



DOL News Brief

March 6, 2014

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WINNER OF 2014 AVA DIGITAL GOLD AWARD

Women's History/Our History:  
A Guide for Workplace Pioneers



In the 1960s and 1970s, changes were taking place across the nation; young people were engaged in challenging the norms that American society had held for decades. It was a sweeping social movement that

reimagined everything. One of the most meaningful of these changes was the vast numbers of women who entered the workforce, spurred by a women's "liberation" movement. Between 1963 and 1973, more than 10 million women entered the workforce — an increase of 40 percent. In 1974, the department issued its first edition of "A Working Woman's Guide to Her Job Rights," which detailed the provisions of existing law that applied to women, such as the Fair Labor Standards Act, and newer legislation, such as the Occupational Safety and Health Act. The guide became enormously popular, and the department began updating it regularly. Alexis Herman was the director of the Women's Bureau in 1978 (she became secretary of labor in 1997), when the second edition was released. In the foreword, she wrote, "Legal rights related to jobs and job seeking have been changing rapidly." The guide was re-issued four more times, until new awareness campaigns replaced them in 1992. Today, the Women's Bureau remains committed to ensuring women workers are aware of the laws that protect them on the job and using new technologies to fulfill that commitment. But some old technologies are immune to obsolescence: A new version of the publication is under development.



- [Read the 1974 Guide](#)
- [View the Centennial Timeline](#)
- [View the Centennial Video](#)

What's New

Making the Push to Raise the Minimum Wage

U.S. Secretary of Labor Thomas E. Perez traveled with President Obama to Central Connecticut State University in New Britain, Conn., on March 5 to continue the administration's push for raising the minimum wage to \$10.10 per hour. They were joined by Govs. Dan Milloy of Connecticut, Deval Patrick of



Massachusetts, Lincoln Chafee of Rhode Island and Peter Shumlin of Vermont. The governors expressed their support for raising the minimum wage and have pledged to take action in their respective states. Perez's trip to Connecticut followed a swing through the Pacific Northwest earlier in the week, where he spoke with retailers who voluntarily increased the wages of their employees. On March 3, Perez visited Costco Wholesale headquarters in Issaquah, Wash., where he met with CEO Craig Jelinek to learn how the discount warehouse has benefited from paying its employees more than the current federal minimum wage. He then made a stop in San Francisco at Gap Inc. Executives of the clothing company told Perez that a higher minimum wage for their employees is an investment in their workforce, just as they invest in IT and other areas critical to the company's success. Gap announced last month plans to raise its company's hourly minimum wage to \$10.

- [View the Slideshow](#)

Supporting Skills Development as a 'Springboard to the Middle Class'

In his fiscal year 2015 budget request, President Obama emphasizes job training as a way to increase opportunities for workers while strengthening the U.S. economy. On March 3, Secretary Perez visited the Boeing Co.'s Renton, Wash., factory to highlight a Labor Department initiative that is



doing just that — building a pipeline of talented workers and connecting ready-to-work Americans with ready-to-be-filled jobs. Boeing is partnering with Air Washington, a statewide consortium of 11 community and technical colleges and an apprenticeship training program funded through a \$20 million Trade Adjustment Assistance Community College and Career

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

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

- [OSHA Protects Your Right to Speak Up at Work](#): Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels discusses how his agency protects whistleblowers in the workplace, one of the priorities highlighted in President Obama's 2015 budget proposal.
- [Seize the Power — Know Your Rights!](#): Assistant Secretary of Labor for Employee Benefits Security Phyllis C. Borzi writes about National Consumer Protection Week, a coordinated campaign to encourage Americans to make better-informed decisions and take full advantage of their consumer rights.
- [The 1990s: A Decade of Expanding Opportunity](#): A look back on the many advances the department made during the 1990s by Carl Fillichio, head of the Office of Public Affairs.

