

**UNITED STATES
DEPARTMENT OF LABOR****Promoting and Protecting Opportunity****DOL News Brief**[Subscribe](#) | [Send Feedback](#) | [PDF Version](#)

March 27, 2014

[+](#) [SHARE](#) [f](#) [t](#) [e](#) ...**WINNER OF 2014 AVA DIGITAL GOLD AWARD****NEXT**

On March 4, 2113, the Department of Labor will celebrate its bicentennial. Vast uncertainties prevent us from defining what the experience of working families in America will look like on that day, but we do know this:

To fulfill the promise of the department's first 100 years, new generations of individuals must stand up and lead. They will find in the lives of those represented in this series of historical vignettes ample evidence that vision and commitment can truly change the world. Did a 9-year-old immigrant breaker boy in a Pennsylvania coal mine ever dream that a new world was possible, and that he would set it in motion as the department's first secretary? Knowing that no woman had served before in a president's Cabinet, did Frances Perkins imagine that a remade society could emerge from the vision in her mind? When young Ernie Green, a member of the "Little Rock Nine," first walked into the all-white Central High School in Arkansas, did he have any inkling of the range of opportunities he would provide others like him as a Labor Department leader? The existence of the Labor Department itself is in some ways unlikely; President Taft's complete lack of enthusiasm nearly ended it before it began ("I suppose the situation is such that I shall have to sign the Department of Labor Bill," he said.). One hundred years later, our record of accomplishment has proven Taft's doubts unwarranted. We hope that this series has led to a greater appreciation for those accomplishments, and we thank you for accompanying us on this journey. This formally ends our look back at a century of service. We have more work to do.

- [Look Back at Centennial Vignettes](#)
- [View the Centennial Timeline](#)
- [View the Centennial Video](#)

What's New**Putting the Spotlight on 'Earn While You Learn' Job Training**

Traveling to New Hampshire on March 25, U.S. Secretary of Labor Thomas E. Perez joined Vice President Biden to showcase what Biden described as "training that doesn't just teach you new skills, but training that aligns those skills with the employers' needs." In



Manchester, Perez and Biden toured the facilities of XMA Corp., a global supplier of radio frequency and microwave components, and met with employees who are getting paid while learning new skills through the company's on-the-job training program. This innovative "earn while you learn" program helps previously unemployed workers gain job skills while earning a paycheck. Biden and Perez then dropped by the local American Job Center in Nashua to meet with staff members, as well as employers and employees participating in on-the-job training programs throughout the state. New Hampshire's program is one of the most successful in the country, with 96 percent of program graduates landing full-time jobs. Perez praised NH Works, describing it as a model for the nation. "We're identifying what works and taking it to scale," he said.

- [View the Slideshow](#)
- [Watch the Video](#)

Championing Innovation to Connect Workers With Jobs

Ensuring that the Labor Department is doing everything it can to connect ready-to-work Americans with ready-to-be-filled jobs is a top priority for Secretary Perez. So on March 27, Perez spent the day meeting with various organizations that are playing key roles in making sure the nation's workforce is trained

for the 21st century economy. He joined Commerce Secretary Penny Pritzker in her office for a meeting with the Business Roundtable to discuss a new initiative — to increase access to training credentials to help workers gain the right skills employers are looking for. Perez then hosted a group of about 30 representatives from the Silicon Valley Leader Group. They discussed how to enhance the competitiveness of the American workforce by expanding access to science, technology, engineering and math education and training, and the importance of reforming the nation's immigration system to ensure we are supporting American workers while

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

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

- [Recognizing Innovative Women](#): Women's

Bureau Director Latifa Lyles highlights the amazing work of women in STEM fields to disprove the myth that STEM jobs are "men's jobs."

• [Women's History is Our History: Part Two](#): Carl Fillichio, head of the Office of Public Affairs, suggests four more titles from the "Books that Shaped Work in America" list that are worth reading in celebration of Women's History Month.

