



DOL News Brief

September 26, 2013

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

**Protecting Children, Victims
Of Forced Labor**



During this centennial year, the Bureau of International Labor Affairs is celebrating several milestones of its own. Now in its 65th year, ILAB was founded on Oct. 10, 1947, by President Harry S. Truman to foster U.S.

international labor relations. ILAB gained a host of new tools for combating child labor when the bureau's Office of Child Labor, Forced Labor and Human Trafficking was established in 1993. At first, the office was solely responsible for research on international child labor, but soon grew to provide technical assistance to governments and organizations around the world. The international community gained a major lever in the fight against child labor with the adoption in 1999 of the International Labor Organization's Convention 182 on the Worst Forms of Child Labor. It was ratified by the United States that December, in large part because of the passion and leadership of then-Secretary of Labor Alexis Herman. The following year, Congress passed the Trade and Development Act,

giving OCFT a new function: issuing the annual *Findings on the Worst Forms of Child Labor* report, which analyzes progress by 143 countries. Senator Tom Harkin of Iowa was a driving force behind the TDA, and he remains a staunch supporter of ILAB's mission. To mark the release of the 12th edition of the TDA report, Secretary Perez will be joined by Sen. Harkin and Secretary Herman at a department event on Sept. 30, where these three pivotal figures in the fight against child labor will look back on how far we've come and where we go from here.



- [RSVP for the Sept. 30 Event](#)
- [Learn More About OCFT](#)
- [View the Centennial Timeline](#)
- [View the Centennial Video](#)

What's New

Counting Down to Health Care Enrollment

As the days count down to the opening of the Health Insurance Marketplace on Oct. 1, Secretary Thomas E. Perez issued a reminder that, with the passage of the Affordable Care Act uninsured Americans will be able to sign up for previously unavailable low-cost health benefits. On Sept. 23, Perez



visited San Antonio College to address approximately 200 students and residents of the community. Joined by San Antonio Mayor Julian Castro, Rep. Lloyd Doggett, health care experts and college officials, Perez talked about available online assistance that compares the costs of various health care plans. For the more than 10 million Latinos currently uninsured, he announced that the information will be available in Spanish beginning on Oct. 15 at CuidadoDeSalud.gov. Afterward, Perez met with students from Project QUEST, a job training program recognized for its workforce development efforts and the recipient of a \$5 million H-1B Technical Skills Training grant. Some of the students shared how the program has helped them develop skills they need to work in nursing and allied health occupations.

- [Visit healthcare.gov](http://healthcare.gov)
- [View the Slideshow](#)

Creating Opportunity for Students

During a second stop in San Antonio, Secretary Perez delivered the keynote address at the Dean's Distinguished Lecture Series at the University of Texas. Perez touched on his life experiences as a child of immigrants and the need for comprehensive immigration reform. He also discussed how the Department of Labor is the Department of Opportunity. "Today, I met a 37-year-old mother of three wanting to create a better life for herself," said Perez. "She wanted to become a nurse, and Project QUEST is helping her do that." With Texas having the highest rate of people without health insurance, Perez emphasized the importance of the Affordable Care Act. He was joined by Dean of the UTSA College of Public Policy Rogelio Saenz and former Rep. Charlie Gonzalez.



- [View the Slideshow](#)

AFFORDABLE CARE ACT MYTH BUSTER

Myth: The Affordable Care Act will cause people to lose their jobs.

Not true: Although the Great Recession ended in June 2009, the U.S. workforce continued to lose an average of 147,000 jobs a month until March 2010, the same month in which the ACA was signed into law, and the month in which the nation started adding jobs. Between February 2010 and August 2013, the economy added an average of 177,000 private sector jobs per month. Major provisions of the ACA have been phased in gradually over the past two years, and economic recovery has continued throughout that time.