Training grant. The program works closely with employer partners, the workforce system and educational institutions in the state to identify workforce needs and develop a training curriculum that links skills training to companies in need of those workers. To date, the consortium has trained more than 2,400 participants, including more than 350 veterans. "Americans are using programs like this one as a springboard to the middle class — a better, more secure living for their families," said Perez. "For those workers, and for their employers, that's what this work is all about — opportunity."

- [View the Slideshow](#)

### Giving Veterans the Tools to Succeed in High-Tech Jobs

So long Renton, hello Redmond. Secretary Perez visited Microsoft Corp. headquarters to get educated by students and officials about its Software & Systems Academy. Launched in November 2013, the academy trains military personnel for jobs in the technology sector and currently is being piloted in



partnership with Joint Base Lewis-McChord at Washington State University. The 16-week training course focuses on high-demand skills, such as software testing, web development, database administration and IT administration. After successfully completing the training, qualified participants move into entry-level jobs as software testers by either Microsoft or Launch Consulting, the technology firm administering the program, or they can pursue employment elsewhere. Bernard Bergan, a graduate of the academy, told Perez that the partnership has changed his life. Bergan served in the Army for five years, including two tours in Afghanistan. As his deployment was winding down, he worried about finding a job. The program, however, opened a door of opportunities for him and his family. Joining Perez for the tour was Keith Kelly, assistant secretary of labor for the Veterans' Employment and Training Service.

- [View the Slideshow](#)

### Washington State Commits to Help the Long-Term Unemployed

Adopting best practices, removing barriers and providing opportunities for the long-term unemployed were among the important topics discussed at a roundtable session among chief executives and workforce leaders joined by Secretary Perez and Washington State Gov. Jay Inslee. Perez described one man's struggle with unemployment and how it has been more challenging than the life-threatening cancer he beat several years ago. As a result of the meeting, held on March 3, Inslee announced Washington State will deploy \$4 million in federal funds to put the state's long-term unemployed back to work. Perez's visit was part of the administration's ongoing efforts to help the long-term unemployed. Over a month ago, President Obama announced that 300 companies pledged to develop best practices for hiring and recruiting long-term unemployed Americans. The president also announced \$150 million in "Ready to Work" grants to support public-private partnerships that will help prepare and place the long-term unemployed into good jobs.

- [Read the Announcement](#)

## DOLA TO Z

Learn About the Labor Department



This week's phrase is ERISA, which stands for the Employee Retirement Income Security Act. Enacted in 1974, the law sets minimum standards for retirement, health and other employee benefit plans. Among other things, the law requires that participants in benefit plans receive information about plan features, holds plan fiduciaries

(key decision-makers or advisers) accountable, and gives participants the right to sue for benefits and breaches of fiduciary duty.

- [Learn About ERISA](#)
- [See All The A-Z Terms](#)

## Improving the Workforce System

Following President Obama's call for a review of workforce training programs in his State of the Union address, the department hosted a listening session with key representatives from the nation's workforce system. The conference call, kicked off by Secretary Perez on March 6, brought together key stakeholders, including heads of state workforce agencies and state and local workforce investment board leaders. The listening session enabled the department to engage in a meaningful dialogue with these leaders to address the current successes and challenges of the system and determine where improvements can be made. Perez shared his vision of making the system more jobs-driven, ensuring that workers are getting trained in occupations employers are

## National News

Investing in Job Training, Growing the Economy

looking to fill today and in the future.

## Working Hard, Barely Getting By



Laura Fortman, principal deputy administrator for the Wage and Hour Division, traveled to Phoenix, Denver and Las Vegas recently to

hear from low-wage workers calling for an increase in the minimum wage. Many spoke of their struggles to make ends meet. "Even when I work 56 hours a week, I only make about \$500 for the week," said fast-food worker Alejandra Flores, who's also attending college with the aim of working in the medical field. "After taxes I'm left with \$400, which is not enough to pay our rent, bills and buy food." Another fast-food worker, Kaitlyn Bryant, told Fortman, "I had to borrow money from my sister to get the electricity turned on. I will probably have to borrow more to pay for food and bills." Said Fortman, as she wrapped up her multi-city dialogue, "People who are working hard and putting in a fair day's work, deserve a fair day's pay."

