



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

'The Message... Is All Garbled'



For those who experienced it, the assassination of President John F. Kennedy 50 years ago this week, on Nov. 22, 1963, remains an emotional memory. It was no different for the close circle of advisers

who made up Kennedy's Cabinet. They, however, experienced that day much differently than the millions who still vividly remember the news media reports of the tragic events in Dallas. Several members of JFK's Cabinet, including Secretary of Labor Willard Wirtz, Secretary of State Dean Rusk, Secretary of the Interior Stewart Udall, Secretary of the Treasury C. Douglas Dillon and others — along with their wives — were in an airplane en route to Japan for a joint meeting of the U.S. and Japanese cabinets. The plane was somewhere over Wake Island, Wirtz recalls in his memoir "In the Rear View Mirror," when Rusk was summoned to the cockpit to receive a garbled message that

Kennedy had been shot. There was no further information. Wirtz describes what happened next: "[Rusk] went again to the cockpit and came back with a still incomplete report. There was about



half an hour of continued uncertainty. Then the left wing dropped, and we knew that we were starting back. That the President was dead." Wirtz — who would continue to serve President Lyndon B. Johnson at his post until 1969 — has difficulty describing the sorrow and confusion of the following days, but recalls a series of impressions in his book, including "someone's saying "We will laugh again, but we will never cry again."

- [Learn About the Kennedy Years at DOL](#)
- [View the Centennial Timeline](#)
- [View the Centennial Video](#)
- [Suggest a Centennial Moment](#)

What's New

Changing Lives by Investing in Community Colleges and Careers

U.S. Secretary of Labor Thomas E. Perez and Dr. Jill Biden hit the road earlier this week to highlight two community colleges shaping lives through workforce and economic development in their communities. Their first stop, on Nov. 18, was in North Carolina at Cleveland Community College, which has received a \$23.2



million grant through the Trade Adjustment Assistance Community College and Career Training initiative. Cleveland Community College will lead a consortium of five schools in North Carolina and Georgia offering training in mission critical operations, where a single failure could lead to a shutdown in production and have a devastating impact on a company. Students in this program have access to live or online classroom training — or a combination of the two — breaking down technological barriers and expanding access to training for rural colleges. Perez and Biden toured the college and ended their visit with a panel discussion on the importance of investing in partnerships and community colleges. "We have the best workers in America, we just need to invest in them," Perez said. On their second stop, Perez and Biden visited Broward College in Ft. Lauderdale. The Florida college leads the Leveraging, Integrating, Networking and Coordinating Supplies consortium, and received a \$24.5 million TAACCT grant to focus on strengthening the training program for supply chain management careers. Perez and Biden observed students learning about aircraft maintenance on an outdoor flight line and how flight simulators are used to train workers. During a panel discussion, Biden, an advocate for community colleges, told the audience, "I've seen what community colleges do to save lives."

- [View the Cleveland Community College Slideshow](#)
- [View the Broward College Aviation Institute Slideshow](#)
- [Read the Op-ed on Job Training](#)

Youth CareerConnect Grants Announced

Developing a highly skilled and globally competitive workforce starts with students who possess the deep knowledge and skills required for the jobs of the future. On Nov. 19, following through on a promise he made during his State of the Union address, President Obama announced a new program designed to promote high school models that best equip students with skills to meet the demands of a high-tech economy. The Youth CareerConnect program is a collaboration between the departments of Labor and Education to encourage school districts, colleges, the workforce

(Work in Progress)
The Best of Our Blog

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

- [Building Ladders of Opportunity for Immigrant and American Workers](#): In a post originally published in Spanish as an op-ed on Univision.com, Secretary Perez draws on his own experience living in a bicultural and bilingual family to explain why immigrant integration — which includes making investments in the skills and education of workers — is such a crucial component of comprehensive immigration reform. After addressing the National Immigrant Integration Conference in Miami, Perez writes that immigration reform is only one step towards integration. "To successfully achieve immigrant integration, we must have sound, sturdy ladders of opportunity — pathways to the middle class must accompany pathways to citizenship for those willing to work hard and play by the rules," he writes.

- [Women of Color: An Economic Snapshot](#): The U.S. Census Bureau estimates that women of color will become the majority of women in the United States by 2045, but evidence shows working women of color often have a different experience than "women" as a whole. Latifa Lyles, director of the Women's Bureau, points to several statistics that provide a snapshot of the current racial and ethnic disparities occurring in wages, unemployment and educational attainment to argue that, while the wage gap is slowly narrowing, this small gain has not been shared equally among all women.

- [Short-Time Compensation: A Win for Employees and Employers](#): Short-time compensation, or "work sharing," is a system that allows companies to reduce work hours for a group of employees as an alternative to layoffs during tough economic times. Here, Eric Seleznow, acting assistant secretary for employment and training, explains why the system is a win-win for workers and employers: employees get to keep their jobs — and benefits — while companies get to maintain their skilled workforce and avoid the hassle of re-hiring and re-training new workers when business activity picks back up.

