



## DOL News Brief

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August 15, 2013



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

### The Labor Secretary Who Surprised Everybody



The Fall of 1953 was not a cheerful time in the department's history. After fewer than eight months on the job, Secretary Martin Durkin had resigned from the Eisenhower administration. Morale at the Labor

Department was extremely low — a nadir perhaps only matched by the level of the department's funding. Much of the department had been dismantled in the years following World War II, with some functions transferred to other agencies. In Congress, there were debates about merging it back with the Department of Commerce. Enter James P. Mitchell, as the New York Times reported, "like a man heading into an Arctic gale in a sunsuit." Mitchell had grown up in Elizabeth, N.J., working to support a family that included his sisters and uncle, Thomas (who would go on to win an Oscar for his role in John Ford's "Stagecoach"), after his father's death. Before his appointment, Mitchell was the chief labor relations officer at Macy's and Bloomingdale's in New York, leading many to speculate that Eisenhower's pick would be too friendly to management. George Meany of the AFL was a vocal skeptic. Almost immediately, Mitchell began putting those concerns to rest with his compassionate leadership. He was a masterful

personnel manager; he fought for and won increased appropriations from Congress. He championed civil rights reforms, most notably by advocating for migrant farmworkers. He also is responsible for establishing the system of career deputy agency heads



supporting political leadership that carries on today. By the end of Eisenhower's term, he had won over the doubters. At a farewell dinner hosted by organized labor, Meany introduced him — to everyone's great surprise — as "Jim Mitchell, the best secretary of labor we have ever

### What's New

#### Ohio Steel Plant Faces \$1.1 Million Fine

Republic Steel has been cited by the Occupational Safety and Health Administration for 24 safety violations carrying fines of \$1,138,500. Fifteen willful violations of OSHA's fall protection standards were found at the company's Canton, Ohio, steel manufacturing plant. During the inspection, opened in February 2013 following a formal complaint from the United Steelworkers Union, OSHA discovered that two workers had been seriously injured in falls at the site in June and August 2012. The prior year, an employee was seriously injured in a fall at the company's Lorain, Ohio, facility, leading to willful citations and a settlement agreement with OSHA, in which Republic Steel agreed to address fall protection at its plants. "Republic Steel put their workers' lives in danger, and that kind of disregard for safety will not be tolerated," said Secretary of Labor Thomas E. Perez. In 2011, Republic Steel was placed in OSHA's Severe Violator Enforcement Program, which focuses on recalcitrant employers that endanger workers by committing willful, repeat or failure-to-abate violations.

- [Read the News Release](#)
- [View the Citations](#)
- [Learn About Fall Hazards](#)

### International Scene

#### Combating Child Labor in Burma

The Bureau of International Labor Affairs announced a \$5 million grant solicitation that will fund pilot programs in Burma to remove or prevent children from exploitative labor and raise awareness in support of the country's efforts to comply with international standards. Eligible applicants should propose research that yields much-needed credible, comprehensive data on the extent of child labor in Burma. The project will build the capacity of national and local organizations to advocate for a reduction of child labor and improve access to quality education and other relevant services for children and their families.



- [Read the News Release](#)

#### Workplace Gender Equality in Morocco

Funding of up to \$1 million has been announced by the Bureau of International Labor Affairs for projects that will help build the capacity of civil society organizations — including non-governmental organizations and

had!"

- [Read the 'Social Conscience of the Cabinet'](#)
- [View the Centennial Timeline](#)
- [View the Centennial Video](#)

## MINIMUM WAGE MYTH BUSTER

Myth: The federal minimum wage is higher today than it was when President Reagan took office.

Not true: While the federal minimum wage was only \$3.35 per hour in 1981 and is currently \$7.25 per hour in real dollars, when adjusted for inflation, the current federal minimum wage would need to be more than \$8 per hour to equal its buying power of the early 1980s and more than \$10 per hour to equal its buying power of the late 1960s. That's why President Obama is urging Congress to increase the federal minimum wage and give low-wage workers a much-needed boost.

- [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.

