



UNITED STATES
DEPARTMENT OF LABOR

Good jobs for everyone.

DOL News Brief

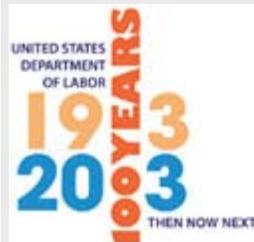
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April 4, 2013



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

Roosevelt's Tree Army



Eighty years ago this week, President Franklin D. Roosevelt launched the Civilian Conservation Corps — a pioneering national jobs program that heralded a major step forward in the nation's recovery from the Great

Depression. An early hallmark of Roosevelt and Secretary Frances Perkins' visionary New Deal, the CCC provided jobs to unemployed young men in rural conservation projects — planting trees, managing fires, carving out roads and trails, and building infrastructure for parks and wilderness areas. The program exemplified interdepartmental collaboration, with the Labor Department recruiting young workers for the program through a newly formed

National Re-Employment Service (a quarter of a million enrollees joined the corps in just two months). When the program ended in 1942,



millions of young men had participated. The legacy of the CCC endures today, not only in the lasting contributions it made to the stewardship of our natural heritage, but in the capacity for the Labor Department and others to provide employment and training programs.

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

(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](#): Acting Secretary Harris reports from a roundtable at Ohio State University in Columbus where he sat down with students, faculty and local employers to discuss President Obama's proposal to "staple" a green card to the diploma of immigrants who have completed an advanced degree in STEM fields. Students who "are eager to launch careers and entrepreneurial ventures in the U.S. are instead

What's New

Immigration Reform: Keeping Talent in the USA

Acting Secretary of Labor Seth D. Harris brought President Obama's call for immigration reform to The Ohio State University on April 3 where he discussed a proposal to make it easier for foreign-born students with advanced degrees in science, technology, engineering and math to stay and work in the



United States after they graduate. "We cannot let good talent slip away because of an immigration system that's broken," Harris told a gathering of school officials, students and business leaders in Columbus. Italian native Matteo Muratori will soon graduate from Ohio State with a doctorate in mechanical engineering. He called the current process companies must go through to obtain a visa to employ him "long and complicated." Echoing that critique was Ross Kayuha, CEO of Columbus-based Nanofiber Solutions, who said, "Without reform, I'm going to lose a lot of people I want to hire." Harris told the participants he will share their comments and concerns with those in Washington working to craft a solution to the immigration issue.

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

North Carolina Workers Discuss Minimum Wage Hike



Dominique Pendleton earns the current federal minimum wage of \$7.25 per hour working at a fast-food restaurant in Charlotte, N.C., and is trying to get an education while he also helps his family with the bills. "I'm trying to pay for school and help my family. At this wage, it's just almost impossible," Pendleton told

acting Secretary Harris and Charlotte Mayor Anthony Foxx at a discussion on April 3. Harris and Foxx were taking part in the latest of nearly 20 such discussions the department has held with workers around the country since President Obama called for raising the federal minimum wage to \$9 per hour by 2015. Foxx called those earning the minimum wage in full-time jobs "hard-working people" who are just trying to earn their keep and support their families. Expressing her support for the president's proposed increase, Gloria Ervin said, "For those people who say \$7.25 is enough and \$9 is too much, I'd ask them to try and live on that wage." Harris told the participants that nearly 60 percent of those who would benefit from the president's

put on a plane to start companies and create businesses in their home countries," Harris writes of foreign-born students who come here to earn advanced degrees. "This is not a smart strategy for U.S. job creation and economic growth."

- [Tools to Help Businesses Grow](#): Jane Oates, assistant secretary of labor for employment and training, unveils the new [Business Center](#) feature of the department's Career OneStop portal. The new tool is designed to provide employers with resources that will help them recruit, hire, train and retain a strong workforce.

- [Fueling Corporate Accountability](#): Acting Deputy Administrator of the Wage and Hour Division Mary Beth Maxwell contends that compliance and accountability with respect to wage and hour laws are good for business, using an investigation of a New Jersey gas station operator as an example.

Meet the DOL Leadership Team

Unemployment, inflation, and productivity are just a few of the key economic statistics from the Bureau of Labor Statistics.

