



**UNITED STATES
DEPARTMENT OF LABOR**

Good jobs for everyone.

DOL News Brief

June 6, 2013

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

A Time-Tested Mission



When the 62nd Congress established the U.S. Department of Labor and introduced the enduring phrase "to foster, promote and develop the welfare of the wage earners" to the country in Public Law 426 (Chapter 141

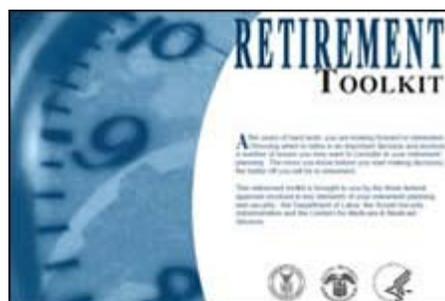
— 3rd Session) in 1913, ensuring the welfare of wage earners had already been an aspiration of American public policy for nearly half a century. Secretary William B. Wilson, in his inaugural annual report, described this period of false starts and compromises at length: "A department of the Federal Government with reference to the welfare of wage earners, and with a secretary in the President's Cabinet to speak for them, was advocated in 1865 by prominent labor leaders... Probably the only earlier proposal in anywise of similar character was that of a bill introduced in Congress in 1864 by the Hon. Gottlieb Orth, then a Representative from Indiana, for the creation of a 'Department of Industry.'" A century later, the original declared mission remains essentially unchanged. After the passage of groundbreaking laws to expand federal worker protections, such as the Employee Retirement Income Security Act in 1974, the original "wage earners" became "wage earners, job-seekers and retirees." Furthermore, during the administrations of Secretaries Herman, Chao and Solis, the mission concluded with language specifying several department functions: "Protecting their retirement and health care benefits, helping employers find workers, strengthening collective bargaining, and tracking changes in employment, prices and other national economic measures." That language was then consolidated into the final clause in our current mission: "Assure work-related benefits and rights."

- [See What the Mission Means to Employees Today](#)
- [View the Centennial Timeline](#)
- [View the Centennial Video](#)

What's New

Online Toolkit Helps Workers Plan for Retirement

The department has launched an online toolkit to help workers identify key issues related to retirement planning. The Employee Benefits Security Administration developed the toolkit in cooperation with the Social Security Administration and the Centers for Medicare and Medicaid Services to help



workers understand important decisions related to employment-based plans, Social Security and Medicare. "This toolkit will provide workers with essential tools and information," said Assistant Secretary of Labor Phyllis C. Borzi, who heads EBSA. Together, she said, the three agencies developed a comprehensive and diverse resource to help America's workers make informed decisions vital to their financial security in retirement.

- [Use the Toolkit](#)
- [Read the News Release](#)

Outlook Improves for Medicare, Social Security



The Social Security and Medicare Boards of Trustees issued annual financial reviews of the programs on May 31, showing Social Security's retirement and disability programs have dedicated resources sufficient to cover benefits for the next 20 years and that the Medicare Hospital

Insurance Trust Fund will have sufficient funds to cover its obligations until 2026, two years later than previously projected. "The 2013 Trustees' Reports clearly demonstrate that the Social Security and Medicare programs remain the sturdiest pillars of our nation's retirement system and social insurance systems, and can remain so for the foreseeable future," said acting Secretary of Labor Seth D. Harris. In addition to Harris, the secretaries of Treasury and Health and Human Services and members of the boards were on hand for the announcement.

- [Read the Medicare Trustees Report](#)
- [Read the Social Security Trustees Report](#)
- [View the Slideshow](#)



Myth: Increasing the minimum wage will cause

National News

people to lose their jobs.

Not true: Minimum wage increases have little or no adverse effect on employment as shown in independent studies from economists across the country. Additionally, in a letter to the president and congressional leaders, leading economists point out that "in recent years there have been important developments in the academic literature on the effect of increases in the minimum wage on employment, with the weight of evidence now showing that increases in the minimum wage have had little or no negative effect on the employment of minimum wage workers, even during times of weakness in the labor market."

- [Read Letter From Leading Economists](#)
- [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.

- [Collaborating to Build a More Inclusive Workforce](#): Adapting his remarks from a national summit on building a more inclusive workforce in Wilmington, Del., on May 31, acting Secretary Harris writes about the department's goals and activities to support employment opportunities for people with disabilities. Harris discusses areas where the government, employers and engaged stakeholders can collaborate to make a difference helping people with disabilities find and keep good jobs, including empowering people with the skills they need to perform the jobs of the future and combating workplace discrimination. "While the Labor Department is among the federal government's most important resources for people with disabilities, their employment situation deserves far more attention than government alone can provide," Harris writes.

- [Celebrating 80 Years of Re-Employment Services](#): The nationwide system of public employment offices represented today by our American Jobs Centers owes its existence to the Wagner-Peyser Act, signed into law by President Franklin D. Roosevelt on June 6, 1933. Acting Assistant Secretary for Employment and Training Gerri Fiala reviews the 80-year legacy of that law, which today benefits 20 million Americans every year.