• [Promoting Business and Workplace Equality for All Diverse Segments](#): Guest blogger Sam McClure, vice president of affiliate relations and external affairs at the National Gay & Lesbian Chamber of Commerce, writes about her organization's participation in the Office of Disability Employment Policy's Add Us In initiative, a community-based grant program that works to identify and develop strategies to increase employment opportunities for people with disabilities.

attracting the best talent from around the world. Perez capped off his day by participating in the Workforce Innovation Fund grantee meeting. WIF grantees are developing innovative approaches to the design and delivery of employment and training services that are making the public workforce system more nimble and responsive to the needs of companies and job seekers. "You are modeling the types of efficient, agile, responsive behavior that we want to see throughout the workforce system as we begin to innovate at the speed of business," Perez said.

• [View the Slideshow](#)

Shaking Things Up at a Popular Burger Chain

At the Shake Shack, a popular East Coast burger chain, employees are paid above the federal minimum wage, with hourly rates pegged to experience, skills and performance. In addition, employees can earn Shack Bucks, a percentage of the top-line revenues of each restaurant.



"For our individual worker, it absolutely means good things for the world. They are making more money that they can spend elsewhere, and take care of their families and have a living wage," Shake Shack CEO Randy Garutti said on March 21 at the company's F Street restaurant in Washington, D.C. Garutti welcomed Secretary Perez during the lunch rush, and the two discussed how higher wages helps build long-term profitability for companies, create successful teamwork and improve customer service. After Perez whipped up a vanilla shake for a young customer, he said he visited Shake Shack because "they demonstrate that in a business that is a low-margin business, you can put a good product out at a good price, make a profit and treat your employees fairly." Shake Shack currently has 42 locations in the United States.

• [View the Slideshow](#)

Keeping Up the Push for a Higher Wage



Advocates for a higher minimum wage, led by Americans United for Change, launched a 10-state bus tour on March 24 to bring attention to the struggles of low-wage working Americans. Wage and Hour Division Principal Deputy Administrator Laura Fortman met with the tour group as the tour kicked off in Bangor,

Maine. Addressing supporters of a wage increase there, and later in Portland, Maine; and Nashua, New Hampshire, Fortman said that a raise would be good for workers and good for businesses. "More money in the hands of workers means a greater ability to afford the basics like food, housing and clothes for themselves and their families," she told supporters. "And the money they spend helps businesses by strengthening the local economy."

• [Learn More About Minimum Wage](#)

National News

Minimum Wage Boost Would Benefit Workers Who Count on Tips

In 19 states, companies are



This week's phrase is Gold Card, a resource that offers post-9/11 era veterans enhanced employment services through the American Job Center network so they can succeed in today's job market. The Gold Card initiative, jointly administered by the department's Employment and Training Administration and the Veterans' Employment and

Training Service, provides job readiness assessments, career guidance, and referrals to employers and Registered Apprenticeship programs, among a host of other services.

- [Learn More About the Gold Card](#)
- [Find an American Job Center Near You](#)
- [See All the A-Z terms](#)

Women Leaders Meet in Atlanta



Katherine Archuleta, director of the Office of Personnel Management, participated in a roundtable discussion on March 20 organized

by the Women's Bureau. The session was hosted by the Center for Leadership and Civic Engagement on the campus of Spelman College in Atlanta. The event featured 12 women leaders, including CEOs of service organizations, women's advocates, local government officials, business owners, corporate executives and educators who shared their insights and experiences regarding gender wage disparity, wage-theft, and growing up in low-wage earning neighborhoods. Women's Bureau Deputy Director Joan Harrigan-Farrelly

also participated in the roundtable. Archuleta assured participants that their comments will be included in a report she is preparing for Secretary Perez, who will serve as chairman for a larger forum later this spring.

- [View the Slideshow](#)

On the Same Page With a Rock Star

Assistant Secretary of Labor for Disability Employment Policy Kathy Martinez and music legend Stevie Wonder have identical



views on one topic: the

importance of accessible and assistive technology. On March 20, the two crossed paths at the International Technology and Persons with Disabilities Conference, where both examined tools for improving accessibility. Martinez delivered a presentation on department efforts to promote the development and adoption of accessible workplace technology. Martinez also described a recently established Partnership on Employment and Accessible Technology. "I am thrilled to see so many technology providers becoming PEAT partners with us, the disability community and employers, to make the promise of universally designed technology a reality that will empower us all to succeed at work — and in life," Martinez said. The event was hosted by California State University of Northridge.

