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August 8, 2013



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

7,303 PRECIOUS DAYS LATER...

Monday, Aug. 5, marked the 20-year anniversary of the "effective date" of the Family and Medical Leave Act. As a result, many people had the liberty, security and legal right to take time off the job to care for a family member without risking their job. Back then, 24 percent of workers in private industry had unpaid family leave options; today, that number has risen to 85 percent. In the year and a half following Aug. 5, 1993, an estimated 1.5 million to 3 million Americans took FMLA-covered leave. Twenty years later, FMLA leave has been used nearly 100 million times. Opposition to the law at the time was rooted in the fear that it would place an undue burden on employers. Ample evidence now shows that this has not been the case. The department's Wage and Hour Division enforces the FMLA.

- [Learn About the FMLA](#)
- [View the Centennial Timeline](#)
- [View the Centennial Video](#)

**AFFORDABLE CARE ACT
MYTH BUSTER**

Myth: Businesses are suffering under health care reform.

Not true: Health insurance reform lowers costs for U.S. businesses. Many Affordable Care Act provisions are already in effect and, thanks to incentives for employers, they're already benefiting millions of U.S. workers and their employers. Fifty-four million Americans now have free coverage for preventive services, and employers have new incentives for wellness programs, ultimately providing more opportunities for workers to pursue healthy lifestyles. Small business will receive tax credits for providing health insurance for two million workers. In addition, the Congressional Budget Office estimates the ACA could lower health insurance premiums by up to 4 percent for small businesses and 3 percent for large businesses, translating to \$2,000 in savings for every employee.

- [Learn About the Health Insurance Marketplace](#)

What's New**'Made in America' With the DOL Stamp of Approval**

The contributions of America's industrial-era workers have been memorialized on Forever stamps titled "Made in America: Building a Nation." The stamps, which feature black-and-white photographs of early 20th-century industrial workers, were dedicated on Aug. 8 at the Department of Labor's headquarters. Joining Secretary of Labor Thomas E. Perez at the first-day-of-issue ceremony was Postmaster General Patrick R. Donahoe. "Stamps are like a miniature American portrait gallery," said Perez. "They are an expression of our values and a connection to our past. That's why it's so fitting that that this series depicts Americans at work. These iconic images tell a powerful story about American economic strength and prosperity. These men and women and millions like them really did build a nation." Donahoe added: "With Labor Day around the corner, the Postal Service is proud to honor the men and women who helped build this country with their own hands. They mined the coal that warmed our homes. They made the clothes we wore on our backs. Let each stamp serve as a small reminder of the dedication, work ethic, and sacrifices that make America great."



- [Watch the USPS Video](#)
- [Watch the Ceremony](#)
- [View the Slideshow](#)

Wal-Mart Signs Corporate-wide Settlement to Improve Safety

Wal-Mart Stores, Inc. has entered into a corporate-wide settlement agreement with the Department of Labor to improve safety and health conditions at all 2,857 Wal-Mart and Sam's Club stores under federal jurisdiction. The settlement, announced on Aug. 7, resolves two enforcement cases begun in 2011 by the Occupational Safety and Health Administration at the Rochester, N.Y., store. Among the terms, Wal-Mart must ensure that trash compactors are operated under trained supervision or remain locked while not in use; improve its hazard communications training; enhance its procedures to ensure that employees do not handle undiluted chemicals; and provide training in a language, format and vocabulary workers can understand. "This settlement will help to keep thousands of exposed Wal-Mart workers safe and healthy on the job," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. "We hope this sends a strong message that the law requires employers to provide safe working conditions, and OSHA will use all the tools at our disposal to ensure that all employers follow the law." Wal-Mart also agreed to pay \$190,000 in civil penalties to abate hazards at the Rochester store not covered under the corporate-wide provisions of the settlement.