- [Inside the Affordable Care Act: 5 Secrets Every Business Needs to Know](#): Key parts of the Affordable Care Act will go into effect on Jan. 1, 2014, but a lot of workers and employers are still unsure about how it will affect them. Here, Phyllis Borzi, assistant secretary for employee benefits security, lays out five important "secrets" about the law that employers need to know.

New ETA Acting Assistant Secretary

For Gerri Fiala, helping people improve their lives through the federal workforce

Summit Highlights Importance of Inclusive Workforces

Joining Sen. Tom Harkin and Delaware Gov. Jack Markell on May 31 in Wilmington, acting Secretary Harris delivered remarks at Building a More Inclusive Workforce: A National Summit to Boost Education and Employment Outcomes for Americans with Disabilities. The event was co-sponsored by the National Governor's Association, the Council on Foundations, and the U.S. Business Leadership Network. Harris spoke to the assembled group of employers, advocates and activists about the need to work together to achieve better outcomes for students, workers and job seekers with disabilities. "We know there is no one-size-fits-all solution to the challenges we face," said Harris. "It will take a collaborative effort — between business and government; employers and foundations; state and local officials; faith-based organizations; and bipartisan organizations like the NGA — working together to create the opportunities Americans with disabilities deserve." Also in attendance were Kathleen Martinez, assistant secretary of labor for disability employment policy, and Patricia Shiu, the assistant secretary of labor who heads the Office of Federal Contract Compliance Programs.

- [Read the Blog Post](#)

Standing Down and Beating the Heat

More than 100,000 workers across the Southeast participated in a June 4 safety stand-down on heat-related illnesses and injuries. Organized jointly by the Occupational Safety and Health

Administration, employers and trade associations, the one-hour event held at construction sites

and other workplaces kicked off OSHA's nationwide outreach campaign to educate employers and workers about the hazards of working outdoors in extreme heat. The stand-down training focused on raising awareness, knowing the symptoms of heat-related illnesses, and preventive steps to take while working in hot weather. Participants learned about OSHA's Heat Safety Tool — the mobile application available for iPhone, Blackberry and Android platforms in English and Spanish that recently surpassed 70,000 downloads. The app displays risk levels based on the heat index, symptoms of heat illness and first-aid information. Workers in a variety of industries, such as agriculture, construction and baggage handling, are at risk of heat-related illnesses. On average, 30 workers annually have died from heat stroke since 2003. The message is a simple one: Beat the heat with water, rest and shade.

- [Read the News Release About Southeast Safety Stand-down](#)
- [Read the News Release About Florida Safety Stand-down](#)
- [Download the Mobile App](#)
- [Visit the Heat Illness Prevention Website](#)
- [View the Slideshow](#)

\$32 Million in Grants for Formerly Incarcerated Youth and Women

Reintegrating back into one's community can be difficult, but with the right support, the transition can be smoother. The department this week awarded nearly \$32 million in grants to 12 organizations to help formerly incarcerated women and young people successfully complete this transition. For youth participants, the grants will go to community-based organizations to provide job training, education and support services that will lead to a high school diploma and/or industry-recognized credentials. Grants for formerly incarcerated women will be used to provide employment-focused services and support to help participants overcome traumas such as physical and





system has been a labor of love for decades. After being named acting assistant secretary of labor for employment and training this week, don't expect that to change.

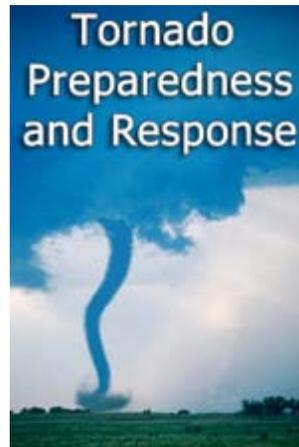
Fiala first joined the Labor Department in 1986 as the chief of the Policy and Planning Unit in ETA's Office of Strategic Planning. By 1995, she was the administrator of the same office, where she served for eight years. Fiala played a key role in developing policies and participating in negotiations with congressional staff that culminated in the enactment of the Workforce Investment Act of 1998, the nation's primary job training and employment assistance law. She later served as staff director to the Senate Subcommittee on Employment and Workplace Safety, where she helped develop key components of the American Recovery and Reinvestment Act. Fiala rejoined ETA in July 2009, as deputy assistant secretary, and received the 2012 Philip Arnow Award in recognition of her superior accomplishments and service to the department.

sexual abuse, family turmoil, mental health, issues, substance abuse and other barriers to successful reintegration into society.

