



DOL News Brief

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December 20, 2012

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WINNER OF PRSA'S 2012 THOTH AWARD & RAGAN'S 2012 PR DAILY AWARD — BEST ELECTRONIC NEWSLETTER —

Fighting Age Discrimination



It was 45 years ago this month (Dec. 16, 1967, to be exact) that President Lyndon B. Johnson signed into law the Age Discrimination in Employment Act. Legislative efforts to include age as a factor by which employers

could not discriminate began with the Employment Opportunity Act of 1962 and the Civil Rights Act of 1964.

The lack of data on age discrimination in the workplace prompted Secretary of Labor Willard Wirtz to commission the report "The Older American



Worker: Age Discrimination in Employment." Soon after its publication, Johnson signed the bill.

- Read President Johnson's Remarks.
• View the Centennial Video

What's New

Toolkit Announced to Help Businesses Combat Child Labor

The first-ever government guide to help the business community combat child labor and forced labor in their global supply chains was unveiled Dec. 14 by the Bureau of International Labor Affairs. The debut of "Reducing Child Labor and Forced Labor: A Toolkit for Responsible



Businesses" took place during an event at the department for about 60 representatives of government, industry, labor and other organizations as well as webcast participants. "Encouraging businesses to reduce child and forced labor in their supply chains helps advance fundamental human rights that are at the core of worker dignity, whether here in the U.S. or abroad," Secretary Solis said in a video message announcing the toolkit. The toolkit provides eight critical elements that will help a company set up or strengthen an existing social compliance program throughout its supply chain. Carol Pier, ILAB's acting deputy undersecretary; Eric Biel, acting associate deputy of ILAB, and David Abramowitz of Humanity United emphasized in their remarks that there can be no success in combating child and forced labor without support from the business community.

- Read the News Release
• Read the Blog Post
• View the Slideshow
• View the Video Presentation

Health Insurance for Dislocated Workers in West Virginia

A \$1.2 million National Emergency Grant supplement will continue health insurance payments for hundreds of unemployed workers in West Virginia. The department on Dec. 20 announced the grant supplement, which will enable the state to continue funding partial premium payments for health insurance for qualified unemployed individuals, and to expand the number of people served. "Health insurance is incredibly important, not just for workers, but for their families," said Secretary Solis. The supplement will enable West Virginia to provide two to three months of "gap filler" payments for about 1,000 dislocated workers who are receiving Trade Adjustment Assistance benefits and are eligible for the Health Coverage Tax Credit program.

- Read the News Release

Holiday Cheer for Veterans



When an anonymous donor offered to pay for a Christmas dinner for local veterans, the Columbia Basin Job Corps/Civilian Conservation Center in

Washington state swung into action under the guidance of its culinary arts instructor Theresa Clement. She and eight culinary students worked two days to prepare a dinner of prime rib, chicken cordon bleu, baked potatoes, salad and rolls. The meals were served on Dec. 7 — Pearl Harbor Day — to more than 130 World War II, Korean and Vietnam veterans at an American Legion hall. Clement said her students were up to the challenge even though they were new to cooking school and some of the dishes they prepared. But Clement said she and her students felt these soldiers were owed the very best meal because "they are sometimes the forgotten veterans and don't get the recognition they deserve."

- View the Slideshow

National News

Department's Work Continues on Hurricane Sandy Recovery

## Praise for Sandy Efforts

The faith-based community is doing its part to provide food, clothing and other assistance to families hit hard by Hurricane Sandy. "I've been so inspired to see the incredible role the faith community is playing to help people rebuild," Secretary Solis told a gathering hosted by the National Latino Evangelical Coalition on Dec. 14 in New York City. She praised the faith community for helping persons looking for work by creating social networking groups like job clubs, and encouraged them to partner with the department and use its resources. "The prayers, fellowship and hospitality you offer give people the strength to keep going. If you aren't working with my department's faith-based office yet, I hope you will start," she urged.