- [Learn More About the ACA](#)
- [Read the Jobs Report](#)

(Work in Progress) The Best of Our Blog

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

- [Five Years Later, a Nation in Recovery with Challenges Still Ahead](#): Five years ago, in September 2008, our economy suffered the worst financial crisis in decades, hitting Wall Street and Main Street alike and affecting the jobs, homes, savings and economic security of millions. Looking back on the half-decade since, Secretary Perez reflects on how President Obama's leadership and the resilience of the American people helped us clear away the rubble and begin laying a stronger foundation for economic growth and widely-shared prosperity. He also lays out the case for urgent action and common purpose, calling for investments in manufacturing, infrastructure and training that will help people gain the skills they need to succeed in 21st-century jobs. "It's been a long road back," he writes. "But it's not over yet. The economy is still not performing at its potential. We need more rapid growth, more job creation, more pathways to success, more ladders of opportunity with sturdy rungs that give people a foothold in the middle class."
- [Job Corps and the Power of Soft Skills](#): Grace Kilbane, the national director of Job Corps, writes about the importance of "soft skills" such as communication, networking, enthusiasm, teamwork, problem-solving, critical thinking and professionalism, to the career success of all workers. These skills are important parts of the Job Corps experience, as exemplified by the experience of a Maine Job Corps student who succeeded in large part because of her focus on teamwork, mentoring and joining a community.
- [How Can We Make Our New Rules Work for You?](#): On the 40th anniversary of the Rehabilitation Act, which prohibited discrimination against qualified workers with disabilities in programs supported by federal tax dollars, Debra Carr — director of the Office of Federal Contract Compliance Programs' Policy Division — highlights the tools that are available to help

- [Follow Secretary Perez on Twitter](#)
- [Like Secretary Perez on Facebook](#)

National News

Bank of America Ordered to Pay Nearly \$2.2 Million in Back Wages

An administrative law judge has ordered Bank of America Corp. to pay 1,147 African-American job applicants nearly \$2.2 million in back wages and interest for race-based hiring discrimination at the company's Charlotte, N.C., facility. The case's roots extend to November 1993, when the Office of Federal Contract Compliance Programs initiated a routine compliance review that revealed indications of systemic hiring discrimination. After conciliation efforts failed, the Solicitor of Labor in 1997 filed an administrative complaint against the company. In an earlier ruling, the judge determined that unfair selection criteria resulted in the rejection of qualified African-American applicants. In addition to paying back wages and interest, the ruling orders Bank of America to extend job offers to 10 class members as positions become available.

- [Read the News Release](#)

Improving Employment for People With Disabilities and Veterans

Two final rules to improve hiring and employment of veterans and people with disabilities were published in the Federal Register on Sept. 24. First announced by Vice President Biden in August, the department's rules will become effective on March 24, 2014. Federal contractors will be required to comply with most of the requirements by that date. However, some contractors may have additional time to comply with requirements that relate to affirmative action plans. Contractors with affirmative action plans in place on March 24 may maintain them until the end of their plan year and delay their compliance with the final rule's affirmative action plan requirements until the start of their next plan cycle.

- [Read the News Release](#)
- [Read Section 503 Final Rule](#)
- [Read VEVRAA Final Rule](#)

New Funding Model Launched — Pay for Success

Grants totaling \$24 million were awarded to New York and Massachusetts on Sept. 23 under a new funding model called Pay for Success. The goal of this innovative model is to ensure that public funds are awarded to programs that have achieved positive, measurable outcomes. Under Pay for Success, private investors provide the financial capital to cover the operating costs for the programs, and the department disburses the awarded funds if and when those programs demonstrate that they have achieved the targeted outcomes. The programs supported by the grants are aimed at increasing employment and reducing recidivism among formerly incarcerated individuals.

- [Read the News Release](#)

18 States Awarded Grants for Disability Employment Initiative

The fourth round of Disability Employment Initiative grants was awarded on Sept. 26. Eight states received a total of \$18,597,758 to provide education, training and employment opportunities for youth and adults with disabilities. The DEI program is designed to improve coordination and collaboration among employment and training programs implemented at state and local levels. It also builds effective community partnerships that leverage public and private resources to better serve individuals with disabilities and improve their employment outcomes with career pathway jobs that lead to

ensure contractors comply with new rules that promote hiring of veterans and people with disabilities.

Focus on Data and Evidence

Deputy Secretary Seth D. Harris spent Sept. 26 talking to different groups regarding two of the Obama administration's



priorities: evidence-based decision making and STEM training, which focuses on careers in science, technology, engineering and mathematics. Beginning the day at an event hosted by Results for America, Harris led a five-person panel in discussions on whether "The Federal Government Can Play Moneyball" — leaning on the same data and evidence-intensive strategies pioneered by Billy Beane and the Oakland A's — to make government more efficient and effective. In the afternoon, Harris addressed the STEMConnector "100 CEOs" event in Arlington, Va., and stressed the importance of collaboration and corporate leadership in training the next generation of STEM workers. "Those of you in this room have demonstrated your commitment to living up to that responsibility," Harris said. "But commitment is not enough. You must become evangelists for the cause. Organize employers in your industry or in your region so that they will understand the importance of workforce development, and engage with the public institutions that stand ready to work with them. If we are going to transform the workforce investment system, we need the partnership of corporate leadership."

