



DOL News Brief

April 25, 2013

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WINNER OF 2013 AVA DIGITAL GOLD AWARD & NAGC AWARD OF EXCELLENCE

In the First Hours of WWI



"Proceed instantly. Wilson." This was the urgent message cabled to officials by Secretary of Labor William B. Wilson on the morning of April 6, 1917 — mere moments after the United States declared war on

Germany. The cable set in motion a plan to take control of a number of German merchant ships, anchored in American waters, under the department's authority to oversee immigration matters. The ships were feared to have been deliberately disabled by their crews, and there was concern that they might hold explosives that could be detonated should war

occur. Federal officials, accompanied by military personnel, took possession of the 91 German-owned vessels at harbors throughout the country. The only



serious incident occurred in the harbor at Guam, where a German gunboat was blown up by its officers, killing five crewmen. The ships' crews — some 2,000 seamen — were eventually detained in Hot Springs, N.C., some of the earliest detainees of the war.

- View the Centennial Timeline
• View the Centennial Video
• Read the History of the Operation

What's New

Strengthening Partnerships Between Community Colleges, Employers

Over the last two years, the Department of Labor has made unprecedented investments in community colleges, helping these vital institutions strengthen partnerships with area employers, expand capacity, and leverage technology to deliver more efficient and effective training programs for the



American workforce. Last week, acting Secretary of Labor Seth D. Harris announced the availability of an additional \$474 million in funding to support this ongoing effort. The announcement came during a visit to a San Francisco-area training facility jointly operated by Contra Costa College and RichmondWorks, funded in part through a grant awarded to a consortium of East Bay Area colleges last September. Harris met with students like George Brown, who had just finished the nine-week Forklift Logistics Operations & Warehouse training program designed in partnership with local employers and was recently hired by European Sleep Works. The factory manager, Elizabeth Hymans, told Harris that "finding George was a godsend — and necessary to keep the business growing." To continue improving the program, the third round of funding will focus on programs tailored to the needs of the local labor market, training on the job site, and using cutting-edge technology and innovative models geared to a diverse student body.

- Read the News Release
• Learn About the TAACCCT Program
• Search our Grants Database for Previous Winners
• View the Slideshow

MINIMUM WAGE MYTH BUSTER

Myth: Small business owners can't afford to pay their workers more, and therefore don't support an increase in the minimum wage.

Not true: A recent survey conducted for the Small Business Majority found that more than two-thirds of small business owners support increasing the current federal minimum wage, and adjusting it yearly to keep pace with inflation as President Obama has proposed. The survey also found that 85 percent of the poll respondents already pay all of their workers more than the current federal minimum wage.

Workers Tell of Hardships at Minimum Wage Forum

Stacey Brundson, a father of two, says he has donated blood to bring in extra cash just to help him afford the basics. Kineta Canady can't afford medication, and has borrowed prescription drugs from friends to treat her high blood pressure. Brundson and Canady told of their struggles to make ends meet at



an April 18 discussion among low-wage workers in Las Vegas about the president's proposal to raise the federal minimum wage. "Sometimes there's not enough in my paycheck to make it through the month," Brundson told

- [Read the Survey Results](#)
- [Subscribe to 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.

- [Giving a Hand Up to Minimum Wage Workers:](#) Once again speaking out on President Obama's proposal to raise the federal minimum wage, acting Secretary Harris adds the stories of ordinary workers in Phoenix and Las Vegas to the growing chorus of support for the proposal. All of these stories echo a central theme of struggle, tough choices, and resilience, and they communicate the simple message that, as one worker in Phoenix told Harris, "You can't judge people who are working but still need a little bit of help. A raise in the minimum wage is just about fairness, and about giving people a fighting chance to achieve the American Dream."
- [Breaking Down Barriers to Employment, For All Workers:](#) Kathy Martinez, assistant secretary of labor for disability employment policy, co-authors a blog with Assistant Secretary of Labor for Employment and Training Jane Oates describing the department's Disability Employment Initiative, a program that aims to expand the capacity of the public workforce system to help people with disabilities find good jobs.
- [Union Credit Card Policies and Procedures:](#) John Lund, director of the Office of Labor-Management Standards, provides some helpful recommendations for unions to ensure that policies for the use of credit cards for business expenses are clear and well-established, as well as monitored regularly to ensure compliance.