- [Read the Secretary's Remarks](#)

## Worker Safety in Jersey



Raising worker safety awareness for Hurricane Sandy cleanup efforts was one of the goals of a forum held in Wall Township, N.J., on Dec. 17. The

Occupational Safety and Health Administration and Wage and Hour Division participated in the forum, which focused on assisting residents, business owners, unions, volunteers and advocacy groups involved in the Sandy cleanup. Other participants included the U.S. Environmental Protection Agency, National Institute of Environmental Health Sciences, National Institute for Occupational Safety and Health, and the New Jersey Public Employees Occupational Safety and Health program.

- [View the Slideshow](#)

## Briefing Benefits Buffs

The health care and retirement landscape may be changing, but one thing is clear: employer-sponsored benefits will always be of critical importance to millions of workers and families. Assistant Secretary of Labor for Employee Benefits Security Phyllis C. Borzi made that point during an update for employee benefits professionals on developments related to the Affordable Care Act and retirement law. They include work being done on health care exchanges that will allow more workers and families to purchase affordable insurance in the coming years, and regulations that are helping workers and businesses understand what it costs to invest in a 401(k). Borzi spoke at the Employee Benefits Research Institute's Policy Forum at the Kaiser Family Foundation last week.

It's been almost two months since Hurricane Sandy hit the East Coast and the department continues with its efforts to aid workers by providing grants, unemployment assistance and safety outreach. About \$47 million in grants have been awarded to New York, New Jersey, Rhode Island and



Connecticut to assist with the restoration of public lands, infrastructure, cleanup and recovery. The department has made more than \$2 million in Disaster Unemployment Assistance available to individuals whose jobs were interrupted or lost as a direct result of Sandy. The Occupational Safety and Health Administration has conducted more than 4,200 briefings and safety interventions, reaching almost 60,000 workers and employers performing recovery work in Sandy-impacted areas, and has coordinated the distribution of more than 30,000 pieces of personal protective equipment through seven organizations. In addition, the department is working with employers in the region to ensure they continue to meet their legal responsibilities, with regard to workers, as contracts are awarded.

- [Learn About Personal Protective Equipment](#)
- [Read About Hurricane Recovery Assistance](#)
- [Learn How OSHA Is Keeping Sandy Workers Safe](#)
- [Read the Blog Post](#)

## Petition Filed Against SeaWorld of Florida to Comply With Subpoenas

A petition has been filed by the Occupational Safety and Health Administration against SeaWorld of Florida LLC to comply with administrative subpoenas. They require SeaWorld provide three managers to be interviewed during OSHA's follow-up abatement inspection. SeaWorld has declined to provide personnel to answer questions regarding abatement or correction of a prior violation related to trainers' exposure to hazards when engaged in performances with killer whales. "The employee testimony for the follow-up abatement inspection, required by a subpoena, allows OSHA inspectors to determine if SeaWorld employees continue to be exposed to unsafe and unhealthy working conditions," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. "Abating safety and health hazards in the workplace needs to be as important to an employer as recognizing the hazards in the first place."

- [Read the News Release](#)

## International Scene

Grants to Combat Child Labor in Burkina Faso, Tanzania, Brazil, Peru

Cooperative agreements to combat child labor and forced labor in Burkina Faso, Tanzania, Brazil and Peru were announced this week by the Bureau of International Labor Affairs. Counterpart International was awarded \$5 million to combat child labor in cotton production and gold mining areas of Burkina Faso. In Tanzania, the International Rescue Committee will target regions of the country where there is a prevalence of child labor in agriculture and domestic service. The International Labor Organization received a \$5.35 million grant to support efforts by the governments of Brazil and Peru to combat forced labor, including forced child labor. "Forced labor is an abhorrent practice that cannot be tolerated," said Secretary Solis.