- [Read the News Release](#)

Protecting Workers and Wages During Tornado Recovery

As the Oklahoma areas struck by recent tornadoes recover from the damage, the Occupational Safety and Health Administration and Wage and Hour Division urge recovery workers, employers and the public to exercise caution during clean-up efforts and be aware of available benefits under the Family and Medical Leave Act. Hazards involved in cleanup work may include illness from exposure to contaminated water or food; heat exhaustion; downed electrical wires; carbon monoxide poisoning and electrical shock from portable generators; and fall and struck-by dangers from tree-trimming or working from heights. Additionally, people can be caught in unprotected excavations or confined spaces; suffer burns, lacerations or musculoskeletal injuries; and face exposure to dangerous materials and being struck by traffic or heavy equipment. Wage and Hour Division investigators are meeting with city officials, businesses and nonprofit organizations in Moore, Cleveland, Tyrone, Chandler, Little Ax, Shawnee and Oklahoma City to provide assistance and distribute reference guides, fact sheets and publications.



- [Read the News Release](#)
- [Visit the OSHA Tornado Preparedness and Response Website](#)
- [Read the Fact Sheet on Wages During a Disaster](#)

New Deputy for Wage and Hour



Transitioning from the Frances Perkins Center to the Frances Perkins Building, Laura Fortman joined the department on June 3 as deputy administrator for the Wage and Hour Division. Fortman, who has dedicated her career to leading efforts of economic equity and

social justice issues, served as the executive director of the Frances Perkins Center in Newcastle, Maine, and on the Board of Directors of the National Employment Law Project. Prior to these posts, Fortman was Gov. John Baldacci's commissioner of the Maine Department of Labor, where she administered the labor laws and regulations set in place by Frances Perkins during President Franklin D. Roosevelt's New Deal era. Before becoming labor commissioner, Fortman served as the executive director of Maine's Policy Center/Maine Women's Lobby to advocate for the rights of women and girls through state legislation.

International Scene

First Meeting Under Colombia-US Trade Agreement



Acting Secretary Harris welcomed Colombia Labor Minister Rafael Pardo and Ambassador Carlos Urrutia to the first meeting of the Labor Affairs Council under the U.S.-Colombia Trade Protection Agreement. The council convened on June 4-5 at the department to discuss labor

obligations under the agreement, the labor chapter's implementation and areas of particular concern, technical cooperation between the two countries, and capacity building in areas such as improvement of labor law enforcement. In his remarks, Harris recognized the close working relationship forged between representatives from the two governments, particularly the newly created Colombian Ministry of Labor. "The successful launch of the Labor Affairs Council will mark just one more step along our path of close coordination and collaboration on labor issues," Harris said. The council is responsible for overseeing the implementation and review of progress under the labor chapter of the trade agreement. Following the meeting, the U.S. and Colombia issued a joint statement reaffirming their commitment under the labor chapter and possible areas for future

On Hand for a Class Field Trip

It's the time of year when countless students descend on the nation's capital to visit museums, tour



monuments and clog the Metro. For one class of 8th graders from Woodglen Middle School in Califon, N.J., the trip to Washington was made special by a visit from acting Secretary Harris. The May 30 meeting was arranged after student Morgan Hoffman interviewed the acting secretary for a labor history project in preparation for National History Day. A former law professor with a passion for labor history, Harris was happy to help. During the visit in Crystal City, Va., students watched a video about the department's 100-year history. Harris then described life as a member of the president's Cabinet, including what it's like to visit the White House and meet with President Obama. Among the questions was one from Jade, who wondered how the U.S. employment situation compares to other countries. Another student, James, asked how long it would take to raise the minimum wage, and Charlie, likely thinking about his future, wanted to know the fastest growing jobs sectors. Harris answered every question, while emphasizing the importance of the Labor Department and how fulfilling it is to be in a position to help working families.

• [View the Slideshow](#)

Calls for Minimum Wage Increase



Workers in Iowa had a chance to weigh in on President Obama's proposal to raise the federal minimum wage during discussions in Des Moines on June 4

and Davenport on June 5. Led by Jay Williams, executive director for the Office of Recovery for Auto Communities and Workers, participants were able to talk about their struggles trying to make ends meet while earning at or near the current federal minimum wage of \$7.25 per hour, and advocate for a raise. The president's proposal would increase the minimum wage to \$9 per hour by 2015 and index it to inflation thereafter. "You can work full time and still find yourself on food stamps," said Williams in Des Moines. He added that giving low-wage workers a raise would help restore the American promise that, if you work hard and play by the rules, you should be able to support yourself and your family.

• [Read the President's Proposal](#)

Observing LGBT Pride Month

Acting Secretary Harris kicked off Lesbian, Gay, Bisexual and Transgender Pride Month by hosting a conversation with newly



cooperation. Attending the meeting were officials from the department, State Department, Office of the U.S. Trade Representative and the Government of Colombia.