- [Read the Settlement Agreement](#)
- [Read the News Release](#)

(Work in Progress) The Best of Our Blog

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

- [It's Time for a Grand Bargain for Jobs, Economic Growth](#): The July jobs report shows that our economy continues to improve, modestly but steadily. The unemployment rate inched downward to 7.4 percent, the 11th straight month under 8 percent and the lowest level in more than four-and-a-half years. Here, Secretary Perez points to this continuing growth as evidence that the economic turnaround over the past four years has been unmistakable. He also highlights proposals by President Obama that, if enacted by Congress, could do even more to put Americans back to work. "For too long, Congress has been single-mindedly focused on an austerity agenda that has kept us in an economic straitjacket," he writes. "It's time for a grand bargain for middle-class jobs."

- [The FMLA: 20 Years On and Keeping America's Families Strong](#): This week, the Wage and Hour Division announced that national restaurant chain T.G.I. Fridays has agreed to change its employee leave policy to be in compliance with the Family and Medical Leave Act. Laura Fortman, principal deputy administrator for Wage and Hour, explains how this action demonstrates the department's continued dedication "to ensuring the FMLA's protections are honored in workplaces across the country and more American families are being made secure as a result."

- [Big Girls Do Cry Sometimes. So What?](#): A minor detail in a recent profile of Jill Abramson, executive editor of the New York Times, has prompted another round of ugly criticism of an accomplished woman leader: her admission to crying after reading an article critical of her management style. Women's Bureau Director Latifa Lyles blogs about how these persistent and clumsy gender stereotypes impede the fulfillment of the bureau's goal of closing the gap between men's and women's advances into the upper management ranks.

Opening New Doors, New Stores

Store #1115 may look like all of the other Costco locations across the country, but for employee Zade Parson, it's a very unique place. Parson, a 25-year



veteran of the company, shared with Secretary Perez how she began her Costco career at 18 because she wanted a car of her own. Today, Parson is the general manager of the company's newest location in Alexandria, Va. Perez joined Parson, Costco founder Jim Sinegal and CEO Craig Jelinek for the store's grand opening on Aug. 8 and, after hearing her story, walked around and met with employees. In his discussions with Costco executives, Perez summed up why he thinks the company has been such a hit. "Consumers want value, but they also want to know that the people helping them are being treated fairly," he said.

National News

\$5 Million in Grants Awarded to Assist Veterans

Grants totaling more than \$5 million were awarded on Aug. 5 by the Veterans' Employment and Training Service. The 22 grants will provide about 1,900 homeless female veterans and veterans with families job training to help them successfully transition to civilian careers. The grants were awarded under VETS' Homeless Female Veterans and Veterans with Families Program. "These grants will offer the opportunity for a better life, providing the training and skills needed to find a job and housing," said Secretary Perez. "Our veterans have sacrificed for our nation, and job training programs offer them a path to participation in society and success in the workplace." The services provided by grantees will include job placement, on-the-job and classroom training, career counseling, life skills and money management mentoring, as well as help in finding housing.

- [Read the News Release](#)

T.G.I. Fridays to Comply With Family and Medical Leave Act

T.G.I. Fridays, the national restaurant chain, has agreed to change its leave policy to comply with the Family and Medical Leave Act, affecting employees at its 272 company-owned locations. The company also has agreed to correct violations of the FMLA found during a Wage and Hour investigation of one of its restaurants in Shreveport, La., and pay an employee \$1,455 in back wages. "Workers should not have to choose between their job and the family members who need their care," said Laura Fortman, principal deputy administrator for the Wage and Hour Division. "Ensuring a work-life balance is the cornerstone of the Family and Medical Leave Act, which has been the law of the land for 20 years. It gives America's workers the right to take unpaid, job-protected leave to care for themselves or a loved one."