Visit From the ILO

On his first visit to the United States since taking office in October 2012, International Labor Organization Director-General Guy Ryder was welcomed to



the department by acting Secretary Harris. The two discussed ways to collaborate on areas of mutual concern, such as the effective enforcement of labor law, how to ensure payments for workers in enterprises that shut down in countries that do not pay unemployment benefits, and G-20 related issues. Harris praised Ryder for the ILO's work in helping to build strong labor inspectorates, a high priority for the Labor Department in protecting workers' rights around the world. Participants also included Bureau of International Labor Affairs' acting Deputy Undersecretary Carol Pier, Mark Mittelhauser and Robert Shepard as well as the ILO's Deputy Director-General Sandra Polaski, Deputy Director-General Gilbert Fossoun Hounbo, and Nancy Donaldson.

acting Secretary Harris, who moderated the event. Canady said, "Working is in my blood, but every year I feel like I make less." Harris told them and other workers gathered at the Ebenezer Church of God in Christ that raising the minimum wage from its current rate of \$7.25 per hour to \$9 per hour by 2015 would boost their earnings, along with approximately 15 million workers nationwide, and put additional money in their pockets for necessities like food, clothing and shelter. That's something Colby Robertson, a homeless college student working part time, would appreciate. He told Harris that he hasn't purchased new clothes since he was a teenager. "The only thing I know I have to have is food," he said.

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

Virginia small business owner Carlos Howard supports an increase in the federal minimum wage, and says he's been paying entry-level employees in his funeral business above that rate for years. Howard, who also heads a local business group and the Hampton Roads, Va., Leadership Council, says the council has been advocating for a higher minimum wage for years. A higher wage "gives value to the job," provides an incentive to workers and "decreases turnover in staff," he says. Howard was among those who spoke with Latifa Lyles, the acting director for the Women's Bureau, at a forum on increasing the federal minimum wage held on April 22 in Norfolk, Va. Bolstering the case for raising the minimum wage was April Alston, a single mother of four with a college degree who lost a high-paying job and now works in a customer service position. "It is getting very difficult to make ends meet," she told Lyles. "I refuse to lose my home." Lyles noted that 60 percent of those who would benefit from President Obama's proposal to increase the minimum wage are working women.

- [Read "Minimum Wage Is a Women's Issue"](#)

National News

Grants Available to Improve Disability Employment Opportunities

The availability of nearly \$18 million in grants to improve educational, training and employment opportunities for individuals with disabilities was announced by the department on April 22. The Disability Employment Initiative is jointly funded and administered by the Employment and Training Administration and the Office of Disability Employment Policy. To date, the department has awarded grants totaling more than \$63 million in 23 states. Acting Secretary of Labor Harris noted that through the American Job Center network the Disability Employment Initiative programs "are providing people with disabilities a broad range of services."

- [Read the News Release](#)

Data on Mining Deaths in First Quarter Is Released

Eleven miners died in workplace accidents in the first quarter of 2013, according to data released by the Mine Safety and Health Administration. Six of those fatalities occurred in less than one month — four in West Virginia — prompting MSHA to take immediate action. The agency issued a safety alert, and federal inspectors, supervisors and managers traveled throughout the state to advise miners, miners' representatives, supervisors and operators on safety issues. Earlier this month, preliminary numbers released showed 2012 had the lowest fatality rate in the history of U.S. mining, and the rate of reported injuries was also the lowest on record. "It has taken the efforts of MSHA and the entire mining industry to reach these milestones," said Assistant Secretary of Labor for MSHA Joseph Main. "But while mining deaths and injuries are at historic lows, more action is needed by all of us to prevent mining injuries, illnesses and deaths."

Job Corps Students Lend a Hand

As the flood waters rose in the City of Grand Rapids, Mich., the Gerald R. Ford Job Corps Center students came to the rescue.