- [View the Slideshow](#)
- [Read About Accommodations](#)

Encouraging Public Service



Naomi Barry-Perez, director of the department's Civil Rights Center and an alumnus of Mount Holyoke College in South Hadley, Mass.,

addressed scholars of her alma mater at a public service forum on March 17 in Washington, D.C. Barry-Perez spoke of how former secretary of labor Frances Perkins moved forward with her agenda of sweeping social programs improving the lives of the American people and encouraged graduating students to follow the path of a career in public service. "Public servants are defined by the responsibility of representation, giving voice to the people. To do this authentically, we must intently strive to build bridges to those we aim to serve," she said.

Success for Working Women

"When Women Succeed, America Succeeds" was the

allowed to pay, to certain employees, a "tipped minimum wage" set by Congress more than two decades ago. Workers (such as restaurant servers) in those states can earn as little as \$2.13 per hour as long as wage and tips combined meet or exceed the full federal minimum wage of \$7.25 per hour. The hourly wage for tipped workers is not much higher in more than a dozen other states. According to a new report released by the White House on March 26, workers in predominantly tipped occupations are twice as likely as other workers to experience poverty, and food servers are almost three times as likely to be in poverty. Most of those workers are women, who account for 72 percent of all workers in predominantly tipped occupations such as restaurant servers, bartenders and hairstylists. About half of all workers in predominantly tipped occupations would see their earnings increase as a result of President Obama's proposal to raise the full minimum wage and the tipped minimum wage. Women account for more than half of all workers who would benefit from increasing the minimum wage to \$10.10 per hour.

- [Read the Report](#)
- [Read the President's Proposal](#)

Ohio Awarded Grant for Short Time Compensation

More businesses in Ohio will have access to tools to help them avoid laying off workers during economic periods because of a \$3.7 million grant from the department. The funding, awarded on March 27, will help Ohio implement and promote the state's short time compensation program, a layoff prevention program also known as work-sharing. Short time compensation allows employers to temporarily reduce work hours for a group of employees as an alternative to layoffs during tough economic times. Affected workers will have a portion of their lost wages supplemented by a percentage of their available unemployment compensation benefits. This program allows employees to retain their jobs — and benefits — while companies maintain a skilled workforce. Federal financial incentives are available to states interested in developing or expanding a short time compensation program.

- [Read the News Release](#)
- [Read the Blog Post](#)
- [Learn About STC](#)

Grants to Support Indian and Native American Job Opportunities

The department has made approximately \$58 million in grants available to help expand the employment and training opportunities for Indian, Native American and other tribal communities. The funding, announced on March 24, will be used to develop programs to improve the academic, occupational and literacy skills of Indian, Alaska Native and Native Hawaiian adults and youth, making them more competitive in the workforce. Approximately 170 grants will be awarded to serve youth and adult populations. Prospective grantees have until April 23 to submit an application.

- [Read the News Release](#)
- [Learn About Indian and Native American Programs](#)



News You Can Use

Health Care Enrollment Closes March 31

March 31 is the deadline for enrolling in



theme of a March 22 event sponsored by Congressman Jared Polis in Broomfield, Colo. Women's Bureau Program Analyst Marzy Bedford-Billinghurst was a panelist at the event, which included discussions about equal work, work and family balance and expanded access to affordable child care. Bedford-Billinghurst noted that these issues will be among the topics highlighted at June's White House Summit on Working Families.

- [Learn About the White House Summit](#)

Roof Fall Prevention in Florida



Roofing contractors, construction employers and fall prevention equipment vendors attended an industry outreach event hosted by the Occupational

Safety and Health Administration's Ft. Lauderdale Area Office. The event, designed to increase awareness of falls in the roofing industry, was held at the BB&T Center in Sunrise, Fla., on March 14. More than 125 participants took part in safety equipment demonstrations and discussions with roofing industry employers. Falls are a leading cause of deaths in the construction industry.

- [Learn About the Fall Prevention Campaign](#)

Women Workers in Focus



Barriers to success for working women were at the heart of two events that Women's Bureau representatives in San Antonio took part in recently. On March 24,

the agency convened a roundtable with AVANCE San Antonio to explore the challenges older women workers face in finding satisfying, lucrative work. At San Antonio College the following day, WB representatives Valerie Davis and Dolores Bischof delivered a presentation on the wage gap, its impact on working women of color, and potential solutions.