- [Read the News Release](#)

- [Read the Blog](#)

Rule Changes Improve Tracking of Workplace Injuries

All federal agencies will be required to submit their injury and illness data to the Bureau of Labor Statistics every year, according to a final rule on recordkeeping announced on Aug. 2 by the Occupational Safety and Health Administration. "This change provides OSHA an opportunity to collect injury and illness data from all federal agency establishments," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. "The data will us help streamline and improve programs to reduce occupational hazards and prevent injuries, illnesses and deaths within the federal workforce." Other changes to the rule include amending when agencies must submit annual reports to the secretary of labor and when the secretary must submit a report to the president. The rule also restates that volunteers are considered employees of federal agencies, and explains how volunteers' injuries should be recorded in agency injury and illness logs. Collecting agency data will enable OSHA to develop programs to assist agencies in meeting their injury and illness targets under the Protecting Our Workers and Ensuring Re-employment initiative, established in 2010 by President Obama.

- [Read the Final Rule](#)

- [Read the News Release](#)

Mine Rescuers at the Ready

When a mine fire, collapse or explosion occurs, rescuers are at the ready. These skilled men and women, always without hesitation, put their lives on the line to search for colleagues who may be injured or trapped hundreds of feet underground. Preparing for a mine rescue requires hours of training and participation in simulated mine emergency drills. One such drill took place July 30 through Aug. 1 in Reno, Nev., where more than 30 teams gathered for the Metal/Nonmetal National Mine Rescue Competition. In the field contest, teams solved a hypothetical mine emergency problem, working against the clock and staying mindful of proper mine rescue procedures. The

With an average hourly wage of \$20.89, Costco executives claim they see low employee turnover and a better bottom line.

- [View the Slideshow](#)

Transition Checkpoints



The Veterans' Employment and Training Service and Department of Defense are partnering to provide multiple interactions with separating service members to ensure they "receive the warm hand off they require to transition successfully" and find civilian employment. During an American Veterans conference

in Reno, Nev., on Aug. 1, VETS' Assistant Secretary of Labor Keith Kelly said that, with military forces downsizing, he expects the population of veterans to increase by one million over the next five years. Separating service members often "begin life anew in a new location, and in the transition lose their ties to benefits, resources and communication," said Kelly. Thus the need for multiple interactions with them. Kelly envisions VETS interacting with each service member several times prior to separation and again six-to-eight weeks after they leave the military to ensure they are equipped with the information they need to find meaningful employment.

- [Read Assistant Secretary Kelly's Speech](#)

Workforce Development Retreat

During the D.C. Community College Workforce Development retreat on Aug. 2, Ben Seigel, policy advisor in the Office of the Assistant Secretary for



Policy, discussed the department's employment and training programs. Along with Sarah Looney Oldmixon of the Community Foundation for the National Capital Region, Seigel talked about the role of community colleges and nonprofit organizations in serving the needs of job seekers in the District of Columbia, Maryland and Virginia. He described the programs that serve job seekers, like the Trade Adjustment Assistance Community College Career Training program and the nationwide network of American Job Centers. Seigel explained the increasing need for community colleges to be responsive to employers in terms of training that leads to industry-recognized and "stackable" credentials that allow workers to progress throughout their career. He also emphasized the "importance of partnerships among employers, training providers and providers of supportive services to create opportunities for job seekers and workers to succeed."

- [Read About TAACCCT](#)
- [Find a Job Center](#)

technician competition required miners to thoroughly check equipment and supplies to ensure they work properly. In the first-aid contest, participants demonstrated the correct method of caring for an injured miner.

The contest is co-sponsored by the Mine Safety and Health Administration and Nevada Mining Association.

- [View the Slideshow](#)



News You Can Use

Hurricane Outlook Update



Hurricane season is in full swing and, according to the National Oceanic and Atmospheric Administration, this year is shaping up to be above normal. NOAA's National Weather Service issued its updated Atlantic hurricane season outlook on Aug. 8, citing four named storms thus far with the peak of hurricane season yet to come. Once storms move through coastal areas, the Occupational Safety and Health Administration plays an active role in ensuring the safety and health of recovery and cleanup workers. Cleanup work can involve restoring electricity,

communications, water and sewer services; demolition activities; removal of floodwater from structures; entry into flooded areas; cleaning up debris; tree trimming; structural, roadway, bridge, dam and levee repair; use of cranes, aerial lifts and other heavy equipment; hazardous waste operations; and emergency response activities. Employers and workers involved in cleanup should carefully evaluate work areas for hazards during cleanup and take appropriate measures to keep workers safe.

