



WINNER OF 2014 AVA DIGITAL GOLD AWARD

BY THE NUMBERS



What's New

\$450 Million Awarded to Community Colleges to Expand Job Training

The fourth and final installment of the nearly \$2 billion Trade Adjustment Assistance Community College and Career Training grants has been awarded. On Sept. 29, U.S. Secretary of Labor Thomas E. Perez joined Vice President Biden, Education Secretary Arne Duncan and two recent



graduates of a TAACCCT-funded program at Anne Arundel Community College in Arnold, Md., for the White House announcement. This year's grants of more than \$450 million were awarded to almost 270 colleges. Over the last four years, the TAACCCT program has helped to strengthen and expand innovative job-driven training at nearly 700 colleges around the country. This unprecedented investment is helping transform community colleges into an engine of economic growth that meets the job training needs of local employers and prepares workers for jobs in demand today as well as in the future. "What we're doing here is creating a foundation," said Perez. "The TAACCCT program is to our skills infrastructure what the interstate highway system was to our physical infrastructure."

- [Read the Fact Sheet](#)
- [Read the Blog Post](#)
- [Watch the Vice President](#)
- [Watch Secretary Perez](#)

Minimum Wage Hike for Federal Contract Workers



Upholding President Obama's promise to make 2014 a year of action to expand opportunity and grow the middle class, Secretary Perez announced a final rule on Oct. 1 that raises the minimum wage to \$10.10 per hour for workers hired under federal service and construction contracts. The rule enacts an

executive order signed by the president in February and will benefit nearly 200,000 American workers. "No one who works full time in America should have to raise their family in poverty, and if you serve meals to our troops for a living, then you shouldn't have to go on food stamps in order to serve a meal to your family at home," said Perez. While the department's action benefits federal contract workers, momentum continues to build around the

(Work in Progress) The Best of Our Blog

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

- [Building Inclusion](#): Kathy Martinez, assistant secretary of labor for disability employment policy, kicks off National Disability Employment Awareness Month by discussing this year's theme: Expect. Employ. Empower.
- [3 Ways to Protect Our Farmers This Fall](#): More than 49,000 agricultural injuries were reported in 2012, and agriculture had the highest fatality rate of any industry sector in 2013, which is why Bill Perry, director of standards and guidance for OSHA, explains three ways to make agriculture safer.
- [Banned Books Don't Work](#): Banned Books Week reminds us of our freedom and shines a spotlight on the value of free and open access to information. It's also the perfect opportunity to highlight a few of the "Books that Shaped Work in America," writes Carl Fillichio, senior advisor for communications and public affairs.

The Immigration Imperative

In remarks to the Congressional Hispanic Caucus Institute's Annual Public Policy Conference Policy Forum on Oct. 1, Secretary Perez spoke about his and the Obama administration's efforts to expand opportunity for the Latino community. He emphasized to the crowd of several hundred President Obama's unshakeable commitment to

fixing the immigration system and his belief that "we are a nation of immigrants, and we are a nation of laws... we can be both." Secretary Perez added: "Our immigration system is broken, [and] the best way to fix it is through a bipartisan bill in Congress... But absent that, the president will not hesitate to take executive action." We will succeed ultimately, he said, because "the need for immigration reform is an economic imperative. It's a moral imperative. It's a national security imperative."

National Thought Leaders Meet

Business and government leaders from around the country gathered at the National Press Club in Washington, D.C., on Oct. 1 for the Jobs for America's Graduates National Thought Leader event. Deputy Secretary of Labor Christopher P. Lu joined these leaders to discuss the labor market challenges facing America's youth, particularly youth from disadvantaged communities. The goal of the session was to promote strategies to help young people achieve their full potential. Lu highlighted several programs promoted by the Obama administration that focus particular attention to this issue, including the My Brother's Keeper initiative, Job Corps and YouthBuild. "Our economy can't perform at its full potential without the participation of young people — all young people," said Lu.