- [Read the Burkina Faso News Release](#)

## EBSA Investigator Honored

"Extreme tenacity and perseverance"— that's what the Department of Justice says Christine Robbins of the Employee Benefits Security Administration showed as she helped investigate Ponzi scheme perpetrator Robert Allen Stanford and his cohorts. In recognition of her work on the case, the Justice Department's Criminal Division recently honored Robbins with the Assistant Attorney General's Award for Exceptional Service. In addition to the Justice Department and EBSA, the prosecution team included the U.S. Attorney's Office in Houston, the FBI, the Internal Revenue Service and the U.S. Postal Inspection Service. Stanford was convicted in March 2012 and subsequently sentenced to 110 years in prison. Two other Stanford executives pleaded guilty for their roles in the fraud, and a jury convicted two high-level Stanford accounting officers on conspiracy and wire fraud charges for their involvement in the scheme. Robbins, an eight-year EBSA veteran, is a senior investigator in the Dallas regional office.

• [Learn More About the Stanford Case](#)

## Partnerships in Atlanta



"McCarthy Building Companies Inc. and Georgia Tech Research Institute's On-site Consultation Service Program signed two strategic partnership

agreements with the Occupational Safety and Health Administration. On Dec. 11, OSHA's Atlanta-East Area Office signed an agreement for the Emory University Hospital J-Wing expansion project and on Dec. 18, OSHA's

Atlanta-West Area Office signed an agreement for the construction of the Georgia Institute of Technology Engineered Biosystems Building.



The agreements are to ensure the highest level of employee safety and health during the construction projects.

• [Learn More About the Strategic Partnerships](#)

## Eliminating Health Disparities

Reducing injuries and fatalities among vulnerable, low-wage workers is a signature initiative of the Occupational Safety and Health Administration and was featured at the 2012 Summit on the Science of Eliminating Health Disparities. The summit, held this week in Fort Washington, Md., was attended by nearly 1,000 clinicians, academics and policy leaders from around the world. Dr. David Michaels, the assistant secretary of labor who heads OSHA, spoke on the challenges facing minority workers, with many in low-wage jobs, who often do not receive proper training and are exposed to serious job hazards. He highlighted efforts to gather community groups

- [Read the Tanzania News Release](#)
- [Read the Brazil and Peru News Release](#)

## Report Addresses Bahrain's Labor Compliance

A report on Bahrain's compliance with its labor commitments under the U.S.-Bahrain Free Trade Agreement was released by Secretary Solis on Dec. 20. The report concludes that, while the government of Bahrain has instituted important mechanisms to address issues stemming from the 2011 unrest in Bahrain, it appears to have acted inconsistently with the Labor Chapter of the free trade agreement in its response to that unrest. The report recognizes that the Bahraini government has made significant efforts to ensure reinstatement of all but a few hundred of roughly 2,700 workers fired following the unrest. It recommends consultations between the United States and Bahrain and offers recommendations to guide a collaborative discussion and positive resolution of the issues. "We are hopeful that through engagement with our trading partner we will find a solution that is good for workers both in the United States and Bahrain," Solis said.

- [Read the News Release](#)
- [Read the Report](#)

## DOL Working for You

With American Job Center Help, Veteran Now Helps Others



After three deployments to Germany, Afghanistan and Kuwait, Army Reservist Dala McNew was ready for employment stateside in the teaching field. But finding a job proved difficult and caused her to "doubt myself," she said. McNew turned to the American Job Center in Lincoln, Neb., for help. There she was given career counseling, assistance updating her resume and brushed up on her interview skills, while learning to find jobs that matched her skill sets. She was so impressive that when an opening occurred at the center, McNew applied for and was hired as a workforce coordinator. Because of her ability "to relate to what veterans have been through

and are going through" trying to find employment, McNew is now the center's Disabled Veteran Outreach Program official.

## For Culinary Career, Department's Funding Was Key Ingredient

After being released from prison, Kevin Williams was anxious to start on a career with a future. He turned to the Doe Fund's Ready, Willing and Able Pathways program in New York City, funded by the department, which provides education, training and work placement for the formerly incarcerated. Over six months, Williams received career counseling and took computer and financial management classes. Because he had a love of cooking and always wanted to be a chef, Williams also took classes in the culinary arts and passed his New York State Food Handler's license. He was then able to land an internship with a food preparation company in Long Island City, which was so taken with Williams' dedication that they offered him a job. The



to educate workers about their safety and health rights and support for day laborers involved in Hurricane Sandy recovery efforts.