Responding to Mayor George Heartwell's request for volunteers, 26 students and five staff members worked alongside business leaders and community members on April 21 to help fill sandbags to prevent any additional flooding from the Grand River. "I am so proud of our students," said Jeff Jablonski, center director. "They were professional and worked hard. It was outstanding to see students give up their Sunday to assist our community in a great time of need."

Education for Equality

Understanding worker rights and employer responsibilities is essential for ensuring pay equality. In its ongoing efforts to combat pay



discrimination, the department has shared best practices and information across the country, including in San Francisco on April 23 and New York on April 17. The Office of Federal Contract Compliance Programs and Women's Bureau joined other federal agencies, employers and women's advocacy groups in San Francisco to discuss the importance of equal pay for women and minorities. The Women's Bureau's Chicago and New York regional offices jointly hosted an equal pay webinar for approximately 100 college and university faculty, career development professionals and women's studies departments. The webinar provided resources and guidance on assisting young women workers.

- [View the Slideshow](#)

Impact Inspections

Federal inspectors with the Mine Safety and Health Administration issued 32 citations during an impact inspection in March at Robinson Nevada Mining Co.'s Robinson Operation. Among the conditions cited at the large surface copper mine in White Pine County, Nev., was a failure to keep areas free of hazards that could result in worker slips, trips or falls. The mine operator also failed to maintain functional work brakes on two maintenance trucks and did not address a diesel leak from a 3,200-gallon fuel truck. Nationwide last month, inspectors issued 155 citations and two orders at 12 mining operations, the lowest number of orders issued in the nearly three-year-old safety initiative.

- [Read the News Release](#)

- [Read the News Release](#)

Take Three:

Fresh From 'Frontline,' Borzi on Retirement

Phyllis C. Borzi is the assistant secretary of labor in charge of the Employee Benefits Security Administration, which helps protect the retirement security of millions of America's workers. This week, she appeared in the PBS Frontline documentary, "The Retirement Gamble." We asked her three questions about retirement security in America today.



Frontline says that there's a retirement crisis. Is this true? *I think the Frontline episode was right to point out that there are significant challenges that workers face in saving for retirement. We used to have a system of predominantly traditional pension plans, which are professionally managed and invested, and funded by employers. Now it is a defined contribution system, which requires workers to take on more responsibility not only to make sure that they save enough, but also to invest the right way. Part of our job at EBSA is to make sure workers are getting the information that they need, such as information on the fees that they are paying, so that those challenges aren't insurmountable.*

What can the average person do to help ensure a secure retirement? *There are a lot of steps you can take. First, make sure you are saving now, no matter where you are in your career, and maximize your employer match if you have one. Also, pay attention to the fees you're being charged and make sure you read all of the communications that you receive from your plan. If you have an investment adviser, make sure you're asking them questions to ensure that the person is a "fiduciary," that is, somebody legally required to put your financial interests ahead of their own. We've developed a fact sheet to help you do just that.*

Can you tell us more about what the Department of Labor is doing to help? *One of the challenges that Frontline identified was that investment advisers and brokers may be encouraging you to invest in products that financially benefit them — and may not be the best option for you. We don't think they should be able to do that, so we're working on a proposed rule to address these conflicts of interest and make sure that when you get advice, it's in your best interest, not your adviser's.*

- [View "The Retirement Gamble"](#)
- [Read the Fiduciary Fact Sheet](#)
- [Read the EBSA Newsletter](#)

It Happened on the Hill

Transition Assistance Program Helping Veterans Find Jobs

The redesign and updating of the Transition Assistance Program has resulted in a "well received, well-tested curriculum" that helps separating military personnel prepare for and find employment, Congress was told on April 24. Deputy Assistant

On-Site Consultations

Salt Lake City played host to workplace safety and health consultants from around the country at the Occupational Safety and Health Administration's On-Site Consultation Conference on April 15. Dr. David Michaels, the assistant secretary of labor who heads OSHA, highlighted the agency's emphasis on fall prevention in construction and new areas of concern, including high injury rates among health care workers and safeguards for temporary workers. "Employers must protect the health and safety of all workers under their supervision. Help us to ensure that employers provide temporary workers the training and information they need," he said. OSHA's On-site Consultation Program offers free and confidential advice to small and medium-sized businesses nationwide, with priority given to high-hazard worksites. In 2012, 30,000 work site visits covering more than 1.5 million workers nationwide were made under the program