- [Read About Hurricane Preparedness and Response](#)

Heat App Surpasses 100k Downloads

With summer heat beating down on many parts of the country, outdoor workers face increased risk of heat illness, which affects thousands each year. The Occupational Safety and Health Administration in 2011 developed a smartphone application aimed squarely at keeping those workers safe – the OSHA Heat Safety Tool. Available in English and Spanish on Android and iPhone platforms, the app recently surpassed 100,000 downloads. The app enables workers and supervisors to calculate the heat index for their worksite and, based on the heat index, displays a risk level to outdoor workers. Then, with a simple "click," users can get reminders about protective measures to take at that risk level to avoid heat-related illness. Beat the heat with three simple words: water, rest, and shade.

- [Download the Heat App](#)
- [Learn About Working Safely in the Heat](#)

Of Note

Maine's Penobscot Job Corps Honored for Environmental Excellence

Bangor, Maine's Penobscot Job Corps Center has received a Center of Environmental Excellence Award from Job Corps' National Office. The center successfully reached goals in energy reduction, water savings, and recycling and sustainability. These attainment levels were set forth in President Obama's Executive Order 13514, which required federal agencies and their

Southeast Safety Break



The Occupational Safety and Health Administration partnered with employers and trade associations throughout the southeastern U.S. to

conduct a one-hour safety stand-down on Aug. 6 at construction sites and other workplaces. The stand-down raised awareness among employees and workers about fall hazards, the leading cause of fatalities in the construction industry. In 2010, 264 of the 774 deaths in construction nationwide were attributed to falls. More than 1,104 employers participated and 36,579 workers received training during the stand-down.

Philippine Consulate Agreement

An agreement to protect the rights of Philippine nationals working in Florida was signed on Aug. 5 by the directors for the Wage and Hour Division's Florida district



offices and Ariel Rodelas Penaranda, the minister and consul general of the Embassy of the Philippines. The partnership will provide workers with information on laws enforced by the division, such as minimum wage, overtime, and housing and transportation requirements. The agreement also establishes a system for contacting workers who have returned to the Philippines and are owed back wages that the division has collected from employers.

Mine Refuge Alternatives

The Mine Safety and Health Administration published two notices on Aug. 8 in the Federal Register regarding refuge alternatives in underground coal mines. MSHA is requesting comments and information on issues and options relevant to miners' escape and refuge during underground coal mine emergencies. MSHA also announced a limited reopening of the record of the refuge alternative final rule published on Dec. 31, 2008. "Over the past five years, the mining community – operators and miners – has gained a great deal of experience with this technology and survival strategy," said MSHA Assistant Secretary Joseph Main. "We welcome the opportunity to hear from them on improvements we can make to better protect miners during mine emergencies and enhance their training experiences."

- [Read the News Release](#)

Training for Employers

The Wage and Hour Division recently held compliance seminars in Chicago and Kokomo, Ind. More than 40 employees of 23 community rehabilitation programs attended. Participants who use Section 14(c) of the Fair Labor Standards Act, which governs the payment of special minimum

properties to increase energy efficiency, conserve water, reduce waste and support sustainable communities. In announcing the award, Job Corps National Director Grace Kilbane said the achievement "would not have been possible without the dedication and support" of Penobscot staff and students and the Boston regional office. Penobscot joins the Alaska Job Corps Center as the first two centers to achieve this award.

