



DOL News Brief

February 28, 2013

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WINNER OF AVA DIGITAL 2013 GOLD AWARD - INTERACTIVE COMMUNICATION / E-NEWSLETTER -

Black History/Our History: "Sister Secretary"



Alexis M. Herman made history twice at the U.S. Department of Labor. In 1977, at the age of 29 [and at the height of the feminist movement] she was the youngest person ever to head the Women's Bureau.



She returned to the department 30 years later to make history again, as the first African-American to serve as secretary of labor. According to a profile of her in Ebony Magazine during her tenure, members of the African-American community in

Washington and across the country affectionately referred to Herman as "Sister Secretary."

- View the Centennial Timeline
• View the Centennial Video

What's New

In Orlando and Boston, Voices for a Higher Minimum Wage

Whether in central Florida or in Massachusetts, the low-wage workers at roundtable discussions are sharing common stories about how an increase in the minimum wage will bring greater financial security to their lives. Acting Secretary of Labor Seth D. Harris headed



roundtable discussions with low-wage workers in Orlando on Feb. 22 and in Boston on Feb. 28. In Orlando, Harris heard from Tavenel Deas, who works at a local fast food restaurant. "I live paycheck to paycheck making minimum wage," he said. "It's difficult to pay for health insurance for the family. I can't afford a car, and if I did I couldn't afford the insurance needed or the gas." In Boston, warehouse worker Melanie Brown told of how she sometimes has to choose between paying a bill and feeding her children. "I want to be able to provide more for my children so that they can have a better life," she said. Harris discussed with the workers the commitment by President Obama to raise the federal minimum wage from its current rate at \$7.25 per hour to \$9 per hour by 2015. "The increase will provide a direct benefit to 15 million workers, increase the productivity of our businesses, and strengthen the middle class and our economy as a whole," Harris said.

- View the Slideshow
• Read BLS' Characteristics of Minimum Wage Workers
• Read the Acting Secretary's Statement



Myth: Raising the federal minimum wage won't benefit workers in states where the hourly minimum rate is already higher than the federal minimum.

Not true. Only 19 states and the District of Columbia have a minimum wage higher than the federal minimum, meaning a majority of states have an hourly minimum rate at or below the federal minimum. According to an analysis from the White House Council of Economic Advisors, increasing the federal minimum wage will boost the earnings for some 15 million low-wage workers nationwide. That includes workers in those states already earning above the current

On the Fast Track for Innovation

Capping off his trip to Florida last week, acting Secretary of Labor Harris met with students and administrators at the Florida Manufacturing Extension Partnership. Florida MEP has received nearly \$5 million in grants through the department's H-1B Technical Skills training grant. It has used the funding to develop innovative manufacturing training tools, such as an advanced simulation training system, that allow students to use machines identical to those in a manufacturer's shop. Harris also stopped by Florida MEP's Mobile Outreach Skills Training vehicle, a fully outfitted tractor-trailer that offers fast-track intensive skills training. The goal is to prepare unemployed and underemployed individuals for front-line production jobs in machine



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federal minimum. Raising the federal minimum wage is an important piece of our overall economic recovery. A raise for minimum wage earners will put more money in more families' pockets, which will be spent on goods and services, stimulating economic growth locally and nationally.

- [Subscribe for Minimum Wage Updates](#)

(Work in Progress) The Best of Our Blog

Each week, this space will bring you the best from our [\(Work in Progress\)](#) blog.

- [A Fast Track to Civilian Employment](#): Acting Secretary of Labor Harris explains what the Labor Department is doing to support this week's announcement by First Lady Michelle Obama and Dr. Jill Biden urging governors to help our troops quickly obtain the credentials they need to successfully transition to the civilian workforce. "The department shares the commitment of [Mrs.] Obama and [Dr.] Biden to our service members, veterans and their families," Harris writes. "They deserve a fast track to civilian employment, and the Department of Labor could not be more proud to play a role."
- [Affordability Meets Accountability](#): Writing together, the heads of the Employee Benefits Security Administration, Phyllis Borzi, and Occupational Safety and Health, Dr. David Michaels, announce new rules to prevent abuse of provisions of the Affordable Care Act. These rules ensure that new health coverage options come with better protections for workers and employers, as well as increased transparency and accountability in the health care marketplace.
- [Closing the Enforcement Gap. So We Can Close the Pay Gap](#): Patricia Shiu, director of the Office of Federal Contract Compliance Programs, on new enforcement guidance on pay discrimination that will strengthen the agency's ability to conduct full investigations and use every enforcement tool at its disposal to advance efforts toward closing the pay gap once and for all.