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## Women in Transportation

Women make up nearly half of the American workforce, yet they are vastly under-represented in nontraditional occupations, Women's Bureau Acting Director Latifa Lyles told participants at last week's Forum on Women in Transportation in the Asia-Pacific Economic Cooperation Region. "With a growing number of women serving as the breadwinners for their families, ensuring that they are prepared to succeed in these nontraditional fields is critical in creating and maintaining a competitive workforce in today's global economy." The event was sponsored by the Department of Transportation and held in Washington, D.C. In keynote remarks, Transportation Secretary Ray LaHood emphasized his department's commitment to advancing opportunities for women in transportation careers.

- [Read Working for Women](#)
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## Faith in Action

Leaders of Orthodox Christian parishes and service organizations across the country came to Washington, D.C., last week for a conference hosted by the White House Office of Faith-based and Neighborhood Partnerships. The Orthodox leaders spoke about the church's service and humanitarian efforts, and federal officials provided information about a range of services and aid programs related to disaster response, health care and jobs. Ben Seigel, deputy director of the department's CFBNP office, discussed the department's workforce development and worker protection activities, including information on how to partner with the CFBNP Job Clubs Initiative and American Job Centers.

- [Learn More About CFBNP](#)
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## Mine Rescue Summit, Part 2

More than 50 members of the mining community participated in a mine rescue summit on Dec. 12 at the National Mine Health and Safety Academy in Beckley, W.Va. The meeting, hosted by the Mine Safety and Health Administration, continued discussions of issues raised during the first summit in May. MSHA officials provided an update on new initiatives related to mine rescue, with presentations on the integration of new technology and equipment into the agency's Mine Emergency Operations program. A recently signed contract calling for the development of models and tools for the assessment of major risks in mine emergencies, and the determination of readiness of government and industry, was presented.

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## Manufacturing in Louisville

While visiting Louisville, Ky., this week, Jay Williams, director of the Office of Recovery for

program "gave me the incentive and tools to become better," he said.

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## Around DOL

### New ERISA Advisors

Five new members to the 2013 Advisory Council on Employee Welfare and Pension Benefit Plans, known as the ERISA Advisory Council, were recently appointed by Secretary Solis. "The exceptional professionals joining the 2013 council are uniquely qualified to help it accomplish its goals. Their expertise will be a valuable complement to the department's mission to protect workers' benefits," Solis said. The 15-member council provides advice on policies and regulations affecting employee benefit plans governed by the Employee Retirement Income Security Act.

- [Read About the New Members](#)
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## DOL in Action

### Justice Once More for Madoff Victims

Thanks in part to the hard work of Labor Department investigators, a key figure in the multi-billion dollar Ponzi scheme orchestrated by Bernie Madoff has been sentenced to 10 years in prison for his decades-long role in the swindling of investors. Peter Madoff, the former chief compliance officer and senior managing director of Bernard L. Madoff Investment Securities LLC was sentenced on Dec. 20. He pleaded guilty in June for, among other things, conspiracy to commit securities fraud, tax fraud, mail fraud, falsifying records of an investment adviser and violations of the Employee Retirement Income Security Act. The overt acts in the conspiracy count also included making false statements to investors about the company's compliance program and the nature and scope of its investment advisory business. Investigators with the Employee Benefits Security Administration and the department's Office of Inspector General contributed to the investigation and prosecution of Madoff. Madoff and his brother Bernie's crimes came to light following the 2008 stock market crash.

- [Read the Justice Department News Release](#)
- [Read About DOL's Work to Restore Losses to Madoff Victims](#)

### 'Dodger Dog' Maker Settles Los Angeles Sex Discrimination Case

Clougherty Packing Co., maker of the Dodger Dog served at the Los Angeles Dodger's baseball stadium, will pay \$439,538 to 1,988 women to settle allegations of systemic hiring discrimination. An investigation by the Office of Federal Contract Compliance Programs determined that for more than two years Clougherty used a hiring process that discriminated against women applicants, the majority of whom are Latinas, who applied for laborer positions at the company's meat-packing plant in Los Angeles. Clougherty is a subsidiary of the Hormel Food Corp. in Austin, Minn.

