



DOL News Brief

November 14, 2013

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

Rapid Progress  
In Our First Quarter Century



In March 1938, the Department of Labor was a spry 25 years old, but it had — especially since the beginning of the term of its visionary Secretary Frances Perkins — made rapid and transformative progress

in securing new benefits and protections for working Americans. Perkins presided over a celebration of that progress at a banquet at the Mayflower Hotel in Washington on March 3. The event featured remarks by American Federation of Labor President William Green and other labor leaders; Sen. Robert F. Wagner; Henry I. Harriman, ex-president of the U.S. Chamber of Commerce; and Perkins. One feature of that year's banquet was a performance of selections from "Pins & Needles," a production of the International Ladies Garment Workers Union then running at the Labor Stage on Broadway. The musical was composed by Charles Friedman and Harold J. Rome and featured numbers with titles like *Vassar Girl Finds a Job* and *Economics I*. A letter from President Franklin D. Roosevelt, which was read at the ceremony, recognized the unprecedented expansion of workers' rights that the department

had helped facilitate in just 25 years: "The quarter of a century that has passed since it came into being has been marked by significant changes in our conception of the rights of wage earners. Today there is a general recognition that there should be a floor to wages and a ceiling to hours, that there should be adequate annual income, that working conditions should be safe and healthy and that child labor be eliminated from industry... Out of this program upon which we are now embarked will come far reaching benefits, not only to wage earners but to all our people in the years to come."



- [View the Centennial Timeline](#)
- [View the Centennial Video](#)
- [Suggest a Centennial Moment](#)

What's New

Perez "Gets a Lift" with Apprentices at Tampa Electric



Secretary of Labor Thomas E. Perez met with apprentices, instructors and executives at the Tampa Electric Company on Nov. 14 to discuss the company's high-skills apprenticeship program, which provides apprentices with hands-on training to help them more easily enter the workforce.

Touring the state-of-the-art facility in Tampa, Fla., where apprentices are trained as electricians, line installers and field service engineers, Perez observed students learning how to work on an electric pole and how to drill holes with heavy machinery. He even accompanied a student on a lift used to install and maintain electric lines. Tampa Electric's apprenticeship program currently has 78 active apprentices (including veterans) and 2,400 employees in the Tampa area. Perez was joined on his tour by Gordon Gillette, company president; Bill Whale, senior vice president; and Steve Dosal, manager of the Energy and Skills Training department.

- [View the Slideshow](#)

Government, Business in All-Out Effort to Help Vets Find Jobs

During remarks he delivered at the U.S. Chamber of Commerce Foundation 3rd Annual Hiring Our Heroes Awards Dinner on Nov. 12 in Washington, D.C., Secretary Perez noted that transitioning service members and veterans "have an enormous contribution to make to our economy," and it is



essential that the federal government work with American businesses to help these heroes "succeed in the civilian economy." Perez said the department "is an important part of that effort — honoring our veterans' sacrifice by preparing them for the workforce, helping them and their family members find jobs, and protecting their employment rights." Equally important is the "all-hands-on-deck effort," with multiple parties like business, unions, Veterans Service Organizations and the government uniting around a common mission of creating jobs and hiring veterans to fill them. He added that, because most hiring happens locally, "the work local chambers do in tandem with our staff in communities nationwide is nothing short of outstanding." One day earlier, Perez attended a Veterans Day event

## DISABILITY EMPLOYMENT POLICY MYTH BUSTER

**Myth:** Workplace accommodations for people with disabilities are complicated and expensive. **Not true:** Workplace accommodations are not only affordable, they're smart investments. A recent Job Accommodation Network report revealed that 58 percent of job accommodations for employees with disabilities cost nothing, while the typical remaining cost is only \$500 — a minor investment, particularly when reduced insurance and training costs and increased productivity are taken into account. Policies that encourage accommodation for people with disabilities are no different from policies and practices that promote success for all employees. After all, every worker requires specific tools and supports to do his or her job — regardless of whether that worker has a disability.