• [View the Slideshow](#)

## Healthy Pickings for Berry Growers



The Wage and Hour Division's district office in Portland, Ore., is reaching out to the berry grower community in Oregon and Washington. Staff

members gave a presentation on Feb. 26 on agricultural labor laws during the Ninth Annual Production Workshop for Oregon's Commercial Raspberry and Blackberry Growers in Woodburn, Ore. The event, sponsored and supported by industry, Oregon State University and the Oregon Raspberry and Blackberry Commission, drew approximately 80 growers, processors and handlers of fresh and frozen raspberries, blackberries, blueberries and strawberries grown and marketed for worldwide consumption. The division's district office in Seattle conducted several similar pre-season training workshops in partnership with the Washington Red Raspberry and Washington Blueberry Commission. Regional personnel also conducted training sessions in Mt. Vernon on Feb. 25, Lynden on Feb. 26, Prosser on March 5 and Vancouver on March 6.

• [View the Slideshow](#)

## Pacific Coast Safety Fest

The Occupational Safety and Health Administration conducted its second

The department's fiscal year 2015 budget request includes funding that will better prepare workers for jobs, and protect their wages, working conditions and safety. The budget supports reforms to improve training and employment programs to help workers gain skills and return to work more quickly. It proposes to streamline access to federal job training programs, more fully engage employers to ensure training is directed at ready-to-fill jobs in the marketplace, and improve the efficiency and employment outcomes of the department's programs. The budget request includes \$11.8 billion in discretionary funding. "This budget request works to ensure that Americans have the skills they need for the in-demand jobs of today and tomorrow," said Secretary Perez.



- [Read the News Release](#)
- [Read the Department's Budget in Brief](#)
- [Read the Blog Post](#)

## Expanding Apprenticeship Programs Nationwide



The Advisory Committee on Apprenticeship reconvened in Washington, D.C., on March 4 and 5 and called for a major expansion of the Registered Apprenticeship program across the country. Held at AFL-CIO headquarters on the first day, the meeting focused on how the program can build on its

successful existing apprenticeship model to expand the reach of apprenticeship into more industries and for more workers. Secretary Perez kicked off the second day, held at the Eisenhower Executive Office Building, by praising the committee for its work and encouraging it to develop recommendations for turning the apprenticeship model into one of the nation's primary training tools. "Registered Apprenticeship is a win-win-win investment for workers, employers and the economy, providing opportunities to earn and learn at the same time, so workers don't need to miss a paycheck while pursuing education and training."

• [View the Slideshow](#)

## Around DOL

### Historic Murals Walking Tour

Sondra Freckelton, the wife of artist Jack Beal, led a walking tour of the historic murals that have hung in the lobby of the department's Frances Perkins Building since 1977. "Jack wanted to paint the murals for ordinary people, using ordinary people as the labor force for each century," she said. "He



hoped the murals would relate to the working people who saw them in a meaningful way." Entitled, "The History of Labor in America," the murals depict four major phases of the development of the United States and commemorate the essential role that working Americans have played.



Pacific Coast Safety Fest at the Philip Burton Federal Building in San Francisco. The event, held Feb. 25-27, offered training for more than 13 certificate programs and classes. Participants met with representatives from professional organizations and exhibitors to discuss improvements in safety equipment and best practices. The OSHA Training Institute Education Center, Chabot-Las Positas Community College District and the General Services Administration in Region IX partnered with OSHA to help make the second Pacific Coast Safety Fest a success.

- [View the Slideshow](#)

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## Success Strategies for Youth

A group of disability and workforce service providers took part in the American Foundation for the Blind's National Transition Network Summit on Feb. 27 in Brooklyn. The summit included a presentation from Kathy Martinez, the assistant secretary of labor who heads the Office of Disability Employment Policy. Martinez discussed ODEP's efforts to ensure that youth with disabilities have access to resources that will enable them to successfully transition from school to the workforce through strategies such as individualized learning plans, soft skills and work-based learning experiences. "Children with disabilities must grow up expecting inclusion," said Martinez. "Then this expectation — this culture — must carry on through school and college and the workplace."