New Options for Health Care



More than 2,000 people were on hand in Houston on Nov. 16 to hear Secretary Perez deliver remarks on the options available under the Affordable Care

Act. During the town hall, sponsored by Univision, Perez highlighted that "Texas is the uninsured capital of the United States" with more than 6.3 million Texans lacking health insurance. Under the Affordable Care Act, nearly 85 percent of Americans who have health insurance are already seeing the benefits. These individuals are paying less for prescription drugs, paying less for preventive care, receiving rebates from insurance companies, and will no longer be denied coverage because of a pre-existing condition.

system and employer partners to develop or expand academic and career-focused learning programs around the country. The Department of Labor will use up to \$100 million in revenues from the H-1B visa program to fund approximately 25 to 40 grants to high schools around the country that foster problem solving and analysis, to support creativity and collaboration, and to connect student learning directly to the real world.

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

In Kentucky, Voices for Raising the Minimum Wage



Secretary Perez met with workers and employers in Louisville, Ky., on Nov. 20 to discuss the income inequality gap and struggles that minimum wage workers face. A full-time worker earning minimum wage and supporting a family of four lives below the poverty line.

Honey Dozier finds herself in a similar situation. Dozier works concessions at a bowling alley and is a mother of four. During a roundtable discussion, she talked about the challenges that come with a minimum wage job, saying, "I feel like I have to choose either providing food and necessities for my family or health care, because I can't afford both this month. When you work a low-paying job, you don't earn enough to be a good mother. I don't mind giving 100 percent to my employer, but I should also give 100 percent to my family, and a \$7.25 wage doesn't allow that." This story was just one of many Perez heard during his visit. Recently, the University of Louisville set a \$10/hour minimum wage for regular employees because it benefits morale as well as the economy. Perez explained that, "If you work hard and play by the rules, you should have the opportunity to live a good life... no one who works a full-time job should have to live in poverty."

- [View the Slideshow](#)

Partnerships Drive Success of Auto Plant, Manufacturing Center

Strong partnerships are essential to effective workforce training. On Nov 20, Secretary Perez traveled to Louisville, Ky., to see two examples of successful partnerships that are helping the area prosper. Perez first dropped by Ford Motors Co.'s Louisville Assembly Plant, where he met with Ford and United



Auto Workers officials. Both groups championed their strong labor-management partnership as a driver for the plant's success. Following the plant tour, Perez traveled to the Kentucky Manufacturing Career Center, a joint project of Jefferson Community & Technical College, Jefferson County Public Schools, and KentuckianaWorks — the workforce investment board connecting Kentucky and Indiana. While at the center — which is funded in part by a 2012 Trade Adjustment Assistance Community College and Career Training grant — Perez heard from students, faculty and employers about how broad-based workforce partnerships are generating economic and employment growth. The center works with 30 local employer partners to identify new employees and develop training programs that meet their needs. Through partnerships like this one, the region has experienced substantial growth, including a 17 percent increase in manufacturing jobs over the past three years. JCTC is using funds from a 2011 TAACCCT grant

After his remarks, Perez toured the grounds of the George R. Brown Convention Center and spoke with families who were waiting in line to hear about their health insurance options and sign up for coverage. One Houston resident told Perez she didn't mind the wait because she has "paciencia y fe" (patience and faith) that she will finally have health insurance. More than 100 navigators were available to provide assistance. Perez was joined by Houston Mayor Annise Parker and Reps. Sheila Jackson Lee, Al Green and Gene Green.

- [View the Slideshow](#)

MOUs Signed on Misclassification

Officials from the Wage and Hour Division, New York State Labor Department and New York State Attorney General's Office signed memoranda of



understanding on Nov. 18 to protect the rights of employees by preventing their misclassification as independent contractors or other non-employee statuses. "Misclassification deprives workers of rightfully-earned wages and undercuts law-abiding businesses," said Laura Fortman, the principal deputy administrator of the Wage and Hour Division. The MOUs represent a new effort on the part of the three agencies to protect the rights of employees and level the playing field for responsible employers.

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

BOOST in South Carolina

The department continued its focus on innovative job training investments with a visit to Midland Technical College in Columbia, S.C. Jay Williams, director of the Office of Recovery for Auto Community and Workers, visited the college on Nov. 20 to tour its new simulated health care training facility. Funded by a \$25 million Trade Adjustment Assistance Community College and Career Training grant, Midlands Tech is leading a consortium of six colleges to implement BOOST — Better Occupational Outcomes with Simulation Training. The grant, the largest in the college's history, is helping to fast track thousands of workers displaced by offshoring and other adults seeking post-secondary education into jobs in fast-growing health care occupations. Williams also joined a panel that included faculty, employer partners and students to discuss how these investments are transforming lives and helping to secure and strengthen the middle class in communities throughout South Carolina and around the country.

FLSA: Then, Now, Next

Secretary Perez marked the 75th

to expand health-care career training programs at its main campus in downtown Louisville.

