



DOL News Brief

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December 5, 2013

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

A Distinguished Visitor



It was an era before wikis and videoconferencing and countless other collaborative communications technologies made it possible to do business from anywhere in an instant (even the fax

machine was only a few years old). In Washington, D.C., government officials made their way between various buildings to convene far more often than they do now. That way of doing business was captured on Feb. 4, 1969, when President Richard M. Nixon addressed employees at the Labor Department, which was then located at 14th St. and Constitution Ave. "I think that during the years when I was vice president, except for, of course, the White House, this department of government was one that I visited more often than any other," Nixon said. The amount of time Nixon spent at the department is evident in his easy familiarity with several top officials. Nixon joked about new Secretary George Schultz's unique qualifications for the job, noting that he "worked in the Eisenhower administration; he was a consultant to the Kennedy administration; and he worked on a task force in the Johnson administration. Now, anybody who can stay employed in those three administrations can keep down unemployment in

the United States of America." Nixon was more serious in his praise of the career employees at the department, telling them, "We need your dedication. We need your enthusiasm. I only can assure you, we will try to be worthy of it — worthy of the people



who have given so much of their time, so much of their lives to public service." The close personal collaboration between Nixon and the department likely facilitated the vast and groundbreaking new protections established at the time, most notably with the passage of the Occupational Safety and Health Act of 1970.

• [Read Nixon's Remarks](#)

What's New

Labor-Management Partnerships Highlighted at White House Event

"If we aren't solving problems in concert, we aren't solving problems for the long term," said U.S. Secretary of Labor Thomas E. Perez during opening remarks at the "Partnerships that Work" Labor-Management Summit on Dec. 5. Hosted by the White House, the summit brought together union, business and government leaders to showcase how effective collaboration between the parties can build long-term success for all. Perez was joined by Commerce Secretary Penny S. Pritzker and the head of the Federal Mediation & Conciliation Service, George H. Cohen, as well



as approximately 100 guests from labor organizations, academic institutions and employer organizations. This marked the first time a Commerce secretary has attended the annual event. The summit featured seven separate panels, each with a unique example of how cooperation between union and employer groups resulted in a mutually beneficial resolution that not only addressed an immediate concern but set the foundation for long-term success for both parties. Perez moderated three panels that focused on apprenticeship, health-care programs, and a successful turnaround of the Ford assembly plant in Louisville, Ky., that he recently toured. Despite being on the verge of a complete shutdown, leaders of Ford and the United Auto Workers came together to devise a turnaround plan. Now the plant is thriving, increasing its workforce from approximately 900 workers to more than 4,400.

• [View the Slideshow](#)

Innovative Technical College Programs on Display in Badger State

Secretary Perez visited Gateway Technical College's SC Johnson Integrated Manufacturing and Engineering Technology Center in Sturtevant, Wis., on Dec. 4, where he toured the flexible manufacturing and fabrication labs. Later, he led a roundtable discussion with students and employers on developing, improving and expanding adult educational training for careers in information technology-related occupations. "I just met a student who is graduating Friday after 13 weeks of training and starting a job Monday,"



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

MINIMUM WAGE MYTH BUSTER

Myth: Increasing the minimum wage lacks public support.

Not true: Raising the federal minimum wage is an issue with broad popular support. Polls conducted since February when President Obama called for increasing the minimum wage have consistently shown that an overwhelming majority of Americans support an increase. A recent Gallup poll found that 76 percent of Americans support an increase.

- [Read the Poll](#)
- [Subscribe to Minimum Wage Updates](#)

(Work in Progress) The Best of Our Blog

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

- [Minimum Wage Momentum](#): Around the country, momentum is gathering and a consensus is emerging around the idea that we need to increase the federal minimum wage, to give millions of workers a fair day's pay for a fair day's work. Secretary Perez has met many of these workers touring the country, and he believes their stories are beginning to resonate. From the woman who is homeless today after working a minimum wage job for 16 years to the man who must work through illness and injuries because he can't afford to miss a day, these stories reveal the workers' pride and dignity, but also the distress and anxiety they must contend with daily. "Congress needs to respond to the organic grass-roots energy that continues to build," Perez writes.
- [Public Service is Customer Service](#): It's Customer Service Week at the Labor Department, and Erica Roberts, program manager of the Customer Service Program Office, writes about her office's efforts to fulfill a 2011 executive order from President Obama on improving customer service. The core of these efforts is a "no wrong door" vision, in which customers receive the information they need regardless of their preferred communication channel.
- [Make the Connection With Job Corps](#): A recent report cited 5.8 million Americans ages 16 to 24 — nearly one in seven young Americans — as neither working nor in school. At Job Corps, we welcome this disconnected population at our 125 centers across the nation, and we offer them connections. Here, National Director of Job Corps Grace Kilbane provides all the information young people need to learn about the opportunities Job Corps can provide.