- [Read the News Release](#)
- [Read the Joint Statement](#)
- [View the Slideshow](#)

It Happened on the Hill

Harris Outlines Budget Request

At the start of acting Secretary Harris' June 6 hearing before the Senate Labor-Health and Human Services Appropriations Subcommittee, Iowa Sen. Tom Harkin noted that, in its 100th year, the department's mission "has never been more important." Harris agreed and in prepared testimony highlighted



the ways the department's Fiscal Year 2014 budget request helps ensure ladders of opportunity for Americans striving to enter and stay in the middle class. In fiscal year 2014, the department will work to restore America as a magnet for jobs, by investing in high-tech manufacturing and innovation, clean energy and infrastructure, while cutting red tape to help businesses grow. The budget request supports education and job training to give workers the skills they need to compete in the global economy. "Our budget request invests in the future by working to make good jobs available for all American workers in a fiscally responsible manner," said Harris.

• [Read the Testimony](#)

Around DOL

Apprenticeship Committee Focuses on Veterans



As the nation's wars wind down, helping returning service members shift to civilian careers is becoming increasingly important. The department hosted the Advisory Committee on Apprenticeship on June 5 and 6. The two-day conference focused on efforts to help veterans improve their transition

to the labor force. Apprenticeship can play an important role, allowing veterans to transition military training to a civilian occupation, gaining industry-recognized credentials in the process. Veterans in apprenticeship programs have the opportunity to "earn and learn," maintaining a wage to support their families while developing the skills necessary for a successful career. Approximately 25,000 veterans are participating in a Registered Apprenticeship program. The conference, which took place at both the Pentagon and Department of Labor, brought together leaders from the military, government, training providers and veteran service organizations to discuss how to expand and improve service to veterans through Registered Apprenticeship.

elected Arizona Rep.

Kyrsten Sinema, the first openly bisexual member of Congress, at the department on June 3. Harris and Sinema lauded the progress that's been made by and for LGBT Americans towards full equality under the law, yet noted that there is still much to do. "LGBT Americans still don't have a fully inclusive, federal employment non-discrimination act," said Harris. Sinema added that most Americans are surprised to learn that there is no recourse under federal law if someone faces job discrimination because of actual or perceived sexual orientation or gender identity. The Employment Non-Discrimination Act, which would provide such protections, was re-introduced in Congress in April, but remains in committees in the House and Senate.

- [Read U.S. House ENDA Bill](#)
- [Read the President's LGBT Proclamation](#)
- [View the Slideshow](#)

Training to Help Veterans



Providing a safe environment for women veterans to access critical services is an essential component of the department's efforts to help women veterans

find good jobs and financial security, according to acting Director of the Women's Bureau Latifa Lyles. In keeping with that goal, the bureau held Trauma-Informed Care Guide Implementation training on May 31 for organizations participating in Stand Up for Women Veterans in Westchester, N.Y. Approximately 60 organizations and 100 people have attended training in preparation for the June 7 event, which will connect women veterans with legal services, a job fair, and other resources.

- [Read the Blog Post](#)
- [Read the Trauma-Informed Care Guide](#)

Jobs For Youth in Iowa

Summer jobs provide youth with important work and life experience that help improve their chances for a successful career while also earning money for themselves and their families. Jay Williams, director of the Office for Recovery of Auto Communities and Workers, traveled to Des Moines, Iowa, this week to meet with Mayor Frank Cownie, the Greater Des Moines partnership and other local leaders to see how they can help provide work experiences to their young people. Williams emphasized that youth job placement should be an ongoing effort and that developing a successful model for youth summer jobs will ensure success in years to come.



- [View the Slideshow](#)

News You Can Use

Returning to the Roots of Mine Rescue

Members of the Joseph A. Holmes Safety Association have voted overwhelmingly in favor of a significant change to the constitution and bylaws of the nearly 100-year-old organization. During its annual meeting June 4-6 in Virginia Beach, Va., the executive committee proposed the creation of a separate mine



rescue component for the association, which was founded in 1916 to promote health and safety in the mining industry. "In these challenging times, it is critical we develop a strong organization that can provide guidance and leadership for mine emergency response, and to have well-trained and prepared mine rescue teams, ready to respond in the event of a mine emergency," said Joseph A. Main, assistant secretary of labor for mine safety and health. "It is only fitting that we bring mine rescue back to the organization where it began almost 100 years ago." Joseph A. Holmes, a mine safety pioneer and the first director of the U.S. Bureau of Mines, was instrumental in establishing and organizing mine rescue teams and training during the early part of the 20th century. While MSHA oversees all mine rescues and recoveries, the agency works closely with mine operators and mine rescue teams to help locate trapped and missing miners.

- [Learn About the Holmes Safety Association](#)
- [Read the Holmes Safety Bulletin](#)
- [Learn About Mine Rescue](#)

Of Note

Job Corps Student in Iowa Aces National Career Exam

Job Corps student Kyle VanDenBerg achieved the highest score ever received at the Iowa Workforce Development Center in Ottumwa on its National Career Readiness Certificate test.