- [View the Auto Plant Slideshow](#)
- [View the Manufacturing Career Center Slideshow](#)

National News

A Seasonal Reminder for Retailers

Retail employers are encouraged to take precautions to prevent workplace injuries during the upcoming holiday shopping season. The Occupational Safety and Health Administration has reached out to the retail community in advance of major sales events to educate



businesses on proper crowd management practices and other important safety precautions. This year marks the fifth anniversary of a worker being trampled to death when shoppers rushed through the entrance doors at a large New York store on what is known as "Black Friday." "The busy shopping season should not put retail workers at risk of being injured or killed," said Dr. David Michaels, assistant secretary of labor for occupational safety and health. "OSHA urges retailers to take the time to adopt a crowd management plan and follow a few simple guidelines to prevent unnecessary harm to retail employees."

- [Read the News Release](#)
- [Read the Letters](#)
- [Read the Fact Sheet on Crowd Management](#)

After Tornado, Assistance for the Recovery Efforts in Illinois



As residents recover from the damage caused by the Nov. 17 storm that occurred in Washington, Coal City, Massac County and other areas of Illinois, the Occupational Safety and Health Administration staff has been on the scene providing compliance assistance and urging recovery workers,

employers and the public to exercise caution during cleanup. For the staff in OSHA's Peoria Area Office, it has been a task of helping their neighbors. Staff members walked the streets of the damaged cities talking to residents about how to stay safe during recovery efforts. Hazards involved in cleanup work may include downed electrical wires, electrical shock from portable generators and fall and struck-by dangers from tree-trimming or working at heights. "I believe this is a very important role for OSHA to be able to help our community in recovering and rebuilding safely," said Barry Salerno, assistant area director.

- [View the Slideshow](#)
- [Read the News Release](#)
- [Learn About Tornado Preparedness](#)

Around DOL

Labor Department Launches 'Novel' Project

From Ben Franklin's "Poor



anniversary of the Fair Labor Standards Act by hosting a high-powered lineup of researchers, policy experts,

advocates and workers for a symposium at department headquarters on Nov. 15. Topics included the minimum wage, the changing nature of the employer-worker relationship, trends in paid-leave policy, and what it means to have a good job that provides economic security. Perez used the occasion to call for raising the federal minimum wage, saying an increase "is not just the right thing to do for working people, but it's the smart thing to do to grow our economy."

Department heads who also spoke at the day-long event included Laura Fortman, principal deputy administrator for the Wage and Hour Division; Jennifer Hunt, the department's chief economist; Demetra Nightingale, chief evaluation officer; and Latifa Lyles, acting director of the Women's Bureau.

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

An Immigrant Story



Secretary Perez gave the keynote address on Nov. 18 to the National Immigrant Integration Conference in Miami, Fla. The conference, which brings together

civic, labor and immigrant leaders to discuss the future of immigrant inclusion and integration in America, is in its sixth year. Perez reflected on his family's story — his mother and father were from the Dominican Republic — and highlighted the important work ahead to ensure future generations of immigrants have the opportunity to help weave the cultural and economic fabric of America.

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

Jobs Networking in Florida

Community organizations are key partners with the public workforce system in serving job seekers and employers. Ben Seigel, deputy director of the



Center for Faith-based and Neighborhood Partnerships, recently attended events in Central Florida that exemplified the valuable role of community groups. In Cape Canaveral, Brevard Workforce held a job fair featuring 30 companies. Seigel met with members of the Spacecoast Technical Network, a group of former aerospace workers who are taking advantage of networking, peer support and community resources to find new positions in aerospace and other industries. The next stop was Orlando, where Seigel joined

Richard's Improved" to Sonia Sotomayor's "My Beloved World," nearly 100 titles of fiction, nonfiction, plays and poetry begin the initial roll of Books that Shaped Work in America, a new project in conjunction with the



commemoration of the department's centennial. It aims to engage the public about the department's mission and America's history as a nation of workers as portrayed through published works. "This initiative explores the dignity of work and our progress in expanding America's fundamental promise of opportunity for all through the lens of literature," said Secretary Perez. "Think of it as an online book club where people from all walks of life can share books about work and learn about the mission and resources of the Labor Department." To get the list started, 24 individuals — including Perez, eight former secretaries of labor, department staff and others — submitted suggestions. Their recommendations are included on the initiative's website, along with brief summaries of each book and links to related Labor Department resources. The public is invited to expand the list. A simple, online form makes it easy for anyone to suggest a book. The Center for the Book in the Library of Congress is the official partner with the department in this effort.

- [Visit the Website](#)
- [Read the Blog Post](#)
- [Read the News Release](#)

Of Note

Recognition for Disability Rights Work



Patricia A. Shiu, director of the Office of Federal Contract Compliance Programs, has been honored by the Association of University Centers on Disabilities for leading efforts to improve employment opportunities for workers with disabilities. During AUCD's annual conference on Nov. 19 in Washington, D.C.,

Shiu received its Special Recognition Award to acknowledge her disability rights advocacy and the publication of a final rule establishing national disability employment goals for federal contractors and subcontractors. "It has been one of the great privileges of my life to have been in a position to help reach this milestone," she said. Shiu delivered remarks at the conference's closing session, where she reiterated the department's commitment to protecting the rights of workers and job seekers.

