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81%
of unemployed
training graduates
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within **3 months**
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What's New

Workers' Memorial Day — Honoring Fallen Workers

"I take a lot of pride in my work, and I love my job... I was everyone's hero until I found myself slouched over my machine... my doctor said my symptoms sounded like silicosis. I was devastated." Sean Barrett, a silica victim and terrazzo worker, recalled his own experience battling silicosis



during the department's annual Workers' Memorial Day ceremony on April 28, which featured a panel on protecting workers from hazards. "No one should have to sacrifice their life for their livelihood," noted U.S. Secretary of Labor Thomas E. Perez, who delivered remarks to an audience of workers and their families at department headquarters in Washington, D.C., along with Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels and Assistant Secretary of Labor for Mine Safety and Health Joseph Main. Workers' Memorial Day is observed every year to honor those workers who have died on the job, to acknowledge the grievous suffering experienced by families and communities, and to recommit to the fight for safe and healthful workplaces for all workers. Added Barrett: "I hope that the newly proposed OSHA standards will be in place so that I can go back to work and be safe doing the job I love. And for the future generations doing [this]craft, I hope this never happens to them."

- [Read About Workers' Memorial Day](#)
- [View the Slideshow](#)

\$150 Million in Funding Available to States to Train Dislocated Workers

"Helping workers acquire the skills that employers say they need is a key way the Labor Department fulfills the president's vision of opportunity for all," said Secretary Perez in announcing \$150 million in available grant funding. A new Job-Driven National Emergency Grant program will train workers who have lost their jobs through no fault of their own for jobs in high-demand industries. The investments will help create or expand employer partnerships that provide opportunities for on-the-job training, Registered Apprenticeships or other occupational training that results in an industry-recognized credential. Grants ranging from \$500,000 to \$6 million are being made available to states, territories and federally-recognized tribes through the Workforce Investment Act Dislocated Worker National Reserve fund. Applications must be received by May 27 to be considered. The grants, Perez said, will "expand proven strategies so that workers can secure a foothold in the middle class and businesses can grow."

- [Read the News Release](#)

(Work in Progress) The Best of Our Blog

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

- [Let's Make a Match](#): After announcing new funding of up to \$150 million for states through a Job Driven National Emergency Grants program, Secretary Perez writes that connecting ready-to-work Americans with ready-to-be-filled jobs helps more people secure a foothold in the middle class and helps businesses to profit and grow.
- [Promising Futures](#): A new short film supported by the Bureau of International Labor Affairs shines a light on the lives of children in Jordan who must work instead of going to school, writes ILAB International Relations Analyst Christine Carlson.
- [Modernizing Protections for Whistleblowers](#): Anthony Rosa, the acting deputy director for Whistleblower Protection Programs, explains what must be done to update OSHA's whistleblower protection statute.



This week's phrase is the K-Order. Following a serious mine incident, a "k-order" can be issued by federal mine safety officials allowing them to take necessary actions, including



temporarily shutting down mines, to ensure the safety of all people at the mine.

- [Learn About K-Orders](#)
- [See All the A-Z Terms](#)

Wu Takes Charge of ETA

Portia Wu officially became assistant secretary of labor for employment and training after being sworn in by Secretary Perez on April 28. Wu



was nominated by President Obama in December and confirmed by the Senate in April. She joins the department's Employment and Training Administration, where she will help advance the focus on job-driven skills training and effective administration of crucial programs, such as Unemployment Insurance. Prior to coming to the department, Wu served in the White House as special assistant to the president for labor and workforce policy. Previously, she spent seven years handling labor and pension issues for the Senate Health, Education, Labor, and Pensions Committee under Sens. Ted Kennedy and Tom Harkin before joining the National Partnership for Women and Families as vice president. She and her husband Bradley have two daughters.

- [Read the Blog Post](#)

'Let's Talk About the Minimum Wage'

It's been nearly five years since American workers at the bottom of the income ladder have seen a raise. In that time, the costs for food, housing, utilities, transportation and child care have all gone up. That's why an overwhelming majority of Americans say that it's time to raise the federal minimum wage.