- [Modern Families and Worker Protections](#): Laura Fortman, principal deputy administrator of the Wage and Hour Division, explains the recent guidance documents that reflect changes to the agency's enforcement of the Family and Medical Leave Act in light of the Supreme Court's recent decision in *United States v. Windsor*. These documents recognize that the Supreme Court's *Windsor* decision expands the number of employees who are eligible for FMLA benefits to include legally married, same-sex couples. "We believe the [*Windsor*] decision represents an important step toward equality for America's working families," Fortman writes. "And we look forward to providing further guidance as it becomes available."

- [The 1910s: The First Few Years of a Century of Service](#): We continue to celebrate the department's centennial by looking back on the events and accomplishments of the last 100 years. In this post, Carl Fillichio, head of the Office of Public Affairs and chair of the department's centennial, describes the very first years after President William Howard Taft created the department on March 4, 1913.

## Serving Women Veterans

Through training workshops in Missouri and Michigan, the Women's Bureau offered guidance on its Trauma-Informed Care Guide for those who provide services to women veterans. Interactive



trade unions — in the Kingdom of Morocco to address working women's issues and empower women to more fully exercise their labor rights. In 2011, Moroccans approved a series of constitutional reforms, including a guarantee that women have civil and social equality with men. However, recognition of workplace gender equality and the empowerment of working women in the country's formal and informal labor sectors remain incomplete.

- [Read the News Release](#)

## News You Can Use

### Calculating Mine Violations Online

Tracking mine violations has become easier with a new online tool developed by the Mine Safety and Health Administration. The S&S Rate Calculator enables mine operators who implement a corrective action program to determine if their mine is successfully reducing its significant and substantial, or S&S, violations. An enhancement to the two-year-old Pattern of Violations Monitoring Tool, the S&S Rate Calculator allows users to determine a mine's rate of S&S violations for any specific date range. Users need only the mine's 7-digit ID number to find data.

- [Read the News Release](#)
- [Use the S&S Rate Calculator](#)

## Take Three: On the Way to the Cloud

In the 21st century, the department, more than ever before, must leverage technology to achieve its mission, improve its efficiency and effectiveness and deliver more meaningful results to the public. Deputy Chief Information Officer Dawn Leaf, who joined the department in 2012 and is widely recognized for her expertise in cloud computing and advanced technology, answers three questions about the department's technology initiatives.

President Obama has called on agencies to re-imagine how government can and should operate. What are the most exciting technology initiatives at DOL? *The president is seeking high-impact opportunities to build a better government — initiatives that continually improve results for citizens and strengthen Americans' faith in their government. The agenda is guided by core principles including significant, tangible and positive differences in the lives of the American people; results that are measurable; and lasting change in how government works. DOL is committed to a broad set of principles that support the president's agenda and envision the future with a department-wide mobile computing platform including, but not limited to, hand-held devices, tablets and other tools to better share data internally and externally, and apply analytics capabilities and services that help our staff focus on evidence-based mission results and priorities.*

How will the upcoming implementation of Cloud Email and Collaboration Tools address the department's business challenges? *Cloud Email is a critical IT capability and focuses on needs identified by DOL employees across the country in the 2011 Listening Tour. Through staff interviews (380), focus groups (32) and a survey (5,895 responses), DOL employees cited larger email boxes and larger archives for email as key challenges to daily work. Cloud Email will increase email box size from 250MB to 25GB and archives will be virtually unlimited in terms of storage space. Without increasing costs, DOL can implement these improvements across the department, and strengthen our ability to serve the public.*

How does the department compare to other federal agencies operating under a federated IT model and moving toward a more coordinated IT vision and services? *I've observed a lot of*

training with local service providers in Lansing, Mich., on Aug. 7 and at offices of the United Way in Kansas City, Mo., on Aug. 13 provided organizations an opportunity to assess how their agencies rate in their readiness to serve women veterans. Bureau staff then led exercises to help participants identify organizational strengths, weakness and next steps to enhance services. Each organization developed a plan to improve staff training and services for women veterans. A Stand Down for Women Veterans will take place on Sept. 16 in Lansing.

- [Read the Trauma Guide](#)

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## Help for Massachusetts Workers

A \$1,081,678 National Emergency Grant announced on Aug. 13 will provide employment-related assistance to 120 residents affected by layoffs and closings at 16 manufacturing companies located in Bristol County, Mass. Under the funding, workers will continue to receive employment-related assistance to help them compete for jobs in growing areas of the economy. Acting Assistant Secretary of Labor for Employment and Training Eric Seleznow said the grant "will make available critical employment services to help these workers in their search for employment."