- [Learn About the AUCD Awards](#)
- [Read Shiu's Remarks](#)
- [Read About the Final Rule](#)

It Happened on the Hill

Communicating With Employers on Affordable Care Act

Assistant Secretary for Employee Benefits Security Phyllis C. Borzi was on Capitol Hill on Nov. 20 to testify on Affordable Care Act implementation before the Senate Entrepreneurship and Small Business Committee. Borzi

Melissa Rogers, the director of the White House Office of Faith-based and Neighborhood Partnerships. Rogers praised Jobs Partnership of Florida for its work with community residents and partnership with the local workforce system, and she inspired members to put their new skills to work when meeting with employers.

- [View the Slideshow](#)
- [Read About the Spacecoast Technical Network](#)
- [Read About Brevard Workforce's Program](#)
- [Learn About Job Clubs Initiative](#)
- [Learn About Job Partnerships](#)

Employment for All



To mark the 50th anniversary of the signing of the Developmental Disabilities Assistance and Bill of Rights Act, Assistant Secretary of

Labor for the Office of Disability Employment Policy Kathy Martinez participated in a Nov. 15 panel discussion about the past, present and future of employment for people with intellectual and developmental disabilities. Hosted by the White House, the Administration on Intellectual and Developmental Disabilities, and the National Council on Disability, a group of approximately 150 administration officials and representatives heard from panelists about strategies for stimulating stronger cross-system approaches to making integrated employment the expected outcome for people with disabilities. Martinez highlighted the success of ODEP's Employment First State Leadership Mentoring Program. It brings critical state agencies and partners together to focus on making integrated employment the priority outcome of publicly-financed day and employment services for citizens with disabilities. "Ultimately, high expectations are still at the root of the change that we have to see, not only for the future of integrated employment for people with disabilities, but for the future of our country," said Martinez.

- [View the Slideshow](#)

Philippine Partnerships

The Occupational Safety and Health Administration and Wage and Hour Division signed agreements on Nov. 14 with four Consulate



Generals of the Philippines. The agreements, inked at a ceremony at the Philippine Consulate General in San Francisco, call for collaboration to provide educational, training and outreach opportunities on workplace safety and health, pay and other protections for Filipino workers in California, Arizona, Hawaii and the Pacific. OSHA and Wage and Hour staff held simultaneous outreach events for Filipino workers in Honolulu, Los Angeles, Guam and Saipan.

joined fellow officials from the Department of Health and Human Services and Small Business Administration in updating the committee on efforts being made to reach employers with information about the law. She told lawmakers that while employers must notify employees about health-care options available through the law, there is no penalty for not doing so. Employers can ensure they are meeting the requirement by using model notices available on the EBSA website, but their use is not mandatory.

- [Read the Testimony](#)
- [View Model Notice for Employers Who Offer Health Plans](#)
- [View Model Notice for Employers Who Do Not Offer Health Plans](#)

International Scene

\$14.7 Million in Grants to Address Worst Forms of Child Labor

Two cooperative agreements between the Bureau of International Labor Affairs and the International Labor Organization will provide \$14.7 million in funding to address the worst forms of child labor. The agreements provide for direct technical assistance to governments in 20 countries and support for updating statistics related to child labor in another 100 countries. A \$7.7 million award will help build the capacity of governments to reduce child labor in at least 10 countries by supporting efforts to bring national legislation on child labor issues into compliance with international standards, improving monitoring and enforcement of child labor laws and policies, and improving national plans of action on child labor. The project also will enhance implementation of policies and programs to increase access to basic education, vocational training, social protection services and poverty reduction initiatives for populations vulnerable to the worst forms of child labor. A second award of \$7 million will fund the collection and analysis of data in an additional 10 countries. The project will conduct surveys to collect data on child labor at the national or sector level, develop policy appraisals, prepare and publish public-use data files, and build capacity of national statistical offices to conduct research and analyze data on child labor. It also will update statistics on children's work and education for approximately 100 countries.

