



**UNITED STATES
DEPARTMENT OF LABOR**

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DOL News Brief

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March 28, 2013

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

**Women's History/Our History:
OSHA's Eula Bingham**



In contrast with the frequent changes in leadership of the Occupational Safety and Health Administration in its first six years, in which three assistant secretaries served, during the four-year

administration of President Jimmy Carter only one person — Eula Bingham — served as head of the agency. And she remains the only woman to head OSHA in its 40-year history. Unlike her predecessors, Bingham had time to follow through on policies that she introduced and actions that she began — including the first "right to know" rule allowing workers access to their workplace medical and exposure records. During her tenure, OSHA followed a less episodic, more continuous course. Her path to the post is a remarkable story. Shortly after Carter's inauguration in 1977, he visited the department's headquarters and told a crowd of employees that OSHA's program had the best prospect of improving workers' lives of any recent legislation. He also drew applause when he said he would appoint a woman to head the agency. Soon after, he announced the nomination of Eula Bingham, an occupational health scientist at the University of Cincinnati. Carter personally interviewed her for the job, a rarity for sub-cabinet appointments.



- [View the Centennial Timeline](#)
- [View the Centennial Video](#)

What's New

At Minimum Wage Roundtables, Workers Talk of Daily Struggles

Cheryl Fuentes works three jobs, but still cannot afford the gas to make a two-hour, round-trip drive to visit her son who recently returned from a military tour overseas. Patty Owens was downsized from a long-time job where she made \$15 an hour, and now works two part-time jobs and shares a house with



two other people to make ends meet. Fuentes and Owens were among workers in the Midwest this week that discussed raising the federal minimum wage at roundtable discussions in Milwaukee and Minneapolis. More than a dozen workers gathered at Milwaukee's Hunger Task Force on March 27 to meet with acting Secretary of Labor Seth D. Harris and describe how even a modest increase in the minimum wage would improve their quality of life. At the roundtable, Harris noted that "thirty percent of minimum wage workers are supporting kids and 60 percent are working women. A raise in the minimum wage will improve the lives of working American families." In Minneapolis on March 25, acting Wage and Hour Division Deputy Administrator Mary Beth Maxwell met with workers at the Minneapolis Central Library, where Rep. Keith Ellison joined the event. "We have families we need to support," Blanca Jimenez, a retail store cleaner, told Ellison and Maxwell. "We are having to work so many hours, it's like we don't have children. We're always at work and they're strangers to us." Lucila Dominguez, who also works in the cleaning industry, said she cannot afford basic medical care. "I live paycheck to paycheck," she said. "I don't go for regular checkups with my doctor, which makes it worse if I have to go in for something major." President Obama called for a higher federal minimum wage in February, seeking to raise it from \$7.25 per hour to \$9 per hour by 2015 and then index it to inflation thereafter.

- [View the Slideshow](#)
- [Read the President's Proposal](#)

Immigration Reform Advocates Come Together in Chicago

Nearly 50 immigration reform advocates, community leaders and workers from the Chicago area joined acting Secretary of Labor Harris in Chicago on Wednesday to talk about the Obama administration's efforts to fix the nation's broken



Raising the federal minimum wage from \$7.25 per hour to \$9 per hour in 2015, as called for by President Obama, would directly benefit 15 million



immigration system. Harris heard stories from a diverse group of community residents, who spoke

of the challenges they face and the importance of immigration reform. He highlighted the administration's emphasis on a system that ensures everyone plays by the same set of rules, and pointed to major economic benefits that would come from fixing the system. "Immigrants drive American innovation," Harris said. "In 2011, immigrants accounted for 28 percent of all new businesses while accounting for only 13 percent of the population. They're substantially more likely to secure patents for new innovations and represent over \$1 trillion dollars in consumer spending power. This is not just an immigrant issue, this is an American issue, and now is the time to pass immigration reform."

American workers. Acting Secretary of Labor Harris was at a recent Boston roundtable where he addressed myths about raising the wage. The discussion, which included workers who would benefit from a higher minimum wage, was hosted by Action for Boston Community Development at its Elm Hill Neighborhood Service Center.

- [Watch the Video](#)
- [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.