Those who pass receive a certificate that showcases what skills they can offer potential employers. The test contains about 150 questions on applied mathematics, communication and interviewing skills, writing, reading and searching for information, such as charts, graphs, tables and diagrams. Once scores are tabulated, participants receive a bronze, silver, gold or platinum rating. VanDenBerg was awarded platinum, the highest rating, in all categories. Ironically, he claims he "didn't do so well in high school," but liked servicing and repairing diesel trucks. After completing the Diesel Power Systems tech program at the Ottumwa Job Corps Center in 2014, VanDenBerg will receive an associate of applied sciences degree from Indian Hills Community College, through a partnership with the center. He hopes to become a master mechanic for a fleet of diesels in the future.



Graduation Message in Philly



Dr. David Michaels, assistant secretary of labor for occupational safety and health, addressed more than 400 graduates of the District 1199C Training

and Upgrading Fund on June 5 in Philadelphia. "Every one of us deserves a safe workplace; but patients, too, need to be safe, and the only way patients can be safe is if workers are safe," said Michaels during the graduation and recognition ceremony. An affiliate of the National Union of Hospital and Health Care Employees, the Fund's Learning Center provides basic and job skills training to more than 2,000 students annually. During the ceremony, Michaels was honored with the 2013 Paul Robeson award, which is presented each year to an individual with a proven commitment to the education and well-being of working people.

MSHA, Manufacturers Alliance

A long-standing alliance between the Mine Safety and Health Administration and Association of Equipment Manufacturers was further cemented on June 5 when Assistant Secretary of Labor Joseph A. Main, the head of MSHA, addressed members of AEM's Product Group and Technical Committee in Arlington, Va. Main applauded the organization's contributions to one of MSHA's top fatality prevention initiatives. "We now include AEM-supplied task training information for surface equipment in Rules to Live By," said Main. "Safety directors use it to assist in the task training of miners who may be operating surface haulage equipment." In August 2011, MSHA and AEM renewed their alliance agreement to provide miners who operate and maintain equipment with information, guidance, and access to resources that will help protect miner health and safety.

- [Learn About the Alliance](#)

Human Capital Challenges

Recruiting and retaining well-qualified staff, along with improving the workforce in an austere budgetary environment, were among the topics discussed on June 6 at the 2013 Federal CIO-CFO Summit in Washington, D.C. Chief Financial Officer James Taylor addressed challenges facing the department during an "Inspiring Workforce Excellence" panel discussion. Joining him on the panel were Sydney Smith-Heimbrock, deputy associate director, Office of Personnel Management, and moderator John Palguta, vice president, Partnership for Public Service. The event was sponsored by the Association of Government Accountants and the Association for Federal Information Resources Management.

Women in Government

DOL Working for You

It All Adds Up for Missourian Who Sought Skills Training



Missourian Brittany McCurley doesn't let her reading disability get in the way of her very busy life. When she isn't attending child development classes at a community college, she is interacting with the public as a ticket taker at a local musical venue. "I love my job because it helps me meet new people," she said. McCurley took advantage of career preparation from Add-Us-In Kansas City, a departmental grantee, whose six-week program provides skills training, job search assistance and links to local employment opportunities for youth with disabilities.

Participants conduct self-assessments of their personal strengths and weaknesses, are coached on how to prepare for a job interview, and receive help developing a career action plan. "Providing youth with disabilities this experience gives them a better chance to live fuller, more independent lives," said Derrick Willis, Add-Us-In Kansas City project director. Add-Us-In received the first Greater Kansas City Business Leadership Network's President's Award as a shining example of positive outcomes achieved "when business, education and service provider groups all work toward common goals." Add-Us-In is a project of the University of Missouri-Kansas City's Institute for Human Development research and training center.

DOL in Action

JP Morgan, ADP to Partner on Abandoned Pension Plans

JP Morgan Chase Bank NA is collaborating with ADP Inc. to terminate and wind up approximately 180 abandoned defined contribution pension plans. This action, conducted through the department's abandoned plan program, will give plan participants control over the fate of their retirement savings. "The alliance between JP Morgan and ADP is an excellent example of how custodians and record keepers can team up to terminate abandoned plans and help workers, and we encourage others to do the same," said Phyllis C. Borzi, the assistant secretary of labor who heads the Employee Benefits Security Administration. A pension plan generally is considered abandoned under the program if no contributions to or distributions from the plan are made over 12 consecutive months, and a qualified termination administrator determines that the sponsor no longer exists, cannot be located or is otherwise unable to maintain the plan.

- [Read the News Release](#)
- [Learn More About the Abandoned Plan Program](#)

Baton Rouge Contractor to Pay Back Wages

General contractor W.D. Masonry LLC of Baton Rouge, La., has agreed to pay 52 residential and commercial masonry workers \$67,272 in back wages and liquidated damages following an investigation by the department's Wage and Hour Division. Investigators found that the employees were paid straight-time rates for all hours worked, rather than time and one-half their regular rates of pay for hours worked over 40 in a workweek, as required by the Fair Labor Standards Act's overtime and record-keeping provisions.