- [Read the News Release](#)

DOL Working for You

Former Navy Seabee Gets Help in Building a Career

When need met opportunity, former Navy Seabee Brad Ostrander said he "found a career." Ostrander was unemployed and receiving career counseling from a Michigan workforce development agency when he came to the attention of Local Veterans Employment Representative



Doug Robinson. Robinson, an Army veteran, said he was impressed by Ostrander's determination to find a good paying job with a chance for advancement. Enter Ken Sides, an Air Force veteran and service manager for Dunn's Solutions, a Michigan office equipment and software company. Sides told Robinson he was seeking an employee with specific electronic skills. Robinson remembered that Ostrander's resume contained equipment maintenance experience and recommended him to Dunn's. In an interview with Ostrander, Dunn's president Teresa Dunn said she was impressed with the veteran's "discipline and training qualities." And Ostrander accepted a

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

FLSA in the Big Leagues



Wage and Hour Division Northeast Regional Administrator George Ference and Director of Enforcement Brian Johnson gave a presentation on the Fair

Labor Standards Act on Nov. 20 at Major League Baseball's 2013 Industry Meetings in Lake Buena Vista, Fla. Approximately 100 representatives from MLB and its franchises were in attendance. Topics included coverage, employment relationships — such as independent contractors and interns — minimum wage, overtime compliance, "white collar" exemptions, and hours-worked principles. The division's Northeast Regional Office has been working with MLB representatives to assure that all franchises are aware of the FLSA requirements for compliance. MLB invited the division to attend its next meeting in August 2014.

Advancing Justice Conference

Representatives from several departmental agencies attended the 2013 Asian Americans Advancing Justice Conference in Los Angeles on Nov. 16.



The annual gathering unites major organizations from across the country for presentations from experts on topics related to civil rights and social justice involving the Asian American and Pacific Islander communities. Participants from the department represented the newly formed Regional Interagency Working Group of the White House Initiative on Asian Americans and Pacific Islanders, which aims to develop a more direct community engagement between federal agencies and the communities they serve.

- [View the Slideshow](#)

Sign Up for Job Corps

Job Corps continues to recruit students and is accepting applications throughout the autumn and winter months. Job Corps provides free education and training for eligible young people, ages 16 to 24, to help them start a career, earn a high school diploma or equivalent credential and find and keep a job. "Job Corps offers our nation's youth the opportunity to learn and expand their skills and begin rewarding careers," said Grace Kilbane, the national director for the Office of Job



full-time service technician position with the company.

DOL in Action

266 Houston-area Janitors Paid \$273,000 in Back Wages

Soji Services Inc., doing business as Metro Clean Commercial Building Services in Houston, agreed to pay \$273,132 in minimum wage and overtime back wages to 266 janitors after an investigation by the Wage and Hour Division found violations of the Fair Labor Standards Act. The investigation found that Metro Clean, which provides commercial janitorial services, paid one employee below the federal minimum wage of \$7.25 per hour when it failed to pay for all hours worked. Additionally, some employees worked an average of 65 hours per week and were paid straight-time wages, rather than receiving overtime pay at one and one-half times their regular rates of pay for hours worked beyond 40 in a workweek, as required by the FLSA. The employer also failed to maintain accurate records as required.

- [Read the News Release](#)

Suit Seeks to Recover Funds for Milwaukee-based ESOP

The department has filed a lawsuit in U.S. District Court to recover funds from the fiduciaries of Omni Resources Inc., a Milwaukee-based information technology company. The suit alleges that Omni Resources' plan fiduciaries authorized the sale of the company's stock to the Omni Resources Employee Stock Ownership Plan for \$13.7 million, which far exceeded its fair market value. The sale resulted in personal financial gain to company owner Veronica Mueller, who was also a fiduciary to the plan. The investigation, conducted by the Employee Benefits Security Administration, focused on a December 2008 ESOP stock purchase.

- [Read the News Release](#)

California Hotel to Pay Overtime Back Wages

A hotel employer in Desert Hot Springs, Calif., has agreed to pay \$59,790 in overtime back wages to 53 employees, including maintenance and housekeeping employees. An investigation by the Wage and Hour Division in San Diego determined that Miracle Springs Resort and Desert Hot Springs Spa and Hotel, under the same management, recorded employees' hours on separate payrolls. The combined hours often totaled more than 40 per week, entitling the affected employees to overtime compensation. Additionally, the employer would deduct a 30-minute lunch break from some employees, even when they did not take the break.

- [Read the News Release](#)

Trinity Yachts Faces Fines for Unsafe Conditions

Trinity Yachts LLC in Gulfport Miss., has been cited by the Occupational Safety and Health Administration with four repeat, 14 serious and two other-than-serious safety violations following an inspection at the company's shipbuilding facility. The repeat violations included the employer's failure to maintain dry floors, provide guards or covers for open hatches, and provide guardrails for the open sides of the deck. Additionally, the serious violations involved the employer failing to guard live 120-volt electrical parts from accidental contact, dry and test welding machines after a rainstorm, tag slings with the manufacturer's recommended safe working loads, and prevent loads from being suspended over the heads of workers. OSHA initiated the May inspection in response to a complaint. Proposed penalties total \$177,100.

- [Read the News Release](#)

Manufacturer Cited for Exposing Workers to Serious Hazards

Pigs Unlimited International Inc., a foam and polyurethane pipeline pig manufacturer, was cited by the Occupational Safety and Health

Corps. "We urge eligible youth to enroll and prepare for today's competitive employment environment." Managed by the Employment and Training Administration, Job Corps provides students with hands-on training in more than 100 career fields, such as construction, business and finance, health care and information technology. For more information about the Job Corps program or to contact a center, call (800) 733-JOBS.