Improving Job Opportunities

The unemployment rate for people with disabilities is 13.7 percent, compared to 8.3 percent of people without disabilities. Emphasizing the importance of removing barriers to employment, acting Secretary of Labor Harris discussed labor market trends during a keynote address at a Feb. 27 luncheon



hosted by the National Organization on Disability in Washington, D.C. Speaking to NOD Chair Tom Ridge and members of the organization's CEO Council, Harris spoke about the department's efforts to improve employment opportunities for workers with disabilities. "As the economy is turning a corner and we're creating private sector

operations, welding and other advanced manufacturing skills in a fraction of the time of traditional programs.

- [View the Slideshow](#)

Health Care Affordability Meets Accountability

New Affordable Care Act rules that will protect workers from fraud and workplace retaliation have been issued by two department agencies. The Employee Benefits Security Administration published rules to protect workers and employers whose health benefits are provided through Multiple Employer Welfare Arrangements, or MEWAs, on Feb. 28. The rules give the department more tools to protect the employees of companies that band together to purchase benefits. The Occupational Safety and Health Administration published an interim final rule on whistleblower complaints filed under the ACA on Feb. 22. That rule protects workers from retaliation by an employer for receiving a tax credit or cost-sharing reduction as a result of participating in a Health Insurance Exchange or Marketplace, or for reporting a violation of the law.

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

National News

Old Guidelines Rescinded as Part of Ongoing Equal Pay Efforts

Two enforcement guidance documents on pay discrimination issued in 2006 have been rescinded by the Office of Federal Contract Compliance Programs in order to further protect workers and strengthen OFCCP's ability to identify and remedy different forms of pay discrimination. The rescission will allow the department to conduct investigations of contractor pay practices consistent with Title VII of the Civil Rights Act of 1964. "A strong American middle class hinges on ensuring equal pay," said acting Secretary of Labor Harris. "These new standards will strengthen our ability to ensure that women and men are fully protected under our nation's laws."

- [Read the News Release](#)
- [Read the Blog Post](#)
- [Learn About OFCCP](#)
- [Learn About Efforts to Ensure Pay Equity](#)

Putting Veterans First for Good Jobs

Preparing veterans for employment after military service, providing career assistance at American Job Centers and protecting re-employment rights are part of the mission at the Veterans' Employment and Training Service. Keith Kelly, the assistant secretary of labor in charge of VETS, outlined his agency's 3-P's campaign for the American Legion at the organization's Feb. 26 meeting in Washington. Kelly also praised the licensing and credentialing initiative announced at the National Governors Association meeting on Feb. 25 by First Lady Michelle Obama and Dr. Jill Biden, the wife of the vice president. The progress being made by their Joining Forces initiative will "help protect the training and skills that military members obtain while in the military," Kelly said. He also praised the important contributions of the American Legion. "You are not just the American Legion, you are America's Legion of Support to the men and women who laid everything on the line to defend us here in the U.S.," he said.



jobs again, we need to make sure that Americans with disabilities are sharing in the benefits of the recovery," Harris said.

- [View the Slideshow](#)

Maritime Trades Meeting



Maritime workers are making important contributions to the nation's economy, acting Secretary of Labor Harris told the

2013 Executive Board meeting of the Maritime Trades Department last week in Orlando. While the country is on track to meet President Obama's goal to increase U.S. exports, "American goods don't ship themselves," Harris noted. "We need a 21st century transportation infrastructure and a growing American-flag merchant fleet that will make the United States the most competitive place in the world to do business." He emphasized that in order to achieve long-term economic success, the nation must "attract more jobs to our shores, equip people with skills to do those jobs, and make sure that hard work leads to a decent, living wage." The visit was a reunion of sorts for Harris — one of the first jobs he held after college was as a field representative for the Seafarers International Union.

