



**UNITED STATES  
DEPARTMENT OF LABOR**

Promoting and Protecting Opportunity

## DOL News Brief

December 12, 2013

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

### Honoring Fellow Centenarians



In 1842, the Glass, Molders, Pottery, Plastics and Allied Workers International Union was formed in Philadelphia, making it one of the first labor unions established in the United States. The union represented glass

blowers and other tradesmen, and it is the oldest union afforded a place of honor in the Labor Department's "Century of Service: Honor Roll of American Labor Organizations" exhibit at the Frances Perkins Building in Washington, D.C. The youngest honoree in the exhibit was established just a few months after the Department of Labor in May 1913: the Actor's Equity Association. These unions, and the 44 others like them that have celebrated a century of service to working men and women, are honored not only for their longevity in the movement to empower and protect workers, but for their far-reaching contributions to freedom, economic security for working families, and the richness of American life. The exhibit was created in 1992 by

then-Departmental Historian Judson MacLaury, with assistance from the Office of the Assistant Secretary for Policy. The Honor Roll was



dedicated in September of that year by Secretary Lynn Martin, who concluded her remarks on the occasion by saying, "This honor roll will be an inspiration for the future. The history of the American worker and American free trade unions is far from ended. The job that you began over a hundred years ago is not over. And our job here is not over."

- [View a List of Inductees](#)
- [Read Secretary Martin's Dedication Remarks](#)
- [View the Centennial Timeline](#)
- [View the Centennial Video](#)
- [Suggest a Centennial Moment](#)

### What's New

#### Pulling Together on Detroit's Road to Recovery

Residents of the Detroit area hit hard by the loss of manufacturing jobs during the 2007-2009 recession know adversity. But they also know that American innovation and a willingness to pull together are a powerful one-two punch in getting Detroit back on its feet.



That was the message Secretary of Labor Thomas E. Perez and Secretary of Education Arne Duncan brought to the city on Dec. 12 for a series of events focused on efforts to cultivate and integrate federal, state, city, philanthropic and private-sector support to restore Detroit's economic greatness. The two Cabinet officials visited Macomb Community College in Warren, Mich., which was recently selected to lead a nearly \$25 million Trade Adjustment Assistance Community College Career Training grant. The grant will help Macomb and seven other Michigan schools enhance and expand their training programs through the launch of the Michigan Coalition for Advanced Manufacturing. The secretaries also traveled to the Northwest Activities Center in Detroit for the kickoff of the Hire Detroit! campaign. Organized by the Detroit Employment Solutions Corporation and MichiganWorks, the event brought together workforce professionals, employers, and local, state and federal leaders to raise awareness of Detroit's workforce needs and encourage employers to hire. One employer — Detroit Manufacturing Systems — has relied heavily on the resources of the local workforce system to hire their 750 employees since 2012. Perez visited DMS later in the day to talk to employees involved in making parts for Ford vehicles.

- [Read Secretary Perez's Op-Ed](#)
- [View the Hire Detroit! Slideshow](#)
- [View the Macomb Community College Slideshow](#)

#### Women, Work and the Work Ahead

The 1963 "American Women" report was the culmination of an initiative of President John F. Kennedy's administration to examine circumstances for working women and explore improvements. On Dec. 9, the Women's Bureau hosted a symposium commemorating the 50th anniversary of the report that was issued by the Presidential Commission on the Status of Women.



**EQUAL PAY  
MYTH BUSTER**

Myth: Men and women receive equal treatment in the U.S. workforce.

Not true: While working women have made great strides in recent decades, as evidenced by higher earnings, greater occupational diversity and a larger presence in leadership positions and entrepreneurial fields, they still face unique barriers in the U.S. workforce. Women are more likely to live in poverty than men. On average, women earn less than men and are nearly twice as likely to earn the minimum wage or less. Women are less likely to be employed in science, technology, engineering or math careers, and they are far more likely to experience sex discrimination on the job. And while income inequality has decreased, the pay gap persists: 50 years ago, women earned 59 cents on the dollar compared to men. Today, depending on how you measure it, women earn about 81 cents on the dollar according to the Bureau of Labor Statistics and about 77 cents according to the Census Bureau. Either way, there's a pay gap.