- [Read the News Release](#)

Foundry Workers Exposed to Coal Tar Pitch, Formaldehyde

Castalloy Inc. has been cited by the Occupational Safety and Health Administration for 14 safety and health violations as the result of a follow-up

Nearly 200 people gathered at the White House on June 5 for the Federal Women's Leadership Summit. The event included panels and presentations in which participants discussed the knowledge, skills and relationships critical for women to advance in leadership across the government. Patricia A. Shiu, director of the Office of Federal Contract Compliance Programs, and a member of the National Equal Pay Task Force, spoke about improving representation of women in public service. "The federal government is our nation's largest employer, and we have a responsibility to lead by example," Shiu said, citing the diversity of her office's staff. "At OFCCP, we believe in investing in the diversity of our workforce — just as we expect the companies we regulate to do."

Updates for Advisory Council

The Employee Benefits Security Administration continues to work hard to complete the re-proposal of a rule to protect people saving for retirement from conflicted advice, Assistant Secretary of Labor Phyllis Borzi told the ERISA Advisory Council at a meeting on June 4. She said that getting the re-proposal right is more important than meeting an arbitrary deadline, and publication will likely happen a couple of months later than the anticipated July date. Borzi also updated the council on the department's work with fellow federal agencies to spread the word about Affordable Care Act insurance marketplaces prior to open enrollment beginning in October. The focus, she said, is on using the department's existing outreach mechanisms to ensure the public is aware of opportunities to buy affordable health insurance.

- [Learn About the ERISA Advisory Council](#)

Seattle Event on Equal Pay

President John F. Kennedy signed the Equal Pay Act on June 10, 1963, noting that much remained to be done to achieve full equality. Today, efforts



continue to end workplace discrimination and to achieve pay equality between working men and women. With that goal in mind, representatives from the department's Women's Bureau, Office of Federal Contract Compliance Programs and Wage and Hour Division, along with the Equal Employment Opportunity Commission, attended an Equal Pay Act anniversary celebration event on May 29 at Seattle Central Community College in Seattle, Wash. Participants, many of them students, gathered a variety of information about the government agencies and equal pay issues.

- [Learn More About Equal Pay](#)

Weekly UI Claims

inspection at the company's Waukesha, Wis., foundry in November 2012. The inspection found two repeat violations for allowing workers to be exposed to coal tar pitch volatiles in excess of permissible exposure limits and failing to provide medical surveillance for workers exposed to formaldehyde. OSHA has proposed fines totaling \$83,160. During the initial inspection in February 2011, the company was cited for overexposing workers to both coal tar pitch volatiles, which are composed of various chemical vapors that become airborne during the heating process, and formaldehyde.

- [Read the News Release](#)

Los Angeles Garment Workers Recover Back Wages

Four garment manufacturers have paid \$93,325 in back wages to 52 workers in Los Angeles following an investigation by the Wage and Hour Division. Investigators found that a contractor working for the manufacturers had missed its payroll for more than five weeks, in violation of the Fair Labor Standards Act. Contractor Unique Apparel also violated FLSA's minimum wage and overtime requirements. The division objected to the shipment of goods upon determining they were produced in violation of the FLSA. The objection was lifted when manufacturers Phoenix Textiles, Just Panmaco Inc., Guess, and Raven Denim Inc. paid the back wages.

Colorado Employer Fails to Protect Workers, Inspection Finds

A Greeley, Colo., meat packing and processing plant has been cited for 20 workplace standard violations with a proposed penalty of \$83,414. During an inspection the Occupational Safety and Health Administration cited JBS USA LLC for exposing workers to potential fall hazards from elevated work areas, possible amputations due to the lack of proper machine guarding, defective emergency egress signs, lack of electrical personal protective equipment, failing to use safe work practices for electrical elements, properly lock out equipment energy sources prior to performing maintenance work, and other violations. The inspection was conducted under OSHA's Site Specific Targeting Program that focuses on high-hazard workplaces where high injury and illness rates occur.

- [Read the News Release](#)

Georgia Company Misclassified Workers, Investigators Determine

Rogers Mechanical Contractors Inc. of Villa Rica, Ga., paid \$33,535 in back wages to 23 employees following an investigation by the Wage and Hour Division that found workers were misclassified as independent contractors and, as a result, denied overtime compensation. Investigators determined that the employer paid employees straight-time rates for all hours worked instead of time and one-half their hourly rates for hours worked beyond 40 in a workweek. The employer also illegally deducted workers' compensation payments from the employees' earnings. The company was contracted to build the Amazon.com Inc. warehouse in Murfreesboro, Tenn.