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

### Postal Service Cited Following Heat-related Death of Mail Carrier

The U.S. Postal Service Truman Station in Independence, Mo., has been cited with a willful violation for failing to protect employees working in excessive heat. The Occupational Safety and Health Administration initiated an inspection in July after a mail carrier developed heat-related illness symptoms and collapsed while working his route. The carrier was taken to the hospital where he died as a result of exposure to excessive heat.

- [Read the News Release](#)

Following Fatal Fall, Contractor Agrees to Correct Hazards

Auto Workers and Communities, saw firsthand the important role advanced manufacturing is playing in developing a regional economy. Williams toured the Ford Fern Valley Assembly plant, which recently added a new production line for the 2013 Ford Escape, bringing total employment at the plant to 3,100 jobs. He then visited a new GE appliance factory, part of the company's effort to create 1,300 jobs across the South and Midwest. Williams met with Louisville Mayor Greg Fischer, representatives from the United Auto Workers Local 862, local workforce officials and community leaders to discuss how the federal government can be a partner to expand manufacturing and export capacity for communities like Louisville.

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## DOL Talks Twitter Tips

Highlighting the department's successful social media outreach, Office of Public Affairs Special Assistant Trece Johnson joined a panel of public relations experts on Dec. 19 for a PR News Twitter webinar.



Communications professionals across the country tuned in to learn real-world, practical tips on how to improve their customer relations, crises management, brand reputation and engagement on the platform. Johnson provided a case study on how to organize Twitter chats and other events to give the public an opportunity to speak directly to agency leadership.

• [Join the Conversation @USDOL](#)

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## See You Next Year!

The next issue of the DOL News Brief will arrive in your inbox on Jan. 3, 2013, with more exciting news, information and events from the Department of



Labor. But there's no need to wait that long to stay connected. You can like, share and retweet our latest stories at [social.dol.gov](http://social.dol.gov). Until then, the e-newsletter team, along with our honorary publisher, Secretary Solis, wishes you a safe and happy holiday!

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## Weekly UI Claims

The department reported the advance figure for seasonally adjusted initial Unemployment Insurance claims was 361,000 for the week ending Dec. 15, an increase of 17,000 from the previous week. The four-week moving average was 367,750, down 13,750 from the previous week's revised average of 381,500.

• [Read the News Release](#)

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## Upcoming Deadlines & Events

The MacMillin Co. Inc., a Keene, N.H., contractor, has agreed to correct hazards cited by the Occupational Safety and Health Administration in connection with the September 2011 death of a worker. The contractor also will expand safety training and pay a \$100,000 fine. Temporary employees working under the direction of the company were erecting scaffolding at Keene Middle School when a plank snapped and the worker fell 27 feet to a concrete floor. OSHA's Concord Area Office cited the company in March 2012 for failing to inspect the scaffold for defects and adequately train the employees in scaffold erection, fall protection and inspection.

• [Read the News Release](#)

### Car Wash Employees Receive Back Wages

Genter's Detailing Inc. in Frisco, Texas, has paid 53 detail and car wash employees \$22,345, following an investigation by the Wage and Hour Division that found violations of the Fair Labor Standards Act. The employer routinely made illegal deductions from employees' wages for damages to dealership vehicles, resulting in wages below the federal minimum of \$7.25 per hour. The company provides car wash and detailing services to car dealerships in the Dallas-Fort Worth area, in Katy and in Austin.

• [Read the News Release](#)

### Georgia Roofing Company Faulted on Fall Protections

Lawrenceville, Ga.-based Peach State Roofing was cited by the Occupational Safety and Health Administration with a willful violation for exposing roofing workers to fall hazards at its work site in Spring, Texas. OSHA began the inspection in October as part of its regional emphasis program on construction hazards. The willful violation cited was for failing to provide personal protective equipment, such as harnesses, to protect workers from falls of 6 feet or more. The penalty proposed is \$70,000.