- [Learn About My Brother's Keeper](#)
- [Learn About YouthBuild](#)
- [Learn About Job Corps](#)

Reflecting Economic Trends

Speaking with about 50 of the nation's leading business economists at the National Association for Business Economics



conference in Chicago on Sept. 30, Erica L. Groshen, commissioner of labor statistics, described recent and planned improvements to the suite of agency programs that track the U.S. job market, consumer prices, spending and other economic trends. "To continue to make our data more meaningful and relevant, we also need businesses to participate in the surveys we invite them to join. Being a respondent ensures that your company's current experiences are included in the data that helps everyone understand emerging needs and trends in the economy. As a result, government can better address the needs of its citizens, families can make better choices and businesses can prosper more," Groshen said.

Disability Inclusion Gathering

National Disability Employment Awareness Month got off to a rousing start at

country to reward hard work with a fair wage. On Sept. 30, Perez was in New York City, where he joined Mayor Bill de Blasio as he announced a sweeping expansion of the Fair Wages for New Yorkers Act. More workers employed by city contractors will be covered by the city's living wage, and the hourly wage will increase.

- [Read the News Release](#)
- [Read the Blog Post](#)
- [Read About New York's Executive Order](#)

When Families Succeed, America Succeeds

The United States is the only industrialized nation in the world that does not guarantee any paid parental leave. In New York on Sept. 30, Secretary Perez dropped by HuffPost Live to discuss the department's new #LeadOnLeave campaign with host Marc Lamont Hill. Perez cited the success of programs in Australia, Canada, Germany and the United Kingdom, saying, "When you make these investments, you get a remarkable return in terms of your tax base, in terms of family values, in terms of all these win-win solutions." Fielding questions from online participants, Perez emphasized the importance of developing paid leave policies that work for America's families and employers. "When I hear from businesses that we can't afford to do paid leave, my response is we can't afford not to do paid leave," he said.

- [Share Your Story](#)

National News

Grant Announced to Improve Employment for People With Disabilities

The Office of Disability Employment Policy announced on Sept. 30 that it is awarding \$1.85 million to the Viscardi Center in Albertson, N.Y., to manage and operate the National Employer Policy, Research and Technical Assistance Center on the Employment of People with Disabilities. The center will assist employers with recruiting, hiring, retaining and promoting individuals with disabilities. "This center will help employers understand these benefits and get them the information and tools they need to successfully employ people with disabilities," said Kathy Martinez, assistant secretary of labor for disability employment policy.

- [Read the News Release](#)

New Rule Streamlines Veterans' Employment Reporting Requirements

Federal contractors and subcontractors who hire and employ veterans under provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974 will see a significant reduction in paperwork burden under the new rule. The final rule revises the VETS-100A Report and renames it the VETS-4212 Report. It requires contractors to report specified information on protected veterans in their workforce in the aggregate, rather than for each category of veterans protected under the statute. "In addition to easing the burden on contractors, the data collected by these reports will help the Labor Department develop more informative yearly trends in the employment of protected veterans," said Assistant Secretary of Labor for Veterans' Employment and Training Keith Kelly.

- [Read the Final Rule](#)

Community College Grants Focus on Youth With Disabilities

Onondaga Community College in Syracuse, N.Y., and Pellissippi State Community College in Knoxville, Tenn., have been awarded \$2,007,322 in grants to improve post-secondary education and employment of youth with disabilities. These grants are closely aligned with the Obama administration's job-driven training principles. Local employers will be



the U.S. Business Leadership Network conference in Orlando, Fla., an annual gathering of employers committed to disability inclusion. Speaking on the first full day of the conference on Sept. 29, Assistant Secretary of Labor for Disability Employment Policy Kathy Martinez helped set the stage for this year's observance. "People with disabilities are just that — people. Our disability is a part of us, but it's not all of us," she said. "The sooner America's businesses recognize this, the better for all of us — both with and without disabilities." Martinez signed an alliance with USBLN to provide its members and others with information, guidance and access to resources that will help them recruit, hire and advance workers with disabilities. The following day, Martinez addressed the Circle, a group of companies recognized for exemplary efforts at disability inclusion and, on Oct. 1, she joined Andy Imparato, the Association of University Centers on Disabilities' executive director, to facilitate a policy dialogue with corporate leaders.