- [Comprehensive Immigration Reform: a Moral and Economic Imperative](#): In an account that weaves personal history into the quintessential American story of the immigrant experience, acting Secretary Harris makes the case for the urgent need to fix our broken education system and strengthen our economy through a forward-looking immigration policy. After visiting Milwaukee and Chicago for discussions of immigration reform with business leaders and immigrant advocates, Harris writes that immigration "gives us economic, civic and cultural vitality. It keeps us on the cutting-edge. It is a unique source of national pride and dignity. It is what makes America America."
- [Getting the Word Out on Workplace Safety and Health](#): A post from OSHA catalogs the many publications available to educate the public on the agency's standards, duties and functions, and provides information on workers' rights and employers' responsibilities. Most publications are available for order or download, and many are available in multiple languages.
- [The Best Case for a Minimum Wage Raise: Workers' Stories](#): For the fifth week in a row, Acting Secretary Harris turns the blog into a platform for low-wage workers to raise their voices in support of President Obama's proposal to raise the minimum wage. In this post, workers from Cincinnati and Indianapolis share their stories.

Diversity, Innovation and Work

Emphasizing that diversity includes people with disabilities, Assistant Secretary of Labor Kathy Martinez delivered a presentation at the annual partners' meeting of Corporate Voices for Working Families on March 22. Martinez, the

National News

Helping Businesses Meet Employment Needs

Finding the right employees is important for helping businesses grow. For many new and small businesses, this process can be daunting. The department is making this process easier through the Business Center website on the CareerOneStop portal. This site provides direct access to the department's online resources for employer's looking to recruit, train and retain skilled workers. Employers can find information on writing effective job descriptions and how to properly interview candidates, find local skills training programs, salary information, and state by state resources available for hiring workers among many other useful tools. The new Business Center page compliments the existing resources on CareerOneStop that offer information to help job seekers find education and training providers and conduct a job search.

- [Visit the Business Center Website](#)
- [Read the News Release](#)

International Scene

National Advisory Committee Spotlights International Trade

Representatives from business, labor and the public focused on several trade issues during the March 19 meeting of the National Advisory Committee for Labor Provisions of U.S. Free Trade Agreements. Meeting at the Labor Department's headquarters, the group discussed activities by the



Bureau of International Labor Affairs related to U.S. free trade agreements, including responses to submissions filed under such agreements, and the first meeting of the U.S.-Korean Labor Affairs Council. The committee also provided a report to the department that included recommendations for research that focuses on labor and trade issues. ILAB officials made a



assistant secretary for disability employment policy, discussed department-supported resources for businesses. The program concluded with a vibrant discussion between Martinez and an audience of about 60 senior executives from Fortune 500 companies. "Diversity is, and always has been, the essential element in American innovation," Martinez said.

- [Learn About Business Strategies for Inclusion](#)
- [Explore Resources for Inclusion](#)
- [Learn About the EARN](#)
- [Learn About the Job Accommodation Network](#)

Women in STEM



Addressing more than 100 people at the White House last week, Nancy Santiago-Negrón, acting deputy director of the Women's Bureau, discussed her professional experience helping women prepare for jobs in science, technology, engineering and mathematics and environmental fields. "The importance of mentors for young women in STEM cannot be overstated," she said. "Mentors and strong networks make careers in STEM both a possibility for young girls and a reality for women entering the workforce." Santiago-Negrón spoke at the 2nd Annual White House Women and the Environment Summit, which observed Women's History Month and recognized women who have addressed great environmental challenges. Participants discussed strategies to ensure that women continue to take an active role in protecting the environment.

- [View the Slideshow](#)

Deconstructing Barriers



Last week, the New York Collaboration for Women in Construction hosted a "Working on Equal Terms" summit at Cornell University's School of Industrial Relations in New York City. The summit brought together nearly 90 tradeswomen and leaders from a number of sectors, including Office of

Federal Contract Compliance Programs Director Patricia A. Shiu, the keynote speaker. "I believe that the key to getting more women and minorities in the construction trades is strong enforcement," said Shiu. "And the key to strong enforcement is sound policy, updated regulations and a collaborative effort by government, industry and advocates connecting workers with available jobs."

presentation on its Web-based child labor toolkit for responsible businesses.