• [Read the News Release](#)

### Electrical Services Company in Oklahoma Pays Back Wages

Lighthouse Electric Inc. in Tulsa, Okla., has paid \$42,452 in overtime back wages to 18 current and former electricians following an investigation that found violations of the Fair Labor Standards Act. Wage and Hour Division investigators discovered that Lighthouse Electric failed to pay employees for time spent traveling to and from their facility to a work site. "This case should put other employers on notice to ensure that they are properly compensating their employees for all of the hours that they work," said Cynthia Watson, regional administrator for the Wage and Hour Division in the Southwest.

• [Read the News Release](#)

### Workers Exposed to Electrical Hazards at Lowe's in Texas

Lowe's Home Centers in Killeen, Texas, has been cited by the Occupational Safety and Health Administration with serious and repeat safety violations for exposing workers to electrical and other safety hazards. Serious violations included failing to illuminate store exit signs, protect exposed lamps from possible breakage or contact and guard electrical receptacles with exposed current-carrying parts. Repeat violations were for failing to mount fire extinguishers and guard or cover exposed live parts on fluorescent lamp holders. Proposed penalties total \$55,000.

• [Read the News Release](#)

### Investigators Find Pay Violations at Web-based Auto Company

Auto Cricket Corp., doing business as AutoCricket.com, has agreed to pay \$76,589 in back wages to 414 employees following an investigation by the Wage and Hour Division. The investigation found violations of the Fair Labor Standards Act's minimum wage and overtime provisions. Conducted by the division's Miami District Office, the investigation found the company deducted short rest periods as non-work hours from employee totals of

## [Open Funding Opportunities](#)

OFCCP — Analyzing Personnel Activity Data/ Internet Applicant Recordkeeping Rule

- [January 24 — Columbus, OH](#)

OFCCP — Beyond the Written AAP

- [January 8 — Dallas, TX](#)

OFCCP — Construction - Nuts and Bolts

- [January 10 — New Orleans, LA](#)

OFCCP — Best Practices for Construction Contractors

- [December 27 — Baltimore, MD](#)

OFCCP — Beyond the Affirmative Action Plan

- [January 16 — Orange, CA](#)

OFCCP — Beyond the Written AAP

- [January 17 — Houston, TX](#)

OFCCP — Determining Availability Seminar

- [January 10 — Milwaukee, WI](#)

OFCCP — Developing Written Affirmative Action Programs/ Workplace Accommodations

- [January 9 — Columbus, OH](#)

OFCCP — The Complaint Process

- [January 3 — Omaha, NE](#)

OFCCP — Tracking/Monitoring/Analyzing Personnel Activity Data

- [January 31 — Milwaukee, WI](#)

OFCCP — What to Expect During an OFCCP Audit

- [January 17 — Omaha, NE](#)

OFCCP — What to Expect During an OFCCP Audit/ Overview of Section 503 and 4212

- [February 8 — Columbus, OH](#)

OFCCP — Women in Nontraditional Jobs

- [February 7 — Omaha, NE](#)

OSHA — Informal Stakeholder Meetings on Preventing Injuries and Fatalities from Vehicle Backovers

- [January 8-9 — Washington, DC](#)

hours worked. Additionally, the company paid overtime for hours worked beyond 80 during a biweekly pay period, instead of time and one-half for all hours worked over 40 in a seven-day workweek. The investigation included two AutoCricket locations in Riviera Beach and Cordele, Ga.

- [Read the News Release](#)

Fiberglass Products Maker Exposed Montana Workers to Hazards

Fiberglass Structures Inc. has been cited by the Occupational Safety and Health Administration for safety violations at the company's Laurel, Mont., facility. Inspectors found 12 serious violations, which involve exposing workers to fire and explosion hazards in spray booths; various electrical hazards; improper storage of chemicals; confined space deficiencies and inadequate eyewash facilities. Fiberglass was cited with one repeat violation for not containing energized wires with covers in a flammable area. The company faces \$75,600 in penalties. Fiberglass Structures is a subsidiary of Texas-based L.F. Manufacturing Inc.