Reforms Making Mines Safer

The pattern of violations reforms undertaken by the Mine Safety and Health Administration have been "a game changer in mine safety and health culture," according to Joseph A. Main, the assistant secretary of labor who heads MSHA. The agency is authorized to issue a POV notice to mine operators that demonstrate a disregard for the health and safety of miners through a pattern of significant and substantial violations. One of the agency's toughest enforcement actions, a POV notice is reserved for mines that pose the greatest risk to the safety and health of miners. "Data show that these reforms, in combination with other agency efforts, such as the impact inspection program, have led to significant reductions in the universe of chronic violators, prompted operators with troubled compliance records to improve their safety and health programs, and resulted in much safer mines in our nation," said Main.

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

Veterans Hiring Summit

The 2014 Blackstone Veterans Hiring Summit was held in New York City on Sept. 22-23 to help the hiring executives of more than 70 companies, which are in the investment firm Blackstone Group's portfolio, share best practices on attracting and recruiting veterans. Teresa Gerton, Veterans' Employment and Training Service's deputy assistant secretary for policy, was on hand to explain how VETS can assist employers in finding qualified veteran candidates for available positions. Two Blackstone companies — Allied Barton and Hilton — have recently established registered apprenticeship programs with the

involved in identifying necessary skills youth need to compete for jobs that are in demand and in hiring qualified program participants. "These federal awards will help our nation's community colleges prepare youth with disabilities with the necessary skills for jobs in high-growth, high-demand industries," said Secretary Perez.

- [Learn More About Job-driven Training Principles](#)
- [Read the News Release](#)

International Scene

Building Responsible Supply Chains in the Textile and Garment Sector

At a roundtable organized jointly by the International Labour Organization and Organization for Economic Cooperation and Development, speakers addressed strategies for building responsible supply chains in the textile and garment sector that contribute to inclusive growth and sustainable development.



Held Sept. 29-30 at the OECD in Paris, the roundtable brought together more than 200 officials from international organizations, national governments, trade unions, business, civil society and academia. Associate Deputy Undersecretary for International Affairs Eric Biel represented the U.S. government in the opening session and a panel on "The Role of States to Protect: Enforcing the Law and Implementing International Standards." In his remarks, Biel noted that the challenges in building effective strategies extend to "the fundamentals of how this industry is organized, how supply chains are structured, how buyers' demands meet up with factory capacity, and how well workers are able to advance their own interests in a safe workplace and in their right to organize and bargain collectively."

- [View the Roundtable Agenda](#)

\$2 Million Grant Will Help Strengthen Labor Inspectorate in Peru

The Bureau of International Labor Affairs announced a \$2 million competitive solicitation for a project that will strengthen the capacity of Peru's labor inspectorate. The project will focus on improving the enforcement of laws and regulations as they relate to subcontracting/outsourcing in the non-traditional export sectors, such as mining, agriculture, fishing and textiles. To achieve the project goals, the successful grantee will provide administration guidance for new offices created as part of centralization, facilitate the adoption of improved methodologies for identifying labor violations, and train newly hired labor inspectors. "This project will help the Peruvian government in their efforts to strengthen its labor inspectorate and prevent labor rights abuses," said Carol Pier, deputy undersecretary of labor for international affairs.

- [Read the News Release](#)

Around DOL

YouthBuild Orientation and Networking

More than 200 representatives of the 71 recent YouthBuild grantees convened at department headquarters Washington, D.C., on Sept. 25-26 to

department, and Gerton participated in a roundtable discussion to help additional employers start apprenticeship programs of their own. In April 2013, Blackstone committed to hire 50,000 American veterans over five years in support of the White House's Joining Forces initiative. In the 15 months since, the firm has hired more than 15,000 veterans.

- [Learn About Registered Apprenticeships](#)
- [View the Hiring Toolkit](#)

Employ an Older Worker

As part of National Employ an Older Worker Week, a roundtable was held in San Diego on Sept. 23 to help increase awareness of this



segment of the labor force and the experience they bring to their jobs and careers. Co-hosted by the Jewish Family Service of San Diego and Boardroom San Diego, the event featured Women's Bureau program analyst Kelly Jenkins-Pultz, who offered a demographic snapshot of older workers in San Diego County. Other participants, including local officials from the Equal Employment Opportunity Commission, addressed the unique challenges that older workers face and discussed a number of proven strategies to better overcome and conquer those obstacles.