La Raza Alliance Renewed



An alliance between the National Council of La Raza and the Occupational Safety and Health

Administration was renewed on Sept. 20 in

Washington, D.C. Forged in 2011, the alliance connects access to safety and health training resources with vulnerable worker populations — including those who are low-wage and have limited English proficiency — in the construction, health care, service and "green" industries. At the signing ceremony, Dr. David Michaels, assistant secretary of labor for occupational safety and health, was joined by Janet Murguía, president and CEO of the National Council of La Raza.

- [Learn About the Alliance](#)

Advice for Student Veterans

Once again, Twitter is being used by the Veterans' Employment and Training Service as

economic self-sufficiency.

- [Learn About the Disability Employment Initiative](#)
- [Read the News Release](#)

Grants to Improve State Unemployment Insurance Programs

The department announced awards to 40 state workforce agencies on Sept. 26 to improve the performance of and reduce improper payments within the Unemployment Insurance program. The grants are intended to support the prevention and detection of improper UI benefit payments, improve state performance and address outdated information technology system infrastructures necessary to improve UI program integrity. These integrity investments will supplement strategies already employed by states to improve prevention, detection and recovery of improper payments.

- [Read the News Release](#)
- [Learn About DOL Efforts to Prevent UI Improper Payments](#)

Enhancing Job Opportunities for People with Disabilities

The Office of Disability Employment Policy has announced \$9.7 million in continued funding for organizations managing consortia that develop models, provide technical assistance and share best practices to improve employment opportunities for people with disabilities. "We must provide every opportunity for people with disabilities — and more fully integrate them into the workforce and into the economic life of the nation," said Secretary Perez. "These grants will help better connect people with disabilities with employers who can greatly benefit from their skills and experience."

- [Read the News Release](#)

News You Can Use

Guidance for Colorado Cleanup Efforts

Colorado workers, residents and businesses engaged in post-flood activities are urged to protect themselves against hazards as cleanup efforts continue and rebuilding activities begin. The Occupational Safety and Health Administration is providing informational resources about protective measures that should be employed during cleanup work. Fact sheets, quick cards and other educational materials on safe work practices and personal protective equipment are currently available at many Disaster Assistance and Recovery Centers along the Front Range. Workers and residents can be exposed to many safety and health hazards while restoring electricity, communications, water and sewer services; and engaging in demolition activities and tree trimming.

- [Read the News Release](#)
- [Read About Flood Response and Recovery](#)

International Scene

Bilateral Talks on Jobs, Workplace Safety

Secretary Perez sat down with Italian Minister of Labor and Social Policies Enrico Giovannini at department headquarters on Sept. 24 to exchange views on the challenges facing workers in the United States and Italy. The two discussed the approaches of both governments in addressing unemployed youth and long-term unemployed workers, as well as the misclassification of workers. Both



unemployed workers, as well as the misclassification of workers. Both



a vehicle to deliver helpful information to veterans trying to make the next step in their careers. In its fourth #VetsJobsChat, which took place on Sept. 25, VETS partnered with representatives from Student Veterans of America, Department of Veterans Affairs, the Consumer Financial Protection Bureau, other agencies and veterans service organizations. The forum was organized to help veterans make informed decisions about how to use their benefits for education services and what tools are available to help them find good training opportunities. The hour-long chat was divided into sections covering three main topics: how to outline career goals and file for educational benefits, strategies for success while enrolled in an educational program, and what career resources and tools are available and how to access them.

- [Read a Recap of the #VetsJobsChat](#)

Guidance for Oil and Gas Ops

The Occupational Safety and Health Administration has teamed up with groups in Ohio and Texas to promote safety in the oil and gas industry. In Ohio, OSHA is working with the Buckeye Service Transmission, Exploration and Production Safety Network. The voluntary alliance will provide participating Ohio companies with guidance and access to training resources to address hazards associated with oil and gas operations. In Texas, a region-wide alliance with the Association of Energy Service Companies was signed this week by OSHA's Dallas regional office. The goal of the alliance is to promote understanding of workplace safety and health and the rights and responsibilities of workers and employers.