- [Read the News Release](#)

South Carolina Restaurants Agree to Pay \$391,000 in Back Wages

Three San Jose Mexican restaurants, individually owned and operated by Eraclio Leon, Gregorio Leon Sr. and Antonio Leon, have agreed to pay \$390,960 in back wages to 37 employees. This action follows an investigation by the Wage and Hour Division that found the South Carolina businesses violated the Fair Labor Standards Act. The FLSA violations resulted from the employers' failure to properly compensate employees for all work hours. Investigators determined that tipped employees, such as servers, were paid direct wages below \$2.13 per hour and kitchen staff were paid flat salaries each month.

- [Read the News Release](#)

Court Orders San Francisco Grocer to Pay Back Wages to 25 Workers

Casa Guadalupe has been ordered to pay \$110,071 in overtime back wages and liquidated damages to 25 current and former employees at its three San Francisco stores. A U.S. District Court judge ordered the payment following an investigation by the Wage and Hour Division. The department also assessed \$11,687 in civil penalties against the employer because of the willful and repeat nature of the violations. The grocery store chain admitted not paying required overtime wages. Investigators found similar violations in 2010 that resulted in \$6,496 in overtime back wages due to three workers.

- [Read the News Release](#)

Investigation Finds Company Misclassified Environmental Scientists

Exton, Pa.-based Groundwater and Environmental Services Inc., doing business as GES, will pay \$187,165 in back wages to 69 employees after a Wage and Hour Division investigation found violations of the Fair Labor Standards Act. The company improperly classified junior environmental scientists and junior baseline samplers as exempt from overtime pay at company branches in Cranberry Township, Pa., and Fairmont, W.Va. The company collects water samples from property owners in close proximity to oil and gas well drilling sites for baseline sampling surveys. The investigation was part of a Wage and Hour Division's multiyear enforcement initiative focused on the oil and gas industry.

- [Read the News Release](#)

Court Orders Fiduciaries to Restore \$69,521 to Employee Benefit Plans

A federal court in Chicago has ordered John Dombek III and John Dombek

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Jr. to restore \$69,521 in health-care premiums and retirement plan contributions withheld from the paychecks of employees at several companies that are part of the JJD Industries Group in Schiller Park, Ill. The judgment resolves a lawsuit filed by the department based on the findings of an investigation by the Employee Benefits Security Administration. The investigation found improper management of benefit plans' assets in violation of the Employee Retirement Income Security Act.

• [Read the News Release](#)

Safety, Health Violations Found at New York Manufacturer  
Nationwide Tarp Inc. of Amsterdam, N.Y., has been cited by the Occupational Safety and Health Administration for 19 serious violations of workplace safety and health standards following inspections of the company's facility. Nationwide, a manufacturer of tent and canvas-ducting products, faces \$74,700 in proposed fines. OSHA inspectors from the Albany Area Office found serious violations, including combustible dust hazards and employees working in areas with potential exposure to airborne lead among other violations.

• [Read the News Release](#)

Manufacturer in Oklahoma Pays \$85,000 for Overtime  
Deerebuilt LLC in Ardmore, Okla., has paid \$85,105 in overtime back wages to 112 current and former employees following an investigation by the Wage and Hour Division. Investigators from the Oklahoma City District Office found that the employer paid "straight time" for all hours worked, failing to pay overtime at time and one-half employees' regular rates of pay for hours worked beyond 40 in a workweek, as required by the Fair Labor Standards Act. The employer paid employees for overtime hours worked on weekends with separate checks, at straight-time rates.

• [Read the News Release](#)

Oklahoma City Company Faulted for Davis-Bacon Violations  
Mallett Plumbing and Utility Co. in Oklahoma City has paid \$100,264 in back wages to 19 current and former plumbers after an investigation found violations of the Fair Labor Standards Act and the Davis-Bacon and Related Acts. The company failed to pay workers for overtime and failed to pay prevailing wage rates and fringe benefits. The investigation by the Wage and Hour Division's Oklahoma City District Office determined that Mallett Plumbing and Utility paid straight time for all hours worked and failed to pay employees the required wages and fringe benefits applicable to the classifications of work they performed while working on building alterations and construction projects for the Health Resources and Services Administration and the Federal Aviation Administration.

• [Read the News Release](#)

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