Perkins Homestead Honored

Add one more honor for Frances Perkins: As of Sept. 30, the 57-acre farm home of the nation's first female Cabinet member is a National Historic Landmark. Located in Newcastle, Maine, the Perkins Homestead sheltered the Perkins family for more than 260 years. Wage and Hour Division Deputy Administrator Laura Fortman was delighted to hear the news. The nomination had been submitted by the Frances Perkins Center, where Fortman was once executive director. "This is an honor not only to Frances Perkins and her family's homestead, but to the principles that were shaped there," Fortman said. "Her commitment to a fair day's pay for a fair day's work, and to providing other fundamental rights for America's workers has deep roots in Maine, and those are values we continue to support at the department today."

- [Learn More About the Center](#)
- [Read Secretary Perkins' Bio](#)

Google+ Hangout



Learning about participants' experiences in the Women in Transportation internship program, and how involvement has influenced career trajectory, was the objective of

participate in an orientation session. Portia Wu, assistant secretary of labor for employment and training, greeted grantees and spoke about the importance of YouthBuild in serving the at-risk youth population and discussed the implementation of the recently passed Workforce Innovation and Opportunity Act. During the "Graduate Experience" panel discussion, YouthBuild alumni shared their experience and success in the program and on chosen career paths. The orientation is designed to provide newly funded grantee staff with the training/technical assistance and networking opportunities needed to run their programs.

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

DOL Working for You

The Importance of Second Chances

Virginia "Ginny" Quillen is a network technician responsible for troubleshooting network issues throughout the United States and overseas for a leading global communications company. Quillen's road to nabbing her "dream job" was paved with countless bumps and detours, but she stayed the course. Despite battling drug addiction rooted in childhood trauma that contributed to a criminal record, Quillen earned associate and bachelor's degrees. While participating in a dual master's program, she was employed as a "grunt" at a warehouse, a job she did not enjoy. She was later terminated, and found herself needing a career change. Quillen went to the Anne Arundel Workforce Development Corporation to learn about the department-funded National STEM Consortium program at Anne Arundel Community College in Arnold, Md.



She thought the program was a good fit to satisfy her interest in computers. Quillen enrolled, and in spite of concurrent challenges in her personal life, she persevered and finished in May with an information assurance and security certificate. After participating in an interview set up by the college, she received a job offer. Today, Quillen earns \$52,000 a year in a job she loves and a field about which she's passionate. "AACC allowed me to really get the skills that I needed to compete in the current workforce, despite my personal history," she said.

Of Note

Recognition for Community Partnerships



Job clubs and career ministries have played an important role in communities nationwide to help a wide range of job seekers expand their professional networks, access training and job search assistance, and rebuild hope and confidence. A number of these groups were formed by volunteers during the

recent recession and continue their work today, in many cases focusing assistance on the long-term unemployed. The department, through the Center for Faith-based and Neighborhood Partnerships and the Employment and Training Administration, has been assisting job clubs with information, technical assistance and linkages to the public workforce

a Google+ Hangout organized by the Women's Bureau's New York office and the Department of Transportation on Sept. 25. DOT started the internship program in 2011 to encourage young women to pursue careers in transportation. Participants highlighted mentorship by transportation internship supervisors in helping to positively shape the internship, and facilitate personal and professional growth. The Women's Bureau aims to help women prepare for and advance in non-traditional, high-growth and higher-paying jobs such as in the transportation industry.

Older Workers Roundtable

As the number of older women in or seeking to re-enter the workforce increases, the Women's Bureau is looking at the unique issues facing them. The WB's Dallas office, in collaboration with the Women's Center of Tarrant County, convened the latest in a series of roundtables on the issue in Fort Worth, Texas, on Sept. 25. Organizations on aging, women's advocates, academics and local workforce representatives came together to discuss the needs this population faces on a local level. "Identifying the characteristics of older women workers, barriers and challenges they face, and resources and strategies for overcoming such barriers is the first step in working together to better assist their clients," said senior program analyst Dolores Bischof.