- [Learn About Youth Disability Resources](#)

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## Changing Lives Worldwide



In celebration of the cultural diversity of women in Texas, the Women's Bureau Dallas regional office participated in the 12th annual Dallas

International Women's Day Celebration on March 1. A discussion by Women's Bureau program analyst Dolores Bischof covered the challenges to equal pay that women face. The event also featured presentations on the status of women around the world, cultural displays and exhibits, and awards for the annual Words of Women essay contest. This year's contest invited women around the world to contribute short essays about influential women or events that had shaped their lives. Attendee Noor Saadeh said the event inspired her and other attendees "to make yet bigger and better changes in the lives of women everywhere."

- [Read About Equal Pay](#)

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## Retirement Plans Update

Freckelton also signed and donated the book, "Jack Beal" by Eric Shanes, to the Willard Wirtz Library. An artist herself, Freckelton's work is on display at the Smithsonian Museum of America Art in an exhibition on modern American realism.

- [View the Slideshow](#)
- [Learn About the Murals](#)
- [Watch the Video](#)

### Milestone for ERISA and Employee Benefits

Better protections for employee benefits moved forward 40 years ago this week with the March 4, 1974, Senate passage of the Employee Retirement Income Security Act. While it would be nearly six months until President Gerald Ford signed ERISA into law in September of that year, the bill marks congressional recognition of the sanctity of retirement, health care and other employee benefits. The bill also calls for the department to play the role of regulator and enforcer of the new protections it creates. Today, the Employee Benefits Security Administration takes on that important task.

- [Learn About EBSA](#)

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## DOL Working for You

Kentucky Company Receives Digital Training, Hires New Employees



When Rusty Justice, manager of Kentucky's earth moving and engineering company Jigsaw Enterprises, became frustrated with the speed at which they were able to communicate timely information to customers across the state, he turned to the American Job Center network for help. Through the Eastern

Kentucky Concentrated Employment Program — funded under the Workforce Investment Act — about a dozen Jigsaw employees participated in "incumbent worker training," using laptops and other mobile devices to instantly transmit information from the field to the office and back to the customer in minutes. Previously this process took days or weeks. "The training improved our company's productivity," Justice said. With productivity on the rise and a need to hire new employees, Justice again turned to the American Job Center network to find qualified workers. For eastern Kentucky's Nathan Coleman and several other laid-off miners participating in the Hire Our Miners Everyday program, it was the break they were hoping for. H.O.M.E., funded through a National Emergency Grant from the department, provides laid-off mine workers and their spouses with classroom training and skills certification, as well as covering a portion of wages for employers to offer on-the-job training. After being laid off, Coleman, a seven-year veteran of the coal industry, said he "didn't have much hope" of finding work and was set to leave the area. But Coleman showed promising computer and analysis skills through the H.O.M.E. program, and he and several other participants were hired by Jigsaw to help it keep its competitive edge.

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## In Our Thoughts

Highlighting the department's work with retirement plans, Judy Mares delivered a presentation at the U.S. Chamber of Commerce's Employee Benefits Committee Meeting on Feb. 27. Mares, the deputy assistant secretary for employee benefits security, addressed an audience of about 150 in Washington, D.C. She discussed several issues related to retirement plans and described how her experience as a corporate CIO influences her work at the department. Mares also highlighted the department's work on lifetime income disclosure, target date funds, brokerage windows and conflicts of interest.

- [Learn More About EBSA](#)

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## Agricultural Safety Fair

Staff from the Occupational Safety and Health Administration and Wage and Hour Division attended the 10th annual Agricultural



Safety Day on Feb. 19 in Yakima, Wash. The event was sponsored by the Washington State Office of the Governor's Industrial Safety and Health Advisor Board. More than 200 representatives from growers and community organizations attended the fair. OSHA and Wage and Hour handed out informational materials, answered questions and participated in breakout sessions in English and Spanish. Topics of discussion included health, labor and safety standards and regulations related to the agriculture industry.