In a new video released on April 29 and titled, "Let's Talk About the Minimum Wage," workers, business owners and faith leaders describe how a minimum wage increase will give them a much-needed boost to get by, be good for the bottom line and is, quite simply, the right thing to do. Despite popular support, however, the national effort to raise the wage suffered a temporary setback on April 30 when the Senate failed to advance a measure that would gradually raise it from its current rate of \$7.25 an hour to \$10.10 an hour. "Today, a minority of U.S. senators blocked a minimum wage increase that a strong majority of the American people supports," said Secretary Perez. "In so doing, they have rejected a long bipartisan tradition of rewarding hard work with a fair wage." At the White House, President Obama pledged to continue the fight for a higher wage, saying that it's the right thing to do. "Do not get discouraged by a vote like the one we saw this morning," the president told supporters. "Get fired up. Get organized. Make your voices heard."

- [Watch the Video](#)
- [Read the Secretary's Statement](#)
- [Watch Video of President Obama on Minimum Wage Vote](#)

Supporting Working Families



Examining innovative solutions for creating workplaces that provide Americans the opportunity to get ahead and ensure they remain globally

competitive headlined the White House Summit on Working Families regional event in Chicago on April 28. Valerie Jarrett, senior advisor to the president; Tina Tchen, chief of staff to Michele Obama; Women's Bureau Director Latifa Lyles and Center for American Progress President Neera Tanden keynoted the forum attended by approximately 300 business leaders and workers' advocates. Chicago Mayor Rahm Emanuel and Illinois congressional leaders, Sen. Dick Durbin and Rep. Jan Schakowsky discussed family friendly policies that provide fair wages, paid time off and work-life balance as keys to economic prosperity. "Anyone who has worked for an employer who gets it knows the feeling of relief that you feel when they validate the other parts of your life and give you permission to go to school events and such," Jarrett said. The regional discussions will help inform the White House Summit on Working Families scheduled for June 23.

National News

Remembering Workers and Promoting Safer Workplaces



Workers who died on the job were remembered across the country in dozens of events marking Workers' Memorial Day 2014. In Dallas, the Occupational Safety and Health Administration signed alliance agreements with the Regional Hispanic Contractors Association and the Workers Defense

Project, aimed at promoting safer and more secure workplaces and enhancing employees' voices in the workplace. Deputy Assistant Secretary of Labor for Occupational Safety and Health Jordan Barab participated in the annual Philadelphia Area Project on Occupational Safety and Health Workers' Memorial Day event and procession to Penn's Landing in Philadelphia, where flowers were laid in honor of workers who died over the last year. In Atlanta, the names of victims of workplace fatalities were read at this year's re-dedication of Georgia's Workers' Memorial monument, while in Boston, OSHA representatives attended a Workers' Memorial Day ceremony at the Massachusetts State House. OSHA Senior Policy Advisor

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

'Veterans Are Ready to Work'

The Interagency Council on Veterans Employment, focusing on increasing the employment and retention of veterans in the federal government,



has adopted a new benchmark for agencies in the hiring of veterans. The benchmark establishes elements that will allow for clear performance reviews by grouping agencies by size and creating a rating mechanism based on interagency comparison to measure veterans' employment performance. The council was established to help carry out the goals of the president's Veterans Employment Initiative, which asks federal agencies to identify qualified veterans, clarify the hiring process for them in the government, and help them adjust to the civilian work environment once they are hired. "Veterans make our workforce and our government more productive and our economy more competitive," Secretary Perez said. "Veterans are ready to work and the government needs exactly what veterans have to offer," he told the council at its April 29 meeting. The president's Interagency Council on Veterans Employment is made up of 24 agencies. It is co-chaired by Perez and Secretary of Veterans Affairs Eric Shinseki. The vice chair is Office of Personnel Management Director Katherine Archuleta.

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

Looking Ahead for Workers



The synergies between the civil rights and labor movements, 50 years ago and today, were the focus of Secretary Perez's remarks at the Anti-Defamation

League's National Leadership Summit. The secretary's remarks were part of a larger discussion at the April 28 summit on the 50th anniversary of the Civil Rights Act of 1964. Perez noted that, working together, the civil rights and labor movements have made great progress, but that there is still work to do, in advancing civil rights and in expanding opportunities for Americans to find good jobs and earn decent wages. He called on lawmakers to come together to pass a minimum wage increase, extend emergency unemployment benefits, pass immigration reform and other measures that would promote economic justice and expand opportunity for more people.