- [Learn About the NAC](#)
- [Read the Child Labor Toolkit](#)

Around DOL

Women's History Month/Women's Military History Week

Several of the department's regional offices held special screenings to mark Women's History Month and Women's Military History Week. The San Francisco office hosted a screening of the independent film, "Service: When Women Come Marching Home," for more than 75 attendees. The film



highlights some of the challenges women veterans face as they transition out of military service and into civilian life. After the screening, Marcia Rock, the film's director, and Alicia Thompson, a veteran featured in the film, led a panel discussion on issues affecting women veterans that can be barriers to employment, such as homelessness, PTSD and disabilities. The department's Women's Bureau, Oakland Veterans Affairs Center, the Department of Health and Human Services and Disabled American Veterans provided information and resources at the event. Employees at the A. Maceo Smith federal building in Dallas gathered on March 21 for a special screening of a new documentary, "Women of the Military," in observance of Women's History Month. The movie included interviews with current and veteran service members of different ranks from across the branches of the U.S. Armed Forces. According to Senior Trial Attorney Janice Holmes, who hosted the event, there are more than 140 Department of Labor women veterans in the Dallas Region.

- [Learn About VETS Programs and Services](#)
- [View the Slideshow](#)

DOL Working for You

Training Program Leads Californian to a Career in Health Care



Fernando Lescano's childhood was fraught with difficulties which caused him and his siblings to be placed in separate foster homes. He recalls that when his mother and his aunt both became ill he wished he knew some way to provide them with comfort. Those experiences, Lescano said, made him determined to carve out a career in health care. After graduating from high school, Lescano turned to the County of San Bernardino, Calif., Workforce Investment Board for help. With its guidance, he joined the

- [Read Shiu's Speech](#)
- [View the Slideshow](#)

Los Angeles Grant Workshop



Faith-based leaders and representatives of nonprofit community organizations attended a workshop about the department's online resources, including

grants, on March 27 in Los Angeles. Alicia Villarreal, secretary's regional representative, thanked everyone for improving the lives of disadvantage workers and offered a detailed overview of existing job creation grant opportunities for faith-based organizations, nonprofits and job seekers. Villarreal highlighted the need to continue strengthening the role of community organizations in the economic recovery. The United Jobs Creation Council hosted the event as an outgrowth of a recent meeting with Phil Tom, director of the Center for Faith-based and Neighborhood Partnerships. The UJCC advocates for at-risk teens, provides job training and local hiring, and coordinates job placement and on-the-job training throughout Los Angeles County.

- [Learn About CFBNP](#)
- [Read About Available Grants](#)
- [View the Slideshow](#)

Scaling Heights Safely

"Safety From the Top" was the theme for the first summit held in the United States by the International Powered Access Federation, whose members include users and operators of aerial work platforms. Jordan Barab, deputy assistant secretary of labor for occupational safety and health, provided an aptly named presentation, "Scaling New Heights in Fall Protection." Barab highlighted the Occupational Safety and Health Administration's campaign to prevent fatal falls, and OSHA's training and compliance assistance programs for employers and workers. He underscored OSHA's outreach to vulnerable workers and day laborers, including those with limited English proficiency. These workers, OSHA's research shows, "often lack training and understanding of how to use fall protection equipment — or even their rights under the law," Barab said. Falls are the leading cause of death in construction, he noted, stressing that "these deaths are preventable when employers follow three simple steps: plan, provide and train."



- [Learn About Fall Prevention](#)

Panel on Workplace Diversity

Speaking to an audience of about 200 Ernst &

Colton-Redlands-Yucaipa Regional Occupational Program and enrolled in Certified Nursing Assistant training courses. The program paid for Lescano's training, supplies and even his scrubs. "The program gave me the push and support I needed and the confidence to do anything," he said. When he graduated from the nine-week training program, Lescano was hired as a nursing assistant at an assisted living center where he now cares for patients suffering from dementia and Alzheimer's disease.