- [Connect With JAN](#)
- [Read the JAN Report](#)
- [Read the Blog Post](#)

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## (Work in Progress) The Best of Our Blog

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

- [The Resilience of the American Economy:](#) The October Employment Situation report showed that the U.S. economy is resilient, though not immune to manufactured crises. In his reaction to the latest data, Secretary Perez notes that the economy has continued to add jobs despite recent troubles in Washington. "We need to move forward with common-sense proposals that will create jobs, strengthen the middle class, reduce our deficit and expand opportunity for American families," he writes.
- [The Family and Medical Leave Act Supports Military Families:](#) No one should have to choose between the job they need and caring for the family that needs them — particularly the families of our men and women in uniform. Laura Fortman, the principal deputy administrator for the Wage and Hour Division, explains specific provisions of the Family and Medical Leave Act that protect the jobs and workplace benefits of military families and those who care for wounded warriors.
- [Is Your \(Financial\) Relationship on the Rocks?:](#) You are probably counting on the money you earn through your retirement plan to support you for the rest of your life. That's why it is important to know the "red flags" that may signal there's a problem with your 401(k) or savings plan. Phyllis Borzi, assistant secretary of labor for employee benefits security, shares what do to if you suspect something is wrong.

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**New Benefits Security  
Advocate**

at the White House where President Obama recognized Richard Overton who, at 107, is the nation's oldest living World War II veteran. Perez and Assistant Secretary for Vets Keith Kelly then accompanied the president to Arlington Cemetery for a ceremony honoring all veterans. In conjunction with Veterans Day activities, the department has produced audio and video Public Service Announcements aimed at providing transitioning military service members and veterans with information on education, training and employment opportunities.

- [View the PSA's](#)
- [Read Perez's Blog Post](#)
- [View the Slideshow](#)

### Perez Meets with Tribal Leaders



In conjunction with the 2013 White House Tribal Nations Conference, Secretary Perez hosted tribal leaders at the Labor Department on Nov. 12 for a roundtable discussion on skills and workforce development. He was joined by tribal leaders of large and small nations from New York, California, South

Dakota and Arizona. Perez is a member of the newly formed White House Council on Native American Affairs. The main event took place the following day at the Department of Interior, with invited leaders from the 566 American Indian and Alaska Native federally recognized tribes in attendance. Perez participated in the closing session of the conference with President Obama, which featured presentations from tribal leaders about the critical issues their tribes face.

- [View the Slideshow](#)

### Innovative Jobs Training along the Mississippi River

In September, the department announced the third round of its unprecedented investments in community colleges to deliver in-demand skills for the jobs employers need to fill most, known as Trade Adjustment Assistance Community College and Career Training grants. Lewis and Clark Community



College in Godfrey, Ill., received \$24 million of those funds to lead a consortium of nine schools to develop training for transportation, distribution and logistics careers along the Mississippi River. On Nov. 14, Jay Williams, executive director of the Office of Recovery for Auto Communities and Workers, visited Godfrey to talk about why the consortium's work was so essential to the continued growth of America's middle class. Led by Lewis and Clark President Dr. Dale Chapman and other consortium members, Williams toured the school's automotive technology welding facilities, where he exchanged old car stories and tales of his travels with students in the programs. The students, who are receiving industry-recognized credentials, are already being sought by employers months before they complete the program, according to instructors.

- [Learn More About TAACCCT](#)

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## National News

New Tools to Help Avoid Disruptive Layoffs

The Employee Benefits Security Administration recently welcomed Judy Mares as its new Deputy Assistant Secretary. Mares, who most recently served as vice president and CIO of Alliant Techsystems Inc., has extensive experience in the field of employee benefits



dating back to President Jimmy Carter's Commission on Pension Policy in 1978. "Our agency has already benefited from Judy's corporate experience as we work to improve benefits security," said Assistant Secretary of Labor for EBSA Phyllis C. Borzi. Mares' resume also includes membership on the Committee on the Investment of Employee Benefit Assets and the Defined Contribution Institutional Investment Association. "I know EBSA shares my commitment to improving benefits security for America's workers, and I look forward to working with them to protect those benefits," she said.