Perez said. "You are providing upward mobility in good paying, middle-class American jobs. Your programs are working because you have built a partnership with industry to meet their demands." The college is part of a \$23 million Trade Adjustment Assistance Community College and Career Training grant. Northcentral Technical College was recently selected to lead the grant program for 16 colleges that train workers for careers in information technology.

- [View the Slideshow](#)

Chicago Initiative Matches Unemployed With Job Opportunities



As part of his ongoing outreach to business communities across the country, Secretary Perez met with 10 business leaders in Chicago on Dec. 4. The roundtable discussion focused on job creation, providing workers with marketable skills, and successful partnerships between employers and

organizations like Skills for Chicagoland's Future, an initiative created by Mayor Rahm Emanuel. The initiative identifies hiring needs of local employers and matches them with qualified unemployed job seekers in the area. Following the meeting, Perez toured Seaton, a Chicago-based recruiting and outsourcing company, which has hired approximately 250 unemployed job seekers to date through SCF. During the tour, he heard from recently unemployed persons who successfully got back on their feet because of the training and support provided by SCF. Perez also visited GoHealth, another employer partner of SCF. GoHealth is one of the fastest growing health insurance technology firms in the country and has helped almost 30 million Americans shop and compare health insurance plans online and over the phone. SCF leads a train-to-hire program that provides exam prep at no cost to job seekers and connects GoHealth managers with unemployed candidates. "Through an industry-driven model that aligns with the needs of businesses, Skills for Chicagoland's Future provides job seekers with the opportunity to gain credentials that can lead them on a path toward jobs that are in demand today," said Perez. He was joined by President and CEO of Skills for Chicagoland's Future Marie Trzupczak Lynch and acting Assistant Secretary of Labor for Employment and Training Eric Seleznow.

- [View the Slideshow](#)

Preparing High School Students for 21st Century Jobs

Secretary Perez and Chicago Mayor Rahm Emanuel visited with students and staff on Dec. 4 at the Sarah E. Goode STEM Academy in Chicago — an innovative public school that seamlessly connects high school, college and career. Students in the six-year program graduate with a no-cost



Associate in Applied Science degree along with the skills and knowledge they need to continue their studies or step into well-paying jobs in the information technology industry. One thing was clear about this visit: the students at Sarah E. Goode are eager to learn. Perez heard stories from students wanting to become computer science engineers, lawyers and doctors. He saw firsthand the technology the students use, and even got a lesson from a student on using Department of Labor data in an IT class.

BOOKS THAT SHAPED WORK IN AMERICA

'Quality, Productivity & Competitive Position'

Two former secretaries of labor (Ray Marshall and Elaine Chao) suggested "Quality, Productivity and Competitive Position" — which was published in 1982 and renamed "Out of the Crisis" in 1986 — as a book that shaped work in America. It argued the need for American companies to drastically alter their management approaches in order to compete in the emerging global economy. Author W. Edwards Deming offered a new paradigm based on "14 Points for Management" resulting from his comparative studies of Japanese and American companies in the 1970s. Central to his thesis was the concept that management should be measured not only on profits, but also quality and planning for growth through continual improvement.

- [Read the Blog Post](#)
- [Books that Shaped Work in America](#)

Dallas Oil and Gas Forum

Oil and gas industry decision makers, specialists and managers joined representatives from the Occupational Safety and Health



Administration on Dec. 3 at the inaugural Oil and Gas Environmental Conference in Dallas to exchange best practices and ideas on environmental performance and regulatory compliance. Sponsored by the University of Texas at Arlington, the sold-out event of 600 participants began with opening remarks by Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. "Together, we will continue the collaborative efforts between OSHA and the oil and gas industry to improve safety and prevent injuries and illnesses in this industry," he said. Michaels urged attendees to participate in the agency's current rulemaking on protecting workers from crystalline silica and improving injury and illness tracking. He also met with the National Service, Transmission, Exploration & Production Safety Network, commonly known as STEPS, and applauded the successful turnout at the Nov. 14 national oil and gas safety stand down, which sought to raise awareness about industry hazards and how to prevent them.