- [Read the Ohio News Release](#)
- [Read the Texas News Release](#)

Employment First Strategies



In an effort to promote federal support for a National Employment First Strategic Policy Framework, Assistant Secretary for Disability Employment Policy

Kathy Martinez spearheaded an Employment First Policy Education Series Sept. 18-20 in Washington, D.C. Employment First is a framework for systems change centered on the premise that all citizens, including individuals with the most significant disabilities, are capable of full participation in integrated employment and community life. National experts and state officials leading Employment First systems change initiatives briefed leaders from multiple federal agencies on innovative state strategies to increase integrated employment opportunities for

agreed on the need for governments to work closely with the business community, workers and educators, as well as share information between countries, to create new jobs and help workers access employment opportunities. Perez and Giovannini also agreed to work more closely together within the G20, particularly with respect to youth employment, building safer workplaces and developing closer and more effective relationships between ministries of labor and finance. Four days earlier, Perez hosted a bilateral meeting with State Secretary for Work and Pensions for the United Kingdom Iain Duncan Smith. Their discussion focused on G20 initiatives, efforts to promote jobs and connect welfare recipients with the labor market, and the long-term unemployed.

- [View the Slideshow](#)

DOL Working for You

Atterbury Job Corps Student Aims for Medical Degree

Weyni Hailemariam hopes to turn the health-care training she earned at Indiana's Atterbury Job Corps Center into a medical degree she can take back to her country of Eritrea in Northeast Africa. When she came to Atterbury in 2011, Hailemariam admits she was a little "confused by the new country and language." But she soon adapted and graduated from Atterbury with her high school diploma and a certified nursing assistant certificate. Currently,



Hailemariam takes nursing courses at the local Ivy Tech Community College, with a projected graduation date in 2015. Grants and financial aid subsidize her tuition, while her living expenses and transportation are covered by the center. Hailemariam receives program guidance through the Atterbury Advanced Career training program and through a partnership with the college, according to the center's Business and Community Director Jeff Byrd. Eventually, she hopes to become a doctor. "There is a shortage of doctors in my country, and I want to help my people," Hailemariam said.

- [Learn About Job Corps Enrollment](#)

DOL in Action

Nebraska Food Storage Facility Cited for Ammonia Exposure

Nebraska Cold Storage Inc. has been cited for 14 safety violations and fined \$132,800 by the Occupational Safety and Health Administration for exposing workers to anhydrous ammonia at its Hastings, Neb., facility. The company has been placed in OSHA's Severe Violator Enforcement Program. The March inspection, which was initially conducted under OSHA's high-hazard local emphasis program, expanded to include all items within the agency's national emphasis program for process safety management for covered chemical facilities. The company provides basic storage and shipping services for the frozen, refrigerated and perishable food industries.

- [Read the News Release](#)

California Car Detailer to Pay \$292,000 in Back Wages, Damages

Automotive detailer Interior Magic of California LLC, and officers Frank and Tammy Hallberg, have agreed to pay \$292,000 in back wages and liquidated damages to 205 current and former employees, plus pay \$34,408

citizens with significant disabilities. "The Department of Labor is committed to ensuring that youth and adults living with significant disabilities have a plethora of chances to seek and gain meaningful integrated employment opportunities, and receive real wages for real jobs," said Martinez.

Steelworkers' Safety Conference

Approximately 2,000 United Steelworkers safety representatives and managers welcomed the heads of the Occupational Safety and Health



Administration and Mine Safety and Health Administration during USW's 2013 Health, Safety and Environment Conference in Pittsburgh on Sept. 25. Assistant Secretary of Labor Dr. David Michaels, who heads OSHA, kicked off the conference with a plenary presentation highlighting the agency's proposed rule to protect workers exposed to crystalline silica. Michaels was joined on stage by USW member Alan White, who contracted silicosis while working in a foundry.



Later that day, Assistant Secretary of Labor Joseph A. Main, who heads MSHA, discussed the numerous challenges that have confronted

his agency over the past several years, including the backlog of contested violations, consistency in enforcement and shortcomings in mine emergency response. Main contrasted the list of challenges with a number of achievements, such as improvements in compliance, record low fatality and injury rates, and significant reductions in coal mine dust levels.