- [Learn About Job Corps](#)

Reducing Regulatory Burdens

As part of the administration's goal to modernize the regulatory system and reduce unjustified regulatory burdens, the department announced four rules that update or rescind obsolete regulations and requirements. The Occupational Safety and Health Administration announced a rule to update and streamline the standards for the use of mechanical power presses. This new rule will eliminate a requirement for employers to document mandatory weekly inspections of these presses while clarifying the responsibility of employers to perform and document any maintenance or repairs necessary to protect the safety of workers who operate them. Removing the weekly inspection and test certifications will reduce 613,600 hours of unnecessary paperwork burden on employers. The remaining three rules from the Employment and Training Administration rescind outdated Foreign Labor Certification regulations for the H-2A, F-1 and H-1A programs that have not been in effect in more than a decade.

- [Read the News Release](#)

Outreach to Diverse Audiences



The Boston office of the Women's Bureau is reaching out to diverse audiences on diverse topics. On Nov. 5, Program Analyst Angela Rizzolo

facilitated a roundtable on Science, Technology, Engineering and Math careers in Hartford, Conn., in connection with Connecticut's Permanent Commission on the Status of Women, the Labor Department and Women's Education & Legal Fund. Forty roundtable participants discussed the unique challenges and opportunities for women in the STEM fields. On Nov. 7, Regional Administrator Jacqueline Cooke spoke to 50 attendees at the Chinese Culture Connection in Malden, Mass. She discussed equal pay and workplace flexibility for women who are caregivers for their families and provided Chinese-language Bureau publications on equal pay. On Nov. 14, the bureau co-hosted a workshop on green jobs opportunities with the Center for Women & Enterprise in Boston. Presenters discussed future opportunities for careers in the sustainable, green and clean industry sectors before an audience of more than 50. Each attendee received a copy of the Bureau's Green Guide.

Administration for 19 safety violations that exposed workers to impalement, struck-by and caught-by hazards, at its Tomball, Texas, facility. The inspection, prompted by a complaint, began in July. Some of the serious violations included failure to guard the point of operation on machines, shaft ends, belts, pulleys, chains and sprockets; ensure the use of appropriate eye or face protection from liquid chemical hazards; ensure all live parts of electric equipment operating at 50 volts or more are guarded against possible contact; ensure the removal of all damaged cords and plugs connected to equipment; and determine each worker's exposure to methylene chloride, while also providing protective clothing and equipment resistant to methylene chloride. Fines total \$58,000 against the company.

- [Read the News Release](#)

Wisconsin Excavating Co. Faulted on Cave-In Hazards

PTS Contractors Inc., a Green Bay, Wis.-based excavation contractor, has been cited by the Occupational Safety and Health Administration for four repeat and two serious safety violations carrying proposed penalties of \$70,070. OSHA began its inspection in August in response to a complaint alleging cave-in hazards at a job site in Wautoma, where workers were installing storm manholes and connecting utilities in a trench approximately 8-feet deep. The repeat violations involved failing to provide a means of safe access and egress during trenching and excavation work, keeping excavated material away from the edge of the trench, and using protective systems.

- [Read the News Release](#)

Tyson Foods Plant in Buffalo Faces More Than \$121,000 in Fines

Tyson Foods faces \$121,720 in fines from the Occupational Safety and Health Administration following an inspection of its Buffalo, N.Y., production plant. OSHA found a cross section of mechanical, electrical and fall hazards, as well as several deficiencies in the plant's process safety management program for its refrigeration system that uses large amounts of ammonia. The inspection also identified hazards similar to those previously cited at Tyson facilities in Kansas, Missouri and Nebraska. Left uncorrected, these new and recurring hazards expose the plant's workers to falls, electrocution, burns, ammonia and being caught in unexpectedly activated machinery.

- [Read the News Release](#)

Two Terminated Ohio Truck Drivers to Receive \$302,000

Under terms of a consent judgment, a defunct North Canton, Ohio-based company, Star Air Inc., and owner Robert R. Custer, will pay two Ohio truck drivers \$302,000 to resolve a lawsuit filed by the department. According to the suit, the two drivers had been terminated in violation of whistleblower provisions of the 1982 Surface Transportation Assistance Act. Akron Reserve Ammunition Inc. was named a defendant in the case because the department alleges that the company, owned by Custer, is the successor to Star Air. The companies and Custer have agreed to pay the \$302,000 over a three-year period.