The Disability Advantage

A diverse audience of employers, job seekers and service providers gathered in St. Louis, Mo., on

Goode STEM Academy opened in 2012 in collaboration with IBM, the Chicago Public Schools, City Colleges of Chicago and Richard J. Daley College. The academy is based on the Pathways in Technology Early College High School concept. "When you expose people to opportunity, you expand their horizons," said Perez.

- [View the Slideshow](#)

National News

Online Resource for Whistleblowers

Whistleblowers covered by one of 22 statutes administered by the Occupational Safety and Health Administration will now be able to file complaints online. The form provides workers who have been retaliated against an additional way to reach out for OSHA assistance. Currently, workers can make complaints to OSHA by calling the agency's toll free number or a regional or area office. "The ability of workers to speak out and exercise their rights without fear of retaliation provides the backbone for some of American workers' most essential protections," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. "Whistleblower laws protect not only workers, but also the public at large, and now workers will have an additional avenue available to file a complaint with OSHA."

- [Read the News Release](#)
- [View the Online Complaint Form](#)

Why We Need Miners

They toil underground and on the earth's surface to extract coal, copper, silver, limestone, iron, salt, gravel and crushed stone. Every day, miners produce the materials that are transformed into products that Americans use on a regular basis — smartphones, cosmetics and cookware, just to name a



few. On Dec. 6, we acknowledge the work of these men and women by celebrating National Miner's Day. "American miners work every day to provide the necessities of life," Joseph Main, the assistant secretary of labor who heads the Mine Safety and Health Administration, said. "They deserve protection on the job from workplace hazards that have killed tens of thousands and injured hundreds of thousands of miners throughout our history."

- [Read Miner's Day Statement](#)
- [Visit the Miner's Day Website](#)

Take Three: Youth Career Connect

As part of an on-going effort to develop the most highly skilled workforce in the world and ensure the country continues to be a magnet for good jobs, President Obama recently announced a new \$100 million Youth CareerConnect grant competition to prepare high school students for 21st century jobs. We talked with Deputy Assistant Secretary for Employment and Training Gerri Fiala to learn more about this program.

What is Youth Career Connect? *Building a highly skilled, competitive workforce requires preparing students early with the knowledge necessary for jobs of the future. These grants will serve as a catalyst for high schools*

Dec. 5 for a keynote address by Assistant Secretary of Labor for Disability Employment Policy Kathy Martinez. Her address, "The Disability Advantage," was part of the Max Starkloff Speaker Series sponsored by the nonprofit Starkloff Disability Institute. In addition to exploring her personal experiences as a person with a disability, Martinez discussed strategies for enlightening today's employers on inclusive workplace practices. "By working together, I know we can make inclusion not just a buzz word, but a reality," she said. "Ultimately, we can change the landscape of disability employment, because with each person who gets hired, the barrier of fear is lowered."

Talking FLSA in Creole



The Wage and Hour Division's Miami District office is working with the Haitian Advisory Council of St. Lucie County, Fla., to reach Creole-speaking

workers in the region. Wage and Hour Senior Investigator Yolette Chalumeau recently took part in a Creole-language public affairs television program geared towards the large population of migrant and seasonal workers in Fort Pierce and the surrounding St. Lucie County. Chalumeau, who spoke in Creole on the program "Saks Pase St. Lucie?," explained worker protections under the Fair Labor Standards Act, specifically the rights to minimum wage and overtime, and how to contact the Wage and Hour Division with questions or complaints. The program will air on WLX-TV, a service provided by the St. Lucie County public schools.

Improving Chemical Safety

In its efforts to prevent major chemical incidents, the Occupational Safety and Health Administration announced on Dec. 3 a request for information seeking public comments on potential revisions to its process safety management standards and related standards. The RFI is in response to President Obama's executive order 13650 — which seeks to improve chemical facility safety and security — issued in the wake of the April 2013 West, Texas, tragedy that killed 15 people in an ammonium nitrate explosion. OSHA is also seeking comment on potential updates to its standards for explosives and blasting agents, flammable liquids and spray finishing. The agency will use the compiled information to determine what actions, if any, it may take.

