



DOL News Brief

September 12, 2013

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

Employee Benefit Security:
A New Mission Begins



America's retirees — and indeed millions of workers on production lines, in mines, offices and elsewhere, as well as their families — gained an historic boost for their rights, benefits and peace of mind 39 years ago, on Labor

Day 1974, when President Gerald R. Ford signed into law the Employee Retirement Income Security Act. ERISA set minimum standards for most voluntarily established pension and health plans provided by private employers, signaling a major victory for a pension reform movement that had grown stronger and more vocal since the early 1960s. Responsibility for administering the new law was placed with the Department of Labor along with the Internal Revenue Service and, in 1984, the Pension and Welfare Benefits Administration was created with the sole mission of protecting retirement and health benefit security (it adopted its current name — the Employee Benefits Security Administration — in 2003). As one of the nation's most celebrated scholars of the law and its effects, current Assistant Secretary of Labor for Employee Benefits Security Phyllis C. Borzi is, in

many ways, a living embodiment of the law whose career has mirrored its evolution over the intervening decades. "In the past 39 years, we've seen the workplace change in so many profound ways, and the economic decision-making of employers and employees has changed along with it," Borzi said. "To make sure that our laws continue to promote opportunity and guarantee the economic security of our workers, we must continue to remedy outdated language and improve policy to maintain the law's spirit and intent."



- [Read President Ford's Remarks](#)
- [Learn About EBSA](#)
- [View the Centennial Timeline](#)
- [View the Centennial Video](#)

What's New

Coming Together to Move Skills Forward

Two of the newest members of President Obama's Cabinet came together at Anne Arundel Community College in Arnold, Md., on Sept. 9 to discuss the importance of skills training as both a workforce development and an economic development imperative. Secretary of Labor Thomas E. Perez was joined by



Secretary of Commerce Penny Pritzker, Anne Arundel Community College president Dr. Dawn Lindsay and a host of local business, education, labor and government leaders for a roundtable discussion about the opportunities and challenges facing workers and American businesses. Gary Pollard, an Army veteran enrolled in the college's cyber security program, told the audience of nearly 150 people that this program "has been a Godsend. It gave me an opportunity to re-evaluate what I wanted to be a part of in terms of my career." Adria Alpert-Romm, the head of human resources for Discovery Communications, talked about the benefits of partnering with Montgomery College in Maryland and Miami Dade College in Florida to build locally driven talent pipelines and pointed out that "these partnerships aren't just feeding Discovery, they're helping to feed the entire industry with the workers we all need to grow." Roundtable participants also discussed the need for additional paid internship opportunities and better matchmaking between students and companies to help those just entering the workforce get a feel for careers they may not have thought about before.

- [View the Slideshow](#)
- [Read the Blog Post](#)

Perez Energizes Crowd at AFL-CIO Convention

Secretary Perez received a standing ovation from an energetic crowd of union leaders at the 2013 AFL-CIO national convention in Los Angeles on Sept. 10. In his address, Perez stated that he will work to level the playing field for workers, make sure that every worker has the skills to compete, and take the necessary steps to ensure that our workplaces are safe. In a call for Congress to raise the minimum wage, Perez emphasized that the hard-working men and women who put in 40 hours per week should not be living in poverty. Perez, in concluding his remarks, said his top priority is to work



AFFORDABLE CARE ACT MYTH BUSTER

Myth: Employers who don't notify employees about the Affordable Care Act's new marketplace will be fined \$100 per day.

Not true: Companies covered by the Fair Labor Standards Act should provide written notice to their employees about the health insurance marketplace by Oct. 1, 2013, but there is no fine or penalty under the law for failing to provide such a notice. The Department of Labor has posted two model notices to help companies comply — one for employers who do not offer a health plan and another for employers who offer a health plan to some or all employees. Employers may use these models or a modified version.