- [Learn More About Equal Pay](#)
- [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.

- [Report: Solid Growth, But Too Many Are Struggling](#): The jobs report for November continues the 45-month trend of private-sector job growth, showing that the economy added 203,000 jobs last month. The unemployment rate dropped to 7 percent, and manufacturing remained strong with the addition of 27,000 new jobs. Here, Secretary Perez analyzes the report, pointing to areas of progress while reminding us that, despite broad-based job growth, far too many American families are still struggling to get by. Especially in this holiday season, Perez writes, "We can and should be doing more. We must invest in infrastructure, pass comprehensive immigration reform, extend the Emergency Unemployment Compensation program and raise the minimum wage."
- [Working During the Holidays? Know Your Rights](#): This time of year, many people hold temporary or part-time jobs helping retailers and other businesses with the heavy demands of the busy holiday shopping season. To help educate workers and employers on the labor standards that apply to these jobs, Laura Fortman, principal deputy administrator for the Wage and Hour Division, poses several common questions about seasonal work and answers them with links to useful informational resources.

Discussions reflected on how things have changed for working women, and what changes still need to occur. Speakers included Women's Bureau acting Director Latifa Lyles, Wage and Hour Division Principal Deputy Administrator Laura Fortman and Deputy Director of the White House Council on Women and Girls Avra Siegel. [Events scheduled for Dec. 10 were postponed due to inclement weather. The induction of former Women's Bureau Director and Commission Executive Vice Chair Esther Peterson into the Department of Labor's Hall of Honor will be rescheduled.]

- [Explore the Data on Women](#)
- [View the Slideshow](#)

### Labor and Management Working Together



Leaving behind the snow and ice, Secretary Perez traveled to Las Vegas on Dec. 9 to deliver the keynote address at the International Union of Painters and Allied Trades' annual Finishing Industries Forum. IUPAT President Ken Rigmalden introduced Secretary Perez to an audience of nearly 500

participants made up of construction company owners, contractors and IUPAT leaders from across the United States and Canada. Attendees at the three-day labor-management event participated in industry-focused plenary sessions and workshops and discussed issues facing their respective industries. Perez spoke about the exceptional way IUPAT trains workers and helps employers. "Employers need workers who have the right skills so they can compete. That's what you're doing day in and day out," he said. Prior to his address, Perez met with the Labor Management Cooperation Initiative Board of Trustees to discuss labor and management best practices.

- [View the Slideshow](#)

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## National News

### A Quarter Billion Dollars in Back Wages

In fiscal year 2013, the Wage and Hour Division recovered nearly a quarter of a billion dollars in back wages for workers around the country whose employers improperly denied them pay they had earned. The cases processed during that 12-month period benefited more than 269,250 workers who were owed \$249,954,412 in back wages. Nearly a third of that money was secured for low-wage workers. "Employers who commit minimum wage, overtime and other wage violations deny workers their full hard-earned income, and we are committed to ensuring that the money is in the hands of those who worked for it," said Laura Fortman, principal deputy administrator for the Wage and Hour Division. "That's money that they will spend on the rent, on transportation, to put food on the table, and to buy clothes for their kids." Since the beginning of 2009, the Wage and Hour Division has closed 145,884 cases nationwide, resulting in more than a billion dollars in back wages for 1,238,589 workers.