- [Read the News Release](#)

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## Funds for Sandy Recovery

The department awarded a \$500,000 National Emergency Grant increment on Aug. 15 to assist with cleanup efforts in Rhode Island following the devastation caused by Hurricane Sandy. The original grant was awarded to the Rhode Island Department of Labor and Training last November for up to \$1.5 million. "Rhode Island is still cleaning up beaches and other public lands damaged by Hurricane Sandy," said acting Assistant Secretary of Labor for Employment and Training Eric M. Seleznow. "This additional funding will provide much-needed cleanup assistance while also providing temporary work for those in need of employment."

- [Read the News Release](#)

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## New Director at OLMS



Incoming Office of Labor-Management Standards Director Michael J. Hayes is no stranger to protecting worker rights, as evidenced by his time at the National Labor Relations Board. "I've dedicated my career to serving the labor

relations community by helping both unions and employers understand and follow the law," said Hayes. The New York State native and University of Virginia Law School graduate brings more than

*similarities between DOL and the federated IT models at the Smithsonian and the Department of Commerce. When I served as the Chief Technology Officer for the Smithsonian, we moved to a single Voice Over Internet Protocol (VOIP) solution to replace outdated and disparate phone and data services; consolidated our email system, file, print and network file storage; and implemented a digital asset and content management platform to include images, audio and video. At Commerce, as the deputy chief information officer and chief technology officer, I oversaw agencies of different sizes, different sources of funding, different stakeholders and constituencies, and different approaches to IT. That experience helped to prepare me to work with the agencies and stakeholders here at the department to help improve IT services for DOL.*

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## DOL Working for You

### California Worker Keeps on Truckin'

S & S Trucking warehouse manager Justin Roberts wanted to interview and hire workers for a new facility in Ontario, Calif., but he didn't have time to sift through hundreds of resumes. So he turned to the County of San Bernardino Workforce Investment Board for help. The board offered to screen applicants and refer the most qualified to Roberts for consideration. This process was part of the board's On-the-Job Training Program, which also helps offset wages for the first 90 days of



employment and training. "The board took the guesswork out of hiring," Roberts said, "and helped a small business save some money." One of the job applicants was recently unemployed Louis Garcia, who received career guidance and resume help and eventually was referred to S & S Trucking. The program "helped out tremendously," said Garcia, who has since been promoted to assistant warehouse manager.

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## Of Note

### Loring Job Corps Honor Guard Opens Baseball Game

The Honor Guard Unit from Maine's Loring Job Corps Center presented the colors prior to an Aug. 3 baseball game between the Arizona Diamondbacks and the Boston Red Sox in Fenway Park. In the past year, the Honor Guard Unit appeared at a minor league hockey game and a local NASCAR race. "These students are ambassadors for Job Corps, and felt it was an amazing experience and a wonderful time," said Kristie Moir, Loring's center director.



• [Learn About Job Corps Recruitment](#)

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## DOL in Action

25 years of labor law experience to his new role. Most recently a professor at the University of Baltimore School of Law, Hayes plans to place a priority on protecting the rights of union workers while helping labor organizations best serve their membership.

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## Grant for Michigan Workers

A \$380,168 National Emergency Grant announced on Aug. 15 will provide employment-related services to about 65 workers affected by layoffs at AAR Mobility Systems in Cadillac, Mich. The company is a division of AAR Manufacturing Inc. and specializes in producing rapidly deployable containers, shelters and pallet systems for the military. The grant, to be administered by Northwest Michigan Works!, was awarded to the Michigan Strategic Fund. "The department's funding will give these Michigan workers the opportunity to find new jobs in expanding sectors within the state," said acting Assistant Secretary of Labor for Employment and Training Eric Seleznow.

- [Read the News Release](#)

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## Focus on Long-term Unemployed

While the economy has added 7.3 million private sector jobs over the past 41 months, 4.2 million workers have been unemployed for six months or longer,



according to the Bureau of Labor Statistics. These individuals account for 37 percent of the total unemployed population. Many of these workers are middle to senior-level professionals with multiple financial responsibilities, including helping to support aging parents and adult children. On Aug. 15, the Office of the Assistant Secretary for Policy held a roundtable meeting with a group of these workers in Washington. The discussion focused on how the public workforce system can best serve the long-term unemployed who lost their jobs through no fault of their own and are trying to jump start their careers. Acting Assistant Secretary of Labor for Employment and Training Eric Seleznow met with the group and expressed the department's strong commitment to ensuring their success in the labor market. Nearly 20 workers and leaders from four local Jobs Clubs took part.