- [Learn More About Notice Options](#)
- [Get Additional Guidance](#)
- [View the "With Plans" Model Notices](#)
- [View the "Without Plans" Model Notices](#)
- [Visit the Marketplace](#)

(Work in Progress) The Best of Our Blog

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

- [A Joint Imperative to Strengthen Skills:](#) This week, Secretary Perez is joined on the blog by his fellow new Cabinet member, Secretary of Commerce Penny Pritzker, to discuss a joint visit to Anne Arundel Community College in Maryland, where they held a roundtable to discuss the importance of skills training as both a workforce development and an economic development imperative. Along with Maryland Rep. Steny Hoyer, they engaged with business, education, labor and government leaders to highlight the college's leadership of the National STEM Consortium, a group of 10 community colleges across the country that are on the cutting edge of developing certificate programs designed to train workers for mid-skill careers. They stress the importance of expanding programs like this one across the country to ensure workers have the skills employers are looking for when they want to hire. The key goal of these programs, Perez and Pritzker write, is to create "a workforce that can quickly adapt to meet the needs of employers looking to thrive in the global economy."
- [Investments to Invigorate the Economy:](#) After an August jobs report that tells a story of an economy slowly and steadily continuing to heal — with 169,000 new jobs added — Secretary Perez calls for redoubled efforts to make smart investments in education, manufacturing and infrastructure to make sure we have a labor market that uses the skills of all our people, allowing everyone to reach their highest and best dreams.
- [Know the Rules: Working During the School Year:](#) Another summer vacation has come and gone, and the school year is once again

with President Obama to accelerate the recovery and create opportunity for every American. "We need to pick up the pace of this recovery," he said. "And that's why the president is fighting so hard to create more jobs, to secure a better bargain for the middle class, to put the American Dream within the grasp of every single one of our people." Perez was introduced at the convention by AFL-CIO President Richard Trumka. Other speakers included Senior Advisor to the President Valerie Jarrett and Massachusetts Sen. Elizabeth Warren.

- [Read the Secretary's Remarks](#)
- [View the Slideshow](#)

National News

Mississippi, New York Awarded Self-Employment Assistance Grants

Laid-off workers in Mississippi and New York have the opportunity to create their own jobs through their state's self-employment assistance program, thanks to \$2.3 million in grants awarded on Sept. 10. Participants in this voluntary program will receive entrepreneurial training, access to resources to help launch their own businesses, and financial assistance equivalent to what qualified participants would otherwise receive under their Unemployment Insurance benefit. Mississippi is using the grant to launch a permanent SEA program for any individual eligible to receive state Unemployment Insurance benefits. In New York, the funds will be used to expand and enhance the state's existing program and to improve the customer experience. "Self-Employment Assistance programs are a win-win by helping unemployed residents form their own businesses while potentially boosting economic activity in the state," said Eric M. Seleznow, acting assistant secretary of labor for employment and training.

- [Read the News Release](#)

It Happened on the Hill

Spotlight on Jobs for Transitioning and Homeless Veterans

Two department programs that help employ the nation's veterans, the Veterans Retraining Assistance Program and Homeless Veterans' Reintegration Program, were the focus of a Sept. 12 House hearing. Keith Kelly, assistant secretary of labor for veterans' employment and training, and Gerri Fiala, deputy assistant secretary of labor for employment and training,



testified on the effectiveness of the two programs at a hearing by the House Veterans' Affairs Subcommittee on Economic Opportunity. Kelly explained the department's intensive outreach process for veterans who are eligible for assistance under the VRAP program and discussed collecting employment outcome data for the relatively young program (VRAP was authorized under the 2011 VOW to Hire Heroes Act). Also discussed was how HVRP's client-centric, hands-on approach has successfully helped place thousands of previously homeless veterans on the path to self-sufficiency. Curtis L. Coy, deputy undersecretary for economic opportunity at the Veterans Affairs Department, spoke about efforts by the departments to reach a data-sharing agreement that will help promote expanded cooperation between the two agencies.

- [View the Slideshow](#)

underway. For teens that are planning to work a job in addition to attending classes, there are federal and state laws governing the hours, wages and types of jobs that young people may perform, especially during the school year. Laura Fortman, the principal deputy administrator for the Wage and Hour Division, outlines the basics of these rules and provides resources that young people, parents and employers can go to for more information.