Affordable Care Act Outreach

Outreach to employers on Affordable Care Act implementation continued with staff from the Employee Benefits Security Administration's L.A. Regional Office conducting a presentation for small business owners in Studio City, Calif. The Sept. 24 event was sponsored by the Universal City North Hollywood Chamber of Commerce. Similar presentations will be held in New York and Georgia. These events follow two webcasts that one week earlier attracted nearly 6,800 participants.

- [Listen to Webcasts](#)

Final Rule for Black Lung Program

Two entitlement benefit amendments to the Black Lung Benefits Act were implemented in a final rule announced on Sept. 25 by the Office of Workers'

in civil money penalties. An investigation by the Wage and Hour Division found the Torrance-based company willfully violated the Fair Labor Standards Act's overtime, minimum wage and record-keeping provisions. The employer made illegal deductions from employees' wages, did not pay workers an overtime premium for hours worked beyond 40 in a week, and improperly classified some nonexempt employees as exempt from overtime pay. Interior Magic services 17 major car dealerships throughout Southern California.

- [Read the News Release](#)

Ohio Whistleblower Who Reported Bedbugs Awarded Back Wages

A federal court in Cincinnati has ordered S.E.M. Villa II Inc., a nonprofit corporation that operates retirement facility S.E.M. Terrace in Milford, Ohio, to pay a former resident manager \$20,000 in back wages. The case involves violations of the whistleblower provisions of the Occupational Safety and Health Act of 1970. The complaint alleged that the employer terminated the resident manager for filing a complaint with the Clermont County General Health District stating that S.E.M. Villa II had been ineffective in handling a bedbug infestation at the retirement home.

- [Read the News Release](#)

Inadequate Worker Safeguards Found at New York Facility

A Smithtown, N.Y. health-care center faces \$41,000 in Occupational Safety and Health Administration fines following an inspection by OSHA's Long Island Area Office. The inspection found that Avalon Gardens Rehabilitation & Health Care Center Inc. failed to research and document the use of safer medical devices to reduce occupational exposure to bloodborne pathogens arising from needlestick injuries, a requirement under OSHA's bloodborne pathogen standard. The facility also failed to provide eye protection for nurses, properly store and dispose of contaminated clothing and gloves and provide training to workers on proper disposal procedures. Additional violations included a wet floor due to an unconnected drain, an obstructed exit route, unmarked exit doors, lack of an eyewash station for workers using sanitizers, an exposed electrical panel, and improper storage of compressed gas cylinders.

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

Former Madoff Accountant Arrested

The U.S. Attorney for the Southern District of New York has announced the arrest of former Bernard Madoff accountant Paul J. Konigsberg on two counts of conspiracy, one count of falsifying the books and records of a broker-dealer, one count of falsifying the books and records of an investment advisor, and one count of making false statements in a document required to be kept by the Employee Retirement Income Security Act. Konigsberg faces a maximum sentence of 40 years in prison. The arrest follows a multi-agency investigation that included investigators with the Employee Benefits Security Administration's New York Regional Office and the department's Office of the Inspector General.

- [Read the News Release](#)

Texas Tank Cleaner Exposed Workers to Chemical Hazards

Rucker Environmental Services LLC, doing business as All Type Environmental Cleaning & Repair, was cited by the Occupational Safety and Health Administration for 33 safety and health violations for failing to protect workers from chemical hazards. A complaint inspection began in March at the Pasadena, Texas, facility, where tanks are cleaned with a variety of chemicals. Violations cited included failing to properly contain, segregate and store chemicals; test confined spaces and provide a rescue plan; train workers and provide information on hazard communications; train and certify powered industrial trucks; correct various electrical hazards; provide

Compensation Programs. Commonly called the Byrd Amendments, after their sponsor, the late West Virginia Sen. Robert C. Byrd, these provisions were eliminated in 1981 and then enacted in the Patient Protection and Affordable Care Act passed in 2010. The first amendment mandates a presumption of total disability or death caused by pneumoconiosis for coal miners who worked at least 15 years in underground (or comparable surface) mining and who suffer or suffered from a totally disabling respiratory impairment. The second provides automatic entitlement for eligible survivors of miners who were themselves entitled to receive benefits as a result of a lifetime claim.