Of Note

Frances Perkins Wins Lent Madness Golden Halo

In a stunning upset that smashed brackets everywhere, former Secretary of Labor (and saint in the Episcopal Church) Frances Perkins surged past Luke the Evangelist on March 27 to win the final round of "Lent Madness." A spoof of college basketball's March Madness, Lent Madness 2013 pitted 32 saints against each other in a tournament-like single elimination bracket. The winner is awarded the coveted Golden Halo. On her way to victory, Perkins beat Damien of Molokai, Martin Luther King Jr., J.M. Daniels and Hilda of Whitby. Among her many supporters: Labor Department staff; the New York State Department of Labor, which she led before coming to Washington; and Mount Holyoke College, her alma mater. Undecided voters and those who had never heard of Perkins before may have been swayed by the story of her dedication to improving the lives of the nation's most vulnerable workers. As Interfaith Worker Justice Executive Director Kim Bobo commented, "No leader in the nation's history has done more for working men and women. She fought for and put in place laws for child labor, minimum wage and overtime, Social Security and workplace organizing. She may not be the most well-known among the saints, but she's got my vote."

- [Read About Lent Madness](#)
- [Read the Bloomberg Blog Post](#)
- [Read the Washington Post On Faith](#)

Communicator of the Year

The National Association of Government Communicators has named Carl Fillichio, head of the department's Office of Public Affairs, as its 2013 Communicator of the Year. Fillichio was selected for his unwavering commitment to protecting the integrity of the department's sensitive economic data; making the data available and accessible to the news media in a secure and embargoed environment; and ensuring a level playing field in the transmission of market-moving data to the public. "NAGC is proud to honor the U.S. Department of Labor's Carl Fillichio as its Communicator of the Year," said NAGC President Glen Thomas. "Among his many accomplishments was establishing groundbreaking new policies and procedures for releasing sensitive economic data to the public. Fillichio successfully navigated a number of challenges throughout this process, and established himself as an industry leader in government communications."



- [Read the NAGC Blog Post](#)

DOL in Action

West Virginia Coal Mine Cited for Numerous Violations

Federal inspectors from the Mine Safety and Health Administration launched

Young employees and clients, Assistant Secretary of Labor for Disability Employment Policy Kathy Martinez discussed LGBT and disability identity and inclusiveness in the workplace. Martinez, on a panel at the March 27 meeting, highlighted promising business policies and practices, and reflected on her personal and professional experiences championing diversity and inclusion efforts. "A diverse workforce is an inclusive workforce, and one that benefits from multiple perspectives and experiences," she said.

• [Read More About Workplace Inclusion](#)

Affordable Care in Philly



Approximately 50 people, including consultants, state insurance officials, union officials and human resource representatives,

participated in a one-day Affordable Care Act Workshop. The Philadelphia region's Employee Benefits Security Administration hosted the workshop on March 20. EBSA benefits advisors provided information to assist participants with successful implementation and compliance of ACA. They also addressed specific questions and provided onsite one-on-one assistance.

• [Learn About the ACA](#)

Business Focus on EEO

Nearly 300 business leaders from across the country gathered in Washington, D.C., for the Equal Employment Advisory Council's annual meeting on March 27. Patricia A. Shiu, director of the Office of Federal Contract Compliance Programs, addressed the group, discussing the agency's priorities and explaining her vision of facilitating success for workers, for employers and for government agencies that depend on their contractors to comply with the law. "Nearly 700 billion in taxpayer dollars are spent on federal contracts every year," said Shiu. "Those taxpayer dollars ought to be used to maximize success — for the businesses that earn them, the government that spends them and the workers who help pay them."

Data Users to Meet

Erica L. Groshen, commissioner of the Bureau of Labor Statistics, will convene a meeting of the BLS Data Users Advisory Committee on May 7. The meeting will include a review of agency developments, outreach efforts by BLS, and discussions of the Occupational Requirements Survey and the geographic display of data. The meeting will be held at the Postal Square Building Conference Center in Washington, D.C., and is open to the public.

• [Read the Federal Register Notice](#)

Weekly UI Claims

a surprise inspection last month at the Fork Creek No. 1 Mine in Boone County, W.Va., and found numerous violations of the mine's ventilation plan. The team observed two continuous mining machines operating simultaneously on the same split of air, which is prohibited. Several water sprays on one of these machines, used to control dust and the ignition of coal dust or methane, were inoperative. And ventilation curtains, which direct the flow of air in the mine and move respirable dust and methane out of working areas, were either missing or rolled up against the mine roof while equipment and miners were working in the area. Since April 2010, MSHA has conducted 579 impact inspections at mines around the country. "In spite of finding overall improvements in compliance since we began, examples like Fork Creek No. 1 show what takes place at some mines when MSHA is not expected to be there and illustrates the importance of our impact inspection strategy," said MSHA Assistant Secretary Joseph Main.