- [Read the Fact Sheet on Older Women and Work](#)

Trauma Guide Workshop

Veterans services specialists, university administrators and representatives from more than 10 area colleges and universities met at City Colleges of Chicago on Sept. 25, to participate in a workshop based on the Women's Bureau's Trauma Informed Care Guide. The half-day workshop gave participants the opportunity to discuss strengths, challenges and best practices. "Though many join the military as a way to move their careers forward, sadly, women veterans age 25 to 34 face higher unemployment rates than their civilian counterparts. We want to change that," said Women's Bureau program analyst and workshop facilitator Melissa Wojnaroski. "Creating a stronger network of trauma-informed supports within our university systems can help ensure women veterans are able to successfully complete their education and transition into the civilian workforce."

- [See the Trauma Informed Care Guide](#)
- [Learn More About Working Women Veterans](#)

Assisting Veterans in Philly

The Philadelphia Regional Office of the Veterans' Employment and Training Service hosted a conference on Sept. 26 that focused



system. The People-4-People Employment Assistance Program is one of many such groups with which the department has partnered. P4P is a career ministry partnership among eight churches in Montgomery County, Md. Recently, the program held a reception at Immanuel's Church in Silver Spring, Md., to celebrate its 5-year anniversary and more than 400 job placements. Ben Seigel, deputy director of the CFBNP, received a community partner award for his work with churches, helping them build their programs and connect with the local workforce agency, MontgomeryWorks.

DOL in Action

Grant Awarded to Colorado to Continue Recovery Efforts

The department awarded an additional \$944,839 to the Colorado Department of Labor and Employment to continue clean-up and recovery efforts following severe storms that damaged several communities in northern Colorado. The funding, which will be used to hire temporary workers, will bring the total investment in the state to \$3.2 million. "The federal funds we're providing today will help rebuild the impacted neighborhoods, while also providing unemployed individuals an opportunity to work and assist in the recovery efforts," said Portia Wu, assistant secretary of labor for employment and training.

- [Read the News Release](#)

New York Company Told Employees to Hide From Investigators

The department has obtained a temporary restraining order enjoining BabyVision Inc., a Poughkeepsie, N.Y., manufacturer and distributor of baby apparel, and its owners from intimidating and retaliating against any of their employees who are cooperating in a federal investigation. The Wage and Hour Division began an investigation in July to determine if the business complied with the provisions of the Fair Labor Standards Act. Soon after the investigation began, BabyVision Inc. employees reported to investigators that company vice president of finance and part owner Malti Shah instructed some employees to hide from the division's investigators and instructed others to provide false information, and also reportedly threatened the employees with termination if they cooperated with the investigation. "Threatening workers with retaliation not only obstructs a lawful investigation, it has a chilling effect on workers, effectively robbing them of the ability to speak for themselves and testify truthfully about their working conditions," said Sonia C. Rybak, Wage and Hour's assistant district director. "Such treatment of workers is illegal, plain and simple, and must halt."

- [Read the News Release](#)

Railway Company to Reinstate Worker in Retaliation Case

Burlington Northern Santa Fe LLC retaliated against a Mandan, N.D., worker last December after he reported a work-related injury and submitted a physician's treatment plan, according to an investigation by the Occupational Safety and Health Administration. The former employee submitted a whistleblower complaint to OSHA alleging violations of the anti-retaliation provisions of the Federal Railroad Safety Act. As a result, OSHA investigated and determined the work-related injury reporting and subsequent treatment plan were contributing factors in terminating the employee, a direct violation of the FRSA. OSHA ordered the Fort Worth, Texas-based BNSF to pay more than \$30,000 in back wages, reinstate the worker at the same or an equivalent job, restore seniority and benefits, and pay \$6,000 in compensatory damages, plus attorney's fees. Employers are prohibited from retaliating against employees who raise various protected concerns or provide protected information to the employer or the

on addressing the needs and challenges of women veterans. Pennsylvania state Rep. Leslie Acosta facilitated the program that covered the pressing concerns of the community, and the kind of policy changes needed for women veterans to gain greater access to employment, medical services and a variety of other programs. On Oct. 1, VETS co-hosted a networking function with the historic Philadelphia Union League to promote "Vet Connect." A collaborative project between both organizations, this new program is designed to allow employers who are members of the League — many of which are Fortune 1000 companies — to post jobs specifically for veterans, and allow VETS and its partners to identify individuals who are qualified for the posted positions.

