and panel discussions covering a variety of issues such as the general rights of employees with disabilities, benefits to employers hiring those with disabilities, reasonable accommodations, and workplace design. Alexis Oliver, executive policy advisor to Washington Gov. Christine Gregoire, and Mark Sullivan, senior planning and performance manager for the State of Washington, were keynote speakers. Leigh Jones, district director of the Seattle OFCCP office, said, "We hope that by collaborating with different organizations we can create lasting partnerships that will benefit the community."

- [View the Slideshow](#)

## Ideas for Growing Green

A number of ideas to promote sustainable green jobs for women were generated during a recent "Women in Sustainable Careers" roundtable hosted by the Women's Bureau and the Greenfield Community College Office of Workforce Development in Greenfield, Mass. Some of the ideas at the roundtable included creation of a "Green Career Mentor List" and a "Green Career Job Shadow List," encouragement of young



sciences and began to map out a career to pursue. When released, Vega turned to the Doe Fund's Ready, Willing and Able Pathways program, funded by the department, which provides education and training and work placement for the formerly incarcerated. Vega began an internship in building maintenance for a nonprofit and excelled at it. He then was hired as a counselor for a community social services organization and now offers words of encouragement to new parolees. He tells them that incarceration "should not be a barrier to achieving your goals."

## DOL in Action

### Norfolk Southern Again in Violation of Federal Railroad Safety Act

Norfolk Southern Railway Co. has been ordered by the Occupational Safety and Health Administration to pay an employee more than \$300,000 in damages, which includes \$200,000 in punitive damages, \$75,000 in compensatory damages, and \$25,123 in attorney's fees for violating the whistleblower protection provisions of the Federal Railroad Safety Act. OSHA's investigations found that the company continues to retaliate against employees for reporting work-related injuries and has effectively created a chilling effect in the railroad industry. "Railroad workers throughout this country have the right to report an injury without fear of retaliation," said Cindy A. Coe, OSHA's regional administrator in Atlanta. "The Department of Labor will continue to protect all employees, including those in the railroad industry, from retaliation for exercising these basic worker rights, and employers found in violation will be held accountable."

- [Read the News Release](#)

### OSHA Places Company in Severe Violator Program

Specialty metal forgings producer A. Finkl & Sons Co. has been cited with 26 safety violations at its Chicago facility. Two willful violations involve failing to provide fall protection around open pits and rectify multiple hazards found in crane inspections. The Occupational Safety and Health Administration proposed penalties totaling \$352,700. The inspection was initiated in February after a complaint alleged that cranes used in the facility were in disrepair, including having malfunctioning hoisting brakes. A. Finkl & Sons Co. has been placed in the Severe Violator Enforcement Program, which mandates targeted follow-up inspections to ensure compliance with the law.

- [Read the News Release](#)

### Iowa Restaurant Pays \$60,000 in Back Wages to Cooks, Wait Staff

Las Lomas Mexican Restaurant in Muscatine, Iowa, has paid \$60,234 in back wages to eight employees. A team of Spanish-speaking investigators from the Wage and Hour Division's Des Moines District Office conducted employee interviews and reviewed time and payroll records and determined that the restaurant paid some workers – including wait staff, cooks and dishwashers – "straight time" wages, which did not equal at least the federal

people to create their own college majors to encompass green content, and organizing a list of women in sustainable careers to speak to high school science classes. A follow-up session is scheduled for September 6.

- [Read the Guide](#)

## Upcoming Deadlines & Events

### [Open Funding Opportunities](#)

#### Compliance Seminar on Disabilities

The department will offer a free compliance seminar on August 16 to assist employers and community rehabilitation programs in complying with the requirements of Section 14(c) of the Fair Labor Standards Act. "The Federal Compliance Seminar: Special Minimum Wages to Workers with Disabilities Under Section 14(c) of the FLSA" will be held from 8 a.m.- 5 p.m. EDT at the John F. Seiberling Federal Building and U.S. Courthouse, Level B3 Conference Room, 2 S. Main St., Akron, Ohio 44308. Members of the public with questions about the seminar should contact Maureen Katoll at [katoll.maureen@dol.gov](mailto:katoll.maureen@dol.gov) or 312-596-7203.

- [Register here](#).

#### DOL — Informational and Outreach Forum

- [August 16 — Richardson, TX](#)
- [August 23 — San Antonio, TX](#)

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

- [August 14 — Chicago, IL](#)
- [September 11 — North Charleston, SC](#)

#### ILAB — Web Chat with ILAB on FY 2012 Solicitations for Grant Applications

- [August 16 — Washington, DC](#)

#### ODEP — AT Works: Accessibility and Emerging Technology – Keys to Improving the Employment of People with Disabilities

- [August 16 — Washington, DC](#)

#### OFCCP — Analyzing Personnel Activity Data

- [August 24 — Omaha, NE](#)

#### OFCCP — AAP Development & Preparing for a Desk Audit

- [August 24 — Los Angeles, CA](#)

#### OFCCP — Building Partnerships for the Community

minimum wage for all hours worked and did not include overtime pay for hours beyond 40 in a week. Las Lomas Mexican Restaurant is operated by Juan Inc. and has several locations in Iowa.