- [Read the News Release](#)
- [View the RFI](#)
- [Learn About the Executive Order](#)

Rebuilding After the Tornado

More than 125 contractors, building and zoning officials and

to expand their capacity to offer career-focused, work-based learning and develop strong employer-partnerships that prepare students for the fastest growing industries. Up to \$100 million in grants are available to school districts and their education and employer partners, using funds generated by employers that use the H-1B temporary visa program to hire highly skilled foreign workers. Through this program, we will use fees collected through the H-1B program to create a pipeline of American students for post-secondary education and employability in high-growth industries and occupations served by the H-1B program.

How is Youth Career Connect different from other job training programs? *Unfortunately, we're seeing that too many high school students are not exposed to career-focused training while in school, so unlike many of our other training programs, Youth CareerConnect grants are specifically targeted at high school students. We're also requiring that schools work closely with local employers and the workforce system so that students get the training they need for the current and future jobs employers say they have.*

What should applicants know about the grant competition? *Strong partnerships are the key to success for this program and every grantee must include — at a minimum — a local education agency, a local workforce investment system partner, an employer and an institution of higher learning. We're currently accepting applications through Jan. 27, 2014, and will award the grants in early 2014 in time for programs to be put in place for the 2014-2015 school year.*

It Happened on the Hill

New Rules to Help Expand Job Options, Identify Qualified Workers

In August, the Office of Federal Contract Compliance Programs announced final rules to improve employment for people with disabilities and for veterans. On Dec. 4, OFCCP Director Patricia A. Shiu discussed that regulatory action as well as other OFCCP activities before the House Committee on Education and the Workforce's Subcommittee on Workforce Protections. Shiu noted that the final rules reflected feedback received during the four-year rulemaking process, and emphasized the potential benefits for applicants, in expanding job options, and for contractors, in helping them successfully identify, hire and retain qualified workers.

"Workers are our nation's greatest resource," said Shiu. "The United States has among the most talented, innovative and hard-working people in the world, and they are the engine of our economic recovery."

- [Learn About the Section 503 Rule](#)
- [Learn About the VEVRAA Rule](#)

International Scene

Dialogue With Colombia Continues With Meetings in Washington



President Obama and his counterpart from Colombia, President Juan Manuel Santos, met at the White House on Dec. 3 to discuss the countries' growing partnership in areas of mutual interest such as commerce, energy access, regional infrastructure and



insurance industry representatives gathered at East Peoria Central Junior High

School recently to learn more about available assistance from the Occupational Safety and Health Administration in tornado-ravaged parts of Illinois. OSHA Peoria Area Office Director Tom Bielema, a resident of Washington, Ill., the hardest hit community, and compliance officer Brian Bothast discussed common hazards found in disaster recovery and feasible abatement options. The group talked about how to best work together to ensure a speedy recovery with no additional loss of life or injuries following the devastating Nov. 17 twister.

Blankets for the Homeless



Students and staff from the Detroit Job Corps Center volunteered with the World Medical Relief Blanket Program to distribute more than 25,000 blankets to

homeless children and seniors on city streets and in shelters. "Community service projects of this nature help our youth to see the importance of the 'big picture' and how vital it is to give back to our communities," said Kevin Haynes, director of administrative services for the Detroit Job Corps Center. The Detroit Job Corps Center has volunteered with the program for the past three years.

Ex-Atomic Workers Notified

Former atomic weapons workers of Pantex Plant in Amarillo, Texas, and Feed Materials Production Center in Fernald, Ohio, were notified by the department about three new classes of workers added to the Special Exposure Cohort of the Energy Employees Occupational Illness Compensation Program. Workers included in a designated class and diagnosed with one of 22 specified cancers may receive a presumption of causation under the EEOICPA. The EEOICPA provides compensation and medical benefits to employees who became ill as a result of working in the nuclear weapons industry. Survivors of qualified employees also may be entitled to benefits. To date, more than \$9.9 billion has been paid to eligible claimants nationwide.

- [Read the Pantex News Release](#)
- [Read the Fernald News Release](#)

Weekly UI Claims

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 298,000 for the week ending Nov. 30, a decrease of 23,000 from the previous week. The four-week moving average

economic integration.