- [View the Slideshow](#)

Connecting Veterans to Jobs

"Veterans told us they need to connect to employers with real jobs," said Millie Herrera, the secretary's regional representative for the Southeast.



Thirty-two companies with job openings were on hand to interview veterans during the Feb. 21 job fair organized by Herrera and the Miami District Office of the Office of Federal Contract Compliance Programs. The event offered veterans workshops on resume writing, wireless connection work stations from the South Florida Workforce Investment Board Mobile Assistance Center, and assistance navigating the USA Jobs website. The job fair was co-hosted by Rep. Joe Garcia, Miami-Dade County Commissioner Jose "Pepe" Diaz, Miami Dade College Kendall Campus, the Coalition of Miami-Dade County Chambers of Commerce, Miami Dade Defense Alliance, and representatives of local businesses, and community, military and education groups.

- [View My Next Move for Veterans](#)

Town Halls for Nuclear Workers

More than 270 former Los Alamos National Laboratory workers and family members gathered at the Misión in the Plaza de Española in New Mexico on Feb. 20 for four town hall meetings

- [Listen to the First Lady's Announcement](#)
- [Read the Acting Secretary's Blog Post](#)
- [Find Resources for Veterans at American Job Centers](#)
- [Learn About VETS Programs](#)

NGA Workforce Symposium Looks to the Future

The National Governors Association took note of the importance of workforce challenges at its recent meeting in Washington, D.C. Bureau of Labor Statistics Commissioner Erica Groshen and Assistant Secretary of Labor for Employment and Training Jane Oates participated in separate panel discussions Feb. 22 during the NGA's Winter Workforce Symposium. Groshen gave a presentation on "The Myths and Realities of a Skills Gap," demonstrating that at the national level, little evidence exists to support the theory of a broad-based skills gap. However, on the local level, some skills gaps are almost certainly present for specific occupations, she said. Analysis of BLS data can help workers, firms, educators, and counselors identify these situations — a key step toward resolving the gaps. Oates participated on "The Future of Workforce Development Policy" panel. She discussed how the department is working with states to meet current and future economic and workforce demands, through collaboration with state and local workforce investment boards and the American Job Center network.

- [Visit the American Job Center](#)

More Than \$43 Million Recovered for Madoff Victims

Thousands of workers and retirees who were victims of Bernie Madoff's Ponzi scheme will soon get a little good news. The department reached a settlement that provides for payment of more than \$34 million to compensate employee benefit plans for losses suffered through investments in funds managed by Austin Capital Management, which was connected to the Madoff scheme. The new agreement follows an earlier settlement with Austin Capital's parent company, KeyCorp, for more than \$9 million. "This settlement will benefit thousands of workers and retirees whose hard-earned retirement savings and health plans were affected by Bernard Madoff," said Assistant Secretary of Labor for Employee Benefits Security Phyllis C. Borzi.

- [Read the News Release](#)
- [Learn More About EBSA](#)

A Second Chance for Ex-Offenders

Two grant solicitations were announced on Feb. 28 to help formerly incarcerated women and youth make a successful transition back into their communities. The department will award a total of \$20 million to organizations that provide job training, education and support services to juvenile offenders and youths at-risk of becoming juvenile offenders in high-poverty, high-crime communities. An additional grant of \$12 million will be available to organizations with programs targeted toward formerly incarcerated females that provide skills training leading to industry-recognized credentials.

- [Read the News Release](#)

Take Three: America Saves Week

We are in the midst of America Saves Week. This is an opportunity for all workers and their families to take stock of their savings habits and take actions that lead to long-term prosperity. Phyllis C. Borzi heads the Employee Benefits Security Administration as an assistant secretary of labor. Her agency is charged with protecting retirement, health, and other employee benefits. The agency is also deeply involved in educating workers on how to save for the future. She answers three questions about America Saves Week and what workers can do now to save more.

hosted by the Office of Workers' Compensation Programs. Two of the meetings focused on a new class of workers added to the Special Exposure Cohort of the Energy Employees Occupational Illness Compensation Program, and the others provided attendees with information about medical benefits under the EEOICPA, highlighting home health care services and the Privacy Act. In addition, staff members of the Española's Resource Center and OWCP's Seattle Office assisted individuals with claims. To date, more than \$345 million in compensation and medical benefits has been paid to 3,360 Los Alamos claimants.