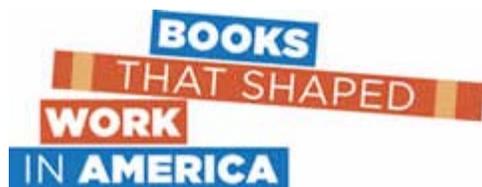
- [Learn About Major Laws Enforced by Wage and Hour](#)
- [Learn About the Wage and Hour Division](#)

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## International Scene

### U.S., China Hold Dialogue on Miners' Rights and Safety

Assistant Secretary of Labor for Mine Safety and Health Joseph



## 'O Pioneers!'

There is one title on the Labor Department's "Books that Shaped Work in America" that was published the same year as the department's founding: "O Pioneers!" by Willa Cather. It is one of three Cather titles suggested for inclusion on the list by the author/critic (and Cather expert) Joan Acocella (the others are "My Antonia" and "Song of the Lark"), and tells the story of the Bergsons, a Swedish family that immigrates to a fictional town in the author's native state of Nebraska in the late 19th century. "O Pioneers!" has everything a great book about work should have: the immigrant experience, the sweeping beauty and the back-breaking hardship of working the land, the passing down of work from one generation to the next and, best of all — a beautiful story of self-discovery through work. There's no better portrait of work and family life on the American frontier than this. It is an extraordinary read. And 100 years later, it's still vital, compelling, interesting and important. Just like us!

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

## Grand Slam With MLB



Assistant Secretary of Labor for Disability Employment Policy Kathy Martinez spoke at the Professional Baseball Athletic Trainers Society annual

meeting on Dec. 8 in Lake Buena Vista, Fla. PBATS, which includes trainers from all 30 Major League Baseball clubs in North America and their minor league affiliates, recently launched a multi-year campaign to highlight the talents of people with disabilities through public service announcements, events and other activities. Martinez lauded the group's efforts, referencing defining moments in baseball history — including Jackie Robinson's smashing of the color barrier in 1947 — that helped shape attitudes. "Together with the athletes you train, you have the power to significantly impact how America perceives the skills and talents of what people can do, whether on the field or in the workplace," she said.

## Native American Council Meeting

Members of the Native American Employment and Training Council met at department headquarters on Dec. 11 and 12 to discuss



A. Main and his Chinese counterpart, Vice Minister Wang Dexue, co-chaired the 2013 session of the U.S.-China Workplace Safety and Health Dialogue on Dec. 9 in Arlington, Va. The annual gathering, launched in November 2012, provides senior officials in both countries a forum to discuss policies and programs to improve worker rights and working conditions. During the meeting, Main and Wang focused on ongoing challenges in the United States and China and exchanged information on proposed rules and regulations and the newest technologies being developed to enhance mine emergency rescue operations. Main also highlighted recent work by the Mine Safety and Health Administration to promote miners' rights and responsibilities. "Our laws give our workers rights in the workplace, and we enforce them," he said. "Regardless of whether they have a union, workers have the right to speak out about their safety."

- [Learn More About U.S.-China Labor Cooperation](#)
- [View the Slideshow](#)

Addressing Common Challenges at the 2013 U.S.-Vietnam Dialogue



Over the past decade, the annual U.S.-Vietnam labor dialogue has enabled discussion of broad labor and employment policies and programs, with an emphasis on worker rights, areas of cooperation, and technical assistance between the two countries. It is the longest-standing bilateral policy dialogue

in the department's history. That dialogue continued on Dec. 4, when a delegation from Vietnam's Ministry of Labor, Invalids and Social Affairs met with a team from the Bureau of International Labor Affairs in Washington, D.C. ILAB and MOLISA focused on efforts to implement Vietnam's recent labor law reforms, progress on Labor Department-funded projects in Vietnam, Vietnam's efforts to address child labor, and future bilateral collaboration, including a potential technical assistance project to address child labor issues. Associate Deputy Undersecretary for International Affairs Mark Mittelhauser opened this year's dialogue and welcomed Vice Minister Doan Mau Diep, who led the Vietnamese delegation. "This continues to be a constructive forum for us to exchange views on often sensitive issues, develop programs, and work together to promote good jobs and ensure dignity at work in our countries," Mittelhauser told the assembly.