Confirmed in January, Dr. Erica L. Groshen became the 14th commissioner of labor statistics, charged with ensuring that the nation's key labor economic data are timely, accurate and relevant. Bringing her Federal Reserve experience and a keen interest in labor market issues and outcomes, Groshen is well suited to the task. Groshen is no stranger to BLS — she had previously served on the BLS Data User Advisory Committee and her research for her doctorate thesis used BLS microdata. Prior to joining the bureau, Groshen was a vice president in the Research and Statistics Group at the Federal Reserve Bank of New York.

- [Read More About Groshen](#)



First Northeast Mine Conference



Nearly 200 mining industry professionals gathered in State College, Pa., this week for the 1st Annual Northeast Mine Safety and Health Conference. With a theme of "Winning the Battle for Safety," the program featured presentations and workshops on a variety of topics, such as fall protection; noise, dust and diesel health concerns; electrical safety; ventilation and mine rescue. Joseph Main, head of the Mine Safety and Health Administration, helped kick off the two-day conference with a look back at how much MSHA, as well as the industry, evolved and the progress that has been made.

Inspiration for STEM

proposed increase are working women. He also noted that those workers bring home nearly half of their household's earnings.

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

National News

Grants to Provide Job Training for Homeless Veterans

Approximately 2,600 veterans will receive job training and related services to help them succeed in civilian careers through \$5 million in grants from the department's Homeless Veterans Reintegration Program. The department announced the availability of the funding on April 3. Grants will be awarded on a competitive basis to groups that are intimately connected with their local economies and the needs of homeless veterans and can offer job training, and other assistance. "Through these grants, the Labor Department will provide those who have served our nation with the opportunity for a fresh start and a good job," said acting Secretary Harris.

- [Read the News Release](#)

Assistance to Help Young Offenders Re-Enter Workforce

Juvenile arrests can lead to barriers to a successful career. On April 1, the department announced approximately \$26 million in "Face Forward" grants to give youth a second chance at success by offering training and skills development and support services to help them overcome the stigma of a juvenile record. "With these grants, we can encourage young people to 'Face Forward' and build a brighter future for themselves and their communities," said acting Secretary Harris. Approximately 26 grants of up to \$1 million each will be awarded to serve youth offenders between the ages of 16 and 24.

- [Read the News Release](#)

News You Can Use

Recommendations for Retaining an Aging Workforce

Providing accommodations to aging workers with disabilities, chronic health problems or reduced work capacity can help employers retain experienced staff who might otherwise leave the workforce, according to two briefs issued March 28 by the Office of Disability Employment Policy. The briefs provide recommendations for state and federal policymakers, employers and health care industry leaders on the retention of critical talent. "By promoting workforce flexibility, harnessing widespread advances in assistive technology, and using other types of workplace accommodations, we can slow the mass exodus of older workers in health care and other industries, and continue to benefit from the knowledge and skills they bring," said Kathy Martinez, assistant secretary of labor for disability employment policy.

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

Around DOL

Construction Industry in Alliance to Further Job Safety

Construction industry representatives gathered at the department's headquarters on March 28 as part of an alliance program with the Occupational Safety and Health Administration. OSHA officials

Like every crater on Venus, Bascom Crater is named after a woman: geologist Florence Bascom, the first woman appointed to the U.S. Geological Survey, in 1896. Bascom was one of several trailblazing women highlighted by Jackie Cooke at a March 27 event celebrating Women's History Month and emphasizing the important contributions of women to science, technology, engineering and math fields. Cooke, regional administrator of the Women's Bureau's Boston office, highlighted the achievements of numerous STEM luminaries in a keynote address before about 40 employees at the John F. Kennedy Federal Building in Boston. "As astronauts, molecular biologists and physicists, women have made great contributions to our nation's knowledge and workforce," said Cooke.



provided updates on agency initiatives, and participants discussed the prevention of construction injuries and fatalities. During the meeting, the American Society of Safety Engineers previewed a draft design for a construction safety short course that will be offered by OSHA educational centers, and the Sealant Waterproofing and Restoration Institute highlighted several topics, including fall prevention. Jordan Barab, deputy assistant secretary of labor for occupational safety and health, noted that through "effective educational tools and an empowered workforce, we can ensure that no more workers will lose their lives in preventable falls."