Responsibility and Fairness

Debbie Berkowitz joined United Support and Memorial for Workplace Fatalities and more than 100 family members and supporters for a ceremony on the steps of the capitol building in Lincoln, Neb. There, OSHA's Omaha Area Director Bonita Winingham read the names of the workers fatally injured in Nebraska since 2012.

- [Read About Workers' Memorial Day Activities](#)
- [View the Slideshow](#)

Republic Steel to Pay \$2.4 Million in Fines in Landmark Settlement

In an unprecedented settlement with the department, Republic Steel has agreed to fix more than 100 serious safety and health violations found at four of the company's facilities. The company also will pay \$2.4 million in fines and invest in numerous safeguards to prevent future injuries. Last fall, a serious injury at the company's Lorain, Ohio, plant prompted the Occupational Safety and Health Administration to launch a series of inspections not only at the Lorain facility, but also in Canton and Massillon, Ohio, and Blasdell, N.Y. In addition to abating violations cited by OSHA, the company has agreed to make key changes in the management of its safety and health program and take further measures to protect Republic employees. "By agreeing to the terms of this settlement, Republic Steel has demonstrated a commitment to change its culture, invest in its employees, and work with OSHA and the United Steelworkers to make significant changes at its facilities that will improve the safety and health of its workers," said Secretary Perez.

- [Read the News Release](#)
- [Read the Settlement Agreement](#)

News You Can Use

Workers Can Weather Storm Cleanup Hazards With Proper Protections

Violent weather has stretched across the Midwest, the South, and Eastern United States since April 25, including a series of deadly tornadoes in Alabama, Mississippi and Tennessee. Due to ongoing heavy rain, flash-flood watches have been issued from Northern Florida up to New England. As residents recover



from these storms, the Occupational Safety and Health Administration urges recovery workers, employers and the public to exercise caution during any cleanup efforts. Hazards related to these cleanup efforts may include contaminated water, exposure to dangerous elements, downed electrical wires, burns, lacerations, being struck-by debris and getting caught in moving water. Only workers provided with the proper training, equipment and experience should conduct cleanup activities. OSHA is on site in areas affected by the storms providing assistance and advice to workers and the public about these potential hazards.

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

'Find Your Path' — New Initiative Helps Job Seekers and Businesses

The American Job Center network, with nearly 2,500 locations around the country and an array of robust online tools, is a powerful resource that helps

Accepting a "Work Matters" award from the National Employment Law Project on April 30, Secretary Perez delivered an impassioned speech



rallying the enthusiastic crowd around what he described as America's basic bargain: "If you work hard and you are responsible, we will be fair to you. You will share in the prosperity of America and... in the sacrifice during tough times." Citing the Senate's recent obstruction of a minimum wage increase and Congress' continued failure to extend emergency unemployment benefits ("UI fatigue," in his words), Perez talked about how that compact is being violated. "But I am not fatigued. I am energized." Perez added, "I have an unlimited reservoir of optimism" because history is on the side of those who work to expand opportunity.

ODEP Signs Strategic Alliances



With two new alliances, the Office of Disability Employment Policy has advanced its commitment to increasing employment opportunities for people

with disabilities. On April 24, National Industry Liaison Group leaders renewed an existing alliance and discussed planned activities with ODEP, including efforts to educate federal contractors on regulatory updates. The following day, the Youth Transition Collaborative and the Center for Health Care Transition Improvement signed a three-way formal alliance with ODEP. This alliance will provide information, technical assistance and resources to help regional and national organizations empower youth and young veterans with disabilities to pursue integrated employment. "We're operating in a truly exciting era of disability employment policy," said Assistant Secretary of Labor for Disability Employment Policy Kathy Martinez.

- [Read About ODEP Alliances](#)

A Big Win for Job Corps Students

The Guthrie Job Corps Center in Guthrie, Okla., won first prize in the Senior Division for its float "The Great Run," entered in the annual 89er Day



Celebration. This year marked the 125th anniversary of the Great Run of April 1889, when settlers staked their claim to land in central Oklahoma. The float, part of the 89er Days parade that included 571 participants, took about 50 hours to build. Five Job Corps students — Alyshia Johnson, Jerome Whyte, Michael Morgan,

millions of Americans find a job, get trained in the latest skills and hire qualified workers to help grow their business. To help raise awareness about these locally available resources, promote promising training models, and connect ready-to-work Americans to employers looking to hire, the department has launched a new initiative called "Find Your Path." The initiative showcases how programs work for job seekers and employers, featuring stories from people who have successfully used American Job Center resources to find their own path to success. A new Web page also features an opportunity to share your own story, as well as find information about training, employment and funding opportunities. So whether you're looking for a job or looking to hire, the American Job Center network can help you find your path.