Commitment to Veterans

Secretary Perez reaffirmed the Labor Department's commitment to helping veterans and told a packed audience of veterans service



organizations gathered at the department's Washington, D.C., headquarters on Sept. 11 that "we cannot do it without you, and we need your ideas on where we can do better." Perez explained how his father served in the military and later worked at a veterans' hospital, and how he now feels "the torch has been passed to me" to come to the aid of all veterans. He said that with input from veterans groups, the department would be "indefatigable" in providing services to help veterans find training and good paying jobs. Assistant Secretary of Labor Keith Kelly, who heads the Veterans' Employment and Training Service, gave an overview of VETS programs. Employment and Training Administration Deputy Assistant Secretary Gerri Fiala explained how the 2,600 American Job Centers provide veterans with "priority of service" help with career counseling, resume preparation and job placement.

• [View the Slideshow](#)

Construction Roundtable

Through its alliance program, the Occupational Safety and Health Administration convened a construction roundtable on Sept. 12 with representatives from industry and labor, as well as the National Institute for



Occupational Safety and Health, to exchange best practices and provide agency updates. Dr. David Michaels, assistant secretary of labor for occupational safety and health, topped the agenda and announced the publication of OSHA's proposed rule for crystalline silica in the Federal Register. "As leaders of the industry containing the majority of workers exposed to silica, your participation is essential to curbing deadly exposure to respirable silica," Michaels said. "This proposed rule is long overdue, and by making consistent the permissible exposure limits in

News You Can Use

Webcast Offers Affordable Care Act Guidance to Employers

A two-day webcast will offer employers and health plan service providers guidance on complying with the Affordable Care Act. The program will run on Sept. 17 and 18, from 1 to 2:30 p.m. EDT each day. On the first day, Employee Benefits Security Administration staff and federal partners will discuss the ACA's wellness rule and employer-shared responsibility provisions. The following day, the webinar will focus on notifying employees of coverage options, implementing market reforms, the health insurance marketplace and the Small Business Health Options Program.

- [Read the News Release](#)
- [Register for Sept. 17](#)
- [Register for Sept. 18](#)
- [Learn About SHOP](#)

Around DOL

Hollywood Icon Narrates PSAs for Veterans

Hollywood came to the Potomac on Sept. 12 when former Marine drill instructor and actor R. Lee Ermey recorded a series of pro bono Public Service Announcements at the department on behalf of the Veterans' Employment and Training Service. The video and audio PSAs will be distributed to broadcast outlets in time for Veterans Day. In one script, Ermey tells employers that veterans can "be a great asset to your company" because they have "leadership and teamwork skills." He urges employers to contact the



department for more information. In another, Ermey tells veterans and transitioning service members to visit an American Job Center for help "with career counseling, writing a resume and job placement." Ermey, who spent 11 years in the Marine Corps and served in Vietnam, has appeared on television and in numerous movies and is the author of the soon-to-be-published *Gunny's Rules*, a self-help fitness guide. Ermey is a Golden Globe Award nominee known for his role as Gunnery Sergeant Hartman in the 1987 film "Full Metal Jacket."

• [View the Slideshow](#)

DOL Working for You

Veterans Outreach Program Helps Combat Medic Find Health Care Job

As an Army combat medic in Iraq, Victoria Watson often was faced with making critical decisions. Despite all of her experience, Watson found it difficult to find a job when she returned to her home in New Mexico. So off she went to the Department of Workforce Solutions, where she received career counseling from John T. Redman, a Disabled Veterans Outreach Program specialist. Redman helped Watson prepare her resume, peruse the online job bank and referred her to available employment openings. He also helped her secure tuition



construction with that of general industry and updating their 40-year-old levels, we bring protections into the 21st century." OSHA staff also shared information on other initiatives, such as the isocyanates national emphasis program, changes to construction crane standards, and outreach for heat, fall prevention and temporary workers. Brandenburg Industrial Services, a full-service demolition company and OSHA Voluntary Protection Program participant, discussed its training techniques and other best practices for integrating temporary workers at worksites.