• [Learn More About Mares](#)

## Diversity: College to Careers



Major employers, college students and recent graduates with disabilities came together on Nov. 7 for the 14th Annual National Career

Opportunities for Students with Disabilities conference in Chicago. Assistant Secretary of Labor for Disability Employment Policy Kathy Martinez participated on a panel about the commonalities between people with disabilities, the LGBT community and other populations with a history of discrimination. "The intersection of LGBT and disability issues is something that I live and breathe every day," she said. "And I mean that both personally — as a gay person with a disability — and professionally, in my work leading a government agency that is working to make others see disability through the much larger lens of diversity." That same day, Secretary Perez issued a statement regarding the Senate's passage of the Employment Non-Discrimination Act. In it he said, "Today's historic vote moves us one step closer to a nation that truly embodies its founding principles of equality, opportunity and fairness for all." COSD's members include more than 1,300 corporate and higher education entities focused on the career employment of college graduates with disabilities.

• [Read Perez's Statement](#)

## Assisting Veterans through AJCs

The 2,600 American Job Centers provide

For a growing number of states, Short-Time Compensation — or work-sharing — programs are helping employers avoid disruptive layoffs and keep workers eligible for their hard-earned health and retirement benefits. That's why the Employment and Training



Administration has announced new online tools to help states develop a program that fits the specific needs of their local workers and employers. "Short-Time Compensation provides an alternative to layoffs, allowing employers to reduce the hours for a group of workers, while keeping them on the payroll and using unemployment insurance benefits to make up a portion of the lost wages," said Secretary Perez in a recorded video. "This program is a true win-win. Workers keep their jobs, some of their wages, and retain their health and retirement benefits. Employers keep a trained workforce and avoid the time and expense of hiring new workers when business picks up again." The website includes guidance and model legislation for states interested in developing a STC program as well as a compendium of state practices, sample outreach materials, operational tools and stories from both employers and employees who have benefitted from the program.

- [Visit the Website](#)
- [Read the Blog Post](#)
- [Watch the Video](#)

Enhanced Mental Health, Substance Use Disorder Protections

The departments of Labor, Health and Human Services and Treasury issued a final rule increasing parity between mental health/substance use disorder benefits and medical/surgical benefits in group and individual health plans. The final rule issued on Nov. 8 ensures that health plan features are generally not more restrictive for mental health/substance use disorder benefits than they are for medical/surgical benefits. "New efforts are underway to expand coverage to the millions of Americans who have lacked access to affordable treatment for mental and substance use disorders," said Secretary Perez. "These rules will increase access to mental health and substance abuse treatment, prohibit discriminatory practices and increase health plan transparency. Ultimately, they'll provide greater opportunities for affordable, accessible, effective treatment to Americans who need it."

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

## International Scene

Harris Joins Inter-American Labor Ministers

For a wide-ranging summit to discuss labor issues in the Western Hemisphere, Deputy Secretary Seth Harris led a U.S. delegation, accompanied by Acting Deputy Undersecretary for International Labor Affairs Carol Pier, to Medellin, Colombia, for a series of meetings on Nov. 11 and 12. It



training, employment services, and job search assistance to veterans and serve as a source of skilled



workers for potential employers, was the message shared by Veterans' Employment and Training Service Assistant Secretary for Policy Terry Gerton. She delivered her comments during a Nov. 14 panel discussion with the U.S. Chamber of Commerce, Department of Defense, Department of Veterans Affairs and the "Joining Forces" White House veterans initiative held at the Disney Company's Veterans Institute in Orlando, Florida. The event was designed to help small-and mid-sized companies build effective veteran-hiring programs. According to Gerton, veterans can get "priority of service" at the centers, many of which are staffed with Local Veterans' Employment Representatives who reach out to employers and engage in advocacy efforts with hiring executives to increase employment opportunities for veterans. First Lady Michelle Obama delivered the keynote speech and urged employers to hire veterans and raise awareness about their strengths.