- [Visit the Find Your Path Web Site](#)

Financing Your Dreams, Through Good Planning

A house in the suburbs, a trip overseas, a balanced credit card — financial goals take many forms, but they all share something in common: they're easier to achieve with good planning. On April 23, the Employee Benefits Security Administration and the Certified Financial Planner Board of Standards held a webcast on how to use new online worksheet tools to set financial goals, calculate net worth, estimate retirement costs, develop a budget and organize debt. The webcast was one of several events the department participated in as part of National Financial Capability Month.

- [Watch the Webcast](#)
- [Use the Worksheets](#)

Take Three: In Pursuit of Pay Equity

The role of women in the U.S. workforce has changed dramatically over the past century. Today, women compose nearly half of the workforce, but a gap persists between women's earnings and men's. On April 8, President Obama took two executive actions to counter pay discrimination and strengthen enforcement of equal pay laws. Office of Federal Contract Compliance Programs Director Patricia A. Shiu answers three questions about those actions.

Isn't the pay gap a myth? *No. U.S. Census data indicates that women earn, on average, about 77 cents for every dollar paid to a man over the course of a year. The gap is even larger for women of color and women with disabilities. Different factors — like education, experience and occupation — contribute to the pay gap, but explaining the gap is different from disproving it; and even after factors like these are taken into account, the pay gap persists, in part because of discrimination.*

Gender-based pay discrimination is already illegal. Why are these actions necessary? *Equal pay is a legal right for all workers — and a legal responsibility for employers — but it's not a reality yet. Just ask Lilly Ledbetter, who lost hundreds of thousands of dollars over the course of her career because she was being paid less than her male colleagues for doing the same work. She discovered the discrepancy thanks to an anonymous note, because her colleagues, like many workers, were not legally permitted to discuss their pay. The recently signed Executive Order would prohibit federal contractors and subcontractors, like Lilly's former employer, from retaliating against employees who choose to discuss their pay. The president also signed a memorandum directing Secretary Perez to establish regulations that would require federal contractors to submit data on their compensation practices, including data by sex and race.*

Doesn't the department do that already? *In 2011, the department issued an advance notice of proposed rulemaking, soliciting feedback on a series of questions regarding a compensation data collection tool for federal contractors. Through the memorandum created last month, the president is*

Zachery Stuart and Christopher Stevenson — along with Sharane Robinson, their leadership specialist, used their carpentry skills honed at the center, to design the winning float.

Women in the Trades



The Women's Bureau and the Office of Federal Contract Compliance Programs in San Francisco participated in a nationwide

tradeswomen and union leader conference in Sacramento, Calif., on April 26 and 27. The event attracted approximately 800 women from the United States, Canada and Australia interested in developing skills and strategies to recruit, retain and promote women's leadership in the nontraditional occupations. Two agency-hosted workshops and roundtables focused on encouraging the recruitment of women into the trades and on the importance of tradeswomen becoming active in the public policy process. On May 27, the Women's Bureau will host the San Francisco Regional Forum and then participate in the White House Summit on Working Families on June 23. Those events will highlight the significance of expanding paid leave and family-friendly workplace policies for all workers.

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

Rights of Pregnant Workers



Pregnant workers are protected by a variety of federal and local laws, including the Family and Medical Leave Act, the Pregnancy

Discrimination Act, and New York City's new Pregnant Workers Fairness Act and Earned Sick Time Act. On April 23 and 30, Gillian Gutierrez, a program analyst from the Women's Bureau office in New York City, participated in a panel at Columbia University to educate future service providers, including social work and public health students, about workplace protections and where to refer future clients. Dina Bakst, co-president, and Risha Foulkes, staff attorney, of A Better Balance, a legal advocacy organization that works to protect and expand the rights of pregnant women, working parents and caregivers, also participated in the panel.