- [Read About Older Working Women](#)
- [Read About Working Women of Color](#)
- [Visit Equal Pay Website](#)

Crucial Elements for Retirement

"Transparency, accountability and straightforward advice are crucial elements of any retirement savings strategy," Phyllis C. Borzi said at the Retirement Industry Trust Association's Alternative Asset Conference in Washington, D.C., on March 24. In her presentation, Borzi, the assistant secretary of labor for employee benefits security,

coverage through the Health Insurance Marketplace. However, persons who are in the process of enrolling will be able to request an extension. Start your application online at HealthCare.gov or over the phone by calling 1-800-318-2596. With just one application, you can learn whether you qualify for tax credits to help pay for insurance or other free or low-cost coverage options.

- [Get Covered](#)
- [Find Local Help](#)

New Home Care Guidance Issued on Shared Living Arrangements

As part of its ongoing efforts to provide stakeholders with assistance implementing the Home Care Final Rule, the department has issued two new pieces of guidance related to home care arrangements in which the individual receiving care and the worker providing care live together. A new Administrator's Interpretation and Fact Sheet will help consumers, public entities, third-party agencies and others better understand how the Fair Labor Standards Act's requirements may apply to home care work that occurs under various "shared living arrangements" in anticipation of the Home Care rule's Jan. 1, 2015, effective date.

- [Read the Administrator's Interpretation](#)
- [Read the Fact Sheet](#)
- [Learn More About the Home Care Final Rule](#)

It Happened on the Hill

Creating Opportunity for All by Focusing on Skills and Training



In his first appearance before the House Committee on Education and the Workforce, Secretary Perez testified on the department's budget and policy priorities for the upcoming year. At the March 26 hearing, Perez outlined initiatives proposed in President Obama's 2014 State of the Union address and the ways

that the department plans to meet those goals. Through a focus on skills and training, fair wages, retirement security and workers' safety the department is playing a crucial role in strengthening the notion that, if you work hard and play by the rules, you should have the opportunity to succeed in America.

- [Read the Testimony](#)
- [Read the Blog Post](#)
- [Watch the Hearing](#)

House Hearing on Proposed Legislation to Assist Veterans

Nine proposed bills were the focus of testimony and questions put to Assistant Secretary of Labor for Veterans' Employment and Training Keith Kelly by the House Committee on Veterans' Affairs Subcommittee on Economic Opportunity. Joining Kelly at the March 25 hearing were Department of Veterans Affairs Deputy Undersecretary for Economic Opportunity Curtis Coy, as well as Demetra Nightingale, the Labor Department's chief evaluation officer. Kelly responded to questions from



discussed issues affecting retirement plans, such as department regulations to increase fee transparency and require plan statements to include lifetime income projections. Measures such as these have been shown to assist plan participants in assessing their options and their future needs.

- [Learn About Lifetime Income Illustration](#)
- [Read Fee Disclosure Fact Sheet](#)

Safety Alliance 'Sealed'

The Sealant Waterproofing and Restoration Institute renewed its alliance with the Occupational Safety and Health Administration on



March 20 with a signing ceremony in Washington, D.C. The alliance will remain in effect for five years and provide information and training resources for more than 10,000 workers employed by the 280 SWR Institute member companies.

"Workers in the sealant, waterproofing and restoration industry experience many of the hazards common to the construction industry, particularly fall hazards," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. The SWR Institute is a non-profit corporation of commercial contractors, manufacturers and consultants involved in designing, manufacturing and applying sealant, waterproofing and restoration.

- [Read About Alliance Programs](#)

Partnering in Pennsylvania

The Occupational Safety and Health Administration's Pittsburgh, Pa., Area Office signed a partnership with Mascaro Construction Co. on March 21. The partnership is shared by OSHA, Mascaro Construction, trade contractors and the Pittsburgh Regional Building Trades. Together, they will work to ensure the safety of workers in the construction of an approximately 204,400 square-foot corporate headquarters facility for Industrial Scientific Corp. in Robinson Township, Pa. The agreement calls for maintaining a safe work environment and reducing the number of serious injuries, which historically occur at sites of this size. The project will employ approximately 150 union trade workers during peak construction.