- [Learn More About the EEOICP](#)

We Can Help in Denver

Hispanic workers had the opportunity to speak with labor law experts during the Wage and Hour Division's open house at Centro San Juan



Diego community center in Denver on Feb. 20. The free event was part of the division's "We Can Help" campaign, an effort to educate workers about their rights under the law. Spanish-speaking investigators from the Wage and Hour Division; Occupational Safety and Health Administration; the Colorado Department of Labor; the University of Denver Law School legal clinic; the Colorado Hispanic Bar Association and the Consulate General of Mexico took complaints from workers on Fair Labor Standards Act and Family Medical Leave Act issues.

- [Learn About 'We Can Help'](#)
- [View the Slideshow](#)

Workforce Equality

Empowering people to manage their finances should go hand-in-hand with helping them find and keep good jobs. That's the idea behind a partnership between the Cities for Financial Empowerment and the department's Office of Disability Employment Policy. At a CFE Forum on Feb. 22 in Miami, Assistant Secretary of Labor for Disability Employment Policy Kathy Martinez engaged officials from select mayors' offices nationwide in a strategic planning session.

"American Job Centers offer an important venue to reach low-income job seekers with and without disabilities who are challenged by limited financial resources and debt," Martinez said. She urged the group to be creative in how financial empowerment tools can be integrated into workforce development programs, and noted that the department may be able to replicate the partnership's successful efforts nationwide.

- [Learn About American Job Centers](#)
- [Learn About ODEP](#)

Diversity Job Fair in Phoenix

A Diversity and Community Job Fair in Phoenix on

Why is there a need for a week dedicated to saving?

We need this week because we are not saving enough. Here at the department we know that many workers do not have sufficient savings to last through retirement. Savings in general — whether for emergencies, retirement or other goals — are too low. America Saves Week is an opportunity for all of us to stop, look at how — or if — we are saving, and make changes to ensure long-term financial independence.

What savings tips can you offer?

If you have an employer-sponsored retirement plan, make sure that you are saving at least as much as your employer will match. Don't leave that free money on the table. If you are not saving, start. Even a small amount is better than nothing and, with interest, will grow over time.

What else does the department do to promote savings?

The Employee Benefits Security Administration has an ongoing campaign called "Saving Matters." The campaign has information specific to workers who are early in their careers, mid-career, near retirement and retired. We also offer webcasts and webinars for employers interested in starting retirement plans and for the general public.

- [Learn About EBSA's Saving Matters Campaign](#)
- [Learn About America Saves Week](#)
- [Read the EBSA Newsletter](#)

International Scene

Ghana Advocate Receives Award for Elimination of Child Labor

Child labor advocate George Achibra was presented with the 2012 Iqbal Masih Award for the Elimination of Child Labor by U.S. Ambassador to Ghana Gene A. Cretz on Feb. 28. Achibra received the award for rescuing hundreds of children from child labor and child trafficking in the fishing industry of Ghana. Acting Deputy Undersecretary of Labor for International Affairs Carol Pier said, "Children trafficked into this industry are especially vulnerable to injury or death. This award honors George Achibra's selfless dedication in helping such children escape from harm and find new hope for their future." The award is named for the Pakistani child Iqbal Masih who rose from enslavement to become an advocate against child slavery. Each year the department recognizes the extraordinary effort, leadership, and courage of individuals and organizations that make a difference in combating child labor.

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

DOL Working for You

Safety Pays for New York Vocational Employer

Chemung Advocacy, Resources and Care in Elmira, N.Y., is a vocational work enterprise that provides employment for 240 people with disabilities — many of whom are employed in packaging and assembling of products such as worker Eric King. Chemung takes pride in its health and safety record, and served as a model worksite when it entered the Occupational Safety and Health Administration's Safety and Health Achievement Recognition Program. However, when a few incidents caused Chemung's injury



Feb. 25 drew more than 300 applicants. Sponsored by the Computer Skills Institute of Phoenix, the fair also attracted approximately 50 employers. In addition to handing out fact sheets and brochures, staff members of the Office of Federal Contract Compliance Programs answered questions on employment rights under the law. The OFCCP assistant district director in Phoenix, Theresa Lujan, spoke with many of the applicants, the majority of whom were individuals with disabilities, veterans, minorities and senior citizens. She also met with federal contractor representatives and provided them with materials for Equal Employment Opportunity and Affirmative Action training.