- [Learn About the FMLA](#)

Ending Garment Sweatshops

The Wage and Hour Division and East Los Angeles College hosted a garment summit in Monterey Park, Calif., with retailers and



instructing the department to take the next step, which would be to publish a notice of proposed rulemaking that outlines exactly how such data would be collected from contractors and used by OFCCP. Of course, the department isn't the only player involved in closing the pay gap. Our sister agencies, the private sector and even individual workers, have a role to play as well. By working together, we can make the pay gap a problem of the past.

- [Read the ANPRM](#)
- [Read the Blog Post](#)

It Happened on the Hill

Workers' Memorial Day Hearing Highlights Whistleblower Reforms

In a Senate hearing following Workers' Memorial Day, Dr. David Michaels, assistant secretary of labor for occupational safety and health, testified on proposed updates to whistleblower provisions in the Occupational Safety and Health Act. Section 11(c) of the law protects workers from retaliation for reporting injuries or safety concerns on the job. But the 43-year-old law has weaker protections for workers than subsequent whistleblower statutes, according to Michaels. "Section 11(c) is badly in need of modernization," he told the Subcommittee on Employment and Workplace Safety. "The anti-retaliation statutes that Congress has enacted since the OSH Act was passed provide greater protections and stronger remedies for workers who have been retaliated against. To give 11(c) the teeth it needs to be as effective, it must be updated to improve procedures for filing, investigating and resolving complaints."

- [Read the Testimony](#)
- [Learn About OSHA's Whistleblower Program](#)

Discussing the Northern Mariana's Transitional Worker Program



Deputy Assistant Secretary of Labor for Policy Megan Uzzell testified before a House subcommittee on April 29 regarding an extension of the Commonwealth of the Northern Mariana Islands transitional worker program. The Consolidated Natural Resources Act of 2008 provides the department the authority to determine whether to extend the CW-1 program for a period of up to five years and outlines factors the department may consider in making a determination. Uzzell's testimony outlined some of the steps the

department is taking to reach a determination, which include analyzing the labor market in CNMI and consulting with interagency partners at the departments of Homeland Security, Defense and Interior, and CNMI officials. The department will issue a determination no later than July 4. She testified before the House Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs.

DOL Working for You

Californian Lands Job Through Workforce Investment Act Funding

Californian Alessandra Nieto had little work history, and she became increasingly frustrated with her inability to find full-time employment because of it. So she turned to the Mission Economic Development Agency, funded by the

manufacturers on April 25. Participants provided information and feedback on a new garment contractor training course that the college plans to roll out soon. The course is geared towards educating garment contractors on the bidding process and on complying with federal and state labor laws. "Most of us do not want to wear something made in a sweatshop, but chances are the labels we wear today were made in sweatshop conditions," said Hester Ju, regional garment coordinator. "In the last seven years in Southern California alone, the department has conducted more than 1,500 investigations and collected over \$11 million for 11,000 garment workers. There is a better way forward, and this college course will contribute to eliminating the levels of labor violations that we've seen."

- [View the Slideshow](#)

Latino Outreach via Radio



Latino radio station Maxima Radio in Georgetown, Del., invited the Occupational Safety and Health Administration to

conduct an on-air informational session on April 22. Nearly 8,000 listeners across the Delmarva (Delaware, Maryland and Virginia) Peninsula were informed about workers' rights, employer responsibilities, the complaint process, temporary workers and the upcoming National Fall Stand Down. Listeners had many questions and wanted to learn more, requesting that OSHA return for another information session.

Helping Temp Workers

Temporary workers and their employers gathered in Silver Spring, Md., on April 27 for presentations on workplace rights, safety and best practices. The free summit was held by the Occupational Safety and Health Administration, in partnership with the Maryland Occupational Safety and Health's outreach program. Dr. David Michaels, assistant secretary of labor for occupational safety and health, used the opportunity to meet directly with workers while they visited informational booths and heard bilingual presentations on topics such as heat stress and falls in construction. To cap off the day, the Potomac Electric Power Co. sparked the crowd's interest with a live demonstration illustrating the dangers of electrical wires.

- [Read About OSHA's Temporary Worker Initiative](#)
- [Learn About Maryland OSH](#)

Weekly UI Claims

department through the Workforce Investment Act, for help. MEDA put Nieto in a Job Readiness Training Program that helped her prepare a proper resume and practice job interviewing skills. She also took financial literacy courses that taught her about credit scores, how to apply for a loan, and consolidate debt. Nieto said the program helped her "learn what to expect when searching for a job." When her course work ended, MEDA recommended that Nieto attend a local job fair. There she landed a job working in San Francisco for a large grocery store chain.