- [Learn About OSHA Partnerships](#)

Sharing Practices With Japan

The department's Regional Office of the Solicitor in Boston hosted an international visitor on March 25. Aiko Abe is the Unit Chief of the Counsellor's Office for Information Policy at the Japanese Ministry of Health, Labor, and Welfare. Abe has been studying employment law in the United States, with a particular focus on the Fair Labor Standards Act and the department's enforcement activities. Attorneys gave overviews of

subcommittee members on the Military Skills to Careers Act, which would enact changes to state licensing and credentialing procedures, and the Veterans Employment and Training Service Longitudinal Study Act which, Kelly said, "would allow the department to better tailor services to assist veterans with their immediate and long-term employment needs." Kelly also noted the recently announced annual decline in overall veterans' unemployment and post 9/11 veterans' unemployment.

- [Read Kelly's Testimony](#)

International Scene

A Global Conversation on Youth Employment

European University Cyprus invited Gerri Fiala, deputy assistant secretary of labor for employment and training, to explain how the United States promotes opportunities for young people to get a foothold in the labor market. Speaking via video teleconference on March 21, Fiala outlined the key elements of youth employment programs administered by the Employment and Training Administration, including an emphasis on industry-recognized job credentials and employer partnerships to ensure that young people are trained for jobs that need to be filled. After her remarks, Fiala took questions from students in the audience, prompting a conversation about the comparative prevalence of registered apprenticeships in Europe and the United States. Increasing apprenticeships for young people is a critical feature of President Obama's proposed budget for the upcoming fiscal year. Other speakers included EU Commissioner for Employment, Social Affairs and Inclusion László Andor; EU Commissioner for Education, Culture Multilingualism and Youth Androulla Vassiliou; and Cyprus' Minister of Labor and Social Insurance Zeta Emilianidou.

- [Explore Youth Job Resources](#)

Of Note

Benefits.gov Wins Excellence.Gov Award

Congratulations to the Labor Department for winning this year's Excellence.Gov Award for Intergovernmental Collaboration. DOL serves as the managing partner for Benefits.gov, the official benefits website for the federal government that works in partnership with 17 agencies. Each year, the American Council for Technology — Industry Advisory Council recognizes outstanding government programs that enhance mission effectiveness through the use of information technology. The finalists and winners, selected by a panel of government and industry judges, become a source of best practices for the government IT community.

- [Visit Benefits.gov](#)

DOL Working for You

DOL Programs Help High-Tech Manufacturer Boost Workforce

Thanks to local services funded by the department, when New Jersey's Crestron Electronics is looking to hire, they know just where to start. Crestron — a global supplier of audio-visual control and automation systems for residential, educational and commercial settings, is headquartered in Rockleigh, N.J. To keep up with global demand, Crestron worked closely with the federally funded

enforcement in their respective areas and discussed the FLSA in detail. The meeting was the result of a request from WorldBoston, an organization working with the State Department to build relationships with international emerging leaders. Abe's goal is to identify and replicate successful enforcement practices once she returns to her work in Japan.

Russian Miners in a U.S. Mine



Russia's Deputy Minister of Labor, along with employees from Siberia's largest coal mine and representatives of the

Trade Union, got an up-close-and-personal experience in a U.S. underground coal mine recently. The delegation toured Alpha Natural Resources Cumberland Mine in Greene County, Pa., then met with Mine Safety and Health Administration staff at MSHA's coal district office in Mt. Pleasant, Pa. There they discussed miners' health issues, along with federal regulations and requirements for coal dust and noise control.

New Rules for Workplace Diversity

"These rules are game changers," said Office of Federal Contract Compliance Programs Director Patricia Shiu recently in a letter to her staff. The two rules she referenced, which update Section 503 of the Rehabilitation Act of 1973 and the Vietnam Era Veterans' Readjustment Assistance Act, became effective on March 24. OFCCP has conducted numerous listening sessions, webinars and other outreach efforts throughout the rulemaking process, and will continue to engage contractors in the coming months to ensure the rules are successfully implemented. The new rules establish metrics for evaluating contractors' efforts to recruit, hire and retain qualified veterans and workers with disabilities.