- [Read the OFCCP Fact Sheets](#)
- [Learn About OFCCP](#)

Outreach in Chicago

Secretary's Regional Representative Ken Bennett met last week with the nonprofit organization "Kids Off The Block" and leaders



in Chicago's Southside Roseland neighborhood to discuss training and job opportunities to reduce high unemployment rates for African-American youth in the community. The community forum, Bennett said, provided "a critical dialogue to bring hope to a community in which youth face lack of opportunity and violence each day." "Kids Off The Block" President Diane Latiker, who has been recognized as a CNN Hero, founded the organization in 2003 to provide youth with a safe place to go for support, tutoring and job training.

Volunteering in the USA

The percentage of people who volunteered through or for an organization at least once between September 2011 and September 2012 declined slightly from the previous year, according to a Feb. 22 report by the Bureau of Labor Statistics. The annual Volunteering in the United States survey identifies rates and other characteristics of volunteerism in the nation. About 64.5 million people volunteered last year, a decline of 0.3 of a percentage point to 26.5 percent. In 2011, the rate increased by one-half of a percentage point. "Volunteering is a cherished tradition in our country," said acting Secretary of Labor Harris. "It is also an important way for individuals to develop the job skills that employers look for and expand personal networks, especially for young people or the long-term unemployed." The majority of volunteer hours were spent in service of religious organizations or education and youth services.

- [Read the BLS Report](#)

Weekly UI Claims

The department reported the advance figure for seasonally adjusted initial Unemployment

case rate to spike, the company turned to OSHA's On-Site Consultation Program for assistance.

With guidance from the program, improved worker training for various jobs was instituted and a corporate/employee safety committee was established to improve safety performance throughout the organization. "Safety is a shared responsibility for all," said Chemung's Executive Director Michael Doherty. The result of these initiatives resulted in a sharp drop in job-related injuries. In addition to what Kevin Wolfe, the company's Facility and Safety Services director, called "a safer environment," the company saved \$12,300 in worker compensation premiums.



DOL in Action

Norfolk Southern Railway to pay \$1 million to 3 Workers

Norfolk Southern Railway Co. has been ordered to pay \$1,121,099 to three workers for violating the whistleblower provisions of the Federal Railroad Safety Act enforced by the Occupational Safety and Health Administration. "The Labor Department continues to find serious whistleblower violations at Norfolk Southern, and we will be steadfast in our defense of a worker's right to a safe job — including his or her right to report injuries," said acting Secretary of Labor Harris. One investigation, in Fort Wayne, Ind., involved a crane operator who was terminated after reporting an injury requiring the extraction of a sliver of metal and rust ring from his eye. OSHA's second investigation, in western Pennsylvania, involved a thermite welder and a welder's helper, each with more than 36 years with the railroad, who reported injuries, received medical treatment and were subsequently terminated. "The Labor Department's responsibility is to protect all employees, including those in the railroad industry, from retaliation for exercising these basic worker rights," said Dr. David Michaels, assistant secretary of labor for occupational safety and health.

- [Read the News Release](#)

Mine Safety Initiative Proving Effective

Impact inspections are working, according to Assistant Secretary of Labor for Mine Safety and Health Joseph Main. Recently compiled data of MSHA's nearly 3-year-old safety initiative demonstrate a decrease in mining violations, as well as unwarrantable failure violations and those deemed significant and substantial. The data also showed a drop in mine operator-reported lost-time injuries. "We believe the impact inspection initiative has made mines safer," said Main. However, he was quick to caution: "Some mines still don't get it, and we will not hesitate to use our enforcement tools when we identify those mines." Since April 2010, MSHA has conducted 565 impact inspections and issued more than 10,800 violations.