• [Read the News Release](#)

Grant to Assist Mississippi Storm Cleanup

The department awarded a \$1 million National Emergency Grant increment on March 22 to the Mississippi Department of Employment Security to continue the funding of temporary jobs for cleanup and recovery efforts following Hurricane Isaac. Assistant Secretary of Labor for Employment and Training Jane Oates said, "Mississippi has made a lot of progress in recovering from the destruction of Hurricane Isaac. However, there is still more work ahead to complete the task. This additional funding from the Labor Department makes possible the continuation of temporary jobs to rebuild communities."

• [Read the News Release](#)

Electric Contractor Violates Federal Labor Laws

Eagle Electric Inc. in Houma, La., has paid \$73,605 in back wages to 15 current and former employees following an investigation by the Wage and Hour Division. The investigation found violations of the Fair Labor Standards Act, Davis-Bacon and Related Acts and the Contract Work Hours and Safety Standards Act. The company failed to pay employees the required prevailing wages, proper overtime, and fringe benefits on a federally financed construction contract.

• [Read the News Release](#)

New Home Builder Faces Fines for Repeat Fall Hazards

JF Builders Inc., based in Cape May, N.J., was cited by the Occupational Safety and Health Administration with repeat and serious safety violations found at a Sea Isle City, N.J., work site. The violations include the company's failure to protect workers exposed to fall hazards of heights approximately 12 feet and to fall hazards while working from an elevated wooden pallet resting on the forks of a front-end loader. The company faces \$48,510 in proposed penalties.

• [Read the News Release](#)

Truck Drivers in Iowa and Missouri to Receive \$160,000 in Back Wages

Contract Transport Inc. has agreed to pay 201 truck drivers a total of \$160,073 in back wages and fringe benefits after an investigation by the Wage and Hour Division. The Iowa trucking company violated provisions of the McNamara-O'Hara Service Contract Act. The company, which has a contract to haul mail for the U.S. Postal Service, violated the law by failing to document and pay mail haul drivers for delay time during trips. Truckers due the back wages worked at the company's headquarters' facility in Des Moines and its Kansas City, Mo., facility. The company has also agreed to train both office staff and drivers on the importance of proper time documentation and to provide a phone number to workers to report pay discrepancies.

• [Read the News Release](#)

The department reported the advance figure for seasonally adjusted initial Unemployment Insurance claims was 357,000 for the week ending March 23, an increase of 16,000 from the previous week. The four-week moving average was 343,000, up 2,250 from the previous week's revised average.

- [Read the News Release](#)

Calendar Highlights

The Bureau of International Labor Affairs is hosting a webcast on "Reducing Child Labor and Forced Labor — Best Practices for Responsible Businesses" April 11, from 1 to 2 p.m. EDT. The event will feature a discussion among panelists to highlight how some corporate leaders are addressing child and forced labor in their supply chains as well as responses to questions from the public.

- [Register for the Webcast](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

ILAB — Webcast on Responsible Supply Chains

- [April 11 — Washington, DC](#)

EBSA — The Affordable Care Act: Important New Protections for You and Your Family Webcast in Spanish

- [April 10 — Washington, DC](#)

OASAM — Vendor Outreach Session

- [April 17 — Washington, DC](#)

OFCCP — 16 Construction EEO/AA Requirements Roundtable Discussion

- [May 1 — Milwaukee, WI](#)

OFCCP — Analyzing Personnel Activity Data

- [April 3 — Columbus, OH](#)

OFCCP — Compliance Seminar and Job Fair

- [April 12 — Lakewood, WA](#)

OFCCP — Construction Requirements

- [April 4 — Omaha, NE](#)
- [May 3 — Columbus, OH](#)

OFCCP — Good Faith Efforts to Successful Outreach

- [May 6 — Milwaukee, WI](#)

OFCCP — HIV/AIDS Outreach Event

- [April 16 — Boston, MA](#)