- [Learn About Construction Roundtable](#)
- [Read the Silica Proposal](#)
- [Learn About Isocyanates NEP](#)
- [View the Slideshow](#)

Updates for Financial Advisors

The department's reproposal to reduce conflicts of interest in the retirement advice marketplace will not be published in October, but progress is being



made. Assistant Secretary for Employee Benefits Security Phyllis C. Borzi shared this and more with the Financial Services Institute's Financial Advisor Summit in Washington, D.C., on Sept. 10. Borzi participated in an hour-long, one-on-one interview with FSI Chief Executive Officer Dale Brown, during which she covered the importance of unbiased advice for retirement savers. Borzi also gave an overview of the ongoing process — now in its third year — to update the departmental regulation aimed at reducing conflicts of interest in the retirement marketplace.

- [Learn More About EBSA](#)

Accepting FACOSH Nominations

The Occupational Safety and Health Administration is accepting nominations for five new members to serve on the 16-member Federal Advisory Council on Occupational Safety and Health. FACOSH, established in 1971, advises the secretary of labor on matters relating to the occupational safety and health of federal employees, as part of an effort to minimize the number and severity of injuries and illnesses in the federal workforce. The committee meets regularly at department headquarters and announces its meetings 15 days before the scheduled date. Nominations will be accepted for two federal agency management representatives and three labor organization representatives, which become vacant on Jan. 1, 2014. Members will serve terms not to exceed three years.

- [Read the News Release](#)

Public Comment on Silica Proposal

The Federal Register has published the

assistance to complete her certified nursing



assistant certification and then higher education. Redman, a Vietnam-era Navy veteran, felt Watson "had a great future ahead of her" in health care and was determined to see her succeed. Watson said Redman's guidance "truly helped in securing me interviews." Watson eventually sifted through multiple job offers and found a job in the health care field. She will graduate soon with an associate's degree in nursing.

DOL in Action

Grant Assistance for Dislocated Boeing Workers

A National Emergency Grant to assist 645 workers affected by layoffs at Boeing in Seattle was announced on Sept. 12. The grant totals \$2,205,753, and \$980,847 has been released. The former Boeing workers will receive training and a broad range of support services, in conjunction with other services they may receive as a result of their eligibility for Trade Adjustment Assistance benefits. "As the economy continues to improve, we need to ensure that workers are in the best position possible to fill available jobs," said Secretary Perez. "This federal grant will help former Boeing workers enhance their skills so they can more easily transition to new employment opportunities."

- [Read the News Release](#)

MGM Resorts Ordered to Reinstate Whistleblower, Pay \$325,000

The Occupational Safety and Health Administration has ordered MGM Resorts International to immediately reinstate a whistleblower and pay \$325,000 in damages for violations under the whistleblower provisions of the Sarbanes-Oxley Act. The former Las Vegas employee was terminated in retaliation for disclosing that co-workers were allegedly violating Securities and Exchange Commission rules and regulations by engaging in "forecasting" and for reporting being pressured to forecast. Forecasting is the practice of providing information to a potential buyer as to the expected revenue and occupancy rates of condominiums.

- [Read the News Release](#)

Company Settles Charges of Bias Against Male Job Seekers

The Office of Federal Contract Compliance Programs has entered into a conciliation agreement resolving allegations of sex discrimination by a Spokane, Wash.-based federal contractor. Investigators determined that ResCare HomeCare Spokane's selection process led to systemic hiring discrimination affecting men who applied for in-home care positions. The investigation concluded that 77 male job applicants were denied full consideration during the hiring process. The company agreed to pay \$92,059 in back pay and interest to the rejected male applicants. ResCare also agreed to hire eight members of the affected class as in-home care positions become available and to correct any discriminatory practices.