- [Learn About the U.S.-Vietnam Labor Dialogue](#)

## Of Note

A Rising Star in the Office of Public Affairs

When PR News honored its "2013 People to Watch" on Dec. 10, one of the department's own was named a "Rising PR Star." Tiffany Koebel, who has been a member of the Office of Public Affairs career staff since July 2010, has focused exclusively on enhancing the department's social media efforts in the past



ways to promote and boost employment opportunities for Native American workers. The council consists of representatives of Indian tribes, tribal organizations, Alaskan Native entities and Indian-controlled organizations serving Indians or Native Hawaiians. According to its mission, the council advises the Secretary of Labor on operating and administering Section 166 of the Workforce Investment Act, which helps Indian and Native American workers improve their skills through workforce training programs to achieve their academic and occupation goals. On Dec 11, council members met with Eric Seleznow, acting assistant secretary for employment and training, and Jeremy Bishop, with the Office of Public Engagement, to discuss the work of the council, including the development of a white paper.

• [View the Slideshow](#)

## Labor Rights in Seattle



The Wage and Hour Division and the Consulate of El Salvador in Seattle, Wash., signed an agreement on Dec. 5 to establish a

collaborative relationship. This agreement would provide Salvadoran nationals in Alaska, Washington, Oregon, Idaho, Montana and Wyoming information, guidance and access to education and training resources on labor rights. The Consul General of Mexico Eduardo Baca Cuenca, the U.S. Secretary of Labor representative John Lund, and several community advocacy groups attended the event. Consul General Keny Yamileth Lopez de Zuleta of El Salvador praised the agreement saying, "Knowing that I can pick up the phone and have a contact at the Wage and Hour Division makes it much easier for our people to get information when they are not paid for all their hours worked, not paid overtime properly, and in some cases not even paid at all."

## Giving Back to Farmworkers

Department of Labor staff volunteered recently at two events honoring our nation's farm workers. Juan Regalado, the Employment and Training Administration's National Monitor Advocate, rolled up his sleeves on Dec. 6 at the 34th Annual Farm Worker Appreciation Breakfast in Calexico, Calif. It was his third straight year as



year. This includes maintaining the "Work in Progress" blog, a YouTube channel, a Flickr account, and Facebook and Twitter accounts for the department and Secretary Perez.

Whew! Since December 2012, the department's Twitter and Facebook following have grown by more than 100 percent. Koebel also has brought a new dimension to the department's public and internal communications by creating an award-winning internal electronic newsletter called OPANAS, which stands for "Office of Public Affairs News and Stuff."

• [See the List of Winners](#)

## DOL's Boston Offices Honored



The Chelsea Collaborative, an organization dedicated to the needs of the community of Chelsea, Mass., recently presented Boston's Wage and Hour Division and Solicitor of Labor with its 2013 Social Justice Champion of the Year Award. The award, presented on Dec. 9, acknowledged the successful

efforts of the department's regional office to uncover wage violations and ensure the recovery of \$925,000 in back wages and damages for underpaid workers of Boston Hide and Furs in Chelsea. Representatives from the Wage and Hour Division and Office of the Solicitor, who worked together to investigate and litigate the case, accepted the award from the Collaborative's Executive Director Gladys Vega. "Your work with and on behalf of affected workers working in some of the worst conditions in our community gave them hope, leadership and a voice," said Vega. "Your work on behalf of these workers was nothing short of admirable."

• [View the Slideshow](#)

## DOL Working for You

Third Time's a Charm as WIB Alumnus Shifts Career into Gear

Randy Canady's perseverance to overcome multiple challenges and learn new skills recently led to his being named the Oklahoma Workforce Investment Board's Outstanding Adult Alumni of the Workforce Investment Act. After two back surgeries made him unable to work as a heavy equipment operator, Canady took courses through the state's displaced worker's program, seeking to earn a commercial driver's license. However, because he always drove with automatic transmissions, Canady was unable to master the art of double clutching, a method of changing gears by pushing in the clutch and shifting. This shortcoming caused him to fail his driving exams. At the same time, he was receiving treatment for cancer. "I was under tremendous stress, but I was raised with a good work ethic and taught to never give up," Canady said. With