## Promoting Skills to Pay the Bills



Nearly 400 Illinois high school students with disabilities attended a keynote address last week by Assistant Secretary of Labor for Disability Employment Policy Kathy Martinez. The Nov. 8 event, sponsored by the Chicago Mayor's Office for People with Disabilities, celebrated the spirit of Disability Mentoring Day and

stressed the importance of job training and mentorship experiences for youth with disabilities. "We know that in all occupations and industries, interpersonal skills — such as teamwork, decision-making and communication — are critical for employment success," said Martinez, who highlighted ODEP's Skills to Pay the Bills curriculum. "Yet many young people do not have exposure to training focused on such soft skills prior to entering the workforce." Following the speech, the students learned about the importance of professionalism in appearance at a "Dress for Success" fashion show.

- [Learn About Skills to Pay the Bills](#)

## Detroit Job Corps Honors Vets

Detroit Job Corps Center students helped transport and assist

was the 50th Anniversary of the summit, known as the Inter-American Conference of Ministers of Labor, and it featured discussions on topics ranging from minimum wage to youth employment to unemployment insurance systems to income inequality. "As President Obama has said, we must grow the economy from the middle class out," Harris said in his address to the conference. "This means decent work, with rising wages and economic security for workers so they can spend and help our economies to grow." The conference offered a number of opportunities for bilateral engagements, including with Guatemala, Mexico, and Peru. A key meeting was held between Harris and his Colombian hosts, where both parties agreed to continue bilateral meetings on the commitments in the Colombian Action Plan Related to Labor Rights that was established in 2011.

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

## DOL Working for You

Escaping Poverty and Finding a Career Through Job Corps



David Doverspike overcame long odds in life to thrive at the Cincinnati Job Corps Center and find a career. Born into poverty in India, Doverspike lived for a time in a leper colony. He was adopted by a loving family in Ohio, graduated from high school, and held three retail jobs. But Doverspike had a desire to learn skills that would lead to a rewarding career, so he enrolled in Job Corps and successfully completed his training in carpentry and welding. "Job Corps matured me and taught me skills to become a better man,"

Doverspike said of his experience. He recently

was hired by a union contractor as a carpenter's apprentice with a good starting salary, health benefits and a pension plan.

## DOL in Action

Trucking Company Ordered to Reinstate Whistleblowers

Gaines Motor Lines Inc., in Hickory, N.C., and individuals Tim Gaines and Rick Tompkins, have been ordered by the Occupational Safety and Health Administration to compensate four former truck drivers who were fired in violation of the whistleblower protection provision of the Surface Transportation Assistance Act. The workers are to receive more than \$1,070,123 in back pay wages, interest, compensatory and punitive damages. The complaint alleges that four employees were terminated for participating in an inspection audit of the commercial motor carrier company's facility, which was conducted by the Department of Transportation's Federal Motor Carrier Safety Administration. The four employees were interviewed on-site by the FMCSA. Following the audit and subsequent citations issued against Gaines Motor Lines, the workers suffered adverse retaliation by company officials, including termination, layoffs and removal of employee benefits.

- [Read the News Release](#)

Contractors Fined Nearly \$400,000 in Philadelphia Building Collapse

Campbell Construction and S&R Contracting were cited on Nov. 14 by the Occupational Safety and Health Administration for willful and serious safety



veterans taking part in the Veterans Day celebration at Michigan's John D.

Dingell Veterans Administration Medical Center on Nov. 8. During the celebration, Congressman Dingell (for whom the hospital is named) gave an inspiring speech to the veterans and then posed for pictures with them, students and staff. Dingell is a World War II Army veteran and is the longest-serving member of Congress.