- [Read the News Release](#)

Nebraska Worker Injured in Trench Collapse

Taylor's Drain and Sewer Service has been cited by the Occupational Safety and Health Administration for 10 safety violations, including two willful ones. OSHA found that the company failed to protect workers from cave-ins during trenching operations at two separate jobs sites in Lincoln, Neb. On March 22, a worker was buried waist-deep when a 9-foot-deep

Occupational Safety and Health Administration's proposed rule on respirable crystalline silica, and the public will have until Dec. 11 to submit written comments. OSHA strongly encourages public participation in the development of the rule through written comments and at public hearings. Hearings on the proposal are scheduled to begin March 4, 2014, at Labor Department headquarters in Washington, D.C. Members of the public who wish to participate must submit a notice of their intention to do so by Nov. 12. The proposed rule seeks to lower worker exposure to crystalline silica, which kills hundreds of workers and sickens thousands more each year.

- [Read the Proposal](#)
- [Learn About the Rulemaking](#)
- [How to Participate](#)
- [Watch "Deadly Dust" Video](#)
- [Watch Frances Perkins in "Stop Silicosis" Video](#)

Research Paper Competition

Doctoral and post-doctoral students in the fields of public policy, economics and other social sciences can perform research on issues relating to employment and training as part of the 2013 Employment and Training Administration Research Papers Program competition. ETA, through its contractor IMPAQ International, plans to award approximately \$80,000 on a competitive basis to fund up to 10 research papers. Selected applicants have six months to produce their research paper. Winning proposals must be relevant to ETA policies and address topics on employment and training issues while exhibiting thematic creativity, well-thought out designs, and valid and appropriate methods. The application deadline to submit proposals is Nov. 11.

- [Read the News Release](#)
- [Learn More About the Competition](#)

Ruling on Coal Mine Plan

A recent decision by the U.S. Court of Appeals for the Seventh Circuit has been applauded by the Mine Safety and Health Administration. On Aug. 26, the court held that an MSHA district manager has broad discretion to disapprove a mine operator's proposed ventilation plan for an underground coal mine, and may do so as long as the decision is not arbitrary and capricious. At issue was a ventilation plan proposed by Mach Mining LLC for its # 1 Mine, an underground coal mine in Williamson County, Ill. The court rejected the contention that an operator may ask the Federal Mine Safety and Health Review Commission to substitute its judgment for MSHA's in approving or disapproving a ventilation plan MSHA determines is inadequate.

- [Read the News Release](#)

Weekly UI Claims

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 292,000 for the week

trench collapsed, and his injuries required surgery. Less than three weeks later, at a separate job site, two workers were observed without protection in a 10-foot-deep trench. The company was installing water and sewer lines at both locations. OSHA has proposed penalties of \$194,000.

- [Read the News Release](#)

Georgia Fabricator Faces Penalties for Safety Violations

Downey Metal Products Inc. has been cited by the Occupational Safety and Health Administration with 17 serious and three other-than-serious safety and health violations following a complaint concerning workplace hazards at the company's facility in Adairsville, Ga. The serious violations included the company's failure to develop and implement a lockout/tagout program, guard the point of operation on press brakes and drill presses, ensure that a decrease in air velocity in the spray booth could be detected by audible alarm or gauge, and evaluate the facility for permit-required confined spaces. Penalties of \$55,300 have been proposed. Downey Metal Products Inc. specializes in the fabrication and painting of architectural and ornamental metal components.

- [Read the News Release](#)

Company Fined After Worker Severely Injured in 45-Foot Fall

Keyport, N.J.-based Shamrock Construction Group Inc. was cited by the Occupational Safety and Health Administration for an alleged repeat violation found while workers were constructing a new commercial facility in Jersey City, N.J. OSHA's June investigation began in response to a referral from the Jersey City Police Department after a construction worker fell approximately 45 feet while performing steel erection. Carrying a proposed penalty of \$53,900, the repeat violation involved the company's failure to protect a worker from fall hazards while engaged in decking, a process by which corrugated metal sheets are spot welded together and onto structural steel.