DOL in Action

Nearly \$2 Million in Back Pay Penalties Sought From California Grower

The department is seeking to obtain a judgment against strawberry grower Fernandez Farms Inc., of Watsonville, Calif., and its president, Gonzalo Fernandez, requiring payment of nearly \$1 million in back wages to approximately 400 farm workers for minimum wage and overtime violations. The department also seeks more than \$1 million in penalties. Investigators found egregious violations of the H-2A temporary non-immigrant worker program, including failure to hire qualified U.S. workers and allegedly requiring workers to pay a substantial sum of their earnings to cover costs of the program. "This employer blatantly disregarded the law — underpaying low-wage workers, demanding kickbacks and circumventing rules on proper hiring," said Laura Fortman, deputy administrator of the Wage and Hour Division. "Because of the nature of these violations, the department has no choice but to seek a debarment order that prohibits Fernandez Farms Inc. and its president from applying to the H2-A program for three years, the maximum allowed."

- [Read the News Release](#)

Massachusetts Workers Affected by Layoffs Eligible for Assistance

A National Emergency Grant of \$1,576,221 to assist approximately 250 workers affected by layoffs at five companies in Hampden County, Mass., was announced by the department. Most of these layoffs occurred in the latter half of 2013 and continued through January 2014. "Workers in western Massachusetts may have worked for many years with a single employer and, after these layoffs, they are looking for employment that requires new skills and training," said Secretary Perez. "This grant will aid a sizeable group of these individuals by providing a variety of re-employment services that will help them find good jobs." The funding will provide re-employment services, including career counseling, job search assistance, and training.

- [Read the News Release](#)

Indiana Coal Mine Faces Impact Inspection

Peabody Midwest Mining LLC's Francisco Underground Pit was one of 13 mining operations to undergo an impact inspection in March. Federal inspectors with the Mine Safety and Health Administration issued six citations and five unwarrantable failure orders to the Gibson County, Ind., coal mine. Among the hazards they found were loose coal rib that put miners at risk of being struck by falling rock and accumulations of combustible material in the form of loose coal, coal fines and float coal dust.

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 344,000 for the week ending April 26, an increase of 14,000 from the previous week's revised level. The four-week moving average was 320,000, up 3,000 from the previous week's revised average.

- [Read the News Release](#)

Calendar Highlights

Free Seminar on Prevailing Wage Requirements

The Wage and Hour Division will host a free three-day compliance seminar, May 7-9, in Houston, for federal contractors, unions and employees on the rules governing prevailing wage requirements under the Davis-Bacon Act, the McNamara-O'Hara Service Contract Act and Executive Order 13495 wage rules for non-displacement of qualified workers.

- [Register for the Webinar](#)

Free Compliance Seminar, Emphasis on 14(c) of FLSA

The Wage and Hour Division will offer a free seminar in Ithaca, N.Y., on May 14 to assist employers and community rehabilitation programs in complying with Section 14(c) of the Fair Labor Standards Act, which addresses wage rates for workers with disabilities.

- [Register for the Webinar](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

EBSA — Health Benefits Laws Compliance Assistance Seminar

- [May 13 — Des Moines, IA](#)

EBSA — Women: Make the Most of Your Health Coverage Webcast in Spanish

- [May 13 — Washington, DC](#)

MSHA — Stakeholder Meeting on Coal Dust Rule

- [May 8 — Beaver, WV](#)
- [May 20 — Hazard, KY](#)
- [May 22 — Washington, PA](#)
- [May 29 — Evansville, IN](#)

OFCCP — Adverse Impact

- [May 14 — Chicago, IL](#)

OFCCP — Best Practices for Corporate Management Compliance Evaluations

- [May 22 — Memphis, TN](#)

OFCCP — Compliance Assistance

Inspectors also found that inadequate on-shift examinations were conducted during the day shift, and that the mine operator failed to record and post hazardous conditions. Since April 2010, MSHA has conducted 739 impact inspections and issued more than 13,000 violations.