a volunteer. The Wage and Hour Division's Silvia Salazar was on hand to answer questions and dispense information about her program. The volunteers served up breakfast to more than 5,000 farm workers between 2 a.m. and 6 a.m. at the One-Stop Business and Employment Service Center. Event planners included the state Employment Development Department, the City and the Chamber of Commerce of Calexico, the Consulate of Mexico and the Farm Worker Services Coalition of Imperial County. The following day, Regalado helped serve nearly 4,000 breakfasts at the 19th annual Dia Del Campesino (Day of the Farm Worker) in San Luis, Ariz. Campesinos Sin Fronteras, which hosted the event, set up computers to help farmworkers choose among health insurance options under the Affordable Care Act.

- [Learn About Farmworker Programs](#)
- [View the Slideshow](#)

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## White House AAPI Conference



More than a dozen staff members from around the country represented the department in Washington, D.C., recently at the newly formed Regional

Interagency Working Group of the White House Initiative on Asian Americans and Pacific Islanders. The conference brought nearly 100 officials together to discuss how to better connect with and serve the AAPI community. Topics ranged from the Affordable Care Act to language access and strategies for collecting and applying data for this fast-growing and diverse community. Regional roundtables are planned for the coming year to solicit input on how federal agencies can best assist the AAPI populations in local communities.

- [View the Slideshow](#)

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## Longstanding Partnership

The relationship between the Employee Benefits Security Administration and the American Institute for Certified Public Accountants is perhaps the longest and closest partnership the agency has with any professional organization, noted Assistant Secretary of Labor Phyllis C. Borzi during remarks on Dec. 12. Borzi's comments came during the AICPA Employee Benefit Plans Accounting, Auditing and Regulatory Update Conference held in Washington, D.C. She went on to update the group on EBSA regulatory efforts that revolve around increasing accountability and transparency while minimizing conflicts of interest in the employee benefits arena. Borzi also touched on guidance related to the recent Supreme Court decision on the Defense of Marriage Act. A key concern with this guidance, she said, is ensuring that federal agencies are consistent in their approach. Borzi tied this theme to another EBSA project — the upcoming re-proposal of a rule to reduce conflicts of interest in the retirement marketplace — telling the group that her goal is,

encouragement from family, friends and workforce system counselors, he rented a truck at his own expense and kept practicing. Canady passed on the third try, earning his CDL, and he now drives a truck for a local pipeline company.

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## DOL in Action

### Illinois Contractor Agrees to Pay Workers Nearly \$400,000

Norwood Commercial Contractors Inc. has agreed to pay 96 workers \$395,465 in back wages and liquidated damages following an investigation by the Wage and Hour Division. The investigation found that the Bensenville, Ill., commercial construction contractor misclassified 16 workers as independent contractors and denied them and the remaining employees proper compensation for all hours worked, in violation of the Fair Labor Standards Act's overtime and record-keeping provisions. The investigation determined that employees — such as carpenters, electricians, masons, laborers, painters, and drywall hangers and finishers — were misclassified as independent contractors and denied proper compensation.

- [Read the News Release](#)

### Kansas Rail Car Company Faces Penalties for Repeat Violations

Rail Car Services LLC has been cited by the Occupational Safety and Health Administration for 11 safety and health violations, including eight repeat, at its Kansas City, Kan., rail car refurbishing facility. An inspection began following a complaint about previously cited violations that resurfaced and involved fall protection and permit-required confined space hazards. OSHA has proposed penalties of \$133,000. During the inspection, it found that hazards cited in 2012 were inadequately addressed, or the company did not completely abate the safety and health issues that involved fall protection and permit-required confined space hazards.

- [Read the News Release](#)

### RV Center in Alabama Cited for Serious Safety Violations

Emerald Coast RV Center LLC has been cited by the Occupational Safety and Health Administration with nine serious safety violations following an inspection at the recreational vehicle sales and service facility in Robertsedale, Alabama. The serious safety violations included the employer's failure to ensure workers use fall protection systems while working on top of recreational vehicles, train workers on powered industrial truck operations, provide proper machine guarding, ensure guarding on electrical boxes, and properly use temporary wiring. OSHA initiated the August inspection in response to a complaint.