Swiss Training Model

Building an economy that grows from the middle class out starts with a highly trained workforce. Developing best practices to prepare workers for fast-growing jobs is an important goal of the department's Employment and Training Administration. Jane Oates, assistant secretary of labor for employment and training, and John Ladd, head of the Office of Apprenticeship, joined business and policy leaders for a panel discussion at Northern Virginia Community College to learn more about the Swiss vocational training model. The Swiss model focuses on providing workers with the right skills training needed for the local labor market. The event, sponsored by the Embassy of Switzerland, showcased the Bühler company, a Swiss company with a manufacturing site in Minnesota. The company is incorporating a vocational educational training model that is already creating high-paying jobs in Minnesota.

Cranes and Derricks Rule

A final rule applying the safety requirements of the cranes and derricks in construction standard to demolition work and underground construction was issued on April 23 by the Occupational Safety and Health Administration. Effective May 23, the rule's application will protect workers from hazards associated with hoisting equipment used during construction activities. It also streamlines OSHA's standards by eliminating the separate cranes and derricks standard currently used for these sectors, and corrects errors made in the 2010 rulemaking.

Secretary of Labor for Veterans' Employment and Training

Service John Moran testified that the new TAP employment workshops, which were piloted at various military bases, include increased emphasis on networking and communicating a veteran's job skills to an employer. The workshops also focus on "the mechanics of getting a good job, exploring career interests, building a resume, preparing for interviews, and negotiating job offers," he said. Moran spoke at a House Armed Services Military Personnel Subcommittee hearing on the VOW to Hire Heroes Act of 2011 and President Obama's Veterans Employment Initiative. The latter is aimed at helping veterans find civilian employment, receive academic or technical training or start an independent business.

- [Read the Testimony](#)
- [View the Slideshow](#)
- [Learn More About VETS' Programs](#)



Of Note

North Carolina Wage and Hour Leaders Receive Patriot Award

The leadership of the Wage and Hour Division's North Carolina District Office has been recognized with an honor from the Defense Department. District Director Richard Blaylock and Assistant District Director Christine Daly were presented with the Patriot Award at a ceremony on April 24 for their support of Wage and Hour Division investigator Brian Holste, a major in the U.S. Army Reserve. The award recognizes supervisors nominated by an employee serving in the National Guard or Reserve for supporting them through a wide range of measures, including flexible schedules, time off prior to and after deployment, caring for families and granting leaves of absence if needed. The award was presented by Kenneth Oppenheim, area chairman for the Defense Department-chartered Employer Support of the Guard and Reserve. After accepting the award, Blaylock and Daly praised Holste's commitment to the department and his service to the country.



• [Read More About the Patriot Award](#)

DOL Working for You

Navy Veteran Lands New Career in Energy Field

George Purdy is no stranger to hard work. While in the Navy, he loaded gunpowder into the large guns aboard the U.S.S. Missouri as it patrolled the Straits of Hormuz. When he left the service, he enjoyed success — working as a shipping clerk and a general laborer and

"Extending this rule to demolition and underground construction work will help save lives and prevent injuries," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels.

- [Read the News Release](#)

Workers' Memorial Day

No worker should have to sacrifice their life for their livelihood. This affirmation speaks loudly each April 28 as our country commemorates Workers' Memorial Day, the day of remembrance to honor workers who have died on the job. Every day, 13 workers lose their lives in preventable workplace incidents, and every year nearly four million are injured or become ill while on the job. To honor fallen workers, the department participates in observances nationwide. On April 29 at department headquarters, acting Secretary Harris and the assistant secretaries of labor for the Occupational Safety and Health Administration and Mine Safety and Health Administration will participate in an observance. Check the newsletter next week for reports on Workers' Memorial Day events.

- [Find an Event in Your Area](#)

Weekly UI Claims

The department reported the advance figure for seasonally adjusted initial Unemployment Insurance claims was 339,000 for the week ending April 20, a decrease of 16,000 from the previous week. The four-week moving average was 357,500, down 4,500 from the previous week's revised average.