- [View the Slideshow](#)
- [Read the Pocket Guide on Youth Employment](#)
- [Learn About Agricultural Employment](#)

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## Outreach to Virgin Islands

At the invitation of the government of the U.S. Virgin Islands, David Marin, assistant district director for the Wage and Hour Division's Caribbean District Office, provided training on Feb. 25 and 26 to government human resources personnel. The training focused on how the requirements of the Fair Labor Standards Act and Family and Medical Leave Act apply to local governments, with the goal of helping local governments enhance their compliance with these labor laws.

- [See Resources for Local and State Governments](#)
- [Learn How the FLSA Applies](#)

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## Weekly UI Claims

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 323,000 for the week ending March 1, a decrease of 26,000 from the previous week. The four-week moving average was 336,500, down 2,000 from the previous

## Remembering a Champion of Safety and Health

Workers lost a tireless advocate for safety and health on Feb. 26 with the passing of Joseph Dear. As the ninth assistant secretary of labor for occupational safety and health from 1993-97, Dear championed innovation and technology at OSHA, creating transformative change in the agency. Dear finalized important worker protection standards for electrical power generation, construction and shipyard safety, hazard communication and personal protective equipment, bringing about improved working conditions for millions of people.



"While the world of occupational safety and health has lost a great defender, his legacy will live on for the many years to come," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels.

- [Read Dr. Michaels' Statement](#)

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## DOL in Action

Restaurant, Hotel Workers to Receive \$1 Million After Wage Probe

Ward's Cleaning Service of Peabody, Mass., and its owner will pay \$1,033,877 in unpaid wages and liquidated damages to 149 low-wage employees who performed cleaning, housekeeping and dishwashing services at restaurants and hotels in the greater Boston area. An investigation by the Wage and Hour Division found that Ward's failed to pay overtime to employees who worked more than 40 hours in a workweek, and concealed nonpayment of overtime through practices such as directing employees to use multiple timecards with different names, altering timecards, paying employees with checks made out to false names and paying employees in cash. Under the terms of a judgment obtained in U.S. District Court, Ward's will hire a qualified independent consultant to create a payroll system that will ensure that its payroll and record-keeping practices comply with the Fair Labor Standards Act. Ward's also will pay \$163,900 in civil money penalties.

- [Read the News Release](#)

Unpaid Wages Sought for Servers at Ohio Restaurant

The department has filed a lawsuit to recover unpaid wages and liquidated damages for 18 workers at the Brown Derby Roadhouse in Akron, Ohio. The suit also seeks a court order permanently enjoining CPS Foods Ltd. and its operators from violating the Fair Labor Standards Act in the future. An investigation by the Wage and Hour Division found violations of the minimum wage, overtime, child labor and record-keeping provisions of the FLSA by CPS Foods, which operates the restaurant. Servers received tips only and were required to pay a daily table fee to the employer for the right to work.

- [Read the News Release](#)

At Aggregates Operators Meeting, Focus on Mine Safety

Joseph A. Main, the assistant secretary of labor who heads the Mine Safety and Health Administration, updated members of the National Stone, Sand & Gravel Association on recent actions by MSHA to improve miner safety and health. Meeting with association representatives in Las Vegas on March 5, Main noted that mine safety has been on a steady path of improvement since the agency began implementing reforms in 2010, including the Rules to Live By initiative that focuses on the most common causes of mining deaths, impact inspections of problem mines, and the Pattern of Violations program targeting chronic violators.

week's revised average.

- [Read the News Release](#)

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## Calendar Highlight

### Jobs Report Webinar

Following the release of the monthly Employment Situation report, the department's chief economist, Dr. Jenny Hunt, will participate in a webinar to discuss the data and trends reflected in the report. Hosted by Business Forward, the webinar will take place on March 10 at 4 p.m. EDT.