- [Read the News Release](#)

Initiative Builds Compliance Among Hawaii Coffee Growers

The Wage and Hour Division is working to strengthen labor compliance among coffee growers and producers on the island of Hawaii following a series of investigations. The agency found widespread violations of the Fair Labor Standards Act and the Migrant and Seasonal Agricultural Worker Protection Act, identifying more than \$63,000 in back wages owed to 150 workers. The agency also assessed more than \$42,000 in civil money penalties. The division has established a cooperative relationship with the Kona Coffee Council, which has established a code of conduct that sets standards for lawful employment practices and working conditions.

Insurance claims was 344,000 for the week ending Feb. 23, a decrease of 22,000 from the previous week. The four-week moving average was 355,000, down 6,750 from the previous week's revised average.

- [Read the News Release](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

EBSA — Affordable Care Workshop

- [March 20 — Philadelphia, PA](#)

EBSA — Getting It Right: Know Your Fiduciary Responsibilities Seminar

- [March 7 — San Francisco, CA](#)

OFCCP — Analyzing Personnel Activity Data

- [March 21 — Omaha, NE](#)
- [April 3 — Columbus, OH](#)

OFCCP — Analyzing Your Compensation Data

- [March 27 — Milwaukee, WI](#)

OFCCP — Annual Lunar New Year Celebration

- [March 20 — Quincy, MA](#)

OFCCP — Compliance Assistance Seminar: Supply & Service Contractors

- [March 21 — Memphis, TN](#)

OFCCP — Connecting the Dots- Outreach Obligations of Federal Contractors

- [March 19 — Richmond, VA](#)

OFCCP — Construction: Nuts and Bolts

- [March 12 — Dallas, TX](#)

OFCCP — Construction Requirements

- [April 4 — Omaha, NE](#)

OFCCP — Developing Written Affirmative Action Programs/ Workplace Accommodations

- [March 22 — Columbus, OH](#)

OFCCP — Good faith efforts, exceptional results!

- [March 6 — San Francisco, CA](#)

OFCCP — HireAbility Community Outreach Day Fair

- [March 21 — Blackwood, NJ](#)

- [Read the News Release](#)

Pennsylvania Landscaper Pays \$78,000 in Back Wages, Damages

Cyrilla Landscaping & Supply Co., doing business as Cyrilla Landscaping in Coraopolis, Pa., has paid \$39,091 in back wages to 29 employees following an investigation by the Wage and Hour Division. The investigation found that the company violated overtime provisions of the Fair Labor Standards Act. Employees were paid "straight time" wages for hours worked over 40 in a week, rather than time and one-half their regular rates of pay, as required. In addition, the company was moving overtime hours to a separate payroll and paying for those hours with separate checks and paying some employees in cash, without recording their hours worked or their payment received. The company was required to pay an additional \$39,091 in liquidated damages, which will also be disbursed to the affected employees.

- [Read the News Release](#)

San Antonio Pool Company Sued for Overtime Wages and Damages

A lawsuit against Gary Zarz Fiberglass Pools Inc., doing business as Gary Pools & Patio in San Antonio, and Gary Zarz, its owner, has been filed by the department to recover overtime back wages and damages, for employees in San Antonio and Corpus Christi, Texas. The department's suit was filed following investigations by the Wage and Hour Division's San Antonio District Office that found the defendants willfully violated the Fair Labor Standards Act. Investigators found defendants failed to pay installation and sales personnel time and one-half their regular rates of pay for hours worked over 40 in a workweek. The employer also failed to create and maintain records of workers' wages and work hours.

- [Read the News Release](#)

Initiative Finds Wage Violations by Arkansas Child Care Providers

An ongoing enforcement initiative by the Wage and Hour Division focused on the child care industry in Arkansas has uncovered violations of the Fair Labor Standards Act. They include improperly classifying FLSA-covered employees as exempt from receiving overtime compensation; making illegal deductions from employees' wages, and paying employees straight time wages rather than time and one-half their regular rates of pay for hours worked over 40 in a workweek. The division's Little Rock District Office conducted 100 investigations of child care providers in its jurisdiction in 2012, resulting in approximately \$585,716 in unpaid minimum wages and overtime compensation for 817 current and former employees.