- [Read the News Release](#)

Back Wages Awarded to Houston Roughnecks, Crane Operators

Honghua America LLC, a large-scale equipment manufacturer and drilling service provider in Houston, paid \$687,469 in overtime back wages to 133 roughnecks and crane operators after an investigation by the Wage and Hour Division. Investigators found that the company improperly labeled workers — employed as roughnecks and crane operators — as independent contractors. The firm paid the workers straight time for hours worked over 40 in a week, rather than time and one-half their regular rates of pay.

Employees worked as many as 80 hours per week at the company's 20-acre Houston facility without any overtime compensation, as required under the Fair Labor Standards Act.

- [Read the News Release](#)

The department reported the advance figure for seasonally adjusted initial Unemployment Insurance claims was 346,000 for the week ending June 1, a decrease of 11,000 from the previous week. The four-week moving average was 352,500, up 4,500 from the previous week's revised average.

- [Read the News Release](#)

Calendar Highlight

'Girl Rising' Panel Discussion

To commemorate World Day Against Child Labor, the department will host a conversation on girls involved in global child labor, along with a screening of the film "Girl Rising." The film tells the stories of girls from nine countries and the power of education to change lives.

- [Join us on June 12](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

EBSA — Getting It Right: Know Your Fiduciary Responsibilities Seminar

- [July 11 — Overland Park, KS](#)

EBSA — Health Benefits Laws Compliance Assistance Seminar

- [June 12 — Burlington, VT](#)

OFCCP — Analyzing Personnel Activity Data / Internet Applicant Recordkeeping Rule

- [June 21 — Columbus, OH](#)

OFCCP — Annual Consumer Conference

- [June 20 — Norwood, MA](#)

OFCCP — Common Problem Areas for Federal Contractors

- [July 10 — Detroit, MI](#)

OFCCP — Compliance Assistance Seminar: Supply & Service Contractors

- [June 12 — Nashville, TN](#)
- [June 19 — Nashville, TN](#)
- [June 19 — Detroit, MI](#)
- [June 26 — Nashville, TN](#)

OFCCP — Construction and Compliance Webinar

- [June 20 — Portland, OR](#)
- [June 26 — Detroit, MI](#)

OFCCP — Developing Written Affirmative Action Programs

- [July 11 — Omaha, NE](#)

OFCCP — DOL Educational & Outreach Symposium

Rhode Island Receives Additional Hurricane Sandy Recovery Funds

As Atlantic Coast states continue to recover from the devastating effects of Hurricane Sandy last year, the department is providing an additional \$500,000 National Emergency Grant incremental award to assist with cleanup efforts. The grant was approved last November for up to \$1,500,000, with \$500,000 released initially. This latest incremental funding brings the total to \$1 million. "The additional funding will provide much-needed assistance for these ongoing efforts, while also providing temporary work to those in need of employment," said acting Assistant Secretary of Labor for Employment and Training Gerri Fiala.

- [Read the News Release](#)

Colorado Electricians Receive Overtime Back Wages

Ludvik Electric Co. paid \$75,020 in overtime back wages to 139 current and former electricians after an investigation by the Wage and Hour Division. Investigators found that the employer did not include nondiscretionary safety bonuses in the employees' regular rate of pay and when computing overtime compensation for hours worked over 40 in a workweek. Additionally, the employer did not compensate employees for overtime hours spent in company meetings, in direct violation of the Fair Labor Standards Act.

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New Jersey Masonry Contractor Faulted for Scaffold Hazards

Mr. Concrete Corp., based in South River, N.J., faces \$90,090 in penalties for scaffold and fall hazards found at a Maywood, N.J., work site. Four repeat and five serious safety violations cited by the Occupational Safety and Health Administration included employees exposed to fall hazards of approximately 20 feet while working from a scaffold lacking a fall protection system, workers on a scaffold more than 10 feet above a lower level while not protected from falling to that lower level, and electrical equipment not properly grounded. OSHA initiated the February inspection in response to imminent fall hazards observed by an OSHA compliance officer.

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New York Manufacturer Cited Following Amputation

Packaging manufacturer American Recycling & Manufacturing Co. Inc. faces \$159,400 in fines following an amputation incident at its Rochester, N.Y., plant. An employee who was cutting wood with a pop-up saw lost his left hand when another employee accidentally stepped on the machine's foot pedal, unexpectedly activating the saw. The Occupational Safety and Health Administration found that the foot pedal was not guarded to prevent such an incident. "This is exactly the type of incident and injury that machine guarding is designed to prevent," said Arthur Dube, OSHA's area director in Buffalo. "Compounding this hazard is the fact that the employer was aware of the problem and did not correct it."