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## Attorney Talk in New Orleans

Solicitor of Labor Patricia M. Smith and Assistant Secretary of Labor for Employee Benefits Security Phyllis C. Borzi travelled to New Orleans recently to take part in the seventh annual American Bar Association Section of Labor and Employment Law conference. During separate sessions, the two officials covered issues at the forefront of current employment law: Borzi on the Affordable Care Act and Smith on worker misclassification. Smith spoke on the department's ongoing efforts to address misclassification — where workers are labeled as "independent contractors" or some other non-employee status when, in fact, they are employees under the law and thus eligible for certain benefits and protections. She told the group the department wants to protect misclassified employees and level the playing field for employers who are playing by the rules. Borzi also spoke at the American College of Employee Benefits Council where she provided an update on EBSA initiatives.

- [Learn About Misclassification](#)
- [Learn About EBSA](#)

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## Focus on Workplace Flexibility



The Women's Bureau, represented by Region IX program analyst Ana Victoria Fortes, took part in a panel on Nov. 13 addressing San Francisco's recently

adopted Family Friendly Workplace ordinance. Fortes spoke on employer best practices for workplace flexibility. The panel addressed questions on implementation, enforcement and the scope of San Francisco's new policy. Members of various industries attended the event, including individuals from the labor standards legal community and small business representatives.

- [Learn about Workplace Flexibility Resources](#)
- [View the Slideshow](#)
- [Read the Fact Sheet](#)

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## Home Care Outreach

As part of the department's effort to ensure that affected stakeholders are ready for the Jan. 1,

violations following a June 5 building collapse in Philadelphia that killed six people and injured 14. Campbell Construction was demolishing the four-story building adjacent to the Salvation Army Thrift Store on Market Street. S&R Contracting was operating an excavator to demolish the building's interior walls and floors. Prior to the collapse, Campbell Construction removed critical, structural supports for the wall that collapsed, and has been cited for three willful, egregious violations for the three days that it left the wall without sufficient support. It has been cited for two willful violations alleging failure to demolish the building from the top down and have an engineering survey prior to starting the demolition. S&R Contracting also was cited for a willful violation for permitting the unsupported wall.

"Campbell Construction and S&R Contracting sacrificed worker and public safety through the deliberate neglect of demolition safety fundamentals," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels.

- [Read the News Release](#)
- [View the Campbell Citations](#)
- [View the S&R Citations](#)
- [Listen to the Press Call](#)

### Raising Oil and Gas Industry Safety Awareness

The Occupational Safety and Health Administration, in partnership with the National Institute for Occupational Safety and Health and the National Service, Transmission, Exploration & Production Safety Network, commonly known as STEPS, sponsored a national stand down to raise awareness and promote safety and health practices at U.S. oil and gas exploration and production sites. The event took place on Nov. 14 in Humble, Texas, and was webcast nationwide to regional STEPS network locations. Following the stand down, participants were asked to share safety and health information with workers and contractors by devoting a minimum of one hour to the task — in 15-minute increments at their work sites — until Jan. 30, 2014. "Too many workers are dying in the oil and gas drilling industry. Employers need to ensure that jobs are planned out, everyone has adequate training in all aspects of safety, and workers need to be part of the planning," said Dr. David Michaels, assistant secretary of labor for occupational safety and health, who spoke at the event.

- [Read the News Release](#)
- [Visit the Oil and Gas Webpage](#)
- [Learn About Stand Downs](#)
- [Learn About National STEPS Network](#)

### Chicago Union to Rerun Officer Election

The Office of Labor-Management Standards recently entered into a voluntary compliance agreement with Illinois Education Association Region 67 in Chicago to conduct new nominations and a new election for the offices of chair and vice chair. The election will be held on or before Feb. 21, 2014, under the supervision of OLMS. An agency investigation disclosed that two local unions did not have the opportunity to nominate or vote in Region 67's March election and its run-off election in April.