Mine Refuge Alternatives

The Mine Safety and Health Administration published a notice on Oct. 1 in the Federal Register extending the comment period on the agency's Request for Information on Refuge Alternatives for Underground Coal Mines. The comment period for the RFI published on Aug. 8, 2013, was originally extended to Oct. 2, 2014, and is being further extended to April 2, 2015. This extension gives interested parties additional time to review research reports and other relevant information that address specific issues in the RFI. Mine refuge alternatives provide miners with a safe place to gather underground in the event of a mine emergency.

- [Read the RFI](#)

Hispanic Outreach in Hawaii

The Wage and Hour Division hosted an outreach event with Hawaii-based Hispanic community leaders and organizations in Honolulu on Sept. 25. At the meeting, Wage and Hour officials welcomed Elmy Bermejo, the regional representative for the secretary of labor. State and federal officials, along with Hispanic stakeholders, discussed labor rights outreach strategies.

Outreach on Home Care Rule

The home care final rule provides minimum wage and overtime protections to direct care workers in the United States, a workforce estimated at nearly 2 million and growing. Michael Hancock, the Wage and Hour Division's assistant administrator for policy, and Melissa Murphy, senior attorney in the Office of the Solicitor, made presentations at the 2014 Annual Conference of the Private Care Association Inc. in Orlando, Fla., on Oct. 1. Since September 2013, when the final rule was announced, the department has provided educational and technical assistance to state Medicaid programs, recipients of home care services, their families and other employers.

- [Learn About the Home Care Rule](#)

Preventing Struck-by Hazards

government.

- [Read the News Release](#)
- [Learn About Whistleblower Protection](#)

Georgia Paint Manufacturer Exposed Workers to Safety Hazards

Plaid Enterprises Inc. was cited by the Occupational Safety and Health Administration for six safety violations that involved amputation, electrical and other safety hazards following an April inspection at the company's production facility in Decatur, Ga. "This employer clearly knew safety measures were bypassed and allowed its workers to be exposed to hazards that could cause severe injuries and fatalities," said Bill Fulcher, director of OSHA's Atlanta-East Area Office. Plaid Enterprises manufactures bottles and packages hobby and craft paints for sale. OSHA initiated the inspection in response to a complaint. Proposed penalties total \$84,500.

- [Read the News Release](#)

Lawsuit Filed Against Arizona Union

The department recently filed a lawsuit against Independent Certified Emergency Professionals of Arizona Local 1 in Mesa, Ariz. Filed in U.S. District Court for the District of Arizona, the suit stems from an investigation conducted by the Office of Labor-Management Standards. The investigation found that the union has not conducted a local union officer election since 2006. This is a continuing violation affecting all of the officer positions: president, vice-president/business manager, secretary-treasurer and three trustees. The lawsuit asks the court to order the union to hold an election.

Former Illinois Union Official Sentenced to Prison for Embezzlement

Robert Lewis, former secretary-treasurer of American Federation of State, County and Municipal Employees Local 3585 in Canton, Ill., recently was sentenced to four months of imprisonment and one year of supervised release — including eight months of home confinement — and was ordered to pay restitution of \$77,469 plus a \$100 assessment for embezzling unions funds. In March, Davis pleaded guilty to one count of embezzlement of labor union funds in U.S. District Court for the Central District of Illinois. A joint investigation conducted by the Office of Labor-Management Standards and the Office of Inspector General found that, between February 2004 and December 2011, Lewis wrote checks to himself for fictitious purposes and received unauthorized pay.