- [Read the News Release](#)

Calendar Highlight

Learn to Manage Money From the Get Go

An April 30 webinar will provide tips and tools to help college seniors and young workers learn to budget for today's needs and tomorrow's goals. The "Start Early to Take Charge of Your Financial Future" webinar will offer practical guidance and resources on debt, budgeting, saving for retirement and other personal finance issues. The webinar is hosted by the Employee Benefits Security Administration, the Department of Education's Federal Student Aid office, and the Certified Financial Planner Board of Standards.

- [Register for the Webinar](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

even owning a residential and commercial painting company. Purdy said, "I was always interested in the oil industry as a new career — finding a job in a team environment that pays well." For assistance in reinventing himself, Purdy turned to the ShaleNET program by departmental grantee Westmoreland County Community College in Pennsylvania. The program paid Purdy's tuition for classes in resume



writing and business principles, and for subsequent classes in oil rigging, natural gas production, heavy equipment maintenance, and safety. Dr. Jane Heiple, ShaleNET Western Hub director, said veterans like Purdy are in demand by employers because they "bring a high level of skills along with a tremendous work ethic." Shortly after graduating from the program as a "roustabout," or certified oil field worker, Purdy accepted a position as a technician for a North

American environmental company.

- [Learn About the ShaleNET Program](#)

DOL in Action

Goodwill Industries of Southern California Settles Sex Bias Case

Goodwill Industries of Southern California has agreed to settle allegations of systemic discrimination stemming from the federal contractor's job selection practices. The Office of Federal Contract Compliance Programs determined that Goodwill's hiring process favored female applicants for entry-level positions at donation centers because of perceptions that women have better customer service skills. The agreement includes more than \$130,000 in back wages for 200 male applicants and 18 job offers. Goodwill has more than \$2.5 million in contracts with the U.S. military and federal government agencies in California.

- [Read the News Release](#)

Illinois Commuter Railroad Found in Violation of Railroad Safety Act

The Northeast Illinois Regional Commuter Railroad Corp., known as Metra, has been found in violation of the Federal Railroad Safety Act. An Occupational Safety and Health Administration investigation upheld a signalman's allegation that the railroad reduced his overtime hours and eventually eliminated his position in retaliation for reporting that signal routes were not tested properly due to time constraints. Metra has been ordered to pay more than \$38,080 in overtime, along with interest, compensatory damages and attorney's fees.

- [Read the News Release](#)

Formica Settles Allegations of Hiring Discrimination at Cincinnati Plant

Federal contractor Formica Corp. has reached an agreement with the Office of Federal Contract Compliance Programs to settle findings of hiring discrimination. Under the terms of the conciliation agreement, the company

EBSA — Start Early to Take Charge of Your Financial Future: A Webcast for College Seniors and Young Workers

- [April 30 — Washington, DC](#)

EBSA — Taking the Mystery Out of Retirement Planning Workshop

- [May 7 — Seattle, WA](#)

OFCCP — 16 Construction EEO / AA Requirements Roundtable Discussion

- [May 1 — Milwaukee, WI](#)

OFCCP — Best Practices for Implementing an Affirmative Action Program

- [May 14 — New Orleans, LA](#)

OFCCP — Compensation Matters: Best Practices for Fair Pay

- [April 23 — San Francisco, CA](#)

OFCCP — Compliance Assistance / Outreach and Education Event for Prime and Subcontractors

- [May 16 — Richmond, VA](#)

OFCCP — Compliance Assistance Seminar: Supply & Service Contractors

- [May 1 — Nashville, TN](#)
- [May 8 — Nashville, TN](#)
- [May 15 — Nashville, TN](#)
- [May 29 — Nashville, TN](#)

OFCCP — Construction: Nuts and Bolts

- [May 14 — Dallas, TX](#)

OFCCP — Construction Requirements

- [May 3 — Columbus, OH](#)

OFCCP — Disabled Youth Forum: Employment for Tomorrow

- [May 9 — Arlington, MA](#)

OFCCP — "Empowerment Session" on Developing AAPs for New and Small Supply and Service Contractors and Outreach Best Practices for a Diverse / Inclusive Workforce

- [May 16 — Richmond, VA](#)

OFCCP — Good Faith Efforts to Accomplish Goals

- [May 15 — Orange, CA](#)

OFCCP — Good Faith Efforts to Successful Outreach

will pay more than \$290,000 in back wages, interest and benefits to 400 qualified African Americans who applied for production worker positions at its Cincinnati manufacturing plant and hire 20 of those applicants as production worker positions become open. OFCCP investigators determined that Formica failed to ensure that qualified job applicants received equal consideration for employment without regard to race as required by Executive Order 11246.