- [Register for the Webinar](#)

## Upcoming Deadlines & Events

### [Open Funding Opportunities](#)

OFCCP — AAP: Creating an Inclusive Workforce

- [March 12 — Houston, TX](#)

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

- [March 20 — Baltimore, MD](#)

OFCCP — Construction and Compliance Webinar

- [March 12 — Orange, CA](#)

OFCCP — "Common Problem Areas" Compliance Assistance Session for S&S Contractors

- [March 27 — Richmond, VA](#)

OFCCP — Construction Compliance Evaluations in 16 Steps

- [March 18 — Birmingham, AL](#)
- [March 18 — Jackson, MS](#)
- [March 25 — Atlanta, GA](#)

OFCCP — Filing Employment Discrimination Complaints Webinar

- [March 25 — Seattle, WA](#)

OFCCP — Nuts and Bolts of a Construction Review Webinar

- [March 17 — Portland, OR](#)

OFCCP — Understanding the Nuts and Bolts of Construction

- [March 12 — Houston, TX](#)

OFCCP — What to Expect During an OFCCP Audit

- [March 12 — Chicago, IL](#)
- [March 18 — Atlanta, GA](#)

OLMS — Compliance Assistance Seminar

- [March 25 — Hurst, TX](#)

- [Read the News Release](#)

Missouri Restaurant Workers Receive Nearly \$200,000 in Unpaid Wages

Fifty-three workers at China Town Super Buffet in Kansas City, Independence and Blue Springs, Mo., will receive \$196,971 in unpaid wages after an investigation by the Wage and Hour Division found violations of the Fair Labor Standards Act's minimum wage, overtime and record-keeping provisions. Investigators from the Kansas City District Office determined that the company paid kitchen workers a fixed salary that was insufficient to cover minimum wage for all hours worked, and it failed to pay these workers at one and one-half times their hourly rate for hours worked beyond 40 in a week. The company also failed to maintain accurate and complete records of hours worked by kitchen employees and payments made to employees.

- [Read the News Release](#)

Explosion Hazards Found at Rhode Island Wood Pellet Plant

Employees at Inferno Wood Pellet Inc. in East Providence, R.I., were exposed to wood dust explosions, deflagrations (rapid combustion) and other fire hazards because of inadequate or absent preventive and protective measures in the wood pellet processing system and its equipment, an investigation found. A combustible wood dust explosion and fire occurred at the plant last August, injuring a worker and partially demolishing the building. The ignition of wood dust in the plant's production room migrated to a retention bin, resulting in an explosion that spread through the building. The Occupational Safety and Health Administration cited the wood pellet manufacturer for 11 serious safety violations and has proposed \$43,400 in fines.

- [Read the News Release](#)
- [Learn About Dust Hazards and Safeguards](#)

Painting Company Pays Back Wages and Damages

Pittsburgh-based industrial painting company QSC Contracting LLC paid \$25,468 in back wages and liquidated damages to 26 painters following an investigation by the Wage and Hour Division. Investigators found that the company violated the Fair Labor Standards Act by paying employees straight-time wages, rather than time and one-half their regular rates of pay for hours worked beyond 40 in a week. The employer also failed to maintain accurate records of employees' work hours, in violation of the FLSA's record-keeping requirements. QSC Contracting has agreed to future compliance with the FLSA.

- [Read the News Release](#)

Ohio Retail Workers Denied Proper Wages, Investigation Finds

The department has filed a lawsuit to recover back wages and liquidated damages for 83 workers at Dayton, Ohio-area cellular phone retailers owned by Zam LLC, Reham LLC and Mohammed Rihan. An investigation by the Wage and Hour Division found violations of the Fair Labor Standards Act's minimum wage, overtime and record-keeping provisions at the 14 retail stores operating as Zam Cricket and World Wireless. The investigation determined that the company owes \$226,905 in back wages to its workers, and that the company violated minimum wage laws by failing to compensate retail store workers for mandatory meetings, time spent working before the store opened or after closing, and travel time between stores.