- [Read the News Release](#)

Workers Injured by Acid Mixture at Wisconsin Plant

Following injuries to seven workers at Cooper Power Systems LLC, including chemical burns to the skin and irritation to their respiratory tracts requiring urgent medical treatment, the Occupational Safety and Health Administration cited the company for six violations. The workers were injured after exposure to an acid mixture while cleaning a spill that occurred at the South Milwaukee, Wis., facility last October. The company was cited for failing to provide workers with required protective equipment to prevent exposure and failure to provide required training in hazardous material clean-up procedures. The citations carry proposed penalties of \$166,000.

- [Read the News Release](#)

New Jersey Nursery Agrees to Foreign Worker Back Pay

Plant, tree and shrub firm Barton Nursery Inc., in Edison, N.J., has signed a consent judgment agreeing to pay \$27,056 in back wages to 12 nonimmigrant foreign workers hired under the H-2A visa program of the Immigration and Nationality Act. Investigators from the Wage and Hour Division's Southern New Jersey District Office found the company failed to pay workers the proper wages and failed to retain adequate and accurate records for three years. The business will also pay \$36,615 in civil penalties because of the H-2A violations.

- [Read the News Release](#)

Collaboration on Coal Dust Rule

In an effort to assure smooth implementation of the new coal mine respirable dust rule, the Mine Safety and Health Administration is forming a cooperative partnership with coal mine operators and miners. Through this collaboration, MSHA will provide the mining industry with technical assistance on administering the sampling requirements and complying with the rule, as well as a forum where operators can exchange best practices and methods for getting coal dust controls in place. The rule, published on May 1 in the Federal Register, continues the department's efforts to end black lung disease, a debilitating, deadly yet preventable illness that affects coal miners and their families.

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

Hawaii Restaurateur to Pay \$225,000 to Tipped Employees

Roy's Holdings Inc. has agreed to return \$136,761 in tips and pay another \$88,424 in back wages to 326 tipped servers employed at several of its Hawaii-based Roy's restaurants for violating the wage provisions of the Fair Labor Standards Act. Investigators with the Wage and Hour Division found that the employer reduced the cash wage of the tipped employees below the minimum wage of \$7.25 per hour without allowing them to fully retain their tips during the two-year investigation period beginning in August 2011. The employer unlawfully required the servers to pay a portion of their shift tips to the non-tipped hourly kitchen staff who were already paid at least the full minimum wage. The employer also was assessed a penalty of \$1,550 for permitting a minor to load a trash compactor, which is considered a hazardous occupation for workers under the age of 18. "Employers cannot take a credit against their minimum wage obligation to tipped staff if they require a portion of those tips to be shared with traditionally non-tipped staff such as kitchen employees," said Terence Trotter, the division's district director in Hawaii.

Workers Employed by Illinois Roofer Exposed to Falls

Seminar

- [May 5 — Chicago, IL](#)
- [May 14 — Orange, CA](#)

OFCCP — Construction Compliance Evaluations in 16 Steps

- [May 7 — Chicago, IL](#)
- [May 27 — Atlanta, GA](#)

OFCCP — Introduction to the New Section 503 of the Rehabilitation Act Regulations

- [May 8 — Portland, OR](#)

OFCCP — The New VEVRAA Regulations

- [May 8 — Memphis, TN](#)

OFCCP — What to Expect During an OFCCP Audit

- [May 20 — Birmingham, AL](#)
- [May 20 — Atlanta, GA](#)
- [May 20 — Jackson, MS](#)

OLMS — Compliance Assistance Seminar

- [May 9 — Lansing, MI](#)
- [May 14 — Houston, TX](#)
- [May 20 — Metairie, LA](#)

OWCP — Health Benefits Laws Compliance Assistance Seminar

- [May 6 — Pahrump, NV](#)
- [May 6 — Las Vegas, NV](#)
- [May 7 — Las Vegas, NV](#)

WB — Women and Workplace Negotiations

- [May 5 — Philadelphia, PA](#)

WHD — Emphasis on wage requirements for disabled workers under Section 14(c) of the FLSA

- [May 14 — Ithaca, NY](#)

WHD — Prevailing Wage Seminar

- [May 7 — Houston, TX](#)
- [May 8 — Houston, TX](#)
- [May 9 — Houston, TX](#)

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 The Partnership
@RPublicService 3h

Five Star Commercial Roofing Inc. has been cited for a willful safety violation after exposing workers to fall hazards of 29 feet at a commercial roofing project in Bartonville, Ill. The Occupational Safety and Health Administration found workers exposed during a March 3 investigation and proposed civil penalties of \$49,000. The exposure came as workers installed roofing materials on a commercial sales and service building. Last year, nearly 300 workers were fatally injured in construction-related falls nationwide. Since 2009, the Hartford City, Ind.-based company has been cited by OSHA five times in Illinois, Ohio and Indiana for similar violations.