- [Read the News Release](#)

### Back Wages, Damages Recovered for Long Island Restaurant Workers

Two Nassau County, N.Y., restaurants and their president will pay \$261,887 in back wages and liquidated damages to 70 low-wage workers as part of a consent judgment obtained in federal court by the Department of Labor. Because the violations were considered willful, Grand Saga Restaurant Inc. and Xaga Sushi Restaurant Inc., both doing business as Xaga Sushi, and Mei Yu Zhang, have also been ordered to pay \$26,322 in civil money penalties. An investigation by the Wage and Hour Division found that the two restaurants paid employees, who regularly worked from 42 to 50 hours per week, a flat monthly salary with no overtime pay. The restaurants also operated an illegal tip pool in which tipped employees were required to share their tips with kitchen staff. The employees were paid in cash, and adequate payroll records were not kept by the restaurants

- [Read the News Release](#)

and always has been, to work with the Securities and Exchange Commission so that compliance with one set of standards will not put anyone out of compliance with the other.

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## Influx of Safety and Health Experts

Safety and health experts from the Advisory Committee on Construction Safety and Health and the Federal Advisory Committee on Occupational Safety and Health held meetings at the department's headquarters on Dec. 5 and 6, respectively. ACCSH is chartered to advise the Secretary of Labor on construction standards and policy matters, while FACOSH aims to help reduce injuries and illnesses in the federal workplace. Deputy Assistant Secretary of Labor for Occupational Safety and Health Jordan Barab addressed both meetings. At ACCSH, Barab highlighted OSHA's proposed rules on protecting workers from crystalline silica and improving tracking of injuries and illnesses, gave an update on OSHA's temporary worker initiative, and called attention to recent enforcement actions involving the Philadelphia building collapse that cost six lives and injured 14. During the FACOSH meeting, Barab discussed the status of occupational exposure limit recommendations, recordkeeping rule changes affecting federal agencies, best practices for whistleblower protection, and an update on President Obama's POWER Initiative to reduce federal worker injuries and improve return-to-work outcomes.

- [Learn About ACCSH](#)
- [Learn About FACOSH](#)
- [Read Philadelphia News Release](#)
- [Learn About POWER](#)

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## Did You Know?

The Federal Employees' Compensation Act provides workers' compensation coverage to three million federal and postal workers around the world for employment-related injuries and occupational diseases. The program is administered by the department's Office of Workers' Compensation programs through its Division of Federal Employees' Compensation. On Dec. 4 and 5, the Boston OWCP district office conducted an intensive training program for representatives of the U.S. Postal Service, the Federal Emergency Management Agency and the Naval Undersea Warfare Center, to help them better serve the needs of their employees who are injured on the job. The training included an overview of the DFEC's framework, purpose, goals and procedures for assisting claimants in determining what type of claim for injury to file, processing injury and compensation claims and assisting partially disabled claimants in returning to work. According to one attendee, compensating and helping injured federal workers regain employment is truly a team effort.

- [Learn About DFEC](#)

- [Receive Assistance in Complying With Federal Wage Law](#)

Puerto Rico Coffee Grower to Provide Workers With Back Pay

Coffee farm Beneficiado de Café Torres Corp., Hacienda Loma Alta Inc., Hacienda Los Eucaliptos and officer Jose L. Torres have signed a settlement agreement with the department to pay \$81,448 in unpaid minimum wage and overtime back wages to 168 agricultural workers. An investigation by the Wage and Hour Division found that the Lares-based coffee grower violated the Fair Labor Standards Act when it paid its year-round agricultural workers \$6.35 per hour and its coffee pickers piece-rate wages that amounted to an estimated \$5.42 per hour. These wages fell below the required federal minimum wage of \$7.25 per hour. The company also paid straight-time wages for all hours, rather than an overtime premium for hours worked beyond 40 in a week, as required by the FLSA.