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## 'Return-to-Work' Benefits All

Accessible technology and return-to-work strategies are key to employee retention and expanding employment opportunities for all Americans, including people with disabilities. Assistant Secretary of Labor for Disability Employment Policy Kathy Martinez emphasized these points to nearly 150 New York Life Insurance employees on Aug. 8 in New York City.

## Georgia Farmer Faces Fines on Grain Handling Violations

Greg Sikes Farm LLC in Brooklet, Ga., was cited by the Occupational Safety and Health Administration with two willful and five serious safety violations following a February inspection. Sikes failed to provide training on grain handling hazards, to ensure the screw auger was locked out while workers were inside the bin, and to provide a body harness with a lifeline to employees working inside the grain storage bins. OSHA initiated the inspection after learning that an employee had become entrapped inside a grain storage bin. Penalties of \$122,500 have been proposed.

- [Read the News Release](#)
- [Learn About Grain Handling Hazards](#)

## Heartland Midwest Faces \$161,000 in Penalties Following Explosion

Heartland Midwest LLC, a communication utilities contracting company, has been cited for multiple violations by the Occupational Safety and Health Administration following a deadly explosion and fire at JJ's Restaurant in Kansas City, Mo. The Olathe, Kan., company faces proposed penalties of \$161,000 and has been placed in OSHA's Severe Violator Enforcement Program. Last February, one worker was killed and three were hospitalized as a result of the fire and explosion. Additionally, JJ's Bar and Grill, which does business as JJ's Restaurant, was cited for one safety violation, with a proposed penalty of \$2,000, for having a deficient emergency action plan.

- [Read the News Release](#)

## Mental Health Provider Develops Violence Prevention Program

A Massachusetts mental health provider has entered into a companywide settlement agreement to better protect its employees against workplace violence hazards. The Occupational Safety and Health Administration cited North Suffolk Mental Health Association Inc. for inadequate workplace violence safeguards in 2011 following the death of an employee at a Revere, Mass., group home. The settlement includes a stand-alone written violence prevention program for all client-related service programs at all its locations, as well as numerous enhanced safeguards and training. "This resolution cannot restore the life that was taken. But it can help prevent future injuries and loss of life," said Marthe Kent, OSHA's New England regional administrator.

- [Read the News Release](#)

## Louisiana Company Sued Over Insurance Contributions

Gulf States Staffing and Personnel LLC of Baton Rouge, La., and owner Gregory Walker have been sued by the department for violating the Employee Retirement Income Security Act. The lawsuit, filed in U.S. District Court for the Middle District of Louisiana, alleges that, between December 2008 and March 2009, Walker and the company failed to remit employee contributions to the GSSP Short-Term Disability Plan, Long-Term Disability Plan and Dental and Vision Plan. The defendants also failed to properly administer the plans by using plan assets to benefit themselves. The department's lawsuit seeks a court order to restore all losses, with interest, to the plans, and seeks the appointment of an independent fiduciary to administer disbursements. The suit further requests the court to permanently bar Walker and the company from serving as fiduciaries to any plan governed by ERISA in the future. GSSP provided benefit, payroll and other administrative functions for its employees, who worked at affiliated hospitals in Texas, Louisiana and Mississippi.

- [Read the News Release](#)

## Wisconsin Company Failed to Evacuate Workers During Gas Leak

Badger Metal Finishing Inc. has been cited for 17 safety violations by the Occupational Safety and Health Administration at its St. Francis, Wis., metal

The event was hosted by the National Business and Disability Council at The Viscardi Center and New York Life Insurance's Employee Resource Group, Enable. "For both employers and the insurance industry, these strategies can have great pay-offs," said Martinez. "Returning employees to work with the appropriate supports is typically more cost-effective than recruiting and training new employees. Having a company-wide, return-to-work culture saves money on disability insurance premiums and leads to better morale and greater productivity. Everybody wins." The council partners with companies such as New York Life Insurance to host employer events and promote effective strategies for hiring, advancing and retaining employees with disabilities.