- [Learn About Job Corps Recruitment](#)
- [Read Executive Order 13514](#)
- [View the Slideshow](#)



DOL Working for You

STEM Grant Puts Pennsylvanian Back on Road to Success

Pennsylvanian Alan Carothers experienced many promotions and much success in his career, working in purchasing, management and sales. But when an economic downturn caused his company to suddenly downsize, he was laid off and then hired at a much lower-paying job. While still working, Carothers enrolled in a Supply Chain Management Master's Degree program at Penn State University's World Campus, where he studies inventory control and supply chain sales forecasting. Part of his education was paid for under a department-funded Science, Technology, Engineering and Math grant awarded to the Central Pennsylvania Workforce Development Corp. The grant "helped relieve the pressure" of some of the debt he has incurred while juggling work and school, Carothers said. Since he's expecting to receive his degree soon, Carothers has already interviewed for a more senior management position within his company.



DOL in Action

Fewer Roof Falls Occurring in US Coal Mines, but Challenges Remain



The number of miners killed in underground roof falls has dropped dramatically since 2007, according to the Mine Safety and Health Administration. MSHA launched its annual Preventive Roof/Rib Outreach Program, or PROP, on Aug. 5 to educate miners and mine operators about the dangers of roof and rib falls in underground coal mines. From

2003–2007, 28 miners lost their lives in accidents involving falls of the mine's roof and ribs. Over the next five years, from 2008 through 2012, the number of roof and rib fall fatalities dropped to 19, a 32 percent reduction. This year's outreach effort, which focuses on roof bolter operator safety, has taken on new urgency with the Aug. 6 death of a Kentucky coal miner in a roof collapse.

- [Read the News Release](#)

wages to workers with disabilities, had the opportunity to review rules of the program. These included the certification process as well as common compliance issues, such as calculating commensurate wages and accurately tracking hours worked.

Interns Feted as 'Best of the Best'

The achievements of five outstanding young individuals who completed federal internships through the Office of Disability Employment Program's Workforce Recruitment Program were celebrated at an Aug. 2 awards ceremony hosted by the Federal Deposit Insurance Corp. Kathy Martinez, the assistant secretary of labor who heads ODEP, lauded the WRP awardees as "the best of the best" and noted how the program helps recruit future leaders into the federal workforce. "WRP is a very selective program that never fails to impress me because of the strongly motivated and highly qualified individuals it attracts," said Martinez. Awardees accepted congratulations from Clarence Johnson, Equal Opportunity director in the Department of Defense; and D. Michael Collins, director of the Office of Minority and Women's Inclusion at the FDIC, an agency that provides a large number of internship opportunities.

Child Trafficking Conference



The San Francisco District Office of the Wage and Hour Division staffed a table at the Conference for Child Sex Trafficking on Aug. 2. Presented by

the San Francisco Collaborative Against Human Trafficking, the conference brought together nearly 200 representatives of 50 organizations from the fields of education, health care, government, community organizations, and law enforcement. The department collaborates with local task forces, providing education and support to ensure labor trafficking victims receive proper wages.

Serving Ex-Offenders

The Employment and Training Administration hosted a two-day workshop on Aug. 1 and 2 for nearly three-dozen organizations that work with ex-offenders. Re-Integration of Ex-Offenders Grants Management Training, sponsored by ETA's regional office in Chicago, provided grantees from across the Midwest with technical support and resources to assist their agencies in serving ex-offenders. Topics covered for the 68 attendees included participant engagement and retention, client incentives, motivational interviewing, certificates and credentials attainment, employer engagement, partnerships, grants management and financial management. Speaker Jacqui Freeman, unit chief for the REXO program from the Division of Youth Services in ETA's national office, provided an overview about collaborative efforts between the departments of Labor and Justice.

- [View the Posters](#)

Assistance for Dislocated Massachusetts Workers

Approximately 180 workers affected by the closure of Solo Cup in North Andover, Mass., will benefit from a National Emergency Grant of \$346,531. The grant increment was awarded on Aug. 5 to the Massachusetts Department of Workforce Development to assist dislocated workers in conjunction with services they are receiving under the Trade Adjustment Assistance program. "These former workers continue to face challenges in finding jobs in an area where the unemployment rate is higher than most areas in the commonwealth," said acting Assistant Secretary of Labor for Employment and Training Eric Seleznow. "The Labor Department's additional funding will help these workers in their ongoing efforts to find employment."