### Two Texas Employers Cited after Forklift Fatalities

Georg Fischer Central Plastics LLC and Nationwide Plastics Inc. were cited by the Occupational Safety and Health Administration for 16 safety and health violations at the plastic manufacturing facility in Dallas after a worker and a self-employed truck driver were struck and killed by a forklift in June. The two employees were caught between a forklift and a flatbed trailer being loaded with plastic pipe. Georg Fischer and Nationwide Plastics occupy the same commercial space. "By failing to implement OSHA standards, these employers put its workers at risk. Ultimately, two people

2015, effective date of the recently issued Home Care Final Rule, representatives from the Wage and Hour Division and the Solicitor's Office participated on Nov. 12 in the annual meeting of the National Association of State Directors of Developmental Disabilities Services in Alexandria, Va. They were joined by representatives from the Department of Health and Human Services' Centers for Medicare and Medicaid Services. In her opening remarks, Laura Fortman, the principal deputy administrator for the Wage and Hour Division, told approximately 75 state directors and representatives of agencies that provide developmental disabilities services that the department is committed to protecting workers and supporting the efforts of individuals with disabilities to live at home and participate fully in their communities.

- [Learn About the Home Care Final Rule](#)

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## Denver Schools Promote Diversity

Colorado students and community members in the Mile High City gathered on Nov. 12 for a disability awareness event sponsored by the University of Colorado Denver, Community College of Denver and Metropolitan State University of Denver. During her keynote address, Assistant Secretary of Labor for Disability Employment Policy Kathy Martinez emphasized the important role institutions of higher education and student activism play in creating more inclusive workplaces and communities. "College is such a transformative time for so many people — a time of powerful learning both in and outside of the classroom, and a time that often sets the stage for one's career and adult life," she said. "The work you are doing to advance understanding of the disability experience is incredibly important for that reason."

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## Reaching Out to Farmers

The Wage and Hour Division's Portland District Office conducted a presentation on labor standards for agricultural employers at the 13th Annual Willamette Valley Ag Expo in Oregon. The Nov. 13 expo brought more than 140 agricultural vendors together. The presentation covered regulatory requirements for agricultural employers under the Fair Labor Standards Act and the Migrant and Seasonal Agricultural Worker Protection Act. Attendees also received informational materials and engaged in a question-and-answer session following the presentation.

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## Training to Go Green

The current entrepreneurship training class at the Women's Opportunities Resource Center in Philadelphia learned about developing a more green work setting from Women's Bureau Regional Administrator Lucia Bruce on Nov. 6.

paid the price with their lives," said Stephen Boyd, OSHA's area director in Dallas. "It's the employer's responsibility to find and fix the hazards that expose workers to injuries and illnesses."

- [Read the News Release](#)

### Lawsuit Filed to Restore Funds to Ohio Retirement Plan

The department has filed a complaint on behalf of the Cleveland-based Attevo 401(k) retirement plan. The suit, filed in U.S. District Court for the Northern District of Ohio, Eastern Division, in Cleveland, alleges improper use of pension funds and seeks to restore \$123,338 to the plan. An investigation by the Employee Benefits Security Administration found the plan's fiduciaries failed to remit participant contributions and loan repayments withheld from paychecks to the retirement plan, in violation of the Employee Retirement Income Security Act.

- [Read the News Release](#)

### Citations Issued Following Fatally at Wisconsin Shingle Facility

White Cedar Shingles Inc. has been cited for nine safety violations by the Occupational Safety and Health Administration after a worker was fatally injured in May at the Superior, Wis., manufacturing facility. The worker was servicing machinery that had not been locked out to prevent unexpected startup when the accident occurred. As a result of the inspection, OSHA has placed the company in its Severe Violator Enforcement Program. Two willful violations were cited for failing to train workers and to control electrical energy sources by installing lockout/tagout devices during maintenance and cleaning of machinery. The company was cited for the same deficiency in 2012.