- [Read the News Release](#)

Safety Pact for Library Project in Illinois

R.C. Wegman Construction Co. and the Fox Valley Building and Construction Trades established a strategic partnership with the Occupational Safety and Health Administration to protect workers during the construction project for the New Main Aurora Public Library. The Illinois On-Site Safety and Health Consultation Program is also a partner in the project. The New Main Aurora Public Library will consist of a 93,000-square-foot building, and R.C. Wegman Construction Co. will be the manager for the project. Completion is expected in spring 2015.

- [Read the News Release](#)

Los Angeles Garment Workers Get \$36,000 in Back Wages

Bena J, a Los Angeles-based garment manufacturer, has agreed to pay \$36,372 in minimum and overtime back wages to 30 employees following an investigation by the Wage and Hour Division. Investigators found Blu J 1, a Bena J subcontractor, in violation of the Fair Labor Standards Act. The subcontractor failed to maintain records of hours worked and did not meet minimum wage and overtime requirements. The department invoked the "hot goods" provision to prevent further shipment of any clothes made in violation of labor laws to retail stores. The objection was lifted when the manufacturer paid the back wages due.

Flooring Contractor to Pay for Overtime Violations

Wholesale Floors, LLC, a commercial flooring contractor in Phoenix, Ariz., has agreed to pay \$139,798 in back wages due to 182 employees for overtime violations. An investigation by the Wage and Hour Division established that the employees, working as flooring and carpet installers, were paid a job rate or flat sum for the work performed without the required additional time and one-half for hours worked beyond 40 in a single workweek. A review of time cards and employee interviews revealed that the affected workers were routinely not paid for return travel to the establishment at the end of the work day. The investigation also identified 14 project coordinators, accounts receivable/payable, customer service and purchasing managers who were misclassified as 541-exempt and paid only a flat salary without proper overtime.

Meetings With California Growers

The Wage and Hour Division in Sacramento, Calif., reached out to the California Cherry Board in Sacramento on April 23 to promote compliance with federal labor laws in the cherry industry. The following day, the division met with the U.S. Highbush Blueberry Council in Folsom, Calif., to discuss agriculture programs and compliance assistance in the blueberry industry. The cherry board's membership includes 600 growers and 20 handlers, representing more than 40,000 acres of production, and is managed by the Association Management Services Inc., an organization that contracts with 30 agriculture-based organizations in California, including the Cherry Export Association, the Pear Advisory Board and the Pear Growers Association. At the blueberry council meeting, topics included disclosure of terms of employment, recordkeeping, required registration, wage and hour laws and regulations, as well as transportation and migrant housing requirements. USHBC's approximately 2,500 members include growers, shippers and

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Arizona Electricians Get Back Wages

Stronghold Engineering, an electrical contractor headquartered in Riverside, Calif., has paid \$137,427 in back wages to 44 electricians who worked at the Marine Corps Air Station in Yuma, Ariz., for prevailing wage and fringe benefits violations under the Davis-Bacon Act. The company was hired as a subcontractor by DCK North America to install the communications system at two jet maintenance hangars inside the military base. An investigation by the Wage and Hour Division found that the wrong wage determination was included in the prime contract, which affected DCK and 12 subcontractors.

Farm Labor Contractor to Pay Back Wages, Penalties

H-2A farm labor contractor JR Custom Harvesting of Salinas, Calif., has agreed to pay \$131,000 in back wages and \$119,000 in penalties after litigation. The consent findings ordering the employer to pay came after an investigation by the Wage and Hour Division found that JR Custom Harvesting violated the H-2A regulations by housing workers in facilities that were not approved in the job order and did not comply with safety and health requirements. The contractor also failed to disclose meal charges in the work contract and did not provide meals or access to kitchen facilities seven days a week. JR Custom Harvesting also failed to provide a work contract to U.S. workers engaged in corresponding employment, as required under the H-2A program. JR Custom Harvesting provides H-2A, corresponding and migrant agricultural workers primarily for large lettuce growers in the Salinas Valley.

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