- [Read the News Release](#)
- [Read the Final Rule](#)

Workforce Development

The Southeastern Employment and Training Association held its 2013 Fall Conference the week of Sept. 23 in Lexington, Ky. Eric Seleznow,



acting assistant secretary of labor for employment and training, delivered the keynote address. In his remarks, Seleznow shared the department's vision for improving the workforce development system and how his experience at the local, state and federal levels shaped his approach to building a more integrated system. On Sept. 24, Seleznow visited Simpsonville, Ky., where he met with students and administrators at the Whitney Job Corps Center.

Guide for Miners' Reps



Miners' representatives play an important role in helping ensure healthy and safe working conditions and practices. Their knowledge of the work

site can provide federal inspectors with a great deal of useful information. Consequently, the Mine Safety and Health Administration has published a comprehensive tool for these designated individuals. The "Miners' Representative Guide," available both as a handbook and online tool, provides detailed information about reporting hazardous conditions and imminent dangers, accident investigations, petitions for modification of a safety standard, rights to information and records, civil penalties and requests under the Freedom of Information Act.

- [Read the News Release](#)
- [Read the Guide](#)

Unemployment Challenges

Despite the steadily improving economy, the plight of the long-term unemployed — those jobless for more than 26 weeks — remains a concern among

emergency eyewash and shower stations; provide personal protective equipment, such as respirators; properly test air quality and provide fall protection. The company faces a penalty of \$83,300.

- [Read the News Release](#)

Former New Jersey Union Officer Sentenced to Prison

Gregory Taylor, former secretary-treasurer of International Longshoremen's Association Local 1233 in Newark, N.J., has been sentenced to six months in prison and six months of home confinement after pleading guilty to embezzling funds from the union. He also was ordered to pay \$71,000 in restitution. In February, Taylor pleaded guilty in U.S. District Court for the District of New Jersey to embezzling union funds. An Office of Labor-Management Standards investigation revealed that, from 2005 to 2010, Taylor issued himself extra paychecks and bought gift cards and airline tickets with union money.

New York Contractors Faulted for Hazards at Midtown Manhattan Hotel

Four New York contractors were cited by the Occupational Safety and Health Administration for safety hazards found at the construction site of a midtown Manhattan hotel on March 21. OSHA inspectors were called to the site after complaints regarding fall hazards at the W. 33rd St. work site. Inspectors found that workers were exposed to potentially fatal falls of up to 26 feet while working on scaffolding without proper fall protection, such as guardrails and personal fall-arrest systems. Flintlock Construction Services LLC, V&P Altitude Corp., SMK Associates and Maspeth Steel Fabricators Inc. face fines totaling \$272,720.

- [Read the News Release](#)

Manufacturer Reaches Settlement in Wage Discrimination Lawsuit

Medtronic Interventional Vascular Inc. of Danvers, Mass., has reached an agreement with the Office of Federal Contract Compliance Programs to pay 78 Hispanic employees \$290,000 in back wages and interest for pay disparities dating back to April 2008. Under the terms of the consent decree, Medtronic also will conduct training on its equal employment opportunity programs for those involved in making decisions about compensation and to ensure that all of the company's pay practices fully comply with the law. Medtronic, a federal contractor, had discriminated against the Hispanic production associates by paying them less than their white counterparts, in violation of Executive Order 11246.

- [Read the News Release](#)

Collapsed Decking Injures Worker, Contractor Cited

RNC Industries LLC of Holtsville, N.Y. was cited by the Occupational Safety and Health Administration for repeat and serious violations after a worker was injured when decking collapsed at a Manhattan construction site. Employees were constructing a deck on the second-floor level when one of the workers stepped on a support beam that collapsed, causing the worker to fall 15 feet to the ground. Inspectors found that the support system had not been inspected for defects and that there was no fall protection. The contractor faces a \$58,410 fine.

- [Read the News Release](#)

Mine Inspectors Discovered Almost 240 Violations in August

Federal mine inspectors unearthed nearly 240 violations at 14 mining operations around the country in August. In its monthly wrap-up of specially targeted impact inspections, the Mine Safety and Health Administration announced on Sept. 26 that JJ&E Coal Corp.'s Horse Creek Mine No. 2 in McDowell County, W.Va., was issued 36 citations and 10 orders for a number of serious violations. Mine inspectors found excessive accumulations of loose coal and coal fines on the entire length of two of the

labor market experts. On Sept. 23, the Urban Institute hosted a roundtable discussion in Washington D.C. to address the long-term unemployment issue. Dr. Jennifer Hunt, the department's chief economist, was on hand to discuss the Obama administration's efforts to expedite the employment of individuals who have experienced joblessness for more than 26 weeks, including greater funding for job training programs that specifically target the long-term unemployed. The roundtable also covered whether economic growth alone can be a solution to long-term unemployment and efforts to keep these individuals from becoming discouraged about their job prospects.