- [Read the News Release](#)

Florida Roofing Company Faulted on Fall Hazards

North Florida Roofing & Repair of Jacksonville, Fla., has been cited by the Occupational Safety and Health Administration with one willful, one repeat and two serious safety violations following an August inspection at a job site in Jacksonville. The willful violation involved the employer's failure to ensure workers performing roofing operations were using fall protection. The other violations included failure to ensure that workers operating a pneumatic nail gun were wearing safety glasses to protect themselves from flying debris, improperly positioning a portable ladder that did not extend at least 3 feet over the landing surface, and allowing the use of a ladder in the closed position to enter and exit a roof. OSHA initiated the inspection as part of its local emphasis program on fall hazards. Proposed penalties total \$48,510.

- [Read the News Release](#)

Steelworkers' Complaint Leads to Citations at Illinois Company

Arlington Metals Corp. has been cited by the Occupational Safety and Health Administration for 38 safety and health violations, which carry proposed penalties of \$117,000. OSHA initiated a safety and health investigation in June in response to a complaint filed by the United Steelworkers Union, alleging unsafe working conditions at the Franklin Park, Ill., metal strip and coil processing facility. Violations included lack of a respiratory protection program, multiple instances of inadequate machine guarding and unsafe electrical work practices.

- [Read the News Release](#)

Safety Harbor Resort and Spa Pays Back Wages to Workers

Olympia Development Group LLC, doing business as Safety Harbor Resort and Spa in Tampa, Fla., paid 37 employees \$30,786 in back wages after an investigation. The investigation by the Wage and Hour Division identified violations of the Fair Labor Standards Act's overtime, minimum wage and record-keeping provisions. Management changed employees' time records, which prevented workers from earning the minimum wage and overtime compensation, the investigation found. Additionally, the employer did not ensure tipped employees earned at least the minimum wage when their tips were combined with their direct wages.

- [Read the News Release](#)

Automotive Metal Forging Company Faces \$112,000 in Fines

The JJ Ryan Corp. Rex Forge Division was cited by the Occupational Safety and Health Administration for repeat and serious safety and health violations after an inspection of the company's Plantsville, Conn., facility. The automotive metal forging company received five repeat and 16 serious safety and health violations after a May inspection by the OSHA Hartford Area Office as part of the agency's Site-Specific Targeting program. The safety inspection found that the company used an extension cord instead of

## Weekly UI Claims

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 368,000 for the week ending Dec. 7, an increase of 68,000 from the previous week. The four-week moving average was 328,750, up 6,000 from the previous week's revised average.

- [Read the News Release](#)

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## Upcoming Deadlines & Events

### [Open Funding Opportunities](#)

EBSA — Getting It Right - Know Your Fiduciary Responsibilities Seminar

- [January 7 — New York, NY](#)

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 — Construction Companies and OFCCP Compliance

- [January 22 — Detroit, MI](#)

OFCCP — Laws Enforced by OFCCP

- [February 19 — Detroit, MI](#)

OFCCP — Moving Toward Compliance with Section 503 and VEVRAA

- [December 17 — Webinar](#)

OFCCP — Nuts and Bolts of an OFCCP Construction Review

- [December 18 — Portland, OR](#)

OFCCP — Scheduling and AAP Requirements

- [February 21 — Houston, TX](#)

OFCCP — What to Expect During an OFCCP Audit

- [December 18 — Portland, OR](#)

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

- [January 9 — Washington, DC](#)

proper fixed wiring, as well as damaged electrical cords, which posed a potential threat to employees. Additionally, the company failed to inspect and properly tag chain slings used to lift forging dies and to ensure that blades on a fan had adequate guarding to protect workers from injury, train workers properly on how to avoid hearing loss, and ensure the use of noncombustible or flameproof screens to protect welders from exposure to ultraviolet radiation from the generated electric arc. The company faces \$112,068 in proposed fines.