- [Read the News Release](#)

Hotel Housekeepers Paid Less Than \$5 an Hour

A Days Inn franchisee in San Bernardino, Calif., has agreed to pay \$123,678 in back wages and liquidated damages to 16 housekeeping employees following an investigation by the Wage and Hour Division. Investigators found the actual hourly wage for these employees averaged less than \$5 per hour, well below the current federal minimum hourly wage of \$7.25. The employer showed payments of \$8 per hour on payroll but actually paid \$4 per room cleaned. Franchisee Sahkar Hospitality Corp. also failed to pay overtime to employees, who typically worked more than eight hours of overtime per week during the hotel's busiest periods. The division

- [View the Slideshow](#)
- [Learn More About Equal Pay](#)
- [Download "Why Green Is Your Color"](#)

Homestead Job Corps Helps Needy

Florida's Homestead Job Corps Center students and staff collected 513 pounds of non-perishable items and donated the food to two church food pantries in time for the Thanksgiving holiday. Covenant Missionary Baptist Church in Florida City and First United Methodist Church in Homestead shared the donations. Their food pantries serve more than 500 families each week, with each receiving at least three bags of groceries containing canned food, rice, dried beans, fresh produce and baby food.

Job Credentials for Veterans

The processes for veterans to obtain licenses and credentialing for work are being streamlined, said Terry Gerton, deputy assistant secretary for the Veterans' Employment and Training Service. Gerton delivered a speech on Nov. 19 to a National Governor's Association and state workforce agencies meeting in Washington, D.C. With 200,000 military separations expected each year, Gerton said federal and state partners need to quickly credit the civilian value of military skills so transitioning service members seeking employment can generate the necessary credentials "to enter meaningful long-term career employment." The department and NGA representatives from Illinois, Iowa, Minnesota, Nevada, Virginia and Wisconsin have begun a two-year veterans' licensing and certification demonstration project to test strategies which accelerate credentialing processes for separating service members. Occupations involved in the project include bus and truck drivers, police and patrol officers, EMT/paramedics, licensed practical nurses and other health occupations.

Weekly UI Claims

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 323,000 for the week ending Nov. 16, a decrease of 21,000 from the previous week. The four-week moving average was 338,500, down 6,750 from the previous week's revised average.

- [Read the News Release](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

EBSA — Voluntary Fiduciary Correction Program and Abandoned Plan Program Workshop

- [December 12 — Indianapolis, IN](#)

assessed a \$4,928 civil penalty due to the willful nature of the violations.

- [Read the News Release](#)

Recurring Hazards Result in \$169,000 Fine for Big Lots Stores

Columbus, Ohio, retail chain Big Lots Stores Inc. faces \$169,000 in fines for exit access and storage hazards at its West Babylon, N.Y., location. An inspection by the Occupational Safety and Health Administration's Long Island Area Office found exit routes and aisles blocked by piles and pallets of merchandise, as well as improperly stacked boxes containing merchandise. These hazards were similar to those previously cited by OSHA at Big Lots stores in Alabama, Massachusetts and Pennsylvania and resulted in the issuance of three repeat citations with \$147,000 in fines. The obstructed aisles and exit routes compromise safe exiting in an emergency, while the improperly stacked boxes, some of which were crushed and leaning, could fall and strike workers. The inspection of the West Babylon store also resulted in the issuance of five serious citations with \$22,000 in fines.

- [Read the News Release](#)

Steel Pipe Manufacturer Exposed Workers to Amputation Hazards

For exposing workers to possible amputation hazards at its Little Rock, Ark., facility, Welspun Tubular LLC was cited with two safety and health violations and a proposed penalty of \$77,000 by the Occupational Safety and Health Administration. The complaint inspection, which began in May, is part of OSHA's national emphasis program for amputations. A willful violation, with a fine of \$70,000, was cited for failing to use listed or labeled electrical equipment, in accordance with manufacturer instructions. A serious violation, with a fine of \$7,000, was cited for failing to install equipment and/or controls to prevent pipes from moving and crushing workers.

- [Read the News Release](#)

Roofing Workers Exposed to Fall Hazards at Central Illinois Sites

Affordable Roofing and Exteriors Inc. has been cited by the Occupational Safety and Health Administration for five safety violations. The violations carry proposed penalties of \$158,015, and follow inspections at three Central Illinois job sites where workers were improperly using fall protection during the installation of shingles on residential roofs. Since 2009, the Trenton, Ill.-based company has been cited in five inspections for similar violations. At each job site, a willful violation was issued for failing to ensure workers used fall protection while performing residential roofing. The inspections were initiated under the national emphasis program for fall safety.

- [Read the News Release](#)

Calif. Restaurants Cited Nearly \$2 Million for Wage Theft Violations

The co-owners of two Ukiah, Calif., restaurants have been cited by California Labor Commissioner Julie Su following a joint investigation by her agency and the Wage and Hour Division. The state found the employers owed more than \$1.9 million in unpaid wages to servers and back-of-the-house workers at two restaurants offering Asian fusion and Thai cuisine in the northern California town. Employees regularly worked more than 11 hours per day, six to seven days per week, without guarantee of meeting minimum wage and without an overtime premium.