YouthBuild Grantees Orientation

The department hosted new and current YouthBuild grantees for the annual YouthBuild New Grantee Orientation on Sept. 24 and 25. The two-day orientation introduced new grantees to the fundamentals of developing a successful program, while past grantees were on hand to share best practices and facilitate a discussion on how to improve student performance. Topics of discussion included effective financial management, hiring staff and recruiting students. Eric Seleznow, acting assistant secretary of labor for the Employment and Training Administration, joined the grantees on the second day and offered department support in their goal to prepare at-risk youth for good jobs in growing industries.

Weekly UI Claims

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 305,000 for the week ending Sept. 21, a decrease of 5,000 from the previous week. The four-week moving average was 308,000, down 7,000 from the previous week's revised average.

- [Read the News Release](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

ILAB — DOL's Enduring Commitment to Ending the Worst Forms of Child Labor

- [September 30 — Washington, DC](#)

OASAM — Vendor Outreach Session

- [October 16 — Washington, DC](#)

OFCCP — Employment 411 Seminar

- [October 30 — Columbus, OH](#)

WHD — Home Care Final Rule Webinar: Northeast Region

- [October 3 — Washington, DC](#)

mine's conveyer belts. They also cited the mine operator for violating roof support, ventilation, electrical and surface regulations, and observed roof bolting machine operators installing roof bolts with no ventilation curtain. Operating mining machinery without adequate ventilation exposes miners to respirable dust that can lead to black lung, and it can result in accumulations of gas and coal dust that increase the chance of a fire or explosion.

- [Read the News Release](#)

Detroit Company Failed to Pay Federal Prevailing Wage

The Wage and Hour Division has recovered \$132,551 in back wages for 27 laborers and mechanics of Detroit-based Tri-County Building LLC, who were not paid federal prevailing wage rates, and one manager who was misclassified as exempt from overtime. These employees had been working on four Housing and Urban Development projects in Detroit. The investigation found violations of the Davis-Bacon and Related Acts and the Fair Labor Standards Act, including failure to pay mandatory fringe benefits and maintain accurate records of all employees performing work at various job sites, as well as omitting some workers from certified payroll records.

- [Read the News Release](#)

Workers at Massachusetts Site Lacked Cave-in Protection

Potentially fatal cave-in hazards at a Chelsea, Mass., work site have resulted in \$34,400 in proposed fines for Tufts Inc., a Medford, Mass., contractor. Responding to a complaint about unsafe conditions, Occupational Safety and Health Administration inspectors observed workers installing a sewer pipe in an unprotected, 7-foot-deep excavation. The workers in the excavation not only lacked protection against a potential wall collapse, they were also without a ladder or other safe means of entry or exit. Additionally, water had begun to accumulate and potentially undermine the bottom of the excavation, while asphalt at the top of the excavation was not supported and threatened the workers below. OSHA standards require that excavations 5 feet or deeper be protected against collapse.

- [Read the News Release](#)

Inspection Finds Safety Violations at New Jersey Shirtmaker

Individualized Shirt Co. of Perth Amboy, N.J., has been cited by the Occupational Safety and Health Administration for 13 health and safety violations. OSHA proposed \$50,400 in penalties following its April inspection that was opened in response to a complaint. Violations included the company's failure to ensure unobstructed emergency exit routes, develop a written emergency action plan, prevent exposure to electrical hazards, and develop a hazard communication program for those workers exposed to hazardous chemicals.

- [Read the News Release](#)

Blocked Exit Routes Found at New Jersey UPS Center

United Parcel Service Inc. faces \$45,000 in proposed penalties from the Occupational Safety and Health Administration for safety hazards found at the company's processing and distribution center in Secaucus, N.J. OSHA conducted an investigation in March that found one repeat violation involving blocked exit routes. The company was cited for a similar violation in 2009 and entered into a corporate-wide settlement agreeing to abate the hazard. The March investigation also found one serious violation for lack of guarding on extendable conveyors.