- [Read the News Release](#)

Chicago Company Fails to Protect Workers in Trench

Reliable Contracting and Equipment Co. has been cited by the Occupational Safety and Health Administration for three safety violations, including one repeat, for failing to protect workers from cave-ins during trenching operations. OSHA initiated its inspection of the Chicago job site in May under the national emphasis program on trenching and excavations after an agency inspector observed workers in an unprotected trench. Proposed penalties total \$48,510. One repeat violation was cited for failing to provide cave-in protection to workers in a trench more than 5-feet deep. The same violation was cited in July 2012 at a job site in Chicago.

- [Read the News Release](#)

Unstable Trench Nets Rhode Island Company \$56,000 Proposed Fine

Occupational Safety and Health Administration officials, en route to a separate inspection, came across an unstable trench and performed a spot inspection at a roadside work site in Newport, R.I. As a result of that inspection, D'Ambra Construction Company Inc., of Warwick, received one willful violation carrying a proposed penalty of \$56,000. OSHA inspectors found workers in a 7-foot deep trench that did not contain a trench box to ensure their safety. Additionally, inspectors noticed that traffic traveling along the road near the work site caused loose debris to fall from the trench's wall.

- [Read the News Release](#)

Mississippi Manufacturer Cited for Multiple Serious Violations

Delta Oil Mill has been cited for 25 safety and health violations by the Occupational Safety and Health Administration following an inspection at the company's manufacturing facility in Greenwood, Miss. OSHA initiated its

ending Sept. 7, a decrease of 31,000 from the previous week. The four-week moving average was 321,250, down 7,500 from the previous week's revised average.

- [Read the News Release](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

EBSA — Affordable Care Act Compliance Assistance Webcast: Part 1

- [September 17 — Washington, DC](#)

EBSA — Affordable Care Act Compliance Assistance Webcast: Part 2

- [September 18 — Washington, DC](#)

OFCCP — Common Problem Areas for Federal Contractors

- [September 21 — Chicago, IL](#)

OFCCP — National Origin Discrimination

- [September 19 — Omaha, NE](#)

OFCCP — Open House for Community Based Organizations and Federal Contractors

- [September 19 — Richmond, VA](#)

OFCCP — Outreach and Recruitment: The Road to Success

- [September 16 — Chicago, IL](#)

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

- [September 20 — Columbus, OH](#)

OLMS — Compliance Assistance Seminar

- [September 17 — Appleton, WI](#)

OWCP — Town Hall Meeting to assist nuclear weapons workers

- [September 17 — Livermore, CA](#)
- [September 17 — Emeryville, CA](#)

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

- [September 17 — Providence, RI](#)

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inspection in May after receiving a complaint alleging an employee sustained a back injury as a result of falling through a floor opening and landing on a powered industrial truck. Twenty-two violations were issued as serious and included failing to guard wall openings, opened-sided platforms and floor holes without a cover or standard railings; not training employees on the company's lockout/tagout program; blocking access to electrical boxes, and several instances of unguarded equipment. Proposed penalties total \$83,415.

- [Read the News Release](#)

Ohio Manufacturer Cited After Worker Injured by Unguarded Machine

Hinkle Manufacturing Inc. has been cited by the Occupational Safety and Health Administration for a willful safety violation. The company failed to have machine guarding on multiple band saws at its Perrysburg, Ohio, production facility, which led to a worker suffering a laceration injury in May. OSHA has proposed penalties of \$61,600. Hinkle Manufacturing was cited for the same violation after a worker suffered a fingertip amputation by an unguarded band saw in March 2011. The company employs 95 workers and produces custom-designed packaging for items such as automotive glass, bumpers and batteries.

- [Read the News Release](#)

Safety Violations Found at Roofing Company Work Site

Roofing company Six Star Builders LLC has been cited for 12 serious safety violations found at a Hamilton, N.J., work site. The Occupational Safety and Health Administration initiated an inspection last April in response to a police referral regarding a worker who had fallen through a roof when it collapsed. The violations included the company's failure to develop an accident prevention program, inspect the structural integrity of the roof, provide fall protection, and provide worker training on the recognition and avoidance of hazards when engaged in roofing activities. The company faces \$33,600 in proposed penalties.