Fire Fighters Union to Hold New Election

The officers of the International Association of Fire Fighters, a nationwide union headquartered in Washington, D.C., have agreed to hold a new election for District 5 vice president under the supervision of the Office of Labor-Management Standards. The agreement follows an OLMS investigation of the union's July 2012 election. That investigation disclosed that some local unions in District 5, a region covering Minnesota, North Dakota, South Dakota, and Wisconsin, failed to elect delegates and proxies by secret ballot, or failed to provide their members with proper notice of nomination or election. The new vote will take place by Aug. 15.

Subpoena Enforcement Action Taken Against Utah Employers

Subpoena enforcement actions for improperly withholding or refusing to provide information in an ongoing child labor investigation were filed against Paragon Contractors Corp., Brian Jessop, Dale Barlow and Keith Dutton. The Wage and Hour Division investigation stems from the alleged involvement of hundreds of children in pecan harvesting operations in the Hurricane, Utah, area in December 2012.

- [Read the News Release](#)

Texas Truck Drivers Receive Overtime Back Wages

Sixteen gravel truck drivers employed at Porter Ready Mix Inc., in Porter, Texas, have been paid \$173,863 in overtime back wages. This action followed an investigation by the Wage and Hour Division that found violations of the Fair Labor Standards Act's overtime and record-keeping provisions. The division's Houston District Office found gravel truck drivers were paid on a per-trip basis and were not compensated at time and one-half their regular rates of pay for hours worked over 40 in a workweek.

- [Read the News Release](#)

Massachusetts Candy Manufacturer Faulted in Ammonia Release

The manufacturer of Necco Wafers, Clark Bars and other candies faces \$133,000 in fines in connection with an October 2012 ammonia release. New England Confectionery Company Inc., also known as Necco, was cited by the Occupational Safety and Health Administration for 19 alleged serious violations of workplace health and safety standards at its Revere, Mass., production plant. Inspections by OSHA's Andover Area Office identified shortfalls in the plant's process safety management program.

- [Read the News Release](#)

North Carolina Company Misclassified Employees

Freeman & Associates Contracting Corp. of Raleigh, N.C., has agreed to pay \$20,088 in back wages to four construction employees. An investigation by the Wage and Hour Division's Raleigh District Office determined that the company misclassified employees as independent contractors and paid them straight-time rates for hours worked over 40 in a workweek. The company also failed to maintain accurate records of employees' work hours and wages. The employees had worked for the contractor and had been considered employees until the company changed their status to independent contractors and stopped paying overtime. The affected employees worked for Freeman & Associates on the company's contracts with McDonald's Corp. to remodel some of its restaurants on the East

- [May 6 — Milwaukee, WI](#)

OFCCP — Nuts and Bolts of Construction Evaluations and Best Practices for Minority/Female Utilization Goal Attainment

- [May 30 — Baltimore, MD](#)

OFCCP — National Origin Discrimination

- [May 2 — Omaha, NE](#)

OFCCP — Retaliation Complaints

- [May 16 — Omaha, NE](#)

OFCCP — Women in Nontraditional Jobs / The Complaint Process

- [May 15 — Columbus, OH](#)

OFCCP — Veterans Job Fair and Employment Workshop & Webinar

- [May 13 — Boston, MA](#)

OPA — 100 Years of U.S. Labor and Employment Relations: A Look Back, A Look Forward, and A View from a Comparative Perspective

- [April 26 — Washington, DC](#)

WB — Celebrating Children and Literacy

- [April 27 — Detroit, MI](#)

WB — Green Jobs Workshop

- [April 30 — Philadelphia, PA](#)

WB — Latina Health Awareness Event

- [May 11 — Philadelphia, PA](#)