- [Read the News Release](#)

Connecticut Health Care Facility Cited for Multiple Hazards

Hebrew Home and Hospital Inc. in West Hartford, Conn., faces proposed penalties of \$58,800 from the Occupational Safety and Health Administration. The health care facility was cited by OSHA for 14 serious violations following an inspection conducted under the agency's national emphasis program for nursing and residential care facilities. OSHA found that the facility lacked readily accessible emergency eyewash stations for working with corrosive chemical, an inadequate lockout/tagout policy, inadequately guarded machinery, inadequate bloodborne pathogen controls and procedures, and several electrical-related hazards.

- [Read the News Release](#)
- [Learn About Health Care Hazards](#)

Wage Violations Found at 2 South Carolina Restaurants

Two South Carolina El Jimador Mexican Restaurants owned and operated by the Macias family have agreed to pay 13 employees \$74,619 in back wages following an investigation by the Wage and Hour Division. Investigators found that employees often worked in excess of 40 hours a week without any overtime compensation, and tipped workers, such as servers, were made to rely primarily on tips for pay. Additional minimum wage violations occurred when the employers made illegal deductions from workers' pay for the cost of their uniforms. The employer also failed to maintain records of employees' work hours and wages.

- [Read the News Release](#)

Illinois Truck Manufacturer Fined \$235,800 for Repeat Violations

Hoist Liftruck Mfg. Inc. has been cited with 16 health and safety violations, carrying penalties of \$235,800, after a March follow-up inspection at its Bedford Park, Ill., manufacturing facility. The Occupational Safety and Health Administration cited the company with two willful safety violations for failing to provide welding screens for workers exposed to welding arcs and for violations of the respiratory protection program. Four repeat violations involve failing to provide hazard communication training, ensure equipment is properly grounded, conduct daily and shift inspections of powered industrial vehicles, and document monthly crane and hook inspections. The same violations were cited in April 2012 at the Bedford Heights facility.

- [Read the News Release](#)

Health-Care Provider to Correct FMLA Practices

Presbyterian Healthcare Services in Albuquerque, N.M., one of the largest health-care providers in New Mexico, has agreed to a settlement that requires corrections to its Family and Medical Leave Act policies and practices. The investigation found several FMLA violations that affected more than 9,600 employees, including wrongful denial of leave to nearly a dozen eligible employees and improperly requesting more information than permitted under the law. As a result, Presbyterian has signed a settlement agreement with the Wage and Hour Division in which it attests to maintain compliance with the FMLA.

- [Read the News Release](#)

Grain Explosion Hazards Cited in Nebraska

RExO is designed to strengthen urban communities through an employment-centered program that incorporates mentoring, job training and other comprehensive transitional services.

Weekly UI Claims

The department reported the advance figure for seasonally adjusted initial Unemployment Insurance claims was 333,000 for the week ending Aug. 3, an increase of 5,000 from the previous week. The four-week moving average was 335,500, down 6,250 from the previous week's revised average.

- [Read the News Release](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

EBSA — The Affordable Care Act: How Will It Affect You?