- [Read the News Release](#)

#### Florida Construction Company Cited for Fall Hazards

Best Florida Construction Inc., in Tampa, Fla., has been cited by the Occupational Safety and Health Administration with three safety violations while conducting framing work at a job site in Jacksonville. Three repeat violations involve failing to provide fall protection for employees, train workers to recognize fall hazards and provide eye and face protection for employees using nail guns. Proposed fines total \$46,200.

- [Read the News Release](#)

#### Shopping Mall Contractors From 6 States Faulted on Safety

The general contractor for the construction of the Merrimack Premium Outlets shopping mall in Merrimack, N.H., and nine subcontractors have been cited by the Occupational Safety and Health Administration for exposing their employees to fall, electrical and other common but avoidable safety hazards. OSHA found employees of general contractor Hardin Construction of Atlanta exposed to falls of up to 20 feet and to possible electric shock from an ungrounded power generator. Subcontractors from Texas, Florida, Ohio, Massachusetts and New Hampshire were cited for a variety of fall, electrical, chemical and powered industrial truck hazards. Proposed fines total \$173,500.

- [Read the News Release](#)

#### Construction Workers Exposed to Excavation, Trenching Hazards

S.J. Louis Construction of Texas Ltd. in Hurst, Texas, was cited by the Occupational Safety and Health Administration for one serious and one repeat safety violation for exposing workers to trenching and excavation hazards. Employees were replacing a water line pipe along the service road of Highway 183 in Hurst without the required shoring system to prevent cave-ins. OSHA's Fort Worth Area Office opened an inspection under the agency's National Emphasis Program on Trenching and Excavation. Proposed penalties total \$45,500.

- [Read the News Release](#)

Tuberculosis Safeguards Focus of Connecticut Inspection  
Charter Oak Health Center Inc. in Hartford, Conn., has been cited by the Occupational Safety and Health Administration for alleged serious violations of workplace health standards involving inadequate safeguards for employees exposed to tuberculosis and other infectious diseases. OSHA's Hartford Area Office opened an inspection in February after receiving a complaint that employees had been exposed to a patient with tuberculosis and that the center's management failed to take appropriate action to protect workers. The violations include the center's failure to have a system in place that promptly identifies, masks and isolates patients with suspected tuberculosis, as well as failure to provide employee training and a respiratory protection program. In addition, the center lacked a hazard communication program and hazardous chemical training. Proposed fines total \$17,600.

- [Read the News Release](#)

#### Multiple Hazards at Montana Crop Processor

- [August 21 — Birmingham, AL](#)
- [August 22 — Birmingham, AL](#)
- [August 30 — Greenwood, MS](#)
- [September 14 — Anniston, AL](#)

OFCCP — Community Based Organization Event

- [September 6 — Philadelphia, PA](#)

OFCCP — Compliance Assistance Seminar

- [August 31 — Columbus, OH](#)
- [September 21 — Los Angeles, CA](#)

OFCCP — Compliance Assistance Seminar for Construction Contractors

- [August 15 — Philadelphia, PA](#)
- [August 23 — Houston, TX](#)
- [September 5 — Nashville, TN](#)
- [September 18 — Atlanta, GA](#)
- [September 19 — Philadelphia, PA](#)

OFCCP — Compliance Assistance Seminar for Supply & Service Contractors

- [August 29 — Nashville, TN](#)
- [September 12 — Nashville, TN](#)
- [September 18 — Nashville, TN](#)
- [September 26 — Nashville, TN](#)

OFCCP — Developing Written Affirmative Action Plans

- [August 21 — Atlanta, GA](#)
- [September 26 — Columbus, OH](#)

OFCCP — Getting to Know the OFCCP - What We Do and What We Can Do for You

- [September 6 — Chicago, IL](#)

OFCCP — Internet Applicant Rule Refresher

- [August 23 — Houston, TX](#)

OFCCP — Maintaining Applicant Flow Data

- [September 13 — Omaha, NE](#)

OFCCP — National Origin Discrimination

- [August 23 — Omaha, NE](#)

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

- [September 7 — Philadelphia, PA](#)

OFCCP — Retaliation Complaints

- [September 6 — Omaha, NE](#)

American Pulses Ltd. has been cited by the Occupational Safety and Health Administration with 13 safety violations for exposing workers to multiple hazards at the company's facility in Hingham, Mont. The crop processor and exporter of peas and lentils failed to provide lighting in elevators, guardrails on platforms, handrails on stairs, and guarding on horizontal shafts, pulleys and shaft ends. Proposed fines total \$82,500.

- [Read the News Release](#)

Flaws in Process Safety Management at Ohio Company

The Occupational Safety and Health Administration has cited Heritage-WTI Inc., a hazardous waste treatment and disposal facility in East Liverpool, Ohio, with 11 health violations, including one willful violation for failing to review and annually certify operating procedures for the process safety management of hazardous chemicals. Proposed fines total \$126,000. OSHA initiated a health inspection in February, following up on a December 2011 inspection that was conducted after a worker was killed by a metal dust deflagration.