- [Learn About the Alliance Program](#)
- [Read About the Fall Prevention Campaign](#)
- [View the Slideshow](#)

DOL Working for You

Missouri Veteran Gets a Fresh Start With Assist From 2 Programs

Patrick Johnson of Missouri had a successful 25-year career in restaurant management, but personal problems lead to incarceration and then a need to start life over. Johnson, who served in the Army, took advantage of the St. Patrick Center's Homeless Veterans Reintegration Program in St.



Louis, which is funded by the department, to find help with housing, employment and health care. Johnson said the transition was hard at first but "I listened to the Lord, opened my mind and took advantage of everything offered to me" through the program. He received computer training on how to look for a job and how to prepare a budget and pay his taxes. He also received assistance finding a place to live. Johnson has now turned to another department program, the Veterans Retraining Assistance Program, which pays for up to 12 months of training for qualified unemployed veterans between the ages of 35 and 60. Johnson is taking courses for a degree in hotel and restaurant management and hopes to become a restaurant owner.

Older Women Workers



Participants in a March 27 roundtable in Chicago discussed experiences, best practices and resources for older women in the workforce. Hosted by

the Women's Bureau, the roundtable gathered representatives from nonprofits and agencies that serve older working women. Women's Bureau Regional Administrator Grace Protos facilitated the discussion via Web video conference from her New York office. Participants discussed the challenges facing these workers, such as age-related hiring discrimination. "Women are staying in the workforce longer than ever before," Protos noted. "These workers have a lot to contribute, and we want to have an understanding of the issues they face that are barriers to employment."

Job Fair Partners



"Let's get together and hire some people." Those enthusiastic words from Commissioner Charles Carr of the Massachusetts

Rehabilitation Commission launched a March 26 career hiring event for persons with disabilities. The event, held at the John F. Kennedy Federal Building in Boston, was organized by the Office of Federal Contract Compliance Programs' Boston office and the commission. About 140 job seekers met with representatives of 36 New England

Of Note

Plasencia Recognized for Work on Veterans Employment

Paul Plasencia had a dream — a program where the federal government would actively recruit and hire military veterans. Little did the 21-year Army veteran know that his dream would lead him to being honored for his efforts. Plasencia was

federal contractors in the manufacturing, health care, education, construction, energy, security, hospitality and retail industries. In addition to learning about employment opportunities, candidates were able to participate in job interviews on the spot. The career event, over a year in the planning, was the first such joint effort by the two agencies.

- [Read About OFCCP](#)
- [Read About the MRC](#)
- [View the Slideshow](#)

Remembering Chávez

Highlighting the department's commitment to enforce minimum wage, overtime pay, recordkeeping and child labor laws, Wage and



Hour Division Regional Administrator Ruben Rosalez spoke March 30 in Pittsburg, Calif., at an event honoring César Chávez. Rosalez talked about the type of cases the division encounters in agricultural fields today. He also underscored the need to address violations affecting low-wage workers in construction, the garment industry, restaurants, and home care for the elderly. The event was held at the Pittsburg High School, in commemoration of the United Farm Workers of America co-founder's birth.

- [Read About the Wage and Hour Division](#)
- [View the Slideshow](#)

Weekly UI Claims

The department reported the advance figure for seasonally adjusted initial Unemployment Insurance claims was 385,000 for the week ending March 30, an increase of 28,000 from the previous week. The four-week moving average was 354,250, up 11,250 from the previous week's unrevised average.

- [Read the News Release](#)

Calendar Highlight

The Office of Federal Contract Compliance Programs and the Veterans' Employment and Training Service is partnering with the Department of Veterans Affairs to host a veterans job fair and federal contractors seminar in Seattle on April 12. For registration information contact the OFCCP Seattle District Office at OFCCPVM.SEATTLEWA@dol.gov or call 206-398-8005. Registration is available on a first-come, first-served basis.



recently awarded the Office of Personnel Management's Outstanding Leadership in Support of the President's Veterans Employment Initiative Award — and selected as the Veterans Employment Program Manager of 2012. The award is

based in part on assisting veterans, developing innovative practices to recruit and hire veterans, and meeting or exceeding hiring goals. Over several years, Plasencia worked tirelessly with other agencies promoting employment opportunities for veterans. On Nov. 9, 2009, President Obama made such efforts mandatory and a focal point of his administration when he signed Executive Order 13518, the Veterans Employment Initiative. Under the initiative, 200,000 new veteran hires and at least 25,000 reservists have joined the federal workforce. "If I can help a veteran find a federal job by the end of the day, then all of this work is worth it," Plasencia said.