Accompanying Santos with the Colombian delegation was Minister of Labor Rafael Pardo, who dropped by the department ahead of the presidential meeting to discuss labor issues with Secretary Perez before both joined the two presidents at the White House. The meeting was part of ongoing dialogue and collaboration between Colombia and the United States on the commitments contained in the Colombian Action Plan Related to Labor Rights, with specific topics including fine collection, sub-contracting and outsourcing, and labor inspector hiring. Deputy Secretary of Labor Seth Harris and Acting Deputy Undersecretary for International Affairs Carol Pier joined the meeting, as did Deputy U.S. Trade Representative Ambassador Miriam Sapiro. Colombia and the United States recently announced plans to continue meeting through 2014 on action plan matters. The Bureau of International Labor Affairs currently provides Colombia significant technical assistance, funding three projects in the country focused on issues such as building the capacity of the Ministry of Labor's Labor Inspectorate, eliminating child labor in mining, and providing legal advice to workers via workers' rights centers.

- [Learn About ILAB's Work in Colombia](#)

DOL Working for You

Internship Allows Cascades Job Corps Student to Advance

Cascades Job Corps Center student Joseph Wentz recently received a paid, work-based learning opportunity in his field of study in facilities maintenance. For three months, Wentz interned at facilities run by Washington State's Seattle City Light, the country's 10th largest public electric utility. Wentz worked on a variety of projects, from sanitizing the company's work and rest areas to performing outside lawn maintenance and gutter cleaning. At Cascades, he also found time to earn both his GED and high school diploma. According to Wentz, the internship "gave me real work experience and made me more employable," while studying at Cascades made him "more mature." When he graduates from Cascades next March, Wentz has his sights set on enrolling in a local community college to study criminal justice.



DOL in Action

Independent Fiduciary Appointed for Defunct Benefits Plan

Following legal action by the department, the U.S. District Court for the Eastern District of New York appointed M. Larry Lefoldt as an independent fiduciary to manage the 401(k) plan of the defunct Windswept Environmental Group Inc. of Holtsville, N.Y. The plan's administrator, trustee and sole fiduciary died in November 2008, and Windswept Environmental ceased operations in February 2009. As a result, no one was administering the 401(k) plan, as required by law. In the absence of a plan fiduciary, participants and beneficiaries may not be able to obtain plan information, make investments or collect retirement benefits. "The department took this legal action so the plan's participants can access the funds that rightly belong to them," said Jonathan Kay, regional director for the Employee Benefits Security Administration in New York. "Workers should know that they can turn to the department for assistance when their retirement plan

was 322,250, down 10,750 from the previous week's revised average.

- [Read the News Release](#)

Did You Know?

The Wage and Hour Division is at the forefront of the department's commitment to being accessible to workers with limited English proficiency. The agency has more than 600 investigators, outreach specialists and other employees who speak more than one language and are located in offices around the country. The agency's staff can provide confidential assistance to workers in more than 170 languages. Furthermore, the agency has more than 225 publications translated into 16 different languages.

- [Contact Wage and Hour Division](#)
- [Get Publications in Multiple Languages](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

EBSA — Getting It Right - Know Your Fiduciary Responsibilities Seminar

- [January 7 — New York, NY](#)

EBSA — Voluntary Fiduciary Correction Program and Abandoned Plan Program Workshop

- [December 12 — Indianapolis, IN](#)

OFCCP — Affirmative Action Program Development for Small or First-Time Supply and Service Contractors

- [December 12 — Baltimore, MD](#)

OFCCP — Best Practices for Corporate Management Compliance Evaluations

- [February 12 — Memphis, TN](#)

OFCCP — Common Problems Areas for Federal Contractors

- [January 16 — Houston, TX](#)

OFCCP — Compliance Assistance for Construction Contractors and Subcontractors

- [December 17 — Richmond, VA](#)

OFCCP — Compliance Assistance for New and Small Supply and Service Contractors

- [December 12 — Richmond, VA](#)

OFCCP — Construction Companies and OFCCP Compliance

- [January 22 — Detroit, MI](#)

OFCCP — Everything About Adverse

has been abandoned, and they have not received the benefits to which they are entitled. We are here to help them."