Employee Illegally Suspended for Videotaping Safety Inspection

The Occupational Safety and Health Administration has ordered Union Pacific Railroad to pay \$51,000 in punitive damages and back pay to an employee in Carson, Calif., who was illegally suspended for videotaping a safety inspection on his cell phone. The company suspended the employee after he refused to delete video footage of an air compressor test aboard a locomotive. The previous day, the employee had deemed the compressor unsafe and unusable, a decision the supervisor overturned. A few days later, the employee informed management he had sent the video footage to the Federal Railroad Administration. This marks the 11th time in the past four years that OSHA has found Union Pacific Railroad in violation of the whistleblower protection provisions of the Federal Railroad Safety Act.

- [Read the News Release](#)

Arizona Union Agrees to Hold Officer Election

American Federation of Government Employees Local 2544 in Tucson, Ariz., has agreed to conduct an election for local officers after it was found that the union failed to hold its regularly scheduled officer election in November 2013. An Office of Labor-Management Standards investigation concluded that the local failed to adequately inform its members of a

In the past five years, 15 percent of all workplace fatalities investigated by the Occupational Safety and Health Administration's Kansas City Regional Office have involved employees being struck by vehicles in the workplace. Struck-by injuries and fatalities are caused by conventional vehicles, forklifts, semi-trucks and other moving industrial equipment, such as cranes and yard trucks. OSHA is continuing its Regional Emphasis Program in Missouri, Iowa, Kansas and Nebraska with the goal of educating employers and workers about the hazards associated with these vehicles and preventing tragic incidents. "Fatalities occurring from vehicles striking workers are senseless and preventable," said Marcia Drumm, acting regional administrator for OSHA in Kansas City.

• [Read the News Release](#)

Rule on Excepted Benefits

The departments of Labor, Health and Human Services and Treasury published a final rule on Oct. 1 that adjusts regulations originally issued under the Health Insurance Portability and Accountability Act of 1996 regarding dental and vision benefits. The new rule also expands the definition of excepted benefits to include employee assistance programs.

• [Read the News Release](#)

Helping Innocent Victims

The 7th Annual Kids' Chance of Arizona Awards Gala, held in Scottsdale, on Sept. 26, supports those who provide assistance to the dependent children of workers killed or disabled by workplace incidents. Speaking to more than 200 people, Zachary Barnett, Phoenix area director for the Occupational Safety and Health Administration, emphasized the reduction in worker fatality rates since OSHA's inception but stressed the importance of reducing injury and fatality rates further. Attendees included representatives from the workers compensation community, workers compensation doctors and lawyers, safety professionals and risk managers.

Learning About the Pay Gap

Students, staff and faculty gathered in Chicago on Sept. 24 to learn about the struggle for equal pay in the American workforce at a discussion panel hosted by the Women's Bureau in collaboration with Loyola University Chicago's Gannon Center for Women and Leadership. Participants learned about the pay gap between men and women as well as strategies they can use to narrow the gap in their careers. "Many students don't realize the wage gap continues to affect their generation," said Melissa Wojnaroski, a Women's Bureau program analyst. "We want them to know what they will be facing when they graduate, and what they can do to change it."

meeting to amend its bylaws extending the terms of local officers from two to three years.

Adult Day Care Center Failed to Pay Required Wages

Well and Fit Adult Day Health Care Inc., in Diamond Bar, Calif., has been ordered to pay \$37,936 in minimum and overtime back wages due to 31 employees for violations of the Fair Labor Standards Act. The Wage and Hour Division in West Covina determined that the adult day health care center failed to pay workers the required overtime for hours worked beyond 40 in a workweek, maintain time records of some employees, and pay wages to four employees who were wrongfully misclassified as volunteers. Under the terms of a consent judgment settling the case, Well and Fit agreed to pay the back wages due and has been permanently enjoined and restrained from violating the FLSA in the future.

Florida Roofing Contractor Put Workers at Risk

Jasper Contractors has been cited by the Occupational Safety and Health Administration for exposing workers to falls and other hazards while they performed roofing work at two residential work sites in Jacksonville, Fla. Willful citations were issued at each of the work sites for allowing employees to perform roofing work at heights of 8-to-12 feet without fall protection. Serious citations were issued for not ensuring workers wore helmets and protective goggles while working in hazardous areas. The inspections were initiated in March after the agency received complaints alleging employees were working from roofs without fall protection. Proposed penalties total \$162,000.