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Oregon Restaurant Initiative Finds Widespread Violations

An ongoing enforcement initiative focused on full-service restaurants in Portland, Ore., has found widespread violations of the Fair Labor Standards Act's minimum wage, overtime and record-keeping provisions. In 2012, the Wage and Hour Division's Portland District Office conducted more than 110 restaurant investigations and found 79 percent of all employers investigated in violation of the FLSA. These violations resulted in \$740,000 in minimum wage and overtime back wages for 500 restaurant employees. The division is collaborating with the State of Oregon Bureau of Labor and Industries and the Oregon Restaurant & Lodging Association to help promote a vibrant and compliant local restaurant industry.

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• [June 27 — Houston, TX](#)

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

• [June 18 — Richmond, VA](#)

OFCCP — Internet Applicant Rule Refresher

• [June 20 — Houston, TX](#)

OFCCP — Requirements for Filing a Complaint

• [June 19 — Milwaukee, WI](#)

OFCCP — What to Expect During an OFCCP Audit / OFCCP Regulatory Update

- [June 20 — Omaha, NE](#)
- [July 10 — Columbus, OH](#)
- [July 12 — Detroit, MI](#)

OSHA — National Advisory Committee on Occupational Safety and Health Meeting

• [June 11 — Washington, DC](#)

OWCP — Town Hall Meetings to assist nuclear weapons workers

- [June 18 — Santa Fe, NM](#)
- [June 19 — Albuquerque, NM](#)
- [June 20 — Grants, NM](#)

WB — Latina Green Workshop in Philadelphia

• [June 10 — Philadelphia, PA](#)

WHD — Prevailing Wage Conference

- [June 20 — Stony Brook, NY](#)
- [June 26 — Atlantic City, NJ](#)

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Texas Sawmill Cited After Worker Dies

Nix Forest Industries Inc. in Timpson, Texas, has been cited with 17 safety and health violations, including one willful, by the Occupational Safety and Health Administration after a worker was killed. In the December 2012 accident, the victim was struck by a broken band saw blade, and other workers were exposed to hazards at the sawmill. The willful violation resulted from failing to use control procedures for hazardous energy when cleaning, removing debris and unjamming equipment and machinery. Some of the 14 serious safety violations cited include failing to provide easily understood lockout/tagout training for energy control, failing to certify that energy control training was completed and current, and failing to ensure that tagout devices were affixed to clearly indicate the operation or movement of the energy-isolating device.

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Colorado Workers Exposed to Amputation Hazards

Community Power Corp. in Morrison, Colo., faces penalties of \$66,990 for two safety violations cited by the Occupational Safety and Health Administration. When the auger system on a piece of the company's equipment unexpectedly began operating, it caught a worker's leg and caused him serious injury. One of the violations, deemed willful, was cited for failing to develop, document and utilize procedures to control potentially hazardous energy when workers were engaged in testing, trouble-shooting and servicing operations on the BioMax Modular Bioenergy Systems. These systems use various forms of biomass to create usable energy via a patented gasification process, and the employer did not ensure that employees working in close proximity to the BioMax were adequately trained on hazardous energy control procedures. The second violation was cited for failing to implement a written permit space entry, which ensures that workers who enter an enclosed shred-auger bin are adequately protected from exposure to hazards, including powered, unenclosed paddle or screw-type augers.

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Settlement Leads to Company-wide Whistle-blower Training

As part of an enterprise-wide settlement agreement with the department, True North Hotel Group Inc., a hotel management company based in Overland Park, Kan., will educate all of its managers and notify its employees nationwide about workers' whistle-blower rights under the Occupational Safety and Health Act. The agreement follows an OSHA investigation that found merit to a complaint from a former True North employee in Massachusetts who had been terminated after notifying his superiors about safety concerns. The company also will pay \$22,225 in back wages and compensatory damages to the former employee. The settlement was negotiated by the Boston office of the Solicitor of Labor.

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Violations Found at American Family Care in Alabama

American Family Care Inc. in Montgomery, Ala., has been cited with three serious health violations and fined \$44,000 following an April inspection by the Occupational Safety and Health Administration. One repeat violation was cited for failing to provide workers with a safety engineered butterfly-style needle for phlebotomy. Additional violations involved failing to monitor radiation exposure for workers who operate X-ray machines and not providing a warning sign about the hazards of radiation in the X-ray room. The inspection was part of the agency's regional emphasis program for reducing sharps-related injuries in urgent care centers, medical clinics and ambulatory surgical centers. A sharps injury is a penetrating stab wound from a needle, scalpel or other sharp object that may result in exposure to blood or other body fluids.

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Ohio Explosives Factory Fined \$258,000 for 51 Safety Violations

Austin Powder Co. has been cited with 51 health and safety violations following a December 2012 inspection by the Occupational Safety and Health Administration. OSHA found that the company violated numerous standards for process safety management at facilities that use highly hazardous chemicals. The McArthur, Ohio, facility produces commercial explosives for the construction and mining industries. The inspection was conducted under the Site Specific Targeting Plan, which targets companies that record a higher than average incident and illness rate. A secondary inspection was conducted under the national emphasis program for covered chemical facilities. The company faces fines of \$258,000.

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