- [Read the News Release](#)

Masonry Company Faulted for Repeated Fall Hazards

McGee Plastering & Stucco Inc. in Upper Darby, Pa., was cited by the Occupational Safety and Health Administration for 10 alleged safety violations, including five repeat violations, during stucco operations at a new residential construction site in Philadelphia. The company faces \$85,800 in proposed penalties after inspectors responded to a complaint alleging imminent danger at the site. The repeat violations included a lack of fall protection, inadequate planking on working levels, lack of proper access to the working levels, and lack of training for those working on and around scaffolding.

- [Read the News Release](#)

New Orleans Union to Rerun Election

A labor union based in New Orleans has agreed to hold a new officer election under the supervision of the Office of Labor-Management Standards. American Federation of Government Employees Local 3553 will conduct new nominations and a new election for president, 1st vice president, 2nd vice president, treasurer, secretary and chief steward on or before Dec. 12, 2013. An OLMS investigation of the local's election in February disclosed that the union failed to properly count the votes cast when, after the initial tally, additional ballots were retrieved from the post office and included in the final results; failed to follow the AFGE Constitution and the AFGE Election Manual when ballots received after the established deadline were counted as valid ballots; and failed to maintain election records in violation of Section 401(e) of the Labor-Management Reporting and Disclosure Act of 1959.

Decking Subcontractor Repeatedly Exposed Workers to Fall

Tweets [Follow](#)

 US Labor Department 
@USDOL

2h

Today @USDOL provided a \$2.2M+ grant to assist about 645 workers affected by layoffs at @Boeing in #Seattle: ow.ly/oPkXI

Expand

 US Labor Department 
@USDOL

3h

RT @laborsec: Giving Americans the skills to succeed - my op-ed with @CommerceSec Pritzker, via the @baltimoresun: baltimoresun.com/news/opinion/o...

Hazards

Residential decking subcontractor Alvaro Lozano has been cited by the Occupational Safety and Health Administration for four repeat safety violations for exposing workers to fall hazards while they installed roof sheathing on a single-story residential home in Burleson, Texas. OSHA's Fort Worth Area Office opened an inspection in April under the agency's regional emphasis program on fall prevention in construction. Repeat serious violations involved failing to ensure workers use fall protection, provide hard hats and safety glasses, and use ladders that should extend above the landing surface by at least 3 three feet. Penalties of \$45,100 have been proposed.

- [Read the News Release](#)

Follow-up Inspection Reveals Violations at Georgia Medical Facility

Atlanta Health Careers Institute LLC in McDonough, Ga., has been cited by the Occupational Safety and Health Administration for one failure-to-abate and one serious health violation after a May follow-up inspection. The failure-to-abate violation involved the employer's failure to train workers in the bloodborne pathogen program. A serious citation was issued for not making the Hepatitis B vaccine available to workers exposed to potential bloodborne pathogen hazards. Penalties of \$62,000 have been proposed.

- [Read the News Release](#)

Minimum Wage, Overtime Violations Found at Florida Hotel

The Castillo Real in St. Augustine, Fla., has paid 13 employees \$17,890 in back wages after an investigation by the Wage and Hour Division found violations of the Fair Labor Standards Act's minimum wage and overtime provisions. The investigation revealed that the hotel used Maja LLC, a staffing company, to obtain workers for essential hospitality services, but failed to pay the required overtime rate for hours worked in excess of 40. Additionally, in some workweeks, employees' wages fell below the required minimum wage. The investigation was conducted under an ongoing enforcement initiative focused on strengthening labor law compliance in Florida's hotel and motel industry.

- [Read the News Release](#)

Exit Routes Blocked at Chicago Manufacturer, Inspection Finds

Edsal Manufacturing has been cited with a \$75,000 penalty by the Occupational Safety and Health Administration for nine violations for allowing stored materials to impede exit routes at the Chicago industrial furniture production facility. The inspection was prompted by a complaint to OSHA alleging unsafe work practices. The same violation was cited at the facility in April 2011. The company also was cited for failing to train workers on the use of personal protective equipment, have a hearing conservation and respiratory protection program, and prevent exposure to powder paint particulates in excess of permissible exposure limits.

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