OFCCP — How to Avoid Costly Employment Practices

Company Failed to Comply With Asbestos Removal Standards

Kyklos Bearings International has been cited for 13 alleged serious safety violations after an October 2012 complaint inspection by the Occupational Safety and Health Administration. The inspection revealed that the company failed to comply with asbestos regulations while removing boiler components at a Sandusky, Ohio, facility. No injuries have been reported as a result of the violations. Fines of \$65,000 have been proposed. Asbestos hazards are addressed in specific OSHA standards for general industry and shipyard employment. Kyklos Bearings International is a subsidiary of HHI, headquartered in Royal Oak, Mich., and manufactures bearings for the automotive industry.

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

Omaha Country Club Pays \$65,000 in Back Wages

Happy Hollow Club Inc., in Omaha, Neb., has paid 38 employees a total of \$65,705 in back wages following an investigation by the Wage and Hour Division that found violations of the Fair Labor Standards Act. The club required servers to turn a percentage of their tips over to the employer to help defray the cost of wages for bus help. Under the FLSA, tips are the property of the tipped employee and/or employees participating in a valid tip pool. An employer cannot require servers to turn in tips.

- [Read the News Release](#)

Oklahoma Refinery Cited Following Death of 2 Workers

Wynnewood Refining Co. LLC has been cited by the Occupational Safety and Health Administration following the death of two workers at the company's crude oil refinery in Wynnewood, Okla. OSHA's Oklahoma City Area Office began its investigation at the facility following the explosion of a boiler, which killed the employees. The inspection was expanded to include associated contractors and ongoing maintenance activities. OSHA investigators found violations of the process safety management standard, which requires specific management of hazards associated with processes using dangerous chemicals. OSHA cited the company with six repeat, 15 serious and two other-than-serious violations.

- [Read the News Release](#)

Court Issues Order Protecting Workers in Guam

A judge granted the department's request for an order protecting H2-B workers in Guam from retaliation, coercion, and intimidation by their former employer during litigation of a Fair Labor Standards Act case. The order prohibits employers Acme Universal Inc. and Xin Bo "Paul" Yu from any contact with their former workers except through legal counsel and requires a notice of rights to be read to former employees prior to depositions. "This order is telling workers, especially immigrant workers, exactly what we want them to know: they have rights, and the department and the federal courts will protect them," said Regional Solicitor Janet Herold.

- [Read the Court Order](#)

New York Manufacturer Faulted on Workplace Safety

A Queens metal products manufacturer is facing \$108,900 in fines after the Occupational Safety and Health Administration found recurring and new hazards. Juniper Elbow Co. Inc., doing business as Juniper Industries, was cited for recurring deficiencies in respirator and hazard communication training and for failing to conduct a hazard assessment to determine what personal protective equipment employees need to perform their jobs safely. OSHA cited Juniper for similar hazards in 2011. Newly occurring hazards include failing to monitor workers' exposure levels to and provide them information about hexavalent chromium.

- [Read the News Release](#)

Chemical Hazards Found at Pennsylvania Facility

- [April 17 — Houston, TX](#)

OFCCP — Internet Applicant Record Keeping

- [April 17 — Orange, CA](#)

OFCCP — Individuals with Disabilities Seminar

- [April 3 — Milwaukee, WI](#)

OFCCP — Meeting of the State Consumer Advisory Board

- [April 16 — Boston, MA](#)

OFCCP — National Origin Discrimination

- [May 2 — Omaha, NE](#)

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

- [April 3 — Pittsburgh, PA](#)
- [April 16 — Philadelphia, PA](#)
- [April 18 — Baltimore, MD](#)

OFCCP — Understanding AAP Requirements

- [April 9 — Dallas, TX](#)

OFCCP — Workplace Accommodations

- [April 18 — Omaha, NE](#)

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

- [April 18 — Columbus, OH](#)

OSHA — Stakeholder Meetings on Crane Operator Certification Requirements

- [April 2-3 — Washington, DC](#)

WB — Celebrating Children and Literacy

- [April 27 — Detroit, MI](#)

WB — Federal Labor Standards: Prevailing Wage and FLSA Training

- [April 25 — Kansas City, MO](#)

WB — Green Jobs Workshop

- [April 30 — Philadelphia, PA](#)