- [Read the News Release](#)

### Verizon New York to Provide Enhanced Electrical Safety Training

The department has reached a settlement agreement with Verizon New York Inc., in which the telecommunications company will provide enhanced electrical safety training and other safeguards to its field technicians who install suspension strand on utility poles that carry power lines. In March 2012, the Occupational Safety and Health Administration issued citations in connection with the fatal electrocution of a field technician in Brooklyn six months earlier. Under the agreement, Verizon New York will provide an electrical safety training module for its field technician trainees at its line schools in New York, in-service training to field technicians who install suspension strand, and supplemental training to local and area managers. The company agreed to notify OSHA when training has been instituted, keep records of the training, and provide them to OSHA upon request.

- [Read the News Release](#)

### Outreach on Hazardous Chemicals

The Occupational Safety and Health Administration is launching a local emphasis program in Kansas, Nebraska and Missouri for programmed health inspections of industries known to use hazardous chemicals and who have reported release of such chemicals to the Environmental Protection Agency. Chemicals reported to the EPA that have been released into the environment include ammonia; barium, chromium and copper compounds; hydrochloric acid; hydrogen fluoride; lead and manganese compounds; N-hexane; styrene; sulfuric acid; and nitrate, vanadium and zinc compounds. OSHA has created a toolkit to identify safer chemicals that can be used in place of more hazardous ones.

- [Learn About the Toolkit](#)

### Crane Collapse Leads to Proposed Penalties for Tennessee Contractor

Mountain States Contractors LLC of Nashville, Tenn., has been cited by the

Information from the green entrepreneurship section of the Bureau's Green Guide was shared with attendees, who are looking to start or grow their businesses while incorporating the triple bottom line, which considers people, the planet and profit. A new training class starts every six weeks. The Green Guide's entrepreneurship section was incorporated into the WORC curriculum for small business owners.

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## Combatting Unemployment

Staff from the Wage and Hour Division's West Covina District Office attended a meeting with personnel of Hire Hope, a Covina, Calif.-based non-profit organization that provides assistance to the unemployed. Participants discussed common goals and shared ideas on working together to jointly share with the public educational assistance and labor resources to the public. Hire Hope provides resume building assistance, interview skills training, and job search and career building support. At the Nov. 12 meeting in Covina, the division's West Covina District Director Danny Pasquil and community Outreach Specialist Ralph Valles committed to hold a local workshop early in January on minimum wage and overtime requirements under the Fair Labor Standards Act. The newly established collaboration will better connect to job seekers in Los Angeles, San Bernardino and Riverside counties with existing resources.

- [Read About Hire Hope](#)

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## Weekly UI Claims

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 339,000 for the week ending Nov. 9, a decrease of 2,000 from the previous week. The four-week moving average was 344,000, down 5,750 from the previous week's revised average.

- [Read the News Release](#)

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## Upcoming Deadlines & Events

### [Open Funding Opportunities](#)

OWCP — Town Hall Meetings to assist nuclear weapons workers

- [December 10 — Farmington, NM](#)

WHD — 75 Years of the Fair Labor Standards Act

- [November 15 — Washington, DC](#)

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Occupational Safety and Health Administration for three safety violations following a May crane collapse at a worksite in Gallatin, Tenn. One willful and one serious citation were issued for failure to remove a damaged wire rope cable from operation and not inspecting a deficiency noted on an annual inspection. Mountain States was replacing the Highway 109 bridge over the Cumberland River when the crane's main boom cable broke. Proposed penalties total \$60,900.

- [Read the News Release](#)

Michigan Air National Guard Base Faulted on Amputation Hazards

Selfridge Air National Guard Base near Mt. Clemens, Mich., has been issued eight notices of unsafe or unhealthful working conditions by the Occupational Safety and Health Administration, including a repeat amputation hazard violation. An inspection was conducted in accordance with the Federal Agency Local Emphasis Program. The one repeat violation involves inadequate machine guarding to protect workers from amputation and other machinery hazards. Altogether, five serious violations were issued at the facility, which is home to the Michigan Air National Guard.