- [Read the News Release](#)

Training Provided for Residential Care Employees

The Wage and Hour Division conducted Fair Labor Standards Act training on Feb. 26 for Alta Regional Center employees in Sacramento, Calif. The Alta Regional Center is a nonprofit organization contracted by California's

OPA — Secretary's Jobs Briefing with U.S. Department of Labor's Chief Economist

- [March 10 — Washington, DC](#)

OSHA — Whistleblower Protection Advisory Committee Meeting

- [March 10 — Washington, DC](#)
- [March 11 — Washington, DC](#)

WHD — Prevailing Wage Seminar

- [March 18 — Phoenix, AZ](#)
- [March 19 — Phoenix, AZ](#)
- [March 20 — Phoenix, AZ](#)

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Department of Developmental Services to place elderly and/or mentally disabled consumers in residential care facilities and to oversee the care home operations. The center is charged with making sure that residential care home operators are in compliance under the FLSA. The Department of Developmental Services is part of California's Health and Human Services Agency, which receives funds from federal and state governments.

- [Read the Fact Sheet on the Health Care Industry](#)
- [Read the Fact Sheet on Calculating Overtime](#)

Independent Fiduciary Appointed for Abandoned 401(k) Plan  
A default judgment ordering the appointment of M. Larry Lefoldt, Lefoldt & Co. PA, as independent fiduciary to the 401(k) plan of the defunct David J. Hardy Construction Co. of Syracuse, N.Y., was obtained in federal court by the department. The Hardy Construction Co. closed in June 2008, and all assets were sold at bank auction two months later. David J. Hardy, the plan's sole trustee, filed for bankruptcy in January 2010. Since 2008, no individual has come forth to assume fiduciary responsibility for the plan or to distribute the plan's assets to participants. The default judgment from the U.S. District Court for the Northern District of New York authorizes Lefoldt to administer and distribute assets to plan participants and beneficiaries.

- [Read the News Release](#)

Roofing Contractor Repeatedly Failed to Provide Fall Protection

Coastal Building Systems of Amelia Inc., in Fernandina Beach, Fla. was cited by the Occupational Safety and Health Administration for two repeat violations following a September 2013 inspection. These violations also were found during inspections in 2010, 2011 and 2012, when the company was cited for failure to provide a fall protection system for employees working at heights greater than 6 feet and not providing eye protection for workers. Coastal Building Systems is a full-service roofing and siding contractor. Proposed penalties total \$55,000.

- [Read the News Release](#)

Ohio Company Enters Settlement on Safety Violations

Pressed Paperboard Technologies LLC was cited by the Occupational Safety and Health Administration for nine safety and health violations at the company's Findlay, Ohio, facility. The company has entered into a settlement agreement to resolve the citations, which include providing enhancements to its safety and health program to further protect employees. The company will pay penalties of \$81,450. Two willful violations of federal safety standards concerning electrical work were cited after maintenance employees worked on energized electrical equipment without proper training and personal protective equipment. Seven serious violations also were noted.

- [Read the News Release](#)

Nebraska Construction Company Cited in Worker Fatality

Werner Construction Inc. has been cited for three safety violations by the Occupational Safety and Health Administration after a maintenance worker was fatally struck by a front-end loader. The worker became pinned between the loader and a semitrailer at the Albion, Neb., asphalt facility last September. Werner Construction also received a hazard alert letter for exposing workers to potential crushing injuries when working around front-end loaders.

- [Read the News Release](#)

Whistleblower Investigation Faults Railroads

The Occupational Safety and Health Administration has found Grand Trunk Western Railway Co. and Union Pacific Railroad Co. in violation of the Federal Railroad Safety Act for suspending and/or disciplining five workers following the reporting of workplace injuries or illnesses. OSHA has ordered

Grand Trunk Western Railway Co., a subsidiary of the Canadian National Railway, to pay four workers \$85,580. Union Pacific Railroad Co. has been ordered to pay a brakeman \$11,289.68. OSHA enforces the whistleblower provisions of the FRSA and 21 other statutes protecting employees who report violations.

- [Read the News Release](#)

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