- [Read the Blog Post](#)
- [Learn About Section 503](#)
- [Learn About VEVRAA](#)

Weekly UI Claims

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 311,000 for the week ending March 22, a decrease of 10,000 from the



Workforce Investment Boards and American Job Centers located throughout New Jersey to bring on 122 workers over the last four years. According to the company's senior HR director Martin Devaney, this partnership helped Crestron "identify local candidates and find some of the best potential employees." For Crestron and other interested employers, specialists at American Job Centers help pre-screen applicants, evaluate



competencies for available positions, and send the best candidates to the employer. Crestron also was able to take advantage of a DOL-funded On-the-Job Training Program that covers up to half of the wages of new employees as they receive training. New workers often are paired with seasoned staff to help them learn difficult procedures faster. That was the case with Dan Jersey, who was unemployed and came to Crestron's attention through the Bergen County, N.J., Workforce

Investment Board. The program "gave me the hands-on experience I needed" to succeed, he said. Jersey was hired by Crestron and paired with an experienced technician to start, but quickly moved up from tester to junior technician to a recent promotion as service technician.

- [Find Your Local American Job Center](#)
- [Learn About On-The-Job Training](#)

DOL in Action

Asphalt Manufacturer Cited After Worker Suffers Burns

Atlantic Coast Asphalt was cited for 10 violations by the Occupational Safety and Health Administration following an accident last September in which a worker became trapped by a tar substance while cutting a section of piping inside a hot liquid asphalt tank at the company's Jacksonville, Fla., facility. Rescue efforts lasted 8 hours, and the worker sustained severe burns to his legs and feet. Among the violations were the employer's failures to follow permit-required confined space entry and lockout/tagout procedures to ensure all hazards were identified, documented and measured, and to put controls in place before the employee entered the space. Proposed penalties total \$63,360.

- [Read the News Release](#)

Janitorial Workers in Louisiana to Receive Back Wages

Empire Janitorial Sales and Services Inc. of Metairie, La., has paid \$277,565 in overtime back wages to 233 current and former janitorial service workers employed by Acadian Payroll Services LLC. An investigation by the Wage and Hour Division found violations of the Fair Labor Standards Act's overtime and record-keeping provisions. In addition, employees were wrongfully classified as independent contractors and paid an hourly wage with no overtime wages.

- [Read the News Release](#)

Workers Exposed to Chemical Hazards at New Jersey

previous week. The four-week moving average was 317,750, down 9,500 from the previous week's revised average.

• [Read the News Release](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

OFCCP — Compliance Assistance Seminar

• [April 23 — Columbus, OH](#)

OFCCP — Construction Compliance Evaluations in 16 Steps

• [April 3 — Omaha, NE](#)

• [April 22 — Atlanta, GA](#)

OFCCP — Everything You Want to Know About Adverse Impact

• [April 15 — Birmingham, AL](#)

• [April 15 — Jackson, MS](#)

OFCCP — What to Expect During an OFCCP Audit

• [April 15 — Atlanta, GA](#)

• [April 15 — Orange, CA](#)

OWCP — Town Hall Meetings to assist nuclear weapons workers

• [April 8 — Albuquerque, NM](#)

• [April 9 — Albuquerque, NM](#)

WHD — Prevailing Wage Seminar

• [April 1 — Chicago, IL](#)

• [April 2 — Chicago, IL](#)

• [April 3 — Chicago, IL](#)

• [April 22 — San Diego, CA](#)

• [April 23 — San Diego, CA](#)

• [April 24 — San Diego, CA](#)

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Expand 14h

Facility

Diversified CPC International Inc. has been cited by the Occupational Safety and Health Administration for 15 serious violations of the process safety management standard at the chemical manufacturer's Sparta, N.J., production facility. The company, based in Channahon, Ill., faces \$73,500 in proposed penalties for exposing workers to hazardous chemical risks. It failed to develop and implement written procedures for mechanical integrity and operating procedures to conduct activities in each covered process safely, did not follow good engineering practices when performing inspections and testing equipment, and failed to complete a thorough process hazard analysis and emergency action plan.