- [Read the News Release](#)

Fines Proposed for Gas Manufacturer After Safety Inspection

Welco Acetylene Corp. was cited by the Occupational Safety and Health Administration for 19 serious safety violations at the company's repackaging facility in Newark, N.J. OSHA's inspection, conducted in May, uncovered violations including failure to maintain combustible waste material in appropriate metal receptacles, correct equipment deficiencies, follow accepted engineering practices for inspecting and testing equipment, and develop and implement written operating procedures to conduct activities safely. The inspection began under OSHA's national emphasis program for process safety management for covered chemical facilities. The gas manufacturer faces \$49,200 in proposed fines.

- [Read the News Release](#)

Natural Gas Producer Cited; Explosion Killed 2, Injured Dozens

Williams Olefins LLC in Geismar, La., was cited for six process safety management standard violations, including one willful, by the Occupational Safety and Health Administration after an explosion in June killed two workers and injured 80 people. The process safety management standard encompasses a detailed set of requirements and procedures employers must follow to address hazards associated with activities involving the use of large amounts of hazardous chemicals. In this case, it was the use of propylene. The willful violation was cited for failing to develop clear, written procedures for how to change and put idle pressure vessels into service.

- [Read the News Release](#)

Lax Safety Practices by Piping Manufacturer Lead to Worker Injury

Piping Technology and Products Inc. in Houston was cited by the Occupational Safety and Health Administration for repeat and serious violations after a worker was struck and injured by a broken die piece on a mechanical press. The violations included failure to guard punch presses and band saws and provide lockout/tagout training regarding energized sources, among others. The company was previously cited for similar violations in 2011. The company faces \$199,800 in penalties.

- [Read the News Release](#)

Fines Proposed for Connecticut Manufacturer After Inspections

A Gilman, Conn.-based manufacturer of polystyrene foam core board faces \$105,490 in proposed penalties following two inspections by the Occupational Safety and Health Administration. The first inspection of The Gilman Brothers Co. identified several deficiencies in the plant's process safety management program involving the chemical isopentane, a flammable liquid used in the manufacturing process. The violations included failure to inspect, test and maintain process equipment and incomplete analysis of hazards associated with the process. The second inspection followed an incident in which a forklift operator struck and injured a pedestrian in a company warehouse. OSHA found that the company failed to ensure forklift operators look in the direction of travel, maintain a clear view of the travel path, and slow down and sound their horns at cross aisles. Additionally, aisles and passageways were not kept clear and in

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good repair.

Houston Clinic Violates Family, Medical Leave Law

Houston Ear, Nose & Throat Clinic LLP has been cited with multiple violations of the Family and Medical Leave Act following an investigation by the Wage and Hour Division. Investigators found that the company violated the FMLA when an eligible employee, resuming work after taking FMLA leave, was not returned to the same full-time position previously held. Instead, the employee was placed in a part-time position that resulted in fewer working hours and without the same benefits. Consequently, the Wage and Hour Division fined the company \$17,390 to compensate the employee for back wages, medical expenses and unpaid monetary benefits.

• [Read the News Release](#)

Ohio Contractor Barred From Bidding on Federal Contracts

Cincinnati-based Contract Support Services Inc. has been barred from competing for federal contracts following an investigation by the Wage and Hour Division. The investigation found the company failed to pay wages to workers on a federally funded project at Wright- Patterson Air Force Base in Dayton, Ohio, as required under the Davis-Bacon Act. The company was subcontracted to perform demolition work. Bamko LLC, the prime contractor on the project, paid the unpaid wages totaling \$52,005 to the 10 employees. On a project subject to DBA requirements, the prime contractor is responsible for the compliance of all subcontractors. Contract Support Services had submitted falsified payroll records to Bamko showing payment of proper wages.

• [Read the News Release](#)

Tweets

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23m

Hartford #CT welding company fails to correct hazards, faces additional \$167,750 in #OSHA fines [ow.ly/rT9Q6](#)

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