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## Primer on Workplace Laws



More than 160 federal contractors, employers and community-based organizations participated in a free employer forum on Aug. 7 in Arlington,

Texas. The forum, hosted in partnership with the University of Texas at Arlington, disseminated information about workplace laws and regulations administered by the department. Beginning with an overview of the various agency missions, responsibilities and functions, it was followed by two workshop sessions designed to offer assistance about the Office of Federal Contract Compliance Programs, Wage and Hour Division, Veterans' Employment and Training Service, Occupational Safety and Health Administration, Employee Benefits Security Administration and Women's Bureau. Angela Taiforos, executive director of the Community Learning Center Inc. and Dallas-Fort Worth Youth Build, was the keynote speaker. Taiforos addressed her organization's commitment to assist at-risk youth in becoming self-sufficient by re-entering school and obtaining vocational training.

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## In-Sync HazCom Standards

The Mine Safety and Health Administration has issued guidance to the mining industry to clarify that mine operators who meet the Occupational Safety and Health Administration's hazard communication standard will be in compliance with MSHA's. The guidance is explained in a program policy letter published by MSHA on Aug. 13. "This compatibility is a win-win," said MSHA Assistant Secretary Joseph Main. "It reduces the burden of maintaining two separate systems for identifying hazardous chemicals and communication of hazards while providing at least the same protections to miners as MSHA's existing HazCom standard. A single system will also promote consistency with other industries and federal agencies with respect to identification and communication of hazards."

- [Read the News Release](#)

finishing facility. OSHA's inspection was prompted by a complaint that workers were not evacuated during a natural gas leak. Proposed penalties total \$46,200. Fourteen serious safety violations included failing to evacuate workers during a gas leak, unguarded stairways and floors leading to a fall hazard, lack of eye protection, inadequate lockout/tagout procedures to control hazardous energy, blocked electrical panels and use of damaged extension cords. Additionally, violations of OSHA's respiratory protection program standards were cited.

- [Read the News Release](#)

### Michigan Heavy Equipment Company Order to Pay Back Wages

William J. Lang Land Clearing has been found liable for \$106,897 in back wages to 23 employees of the Beaverton, Mich., heavy equipment company following an investigation by the Wage and Hour Division. The investigation found that the company performed work on six federally funded road projects in Michigan, and a departmental administrative law judge ordered the company to pay back wages that the District Court for the Eastern District of Michigan and the U.S. Court of Appeals for the Sixth Circuit had previously determined were owed to employees. The investigation also determined that the company misclassified power-equipment operators; consequently, these workers were paid less than the required prevailing wages and fringe benefits.

- [Read the News Release](#)

### Chocolate Manufacturer Cited Following Injuries to Employee

Tsudis Chocolate Co., Inc., was cited by the Occupational Safety and Health Administration for safety violations at its Pittsburgh chocolate manufacturing facility. OSHA opened its February inspection after an employee sustained crushing injuries to the right hand and wrist when a machine inadvertently activated. The company faces \$87,260 in proposed penalties for three repeat, 12 serious and four other-than-serious violations. Violations included failure to address electrical hazards, provide appropriate electrical protective equipment when employees worked on energized electrical parts, create energy control procedures for equipment, and identify lockout/tagout devices to prevent inadvertent machine start-ups.

- [Read the News Release](#)

### Denver Hotel Staff to Receive Back Wages

Following an investigation by the Wage and Hour Division, 1750 Welton Street Investors LLC, doing business as Grand Hyatt Denver and Xclusive Staffing of Denver, paid a combined \$55,691 in minimum wage and overtime back wages to 52 employees. The agency found violations of the minimum wage, overtime and record-keeping provisions of the Fair Labor Standards Act and also assessed penalties totaling \$7,920 for the Grand Hyatt and \$3,520 for Xclusive Staffing. Investigators found that housekeeping staff arrived early to prepare their carts and stayed late to finish cleaning a required number of rooms, without the extra time recorded or paid. Xclusive Staffing provided temporary employees to work as room attendants at the Grand Hyatt Denver.