- [Read the News Release](#)

Spas Ordered to Pay Back Wages, Damages

Redmond Herbal Spas LLC, doing business as Asian Miracle Massage, and Mei Zheng, also known as Margaret Sutton, owner of three spas near Seattle, have been ordered by a federal judge to pay 23 massage therapists \$67,768 in back wages and an equal amount in liquidated damages. An investigation by the Wage and Hour Division's Seattle District Office found that Redmond Herbal Spas misclassified the employees as independent contractors. The employer typically paid them on a commission-only basis, resulting in minimum wage and overtime violations of the Fair Labor Standards Act. Some massage therapists worked 54 to 74 hours per week on average in Redmond, Wash., and at locations in the Northgate Mall in Seattle and Everett Mall in Everett, Wash.

- [Read the News Release](#)

Florida Contractor Cited Following Fatality

Coastal Masonry in Pompano Beach, Fla., has been cited by the Occupational Safety and Health Administration with one willful and one serious safety violation following the death of a worker who fell approximately 70 feet while attempting to straighten a piece of bent rebar at a jobsite in Miami, Fla. The violations involved the employer's failure to ensure workers were using a fall protection system and not inspecting fall protection equipment prior to each use. OSHA initiated the inspection in May in response to the fatality.

- [Read the News Release](#)

California Screen Printer Pays \$151,000 in Damages

Fashion Graphics LLC has paid \$151,337 in back wages and liquidated damages to 185 employees after the Wage and Hour Division in San Diego found the employer recorded overtime hours on a separate payroll and used aliases for former employees, family members and unidentified people to conceal true identities. Overtime hours were then paid at employees' regular, straight-time hourly rates in unrecorded cash, even though they routinely worked more than 40 hours per week. The department also assessed \$19,712 in penalties due to the willful nature of the violations. Fashion Graphics supplies products to retailers, including Macy's Inc., Wal-Mart Stores Inc., Kohl's and Hot Topic, and specializes in screen printing for T-shirts and other garments.

- [Read the News Release](#)

Michigan Contractor Pays Nearly \$84,000 in Back Wages, Damages



US Labor Department   
@USDOL

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Today's the day! [#StandDown](#) for [#OilAndGas](#) safety in your region & come home safe  
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[#OSHA](#)

Expand



US Labor Department   
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"This tragic incident could and should have been prevented." [#OSHA](#)'s Dr. Michaels. [ow.ly/qPFfo](http://ow.ly/qPFfo) [#Philadelphia](#) [#BuildingCollapse](#)

The Wage and Hour Division has recovered \$83,734 in back wages and liquidated damages for 19 employees of Den-Man Contractors Inc., a demolition and construction company in Warren, Mich. The division found violations of the Fair Labor Standards Act when the company failed to maintain accurate payroll records and pay workers overtime at a rate of one and one-half times their hourly rates for all hours worked beyond 40 in a week. A total of \$41,867 was due in back wages and an equal amount was assessed in damages. Den-Men Contractors also has signed a settlement agreement that requires future compliance with the FLSA.

- [Read the News Release](#)

Former Film Services Owners Plead Guilty to Fraud and Theft Charges

The owners of a former Glendale, Calif.-based company that provided post-production services to film studios pleaded guilty on Nov. 12 to embezzling \$102,327 in employee retirement plan contributions and failing to pay approximately \$972,000 in withheld taxes. Ronald and Karen Burdett, trustees of the retirement plan for Sunset Post Inc., Sunset Digital Studios Inc., and Sunset Teleproduction Center, each pleaded guilty to one count of embezzlement from an employee benefit plan and one count of failure to collect or pay over tax. The Burdetts used the diverted funds to pay bills, make retail purchases and pay other personal expenses, including home improvements. The Burdetts are subject to the statutory maximum sentence of 10 years imprisonment and a fine of at least \$500,000.

- [Read the IRS News Release](#)

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