- [Read the State News Release](#)

Inspectors Find Fall Hazards at Roofing Job in Pennsylvania
Luthersburg, Pa.-based roofing contractor Airworks Construction was cited by the Occupational Safety and Health Administration for four safety

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OFCCP — Everything About Adverse Impact

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OFCCP — OFCCP's Revised Section 503 and VEVRAA Regulations

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OWCP — Town Hall Meetings to assist nuclear weapons workers

- [December 10 — Farmington, NM](#)

OSHA — Advisory Committee on Construction Safety and Health Meeting

- [December 5 — Washington, DC](#)

OSHA — Federal Advisory Council on Occupational Safety and Health Meeting

- [December 5 — Washington, DC](#)

OSHA — Public Meeting on Proposed Rule to Improve Tracking of Workplace Injuries and Illnesses

- [January 9 — Washington, DC](#)

violations inspectors found while workers were replacing a roof on a residence in Williamsport, Pa. One willful violation was cited due to the company's failure to provide workers with fall protection on the roof surface. Three serious violations were cited for the company's failure to ensure workers' proper use of portable ladders, eye protection while operating pneumatic nailers, and safety harnesses when working from an aerial lift. Proposed fines total \$36,960.

- [Read the News Release](#)

Safety Hazards Found During Bricklaying Work for New Homes

McGee Plastering & Stucco Inc. in Upper Darby, Pa., is facing \$89,760 in fines for four safety violations, including one willful, found by the Occupational Safety and Health Administration. OSHA's May investigation uncovered the hazards while the company was engaged in bricklaying operations on new residential homes in Philadelphia. Violations included failure to provide guardrails, install restraints/braces to prevent scaffold collapse, and develop and implement an appropriate hazard communication program. The company was cited in September and, prior to the current inspection, had been placed in OSHA's Severe Violator Enforcement Program.

- [Read the News Release](#)

Suit Seeks to Restore Baltimore Retirement Plan Assets

The department has sued William Kristen Hathaway, former chief executive officer of Baltimore Behavioral Health Inc. and fiduciary to the company's retirement plan, for failing to remit employee contributions, in violation of the Employee Retirement Income Security Act. The suit resulted from an investigation by the Washington District Office of the Employee Benefits Security Administration, which found that, from October 2009 through April 2010, Hathaway failed to remit employee contributions to the plan, remitted certain employee contributions late without interest, and failed to segregate the plan's assets from the general assets of the company.

- [Read the News Release](#)

California Car Wash Agrees to Pay Back Wages

A Santa Monica, Calif., car wash must pay \$656,547 in back wages to 75 former and current employees under the terms of a plea agreement entered in Los Angeles County Superior Court. Wilshire West Car Wash pled no contest to six misdemeanor charges, including failure to pay minimum wage, and not providing meal and break periods. The criminal case resulted from collaboration between the Santa Monica City Attorney's Office, California Labor Commissioner's Office, the Wage and Hour Division and the department's Office of the Solicitor. Surveillance conducted by Wage and Hour investigators from the Los Angeles District Office corroborated evidence obtained by the California Labor Commissioner's Office. As part of the agreement with the prosecutors, the manager of the car wash must complete 120 hours of community service and the supervisor must complete 12 days of hard labor. Wilshire West also has been placed on probation for three years and must pay approximately \$8,000 in fines and penalties.

- [Read the City of Santa Monica News Release](#)

Ex-Union President Sentenced in Texas

The former president of Glass, Molders, Pottery, Plastics & Allied Workers International Union Local 284 in Longview, Tex., recently was sentenced for embezzling more than \$124,000 in union funds. Oscar Berry received 12 months and one day of incarceration and three years of supervised release, and he was ordered to pay \$124,181 in restitution. Berry pleaded guilty in April in U.S. District Court for the Eastern District of Texas to one count of embezzlement of labor union funds. An Office of Labor-Management Standards investigation found that from April 28, 2000, to June 22, 2011,

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Berry embezzled union funds by writing unauthorized checks to himself and using the funds for personal expenses and as gifts to relatives and friends.

Bronx Company Faces Additional Fines for Uncorrected Hazards

A Bronx, N.Y., company that refurbishes commercial refrigerators faces an additional \$108,080 in fines from the Occupational Safety and Health Administration, chiefly for not correcting specific workplace safety and health hazards cited during previous inspections. OSHA cited Ferdo Refrigeration Equipment Inc. in April 2013 for 15 serious hazards and fined the company \$16,647. When the company failed to respond, OSHA opened a follow-up inspection in May. The new inspection found eight uncorrected violations, including fire, explosion, fall, exit and chemical hazards, as well as 15 new and recurring hazards involving respirators, personal protective equipment and forklifts.

- [Read the News Release](#)

Unpaid Wages Sought for Workers at Ohio Home Care Company

The Department of Labor has filed a complaint in federal district court seeking back wages and liquidated damages for 15 workers of Mentor, Ohio-based Nightingale Home Support & Care Inc. The lawsuit, which resulted from an investigation conducted by the Wage and Hour Division, alleged violations of the Fair Labor Standards Act's minimum wage, overtime and record-keeping provisions by Nightingale, which also misclassified some workers as independent contractors instead of employees. Additional minimum wage violations were found when the employer failed to provide final paychecks on regularly scheduled pay days and failed to make good on paychecks returned for insufficient funds.

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