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NIOSH #WorkersMemorialDay is April 28, read more on the @NIOSH science blog: is.gd/WMD13Blog
pic.twitter.com/80t2NbOod9
7 hours ago · reply · retweet · favorite

USDOL A #MWraise would lead to growth in spending that will help the local economy, local businesses -@ActingSecHarris ow.ly/kt88k
26 minutes ago · reply · retweet · favorite



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Illinois Contractor Failed to Protect Trench Workers, Inspection Finds

Berger Excavating Contractors Inc. in Wauconda, Ill., has been cited for two safety violations, including one willful, for failing to protect workers from cave-ins 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 construction site in Franklin Park, Ill. Penalties of \$73,260 have been proposed. The company has been cited twice before for failing to provide cave-in protection.

- [Read the News Release](#)

Truckers on Interstate 55 Project in Illinois to Receive Back Wages

The department has recovered \$25,476 in back wages for 10 truck drivers who delivered construction materials for a federally funded highway project near Chicago. An investigation by the Wage and Hour Division found that Allied Landscaping Corp., who employed the drivers, violated provisions of the Davis-Bacon and Related Acts. The Joliet-based company is a subcontractor on an Illinois Department of Transportation Project for Interstate 55 in Will County. Under the terms of a consent finding and settlement agreement approved by an administrative law judge, prime contractor Elwood-based Austin Tyler Construction LLC, has agreed to pay the back wages.

- [Read the News Release](#)

Hawaii Equipment Rental Company Cited Following Worker's Death

Hawthorne Pacific Corp. in Kahului, Maui, has been cited by the Occupational Safety and Health Administration with 15 safety and health violations following an incident in which one of its cranes fatally crushed a worker. OSHA's Honolulu Area Office inspection found that outriggers designed to stabilize the truck-mounted crane that crushed the worker were not extended, allowing it to tip. The inspection also found that the heavy equipment rental and repair company failed to properly inspect and maintain records of critical items on the crane.

- [Read the News Release](#)

Ohio Aluminum Company Placed in Severe Violator Program

Extrudex Aluminum Inc. has been cited by the Occupational Safety and Health Administration with eight safety violations, including two willful, after a worker died. The worker became pinned by a rack containing hot aluminum parts when it tipped over in an oven at the North Jackson, Ohio, facility. Another worker was severely injured in the incident when he was burned by the hot parts. The two willful citations include exposing workers to struck-by, pinned-under and burned-by hazards and for failing to provide sufficient, safe clearance for workers. Because of the hazards and the violations cited, Extrudex Aluminum has been placed in OSHA's Severe Violator Enforcement Program.

- [Read the News Release](#)

First Choice Energy Cited After Oil Field Worker Fatality

First Choice Energy of Minot, N.D., has been cited with nine serious safety violations for exposing workers to unsafe conditions at an oil field drilling and fluid disposal operation. The Occupational Safety and Health Administration inspection was prompted after a worker died after being caught in the agitator of an oil field vacuum truck storage tank. Five of the nine citations involve violations of OSHA's confined space requirements, including lack of atmospheric testing, permitting, signs and emergency

response procedures.

- [Read the News Release](#)

Burlington Coat Factory Store Faulted on Safety

Burlington Coat Factory has been cited by the Occupational Safety and Health Administration for eight safety violations at its store in Lancaster, Pa. An investigation was initiated under OSHA's local emphasis program for the department store industry and resulted in \$46,600 in proposed penalties. Violations included failure to evaluate confined spaces and the presence of electrical hazards, and multiple restricted means of egress.

- [Read the News Release](#)

North Dakota Company Fails to Provide Fall Protection on Derricks

Nomac Drilling of Killdeer, N.D., has been cited for three safety violations, including one repeat for failing to provide fall protection, to workers at a well site. The inspection was initiated under an Occupational Safety and Health Administration initiative targeting compliance within the oil and gas industries. OSHA has proposed penalties of \$65,300. The repeat violation cites the company for failing to protect workers on unguarded open platforms from fall hazards. Two serious violations involve failing to ensure workers were protected from fall/egress hazards and to provide a usable eyewash station.

- [Read the News Release](#)

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