- [August 29 — Washington, DC](#)

OFCCP — Common Problem Areas for Federal Contractors

- [August 13 — Chicago, IL](#)
- [August 21 — Detroit, MI](#)

OFCCP — Compliance Assistance for New/Small Contractors

- [August 21 — Chicago, IL](#)

OFCCP — Construction and Compliance Webinar

- [August 15 — Portland, OR](#)

OFCCP — Construction: Construction 16 Steps

- [September 10 — Chicago, IL](#)

OFCCP — Construction: Nuts and Bolts

- [August 14 — New Orleans, LA](#)

OFCCP — Developing Written Affirmative Action Programs / Workplace Accommodations

- [August 21 — Columbus, OH](#)

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

- [August 15 — Baltimore, MD](#)

OFCCP — Examining Conflicts in Employment Laws

- [August 27 — Denver, CO](#)

OFCCP — Everything You Want to Know About Adverse Impact, Records and Record Retention

- [September 10 — Dallas, TX](#)

Farmers Cooperative has been cited for two safety violations by the Occupational Safety and Health Administration at its Wilber, Neb., grain elevator. The violations include allowing grain bin dust to accumulate on surfaces in excess of allowable OSHA standards, increasing the potential of a grain dust explosion, and a repeat violation for fall hazards involving unguarded ladders. OSHA has proposed fines of \$45,500. "Grain dust explosions and falls are known hazards in the grain handling industry, and exposing workers to these dangers is not acceptable," said Bonita Winingham, OSHA's area director in Omaha.

- [Read the News Release](#)

Inspection Nets Numerous Violations at Alabama Manufacturer

Hanna Steel Inc. has been cited by the Occupational Safety and Health Administration with two repeat, nine serious and four other-than-serious safety violations following a February inspection at the company's facility in Northport, Ala. The steel manufacturer exposed workers to unguarded equipment and caught-in hazards, and failed to develop, document, and use specific energy control procedures for workers conducting maintenance on machinery. OSHA initiated the inspection as part of the agency's national emphasis program on amputations. Penalties of \$117,500 have been proposed.

- [Read the News Release](#)

Arizona Military Gear Maker Pays \$124,000 in Back Wages

Tyr Tactical LLC, a military and protective gear manufacturer in Peoria, Ariz., paid \$124,239 in back wages to 79 current and former workers after an investigation by the Wage and Hour Division. Investigators found that the employer violated the overtime provisions of the Fair Labor Standards Act by paying hourly workers straight time wages without any overtime premium for hours that exceeded 40 per week. Tyr Tactical, whose clients include security agents, law enforcement officers, active-duty military personnel and the public, agreed to comply with all provisions of the FLSA.

- [Read the News Release](#)

Ohio Manufacturer Exposed Workers to Lead

Spectrum Machine Inc. has been cited with 13 health violations, carrying proposed penalties of \$188,300, after a January inspection by the Occupational Safety and Health Administration found workers were exposed to lead and copper fumes above the permissible limits. Three willful violations involve the company's failure to monitor and train workers on lead hazards and develop a hazard communication program. OSHA has placed the Ravenna, Ohio, company in its Severe Violator Enforcement Program.

- [Read the News Release](#)

Maryland Union to Conduct New Election

The officers of United Security and Police Officers of America Local 208 in Bethesda, Md., have agreed to conduct a new election for president, vice president, financial secretary-treasurer, recording secretary, sergeant at arms and two trustees. An Office of Labor Management Standards investigation of a December 2012 election revealed the following: Members were denied the right to vote when the local failed to mail a corrected ballot to all eligible members, ineligible members were permitted to vote, members were denied the opportunity to run for office when the names of self-nominated candidates were not included on the ballot, and the local failed to maintain election records. The new election will be held by Dec. 15 and supervised by the OLMS.

Manufacturer Fails to Protect Workers From Amputation Hazards

BCW Food Products Inc. in Dallas was cited with three safety violations by the Occupational Safety and Health Administration after a worker's left arm was amputated by an industrial screw conveyor while he was cleaning the inside of a packaging machine. OSHA's Dallas Area Office, which began its investigation in February at the Denton Drive, Texas, facility, cited the employer with one willful violation for failing to ensure lockout or tagout devices were affixed by authorized workers to each of the energy-isolating

OFCCP — FMLA and Reasonable Accommodations

- [August 20 — Chicago, IL](#)

OFCCP — Meet and Greet for Federal Contractors & CBOs

- [September 11 — New Orleans, LA](#)