- [Read About Plasencia and His Work](#)
- [Read Executive Order 13518](#)

DOL in Action

Houston Manufacturer Faulted on Workplace Safety

Tricon Precast Ltd has been cited by the Occupational Safety and Health Administration with 21 alleged serious violations and three other-than-serious violations at their facility in Houston. The serious violations include failing to ensure electrical equipment is properly installed; failing to prevent exposure to electrical conductors on overhead cranes and failing to provide the required fall protection for employees working at heights of 4 feet or more. The company, which faces penalties of \$109,800, specializes in the manufacture of concrete barriers and retaining walls.

- [Read the News Release](#)

Ohio Steelworkers Union to Hold New Election for President

The officers of United Steelworkers Local 689 located in Piketon, Ohio, have agreed to hold a new election for president under the supervision of the Office of Labor-Management Standards. An OLMS investigation of the union's April 2012 election concluded that Local 689 failed to notify members of the availability of absentee ballots. The new election will be completed by June 13.

Ohio Pallet Maker Faces Penalties After Safety Inspection

Scenic Wood Products has been cited for 20 serious safety violations at its pallet manufacturing facility in Sugarcreek, Ohio. The Occupational Safety and Health Administration has proposed penalties of \$64,400 after opening a January inspection under the Site Specific Targeting Program, which directs enforcement resources to workplaces where the highest rates of injuries and illnesses occur. The safety violations cited include failing to have adequate machine guarding and personal protective equipment and failing to provide fall protection for workers conducting maintenance operations on unguarded platforms and on the roof.

- [Read the News Release](#)

Metal Fabricator in New York Fails to Correct Previously

- [April 12 — Lakewood, WA](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

ILAB — Webcast on Responsible Supply Chains

- [April 11 — Washington, DC](#)

EBSA — Taking the Mystery Out of Retirement Planning Workshop

- [April 24 — Chicago, IL](#)
- [May 7 — Seattle, WA](#)

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 — Construction and Compliance Webinar

- [April 25 — Portland, OR](#)

OFCCP — Compliance Seminar and Job Fair

- [April 12 — Lakewood, WA](#)

OFCCP — Construction Requirements

- [May 3 — Columbus, OH](#)

OFCCP — Educational/Strategy Session with Construction Prime and Subcontractors and Community Based Organizations

- [April 16 — Richmond, VA](#)

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

- [April 17 — Houston, TX](#)

OFCCP — Interactive Disability Awareness and Resource Outreach Seminar

- [April 24 — Portland, OR](#)

OFCCP — Internet Applicant Record Keeping

Cited Hazards

Rothe Welding Inc. of Saugerties, N.Y., has been cited by the Occupational Safety and Health Administration for failure to abate serious workplace health violations, some of which were found in a previous inspection. The metal fabricator was re-inspected in September 2012 to verify correction of hazards cited during an earlier inspection in January. OSHA inspectors determined the company failed to provide workers with information and training about the hazards of lead and other substances in the workplace. OSHA's Albany Area Office conducted the inspection, which resulted in \$52,280 in proposed fines.

- [Read the News Release](#)

Promoting Compliance Among Louisiana Child Care Providers

The Wage and Hour Division is continuing its multiyear enforcement initiative in Louisiana's child care industry to increase employer compliance and inform workers of their rights under the Fair Labor Standards Act. Investigations and compliance assistance efforts conducted under the initiative previously focused on Northern Louisiana and are now expanding to include child care facilities in the Southwest and South Central regions of the state. In 2011 and 2012, investigators uncovered minimum wage, overtime and record-keeping violations among child care service providers. More than \$300,000 in back wages for nearly 2,000 employees were recovered during those investigations.

- [Read the News Release](#)

Lead and Fall Hazards Found at Buffalo Worksite

A Buffalo real estate development and management company faces \$44,000 in fines for lead exposure and fall hazards. The Occupational Safety and Health Administration found employees of Ellicott Development Co. were exposed to lead while tearing down and disposing of walls that contained lead paint. The company did not monitor and take samples to determine the workers' lead exposure levels and did not provide the workers with respirators, protective clothing, training and other protections. The inspection by OSHA's Buffalo Area Office also found Ellicott's workers exposed to falls of up to 15 feet from the unguarded edge of a roof.