- [Read the News Release](#)

### Investigators Find Locked, Sealed Exit Doors at Hawaii Warehouse

Federal and state investigators have identified 63 health and safety violations, including willful violations of three standards, at a refrigerated food warehouse in Honolulu occupied by Unicol Corp. and nine tenants. The employers face \$251,330 in proposed fines following joint inspections by the Occupational Safety and Health Administration and Hawaii's Department of Labor and Industrial Relations' Occupational Safety and Health Division. Inspectors found 13 of the exit doors locked from the

## Weekly UI Claims

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 320,000 for the week ending Aug. 10, a decrease of 15,000 from the previous week. The four-week moving average was 332,000, down 4,000 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](#)

EBSA — Health Benefits Laws Compliance Assistance Seminar

- [September 11 — Madison, WI](#)

OFCCP — Common Problem Areas for Federal Contractors

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

OFCCP — Compliance Assistance for New/Small Contractors

- [August 21 — Chicago, IL](#)
- [September 12 — Richmond, VA](#)

OFCCP — Construction: Construction 16 Steps

- [September 10 — Chicago, IL](#)

OFCCP — Developing Written Affirmative Action Programs / Workplace Accommodations

- [August 21 — Columbus, OH](#)

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

- [September 10 — Dallas, TX](#)

OFCCP — Examining Conflicts in Employment Laws

- [August 27 — Denver, CO](#)

OFCCP — FMLA and Reasonable Accommodations

- [August 20 — Chicago, IL](#)

OFCCP — Meet and Greet for Federal Contractors & CBOs

- [September 11 — New Orleans, LA](#)

OFCCP — National Origin Discrimination

- [September 19 — Omaha, NE](#)

outside and sealed shut and identified hazards associated with process safety management of highly hazardous chemicals in the ammonia refrigeration system.

- [Read the News Release](#)

Agricultural Labor Violations Found at Nebraska Cattle Company

Adams Land and Cattle Co. has paid the department \$127,615 in back wages owed to 68 agricultural workers employed at the company's Broken Bow, Neb., cattle feed lot. An investigation by the Wage and Hour Division disclosed violations of H-2A temporary agricultural program standards. The company, which also paid \$101,600 in civil penalties for H-2A violations, employed Mexican nationals and unlawfully rejected U.S. applicant workers, showed preferential treatment of H-2A workers, and failed to reimburse transportation costs and pay the required wage rate.

- [Read the News Release](#)

Silver Star Imports in Dallas Sued for Repeat, Willful FLSA Violations

A lawsuit filed by the department against NB Wholesale Inc., doing business as Silver Star Imports in Dallas, seeks to recover unpaid minimum wages and overtime pay, liquidated damages and civil penalties. The suit also seeks an injunction to permanently prohibit the defendants from committing future violations. An investigation by the Wage and Hour Division found that the company failed to pay current and former cashiers, stockers and delivery workers in compliance with the Fair Labor Standards Act. The majority of grocery staff and delivery drivers, who worked up to six days a week and averaged more than 53 hours a week, were paid a fixed salary without overtime. In some cases, their earnings fell below the minimum wage rate of \$7.25 per hour.

- [Read the News Release](#)

Workers at Texas Plant Exposed to Numerous Hazards

Utex Industries Inc. has been cited for 38 safety and health violations by the Occupational Safety and Health Administration for exposing workers to electrical, fire, machine guarding and health hazards at its Weimar, Texas, manufacturing facility. OSHA initiated an inspection in February under its Site Specific Targeting program, which directs agency enforcement resources to high-hazard workplaces where the highest rates of injuries and illnesses occur. According to the inspection, the company failed to properly guard machinery, provide a proper conduit for compressed air, ensure electrical equipment is approved for usage, and ensure spray booths have fire prevention equipment. Among the serious health violations were failure to implement a hearing conservation program, provide proper eye and foot protection, provide chemical eyewash stations for workers exposed to corrosive chemicals, and implement a hazardous chemical communication program. The company faces \$143,000 in proposed fines.

- [Read the News Release](#)

Amputation Hazards Result in Citations, Proposed Penalties

The Occupational Safety and Health Administration has cited Lone Star Reel Corp. in McKinney, Texas, with 10 safety violations from a programmed inspection in February aimed at specific high-hazard industries. Proposed penalties total \$148,400 for failing to guard machinery and for exposing workers to amputation hazards. Two willful safety violations were cited for failing to provide workers with documented procedures on how to control potentially hazardous energy sources during machine or equipment maintenance and ensure that points of machine operations were guarded to prevent the exposure of any body parts in the danger zone during operation cycles.