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

- [August 21 — Pittsburgh, PA](#)

OFCCP — Outreach and Recruitment

- [August 27 — Chicago, IL](#)

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

- [August 30 — Milwaukee, WI](#)
- [September 4 — Milwaukee, WI](#)

OFCCP — Retaliation Complaints

- [August 15 — Omaha, NE](#)

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

- [August 14 — Detroit, MI](#)

OFCCP — Women in Nontraditional Jobs/ The Complaint Process

- [August 9 — Columbus, OH](#)

OFCCP — Workplace Accommodations

- [September — Omaha, NE](#)

OSHA — Advisory Committee on Construction Safety and Health Meeting

- [August 22 — Washington, DC](#)

WB — Green Businesses for Latinas Workshop

- [August 19 — Philadelphia, PA](#)

WHD — Understanding Special Minimum Wages under Section 14(c) of the FLSA

- [August 9 — Denton, TX](#)

devices. The repeat violation was cited for failing to indicate the identity of the worker who applied the lockout and tagout devices, and the serious violation was cited for failing to train and ensure that workers understood the purpose and function of the energy control program. The company also did not ensure workers acquired the knowledge and skills required for the safe application, usage and removal of the energy controls. The employer faces proposed penalties of \$66,900.

- [Read the News Release](#)

Alliance to Train Temporary Construction Workers in San Antonio

In an effort to protect temporary workers hired in the construction industry, the Occupational Safety and Health Administration and Marek Employment Management Co. in San Antonio signed an alliance to provide workplace safety training. Marek is a customer-oriented staffing and payroll firm that provides services ranging from temporary workers to meet specific job needs to temporary-to-permanent employee management and payroll-related duties. Through its Alliance Program, OSHA works with businesses, trade associations, unions, consulates, professional organizations, faith- and community-based organizations, and educational institutions to prevent workplace fatalities, injuries and illnesses.

- [Read the News Release](#)

Nearly \$1 Million in Back Wages for American Samoa Workers

The American Samoa government has paid \$916,093 in back wages to 256 employees, resolving findings of an investigation by the Wage and Hour Division in 2011. Investigators found that some employees' overtime hours were paid at a straight-time rate instead of at one and one-half times their regular rates of pay, as required by the Fair Labor Standards Act. Investigators also found that certain employees were not paid for all of their overtime hours worked. Most of the workers are police officers employed by the government's Department of Public Safety. "We appreciate the cooperation of the American Samoa government in developing a compliance plan and for assisting in this investigation by identifying workers who were underpaid," said Terence Trotter, director of the division's Honolulu District Office, which handled the investigation.

- [Read the FLSA Fact Sheet](#)
- [View the American Samoa Poster](#)

Montana Oil Refinery Exposed Workers to Explosion Hazards

Calumet Montana Refining in Great Falls, Mont., has been cited by the Occupational Safety and Health Administration with one willful, one serious and one other-than-serious safety violation following an OSHA February inspection. The oil refinery faces \$77,000 in proposed fines. The willful violation involved exposing workers to arc flash and explosion hazards associated with bypassing a motor circuit protector switch. The other violations included unused safety signs, symbols and accident prevention tags necessary to warn workers about electrical hazards and failure to post the voltage, current, wattage and other necessary ratings on electrical switches and panel boards.

- [Read the News Release](#)

Illinois Construction Partnership for Safety

The Occupational Safety and Health Administration has established a strategic partnership with Ringland-Johnson and the Chicago Regional Council of Carpenters to protect workers during the construction project for the Woodward Rock Cut Campus in Loves Park, Ill. The Illinois Onsite Safety and Health Consultation Program also is a partner in the project. Safety goals will focus on reducing injuries on the job by establishing protective measures for common hazards found at construction sites, such as falls, struck by, trenching and electrical hazards. The project may employ up to 200 tradesmen on site during the peak of construction for the 435,000-square-foot building and is expected to be completed in December 2014.

- [Read the News Release](#)

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