Illinois Electrical Contractor Cited in Worker's Death

The Occupational Safety and Health Administration cited Aldridge Electric Inc. for a serious safety violation following the June 25 death of a 36-year-old worker who developed heat stroke at a job site in Chicago. The Libertyville, Ill., -based company was installing electrical conduit in an uncovered trench on the Chicago Transit Authority's Dan Ryan Red Line project when the worker became ill his first day on the job. OSHA's investigation found that Aldridge Electric did not implement an adequate and effective heat stress program and failed to ensure a newly employed worker was acclimatized to the effects of heat and physical exertion.

Proposed penalties total \$7,000.

- [Read the News Release](#)
- [Learn About OSHA's Heat Campaign](#)

Lawsuit Filed on Denial of Family, Medical Leave Request

The department has filed a lawsuit in federal district court seeking back wages, liquidated damages and reinstatement for an employee of Fairfield, Ohio-based DNA Diagnostics Center Inc. The employee requested unpaid leave under the Family and Medical Leave Act to care for an ill niece for whom the employee was standing "in loco parentis," or as a temporary guardian. The lawsuit, which resulted from an investigation conducted by the Wage and Hour Division, alleges the company unlawfully denied the leave request and terminated the employee from her position after she exercised her rights under the FMLA.

- [Read the News Release](#)

Contractor Faces Fines for Recurring Fall and Scaffold Hazards

Painting & Decorating Inc., a Ronkonkoma, N.Y., painting and stucco contractor with a history of fall protection and scaffold safety violations, faces an additional \$460,350 in fines following an inspection of a Manhasset work site. Many of the hazards found were similar to those cited during previous Occupational Safety and Health Administration inspections of five other Painting & Decorating work sites. The recurring hazards included failure by a competent person to inspect the scaffold for defects during scaffold erection and before work began. "The sizable fines proposed reflect the ongoing failure and refusal by this employer to provide basic safeguards for its employees. Workers have repeatedly been exposed to deadly or disabling falls and crushing injuries," said Anthony Ciuffo, OSHA's Long Island area director. "Falls are the leading cause of death in construction work and can be prevented by adhering to basic, common sense and legally required safeguards."

- [Read the News Release](#)
- [Learn How to Prevent Fall Hazards](#)

Illinois Railroad Workers Exposed to Lead, Inspection Finds

Illinois Central Railroad Co. has been cited by the Occupational Safety and Health Administration for one willful and six serious safety violations that carry proposed penalties of \$110,500. OSHA began its inspection in May after observing workers without the necessary safety and health protection while conducting demolition operations on a Chicago bridge coated with lead-based paint. The one willful violation was cited for failing to conduct initial monitoring of employees for lead exposure. Illinois Central Railroad Co. is a wholly owned subsidiary of Canadian National Railway and provides rail service throughout Wisconsin, Illinois, Minnesota and Canada.

- [Read the News Release](#)

Safety Violations Found at Pyrotechnics Company

Garden State Fireworks was cited by the Occupational Safety and Health

Impact

- [December 12 — Houston, TX](#)

OFCCP — Functional Affirmative Action Programs

- [December 12 — Memphis, TN](#)

OFCCP — Laws Enforced by OFCCP

- [February 19 — Detroit, MI](#)

OFCCP — OFCCP's Revised Section 503 and VEVRAA Regulations

- [December 12 — Baltimore, MD](#)

OFCCP — Scheduling and AAP Requirements

- [February 21 — Houston, TX](#)

OFCCP — What to Expect During an OFCCP Compliance Review

- [December 11 — Detroit, MI](#)

OWCP — Town Hall Meetings to assist nuclear weapons workers

- [December 10 — Farmington, NM](#)

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

- [January 9 — Washington, DC](#)

Administration for 12 safety violations at the company's Millington, N.J., facility. The pyrotechnics manufacturer and fireworks display company faces \$48,300 in proposed fines following OSHA's May inspection that began under its Process Safety Management Covered Chemical Facilities National Emphasis Program. Eleven serious violations included the company's failure to provide a written respiratory program, keep records showing employee training, and compile process safety information on the dangers of highly hazardous chemicals, technology and equipment.