- [Read the News Release](#)

Ohio Company Debarred from H-2B Visa Program

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

- [August 21 — Pittsburgh, PA](#)

OFCCP — Open House for Community Based Organizations and Federal Contractors

- [September 19 — Richmond, VA](#)

OFCCP — Outreach and Recruitment

- [August 27 — Chicago, IL](#)

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

- [September 20 — Columbus, OH](#)

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

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

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

- [September 17 — Providence, RI](#)

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The Wage and Hour Division investigated Gem Interiors Inc. and found violations of the Fair Labor Standards Act and the H-2B temporary nonimmigrant visa program. The Milford, Ohio, company agreed to pay \$126,944 to 95 drywall installers for FLSA minimum wage and overtime violations, and an additional \$58,617 to 22 workers for violations of the H-2B provisions. As a result of investigators' findings, Gem has been debarred from participating in the H-2B program until 2014, and has paid \$82,968 in civil penalties for certifying false statements on its Temporary Employment Certification applications in 2010 and 2011.

- [Read the News Release](#)

Brooklyn Retailer Faulted for Numerous Hazards

Pretty Girl Inc., the Brooklyn-based women's apparel chain, faces \$43,890 in fines for exit access, electrical, sanitary and housekeeping hazards at a Brooklyn store. The Occupational Safety and Health Administration's Manhattan Area Office began an inspection after the company failed to respond to inquiries about allegations of unsanitary conditions and housekeeping hazards at the store. The inspection found workers exposed to backed-up sewage in the basement storage area; facing tripping hazards from haphazardly stored boxes, bags and merchandise; and being struck by falling pieces from a drop ceiling. These hazards were similar to those found at a Pretty Girl Inc. store in the Bronx. "A retail store may not seem like an inherently dangerous place to work, but the conditions found here place employees at risk," said OSHA Area Director Kay Gee.

- [Read the News Release](#)

Ohio Hotel Group to Pay Back Wages to 67 Workers

Midwest Lodging LLC has agreed to pay 67 workers a total of \$47,654 in back wages following an investigation by the Wage and Hour Division. The investigation found that the Mason, Ohio, company used temporary staffing agencies to obtain workers for its hotel facilities. These workers, however, were misclassified as independent contractors and denied proper compensation for all hours worked, in violation of the Fair Labor Standards Act's minimum wage, overtime and record-keeping provisions. Midwest Lodging used Luxor Services Inc., Bahor Inc. and BA Cobalt Cleaning Inc. to obtain temporary workers. The company also failed to pay overtime to workers directly employed by the company at its hotels.

- [Read the News Release](#)

Lack of Machine Guarding Leads to Amputation of Worker's Arm

As the result of a worker amputation, the Occupational Safety and Health Administration cited Marly Building Materials for 13 serious violations and proposed \$50,000 in fines. An employee of the Lindenhurst, N.Y., concrete block manufacturer lost his left arm above the elbow after it became caught in an unguarded conveyor belt. OSHA's inspection found that certain machines were not guarded against this type of hazard. "This is precisely the type of injury that machine guarding is designed to prevent," said Anthony Ciuffo, OSHA's Long Island area director. "It is a graphic example of the pain and suffering caused when an employer fails to ensure that machines and equipment have the required safeguards installed."

- [Read the News Release](#)

Combustible Dust Hazards Found at Texas Cabinet Manufacturer

Cabinet manufacturer Cardell Cabinetry LLC was cited with 29 safety and health violations and a proposed penalty of \$267,434 by the Occupational Safety and Health Administration for failing to remove hazardous levels of combustible dust at the company's facility in San Antonio. OSHA's San Antonio Area Office initiated the February inspection as a follow-up and complaint inspection. Combustible dusts include fine particles, fibers, chips, chunks or flakes that, under certain conditions, can cause a fire or explosion

when suspended in air. The three repeat violations were cited for failing to remove combustible wood dust, cover electrical boxes and reduce the pressure of compressed air. A failure-to-abate violation was cited because the employer failed to remove combustible wood dust from the parts mill area. This same violation was cited in 2012.

- [Read the News Release](#)

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