- [Read the News Release](#)

Multiple Hazards at Aluminum Die Casting Company in Texas

C & H Die Casting Inc. has been cited with 24 serious violations at its aluminum die cast manufacturing facility in Troy, Texas, for exposing workers to electrical, machine guarding and fall hazards. The Occupational Safety and Health Administration found that the company failed to provide the required machine guarding for saws, improperly installed electrical wiring and did not provide the required fall protection equipment for workers climbing machinery during repairs. The investigation was conducted under OSHA's Site-Specific Targeting Program that directs enforcement resources to workplaces where the highest rates of injuries and illnesses occur. Proposed penalties total \$112,500.

- [Read the News Release](#)

Back Overtime Pay to Go to 60 Jewelry Makers in Oklahoma

From the Heart Enterprises Inc., doing business as FTH Wholesale in Broken Arrow, Okla., has agreed to pay \$55,965 in overtime back wages to 60 current and former jewelry makers following an investigation by the Wage

OFCCP — How to Avoid Costly Employment Practices

- [April 17 — Houston, TX](#)

OFCCP — Internet Applicant Record Keeping

- [April 17 — Orange, CA](#)

OFCCP — Individuals with Disabilities Seminar

- [April 3 — Milwaukee, WI](#)

OFCCP — Maintaining Applicant Flow Data

- [March 7 — Omaha, NE](#)

OFCCP — Meet and Greet for Federal Contractors & CBOs

- [March 20 — New Orleans, LA](#)

OFCCP — Preparing for Construction Contractors for Audit and Meeting Utilization Goals for Females and Minorities

- [March 19 — Philadelphia, PA](#)

OFCCP — Preparing Small and New Supply and Service Contractors for an Audit

- [March 5 — Richmond, VA](#)
- [March 6 — Pittsburgh, PA](#)
- [March 14 — Philadelphia, PA](#)
- [March 21 — Baltimore, MD](#)
- [April 3 — Pittsburgh, PA](#)
- [April 16 — Philadelphia, PA](#)

OFCCP — Understanding AAP Requirements

- [April 9 — Dallas, TX](#)

OFCCP — Veterans' Civil Rights Regional Seminar

- [March 15 — Atlantic City, NJ](#)

OFCCP — Women in Nontraditional Jobs

- [March 7 — Columbus, OH](#)

OLMS — Compliance Assistance Seminar

- [March 5 — Dallas, TX](#)
- [March 6 — Monroe, OH](#)
- [March 26 — San Francisco, CA](#)

OSHA — Nationally Recognized Testing Laboratory Program Public Forum

- [March 6 — Washington, DC](#)

and Hour Division. The investigation determined that the employer paid employees only a fixed piece rate per item for assembling jewelry at home, outside of their normal working hours, without regard to the number of hours they worked, which resulted in overtime violations. The employer also failed to include employees' bonuses in their regular rates of pay when calculating overtime and failed to maintain payroll records, as required by the Fair Labor Standards Act.

- [Read the News Release](#)

West Virginia Drilling Company Cited for Safety Hazards

Hall Drilling LLC of Ellenboro, W.Va., has been cited by the Occupational Safety and Health Administration with two serious safety violations found at a Wolf Summit, W.Va., drill site. OSHA's investigation, part of the agency's regional emphasis program for the oil and gas industry, followed a gas well fire in August 2012 that injured three workers. The company faces \$12,600 in proposed penalties for failure to ensure the use of flame-retardant clothing and failure to ensure workers were not exposed to fire and gas explosions from uncontrolled gas flow.

- [Read the News Release](#)

Software Seller in Midland, Texas, Faulted on Overtime Practices

ECAD Inc. in Midland, Texas, has paid \$43,940 in overtime back wages to 31 current and former sales representatives following an investigation by the Wage and Hour Division. The investigation revealed that the company provided employees with compensatory time off for hours worked over 40 in a workweek instead of paying overtime at time and one-half their regular rates of pay, as required by the Fair Labor Standards Act. Additionally, the required record keeping was not maintained.

- [Read the News Release](#)

Company Cited After Worker Killed on Wisconsin Project

Highway Technologies Inc. in Minneapolis has been cited by the Occupational Safety and Health Administration for 10 safety violations, including six willful, after a worker died. The worker was fatally injured when equipment came in contact with overhead power lines on Interstate 94 near Menomonie, Wis. The company was performing guard rail and sign installation under a contract with the Wisconsin Department of Transportation. Citations have been issued for six instance-by-instance willful violations of failing to ensure that parts of the equipment being operated were not within 10 feet of a power line. Due to the nature of the hazards and the violations cited, the company has been placed in OSHA's Severe Violator Enforcement Program.