• [Read the News Release](#)

Fiduciary Sought for Abandoned New York Pension Benefit Plan

The department has filed suit in U.S. District Court for the Southern District of New York to seek the appointment of an independent fiduciary and trustee to administer the Amerindo Investment Advisors Inc. Employee Savings Plan. Alberto Vilar, the plan's fiduciary and sole trustee, is prohibited under the Employee Retirement Income Security Act from serving as a fiduciary, administrator or officer of any ERISA-covered benefit plan because of his conviction for conspiracy, fraud and other charges. A new fiduciary was not appointed and no individual assumed responsibility for the plan. The lack of a plan fiduciary and trustee means that participants and beneficiaries cannot obtain plan information, make investments or collect retirement benefits. The plan has \$308,438 in assets and 26 participants.

• [Read the News Release](#)

• [Learn More About EBSA's Abandoned Plan Program](#)

Ohio Companies Exposed Workers to High Levels of Lead

Two Ohio companies, Durable Slate Co. and Spectrum Painting, were cited by the Occupational Safety and Health Administration for exposing workers to dangerous levels of lead from lead-based paint and serious fall hazards while restoring an historical building in Lima. OSHA initiated an inspection in September 2013 after receiving a referral from a health-care provider, which found high levels of lead in blood samples from employees of the companies. Proposed penalties total \$119,000 and \$49,600, respectively.

• [Read the News Release](#)

Court Orders Hawaiian Salons to Pay Back Wages, Damages

Two hair salons in Hawaii have been ordered to pay \$75,000 in minimum and overtime back wages and an equal amount in liquidated damages to 44 employees following an investigation by the Wage and Hour Division. Y'Z Corporation of Honolulu, doing business as Creave Hair Salon and Naillabo Nail Salon, and owner Yasutaka Noguchi, agreed with the terms of the consent judgment filed in the U.S. District Court in Hawaii on March 18. From August 2009 to September 2013, the salons serving the Sheraton Waikiki and Hyatt Regency Waikiki hotels regularly required employees to work through unpaid lunches, in violation of the Fair Labor Standards Act. The judgment also requires the employer to post notices about the terms of the consent judgment and employees' rights under the FLSA in English and Japanese.

Philadelphia Construction Company Failed to Provide Fall Protection

Occupational Safety and Health Administration inspectors found eight serious and repeat violations at a Medford, N.J., residential construction site during an inspection begun last November under a local emphasis program on fall hazards. The repeat violations reflect Philadelphia-based Top Class Construction Inc.'s failure to provide fall protection for employees working on wooden trusses, fall protection training, ensure that ladders are used properly, and have a competent person conduct frequent and regular job



US Labor Department 
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Let's [#StopFalls](#) and [#SaveLives](#) this June. Join [#OSHA](#) for the National Safety Stand-Down --> ow.ly/uXCqY

site inspections. Proposed penalties total \$44,880.

- [Read the News Release](#)

Pennsylvania Manufacturer Faulted for Employee Chemical Exposure

Truck trailer manufacturer Great Dane Limited Partnership has been cited for two repeat violations by the Occupational Safety and Health Administration. OSHA investigators found that the company exposed employees to hexavalent chromium at its Danville, Pa., facility. The investigation, opened in October 2013 under OSHA's Hexavalent Chromium National Emphasis Program, was a follow-up to a February 2013 investigation. Investigators found that the company exposed a welder to more than 4.6 times the permissible exposure limit for the chemical. Proposed penalties total \$30,000.

- [Read the News Release](#)

Mines Selected for Special Inspections

Federal inspectors with the Mine Safety and Health Administration issued more than 200 citations and orders during February impact inspections at 12 mining operations around the country. These monthly inspections are targeted at mines that merit increased agency attention and enforcement due to poor compliance history. Since April 2010, MSHA has conducted 726 impact inspections.

- [Read the News Release](#)

Investigation Leads to New Election for California Union

The Kaiser Permanente Nurse Anesthetists Association, in Westminster, Calif., will conduct a new election for president-elect and secretary. The new election was called after an investigation by the Office of Labor-Management Standards found that the union's email system was used to send a letter with the union logo from an officer to all members in support of a candidate. The investigation also found that the web-based system for conducting the election lacked secrecy. The new election will be held on or before May 16 under OLMS supervision.

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