- [Read the News Release](#)

Construction Contractor Sentenced for Stealing 401(k) Funds

Investigators with the Employee Benefits Security Administration joined in a multi-agency effort that last week netted more than four years in prison for an Ohio construction contractor. Samuel P. Mays, the owner of Cincinnati-based Sigma Capital, was convicted in September on multiple counts, including stealing employee retirement contributions. The scheme involved Mays and another construction contractor, Paul McDonald of Pleasant Hill, Calif., and David Mersch, the former operations officer for the Cincinnati offices of the U.S. Centers for Disease Control. According to trial testimony, Mersch, who lived in Florence, Ky., accepted bribes from Mays and McDonald in the form of cash and home improvements with a value of at least \$175,000. A jury also convicted Mays of deducting approximately \$125,000 from his employees' paychecks for contribution to their 401(k) plans, but never depositing the money.

- [Read the Department of Justice News Release](#)

Underpaid Massachusetts Workers to Receive \$305,000

A Whately, Mass., grower and distributor of bean sprouts and other agricultural products will pay \$305,500 in back wages and liquidated damages to 14 workers. All of the workers were not paid the minimum wage, and one was not paid proper overtime. A consent judgment entered in federal court also requires Chang & Sons Enterprises Inc. to pay \$10,267 in penalties for willful and repeat violations of the minimum wage, overtime and record-keeping provisions of the Fair Labor Standards Act.

• [April 17 — Orange, CA](#)

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 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](#)

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](#)

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Illinois Sewer Contractor Failed to Protect Workers in Trench
Mike Neri Sewer & Water Contractor Inc. has been cited for seven safety violations, including three willful, for failing to protect workers from cave-ins and moving soil and chunks of asphalt during trenching operations. An inspection was initiated under the Occupational Safety and Health Administration's national emphasis program for trenching and excavation after an OSHA inspector witnessed apparent cave-in hazards at a Des Plaines, Ill., construction site. Penalties of \$110,440 have been proposed. Prior to this inspection they had been inspected by OSHA three times in the past five years and had been issued serious, repeat and willful citations related to various trenching hazards. The company has been placed in OSHA's Severe Violator Enforcement Program.

• [Read the News Release](#)

Housing, Transportation and Wage Violations at South Carolina Farms

South Carolina's J. Robert Griggs Farms, R.D. King Farms and Jean Fisteac, a farm labor contractor in Miami, Fla., were found in violation of the Fair Labor Standards Act and the Migrant and Seasonal Agricultural Worker Protection Act. A Wage and Hour Division investigation found that J. Robert Griggs Farms failed to meet minimum housing, health and safety conditions. As a result of the violations, the department assessed the employer \$15,225 in civil penalties. The investigations also disclosed that Fisteac failed to pay employees the required minimum wage. Fisteac has agreed to pay 33 employees \$9,388 in MSPA back wages, and the department has assessed the contractor \$1,325 in civil penalties. R.D. King Farms was assessed a penalty for unsafe transportation of workers.

• [Read the News Release](#)

Workers at Georgia Company Exposed to Chemical, Inspection Finds

Aerospace Defense Coatings of Georgia in Macon, Ga., has been cited by the Occupational Safety and Health Administration for repeat health violations after a follow-up inspection found several of the same violations identified in 2010. Violations include failing to provide change rooms, exposing workers to hexavalent chromium, and allowing workers to consume food where hexavalent chromium is present. Penalties of \$83,160 have been proposed.

• [Read the News Release](#)

Repeat Safety Violations by Manufacturing Company

Phoenix Electrical Manufacturing Co. has been cited with three safety violations, including two repeat, at its Chicago manufacturing facility. The Occupational Safety and Health Administration proposed \$51,590 in penalties. The repeat violations were for failing to guard all danger zones on a metal cutting saw and for allowing workers to use compressed air for cleaning that exceeded 30 psi. The serious violation was for failing to have adequate machine guarding in place on a broaching machine and a riveter. Phoenix Electrical Manufacturing, which produces parts for electrical motors and generators, has been cited by OSHA seven previous times.

• [Read the News Release](#)

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