- [Read the News Release](#)

Investigators Found Ohio Companies Kept 2 Sets of Wage Records

La Plaza Tapatia Supermarket LLC, Los Tres Amigos Supermarket LLC and Jalapeños Mexican Restaurant & Cantina LLC have agreed to pay \$232,000 in back wages to 267 employees at two supermarkets and three restaurants in Ohio. This action follows an investigation by the Wage and Hour Division that found violations of the Fair Labor Standards Act. The companies were also assessed a combined total of \$30,000 in civil penalties for the willful nature of the violations. The companies kept two sets of records and first provided falsified documents to investigators in an attempt to show compliance. Investigators found that supermarket workers regularly worked in excess of 60 hours a week and were paid fixed salaries without regard to the number of hours worked.

- [Read the News Release](#)

Inspection Found Workers Lacked Fall Protection Equipment

Wolff Construction LP has been cited by the Occupational Safety and Health

OSHA — Special Meeting of Advisory Committee on Construction Safety and Health

- [March 18 — Washington, DC](#)

WHD — Mexican Consulate's Mobile Consulate

- [March 16 — Macomb, MI](#)

WB — Cheyney University of Pennsylvania Spring 2013 Career Fair

- [March 6 — Cheyney, PA](#)

WB — International Women's Day Celebration

- [March 2 — Dallas, TX](#)
- [March 8 — Atlanta, GA](#)

WB — Women and Girls HIV Awareness Day

- [March 7 — Kansas City, MO](#)

WB — Women and Hunger: Putting Food on the Table

- [March 8 — Boston, MA](#)

Administration with nine serious safety violations for exposing workers to fall hazards. This action follows a complaint inspection that began in October 2012 when workers were erecting concrete steel forms up to 15 feet high without wearing the required fall protection equipment at a San Marcos, Texas, work site. Among the violations were failure to provide required personal protective equipment and failure to train employees working on the leading edge of elevated surfaces on fall protection. Penalties of \$46,000 have been proposed.

- [Read the News Release](#)

Los Angeles Retailer to Pay Back Wages, Damages

Dahdoul Textiles Inc. has agreed to pay \$260,000 in back wages and liquidated damages to 57 employees after the Wage and Hour Division found that the Los Angeles-based home furnishings retailer willfully violated provisions of the Fair Labor Standards Act. A consent judgment obtained by the department orders the retailer to also pay \$10,000 in civil penalties. Investigators found the employees did not receive an overtime premium for hours worked beyond 40 per week, as required. Dahdoul Textiles maintained two separate timekeeping systems.

- [Read the News Release](#)

Pennsylvania Fuel Company Cited After Worker Fatality

Export Fuel Co. was cited by the Occupational Safety and Health Administration with 18 serious safety violations following the death of a worker who was crushed by a pavement roller at the company's Export, Pa., facility. The violations include fall and electrical hazards, lack of machine and equipment guarding, lack of energy control procedures, the company's failure to provide employee training in the maintenance and operation of construction vehicles and a safe exit and means of egress.

- [Read the News Release](#)

Medical Center in Fort Smith, Ark., Violates FMLA

Health Management Associates Inc., doing business as Sparks Regional Medical Center in Fort Smith, Ark., has paid \$10,057 in back wages to a former employee after an investigation by the Wage and Hour Division found violations of the Family and Medical Leave Act. The company violated the FMLA when it considered the employee's absence due to an FMLA-qualifying health condition as a negative employment factor and, consequently, terminated the employee, investigators found.

- [Read the News Release](#)

Ohio Steelworkers Union to Hold New Election

The department recently settled a lawsuit against United Steelworkers of America Local 1104 in Lorain, Ohio. As a result, the department will supervise a new election for the offices of president, trustee (three positions), inside guard, and outside guard. The lawsuit sought to set aside the union's April 3, 2012 election after a department investigation established that Local 1104 applied an unreasonable meeting attendance requirement. That requirement disqualified more than 95 percent of the members from running for elected office and resulted in only one contested race.

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