WHD — Prevailing Wage Training

- [April 25 — Kansas City, MO](#)

Chemical distributor Brenntag Northeast Inc. is facing \$64,665 in proposed penalties for 14 safety violations, including chemical hazards, found at the company's Reading, Pa., facility. Occupational Safety and Health Administration inspectors cited the company for failure to protect workers from chemical and fall hazards, complete and revalidate a process hazard analysis and resolve analysis recommendations in a timely manner, and develop a lockout/tagout program or line-breaking procedures for a formaldehyde loading system. OSHA's inspection was initiated as part of the agency's National Emphasis Program on process safety management for covered chemical facilities.

- [Read the News Release](#)

Potential Bloodborne Pathogen Hazards at New York Medical Practice

A Newburgh, N.Y., medical practice faces \$44,800 in fines from the Occupational Safety and Health Administration for failing to protect its workers adequately against potential bloodborne pathogen hazards. OSHA's Albany office cited Orange Medical Care P.C. after finding that it had its employees use non-engineered hypodermic needles instead of required safer needle devices. The medical practice also lacked an exposure control program and adequate employee training. In addition it allowed employees to recap contaminated non-engineered needles, a practice known to increase the likelihood of needle sticks. The workers faced exposure while administering vaccines and tuberculin skin tests.

- [Read the News Release](#)

Penalties Proposed for New Jersey Arms Manufacturer

Henry RAC Holding Corp., based in Bayonne, N.J., has been cited by the Occupational Safety and Health Administration for four repeat and four serious safety and health violations, including exposing workers to lead hazards. OSHA initiated an inspection after health hazards were discovered during an earlier OSHA safety inspection. Penalties of \$72,000 have been proposed.

- [Read the News Release](#)

Hand, Eye Protection Found Lacking at Plant

Electronic cigarette manufacturer eSmoke LLC, based in Lakewood, N.J., has been cited by the Occupational Safety and Health Administration for 20 workplace safety and health violations. OSHA's inspection was prompted by a complaint alleging serious safety and health hazards throughout the facility. Two willful violations include the company's failure to provide protective gloves for workers handling products containing nicotine and eye protection for workers handling corrosive chemicals and concentrated nicotine. Penalties of \$184,500 have been proposed.

- [Read the News Release](#)

Pulp and Paper Workers Union to Hold New Election

The Association of Western Pulp and Paper Workers Local 5 located in Camas, Wash., has agreed to hold a new runoff election for finance officer under the supervision of the Office of Labor-Management Standards. The union also has agreed to install six candidates who won other officer positions in a December 2012 election. An OLMS investigation of the election concluded that Local 5 violated its constitution and bylaws by failing to set up polls at a worksite where its members are employed. The investigation also found that Local 5 disqualified six winning candidates by enforcing an unreasonable meeting attendance requirement after completion of the election. OLMS determined that the meeting attendance requirement was unreasonable because it disqualified approximately 95 percent of members from running for elected office.

Transmission Line Trainee Fatality Results in Citations

Las Vegas-based NV Energy has been cited for seven alleged safety and

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health violations following an investigation by the Occupational Safety and Health Administration. A lineman in training died when he fell 75 feet while working between a transmission tower and a live transmission line that crosses the Moapa Paiute Reservation. Serious violations include failing to provide properly fitting personal protective equipment in good condition for each worker, failing to ensure that fall arrest equipment met required safety rules, and failing to comply with fall protection rules applicable to power transmission lines, which require trainees to use fall protection equipment any time they work more than 4 feet above the ground.

- [Read the News Release](#)

Bureau of Prisons' Contractor to Pay Back Wages

CH Inc. has agreed to pay \$268,899 in fringe benefits and overtime back wages to 35 employees following an investigation by the Wage and Hour Division. The investigation revealed that the Council Bluffs, Iowa, contractor violated provisions of the McNamara O'Hara Service Contract Act and the Contract Work Hours and Safety Standards Act in work for the Federal Bureau of Prisons. CH Inc. was found to have failed to pay required fringe benefits of up to \$3.59 per hour to any employee they considered a part-time employee on the contract. The Wage and Hour Division also found the company failed to properly calculate and pay overtime rates.

- [Read the News Release](#)

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