- [Read the News Release](#)

Restaurants Charged Employees for Uniforms

U.S. Egg Restaurant LLC in Arizona has agreed to pay \$70,203 in back wages to 190 employees for minimum wage and overtime violations of the Fair Labor Standards Act found at four locations in Phoenix, Scottsdale, Tempe and Chandler. Wage and Hour Division investigators found that the employer improperly deducted up to \$10,691 for employees' uniforms, which resulted in systemic minimum wage violations. The employer also paid straight-time for all hours worked to non-exempt employees, including for overtime hours that exceeded 40 in a workweek. The affected employees will receive \$59,511 for the overtime violations.

New York Manufacturer Penalized for Uncorrected Workplace Hazards

The failure of a Victor, N.Y.-based optical equipment manufacturer to correct serious safety hazards has resulted in \$131,600 in additional fines from the Occupational Safety and Health Administration. OSHA's Syracuse Area Office first cited Wordingham Machine Co. in March for seven violations of workplace safety standards. The office began a follow-up inspection in June after the company failed to respond to the citations or submit proof that it had corrected the cited hazards. The second inspection found that six specific hazards remained uncorrected. These included machine guarding, lockout/tagout, electrical and fire extinguisher hazards. The inspection also identified a serious new hazard — a locked exit door.

- [Read the News Release](#)
- [Learn About Employers' Rights and Responsibilities](#)

Maine Stone-Crushing Plant Must Pay Former Miner

Ferraiolo Constructions Inc. and owner-president John Ferraiolo, operators of the Portable Pioneer Plant in Thomaston, Maine, will pay a former employee \$6,000 to resolve a lawsuit filed by the department before the Federal Mine Safety and Health Review Commission. The department filed a complaint with the commission in 2012 on behalf of the worker, who was terminated after he alerted the company to unresolved safety problems and filed a complaint with the Mine Safety and Health Administration. Ferraiolo also agreed to take other corrective action, including posting a worksite notice describing employees' whistleblower rights, refraining from future discrimination and paying a civil money penalty of \$10,000.

- [Read the News Release](#)
- [Learn More About Miners' Rights and Responsibilities](#)

Cellular Tower Company Cited After Worker Fatality

Custom Tower LLC of Scott, La., has been cited by the Occupational Safety and Health Administration for one safety violation following the death of a worker who fell approximately 125 feet while attempting to install a microwave dish on a cellular tower in Louise, Miss. The willful violation is for the employer's failure to ensure that workers wore and used fall protection equipment properly while working from heights greater than 6 feet. Proposed penalties total \$50,400.

- [Read the News Release](#)

Seattle Union Agrees to Rerun Election

Local 3197 of the American Federation of Government Employees in Seattle

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 US Labor Department  1h
@USDOL

Can you guess which "Book that Shaped Work in America" is as old as @USDOL? huff.to/1cEzhzF @HuffPostBooks #WorkBookList #DOL100

 Show Summary

 Tom Perez  4h
@LaborSec

How innovative partnerships create opportunity & expand economic growth in #Detroit -- read my op-ed: bit.ly/1bAq36g #HireDetroit

 Retweeted by US Labor Department

has agreed to conduct, under the supervision of the Office of Labor-Management Standards, a new election for the positions of first vice president, chief steward, local women's coordinator and local fair practice coordinator. An OLMS investigation disclosed that the union provided inadequate safeguards to ensure a fair election, denied members the right to vote by not communicating the date by which voted ballots had to be returned in order to be counted, denied some members the right to vote by not providing adequate time between when ballots were mailed out and when they were due to be counted, did not make a reasonable effort to ensure that ballots were provided to those members whose mailed ballots were returned undelivered, did not properly safeguard voted ballots and undelivered ballots, and did not publicize a duplicate ballot request procedure.

Albuquerque Restaurant Sued for \$304,000

The department has filed a lawsuit against Albuquerque, N.M.'s St. James Tearoom Inc. and its owners, Mary Alice and Daniel Higbie, after a Wage and Hour Division investigation found that the defendants violated the Fair Labor Standards Act. The lawsuit seeks to recover unpaid minimum wages, overtime pay and liquidated damages totaling \$304,000, as well as an injunction to permanently prohibit the defendants from committing future FLSA violations. The complaint was filed in the U.S. District Court, District of New Mexico

- [Read the News Release](#)

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U.S. Department of Labor, Frances Perkins Building, 200 Constitution Ave., NW, Washington, DC 20210
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