- [Read the News Release](#)

Educating Workers on 'Struck-by' Vehicle Incidents

In the past five years, 15 percent of all workplace fatalities investigated by the Occupational Safety and Health Administration's Kansas City, Mo., regional office have involved struck-by vehicle accidents. Struck-by injuries and fatalities are caused by conventional traffic/passenger vehicles, forklifts

WHD — Home Care Final Rule Webinar: Western Region

- [October 8 — Washington, DC](#)

WHD — Home Care Final Rule Webinar: Midwest Region

- [October 10 — Washington, DC](#)

WHD — Home Care Final Rule Webinar: Southeast Region

- [October 15 — Washington, DC](#)

WHD — Home Care Final Rule Webinar: Southwest/Mountain Region

- [October 17 — Washington, DC](#)

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US Labor Department 2h
@USDOL

You're invited: @USDOL will release report on worst forms of #ChildLabor on 9/30 at 2pm. Attend or watch livestream. ow.ly/d/1xMb

Expand



Safety.Data.Gov 24 Sep
@SafetyDataGov

Curious about chemicals surrounding workers on the job? View sampling #OpenData from @USDOL's #OSHA go.usa.gov/TA6F

Retweeted by US Labor Department

and other moving, powered industrial equipment, such as cranes and yard trucks. Consequently, OSHA is continuing its regional outreach initiative in Missouri, Iowa, Kansas and Nebraska to educate workers and their employers about preventing such accidents. Educational materials are available in both English and Spanish through local OSHA offices.

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Florida Pallet Repairer Faces Fines for Unsafe Work Conditions

Pallet Companies Inc., doing business as IFCO Systems North America Inc., has been cited by the Occupational Safety and Health Administration with four safety and health violations following a July inspection at the company's Jacksonville, Fla., facility. The violations included failing to develop, document and use procedures to control potentially hazardous energy while servicing or maintaining equipment; ensure conductors were protected from abrasion when entering cutout boxes, cabinets or fittings; and verify whether the required workplace hazard assessment had been conducted through a written certification process. OSHA initiated the inspection in response to a complaint it received. Penalties of \$61,600 have been proposed.

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Metal Workers Exposed to Uncontrolled Energy Sources

Extruders Inc., a division of Atrium Companies Inc. in Wylie, Texas, was cited by the Occupational Safety and Health Administration for 15 safety violations for failing to protect workers from the inadvertent start-up of machinery during maintenance. OSHA's Dallas Area Office began its March inspection of the company's Hensley Lane location following complaints about safety hazards. A willful safety violation was issued for failing to develop written procedures and make them available to workers. Some of the 14 serious violations cited included failing to ensure and verify a workplace hazard assessment; provide eye protection to workers with prescription eyeglasses; conduct periodic inspection of lockout/tagout operations; provide lockout/tagout training for affected workers; and ensure the use of specific shift change procedures to prevent serious injuries or fatalities. The company faces \$166,000 in proposed penalties.

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South Carolina Marina Faces Penalties for 32 Safety Violations

Hazzard Marine LLC has been cited by the Occupational Safety and Health Administration for 28 serious and four other-than-serious safety and health violations. The citations followed a May inspection prompted by a complaint at the marina in Georgetown, S.C. The violations included the employer's failure to develop and implement a written respiratory protection program; identify and evaluate respiratory hazards in the workplace; designate a competent person to perform inspections and tests, such as air sampling in a confined space; and ensure visual inspection of spaces containing combustible or flammable liquids before workers' initial entry. Proposed penalties total \$59,200. Hazzard Marine provides services for boat repair, cleaning, storage, dock rental and refitting.

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Safety Fines Proposed for 7 Stores in New York Grocery Chain

The Occupational Safety and Health Administration has cited seven Trade Fair Supermarkets stores in Queens, N.Y., for 40 violations of workplace safety standards. The local grocery store chain faces \$128,000 in proposed fines. "Our inspections found a disturbing and unacceptable pattern of similar hazards in several stores," said Kay Gee, OSHA's area director for Queens, Manhattan and Brooklyn. At all seven stores, OSHA found butchers operating band saws with unguarded blades and other workers

using cleaning products without protective eye gear, exposing them to lacerations, amputations and eye injuries. Four of the stores had locked or blocked exits, obstructed exit access and unlit or missing exit signs that would compromise a swift and safe exit of the stores in the event of a fire or other emergency.

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