- [Read the News Release](#)

Workers Exposed to Amputation Hazards, Inspection Finds

U.S. Cotton LLC in Cleveland, Ohio, has been cited by the Occupational Safety and Health Administration for six safety violations, including one willful violation for failing to guard swab machines to prevent amputation injuries. OSHA initiated an inspection in February at the company's Cleveland facility after a worker alleged having a finger amputated. Proposed fines total \$133,100. The company has been placed in OSHA'S Severe Violator Enforcement Program, which mandates targeted follow-up inspections. The company manufactures health and beauty aide cotton products, and has additional locations in New Mexico, North Carolina and Montreal, Canada.

- [Read the News Release](#)

\$225,000 in Penalties Proposed for South Dakota Manufacturer

Adams Thermal Systems Inc., in Canton, S.D., has been cited with 51 safety and health violations and proposed penalties of \$225,000. The Occupational Safety and Health Administration initiated the complaint inspection in February. Prior to this inspection, the company had been inspected by OSHA five times since 2004, including a fatality investigation opened in November 2011 during which citations were issued for lockout of machine energy sources and machine guarding violations. That case is currently being contested by the employer. OSHA has placed Adams Thermal Systems in its Severe Violator Enforcement Program, which mandates targeted follow-up inspections to ensure compliance.

- [Read the News Release](#)

Former Missouri Union Officer Sentenced to Prison for Embezzlement

Tammy Allen, former secretary-treasurer of the Kansas City, Missouri-based Retail Wholesale Department Store Union Local 184, has been sentenced to five months of confinement, five months in a residential re-entry facility, and three years of supervised probation after being convicted of embezzling more than \$45,000. An Office of Labor-Management Standards investigation found that between January 2008 and February 2010 Allen forged the union president's signature on checks, falsified lost time vouchers, and used union funds to pay for personal expenses for herself and her family members. Allen pled guilty to one count of embezzling union funds in October 2011.

OFCCP — Seminar for First Time Service and Supply Contractors

- [August 23 — Philadelphia, PA](#)
- [September 23 — Philadelphia, PA](#)

OFCCP — Workplace Accommodations Occupations

- [August 16 — Omaha, NE](#)

OWCP — Town Hall Meetings to assist nuclear weapons workers

- [August 22 — Albuquerque, NM](#)

OLMS — Compliance Seminar

- [August 30 — Rock Hill, SC](#)
- [September 13 — Albany, NY](#)

OLMS — Trustee Workshop

- [September 18 — Huntington, WV](#)

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

- [August 16 — Akron, OH](#)

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USDOL New on the Blog - Ending Child Labor in Cambodia [bit.ly/OZ32gZ](https://bit.ly/OZ32gZ)  
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She was also ordered to pay \$45,766.81 in restitution.

Dishwasher Manufacturer Fined for Workplace Hazards

Insinger Machine Co., a dishwasher manufacturer in Philadelphia, has been cited by the Occupational Safety and Health Administration with 23 serious and two other-than-serious safety and health violations. The company faces \$67,450 in penalties for violations including electrical hazards, a lack of a hearing conservation program or training, failure to control potential hazardous energy and failure to create and post a summary of workplace injuries and illnesses. The investigation was initiated as part of the agency's Site-Specific Targeting Program, which focuses on workplaces with the highest rates of injuries and illnesses.

- [Read the News Release](#)

61 at Houston Restaurant to Receive Back Wages

Ocean Palace Inc., doing business as Ocean Palace Restaurant in Houston, Texas, has paid 61 current and former kitchen and wait staff, cashiers, hostesses, runners, cart pushers, busboys and dishwashers a total of \$125,763 in back wages. An investigation by the Wage and Hour Division's Houston District Office found that the employer improperly classified some employees as exempt from the Fair Labor Standards Act and as a result paid them flat wages.

- [Read the News Release](#)

Manufacturer Fined for Exposing Workers to Health Hazards

Steel plate manufacturer Arcelor Mittal has been cited by the Occupational Safety and Health Administration for continued safety and health hazards at its Conshohocken, Pa., facility. The company, with headquarters in Britain, is facing \$66,300 in penalties for one repeat, 11 serious, and three other-than-serious violations, including overexposing workers to more than four times the permissible level of metal fumes, fall and electrical hazards, and a lack of annual audiometric testing and training. OSHA's investigation was part of the agency's national emphasis program focused on hexavalent chromium and primary metals.

- [Read the News Release](#)

Concrete Company Cited for Inadequate Respiratory Protection System

Universal Concrete Products Corp. has been cited by the Occupational Safety and Health Administration for 18 safety and health violations at its Pottstown, Pa., facility. The four repeat violations include the concrete company's failure to provide an adequate respiratory protection system and "lockout/tagout" methods to prevent machinery from accidentally starting. The 12 serious violations were partly due to fall hazards and an inadequate respiratory protection program, while the two other-than-serious violations involve hazards associated with walking and working surfaces and electrical installations. OSHA proposed \$47,286 in penalties.

- [Read the News Release](#)

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