• [Read the News Release](#)

Ohio Machinery Plant Cited in Serious Worker Injury

A Columbus Castings worker suffered a broken back, a collapsed lung and partial paralysis of his left leg after becoming pinned in a machine at the Ohio steel foundry in April. As a result of an investigation by the Occupational Safety and Health Administration into the incident, the company has been cited with two repeat and two serious safety violations. Over the past 10 years, Columbus Castings has been cited 11 times for exposing workers to dangerous machine hazards at the plant, which produces castings for use in the automotive, mining, agricultural, construction and rail industries. Proposed penalties total \$89,500. "This worker suffered life-altering injuries because Columbus Castings failed to implement basic safety procedures," said Deborah Zubaty, OSHA's area director in Columbus.

• [Read the News Release](#)

New Jersey Contractor Faces Penalties for Repeat Fall Hazards

While applying brick to the exterior of a new residential construction site in Robbinsville, N.J., workers employed by Y.V. General Construction Corp., based in Kearny, N.J., were exposed to scaffold and fall hazards. The Occupational Safety and Health Administration responded with an inspection in April, initiated under the agency's Local Emphasis Program for falls. The company was cited for seven repeat and two serious safety violations with proposed penalties totaling \$49,280. OSHA cited the company for similar violations in 2011.

• [Read the News Release](#)

Flooring Contractor Misclassified Employees

Sherman Loehr Contract Interiors Inc., doing business as Sherman Loehr Contract Interiors, has agreed to pay \$23,578 in overtime back wages due to 10 current and former employees following an investigation by the Wage and Hour Division. For a two-year period beginning in June 2012, the Sacramento, Calif.-based flooring contractor misclassified employees as independent contractors and failed to pay them the required overtime rates

Solicitation for Nominations

The department has established a National Advisory Committee to study and provide recommendations to the secretary of labor on ways to increase employment opportunities for individuals with disabilities. Anyone interested in submitting nominations for individuals must do so by Oct. 14.

- [Read the Federal Register Notice](#)

Weekly UI Claims

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 287,000 for the week ending Sept. 27, a decrease of 8,000 from the previous week's revised level. The four-week moving average was 294,750, down 4,250 from the previous week's revised average.

- [Read the News Release](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

OASAM — Vendor Outreach Session

- [October 22 — Washington, DC](#)

OFCCP — Affirmative Action Program Requirements for recently scheduled Supply and Service Contractors

- [October 9 — Dallas, TX](#)

OFCCP — Understanding AAP Requirements

- [October 9 — Houston, TX](#)

OFCCP — Understanding the Nuts and Bolts of a Construction Audit

- [October 9 — Houston, TX](#)

OFCCP — What to expect during an OFCCP Audit

- [November 6 — Houston, TX](#)

OFCCP — Federal Advisory Council on Occupational Safety and Health Meeting

- [November 6 — Washington, DC](#)

OSHA — Stakeholder Meeting on Improving OSHA's Nationally Recognized Testing Laboratory Program

- [October 22 — Washington, DC](#)

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for hours worked beyond 40 in a workweek. The company also failed to record hours worked. Investigators found a 17-year-old minor operating a forklift to load and unload flooring material, a child labor violation under the Fair Labor Standards Act. The division assessed a \$1,550 penalty for that violation.

Hawaii Restaurant Returns Tips and Back Wages to Servers
Arancino Restaurants, operating three full-service restaurants in Honolulu, has returned \$86,170 in tips and \$21,354 in back wages to 135 servers for violations of the Fair Labor Standards Act. Wage and Hour investigators found the cash wage of tipped employees was reduced below the minimum wage of \$7.25 per hour without allowing them to fully retain their tips. Servers were unlawfully required to pay a portion of their tips to non-tipped hourly kitchen staff that were already paid at least minimum wage.

"Employers cannot take a credit against their minimum wage obligation to tipped staff when they required their tips to be shared with traditionally non-tipped staff such as kitchen employees," said Terence Trotter, the division's district director in Hawaii. "We appreciate the employer's cooperation in resolving this matter expeditiously and in fairness to those affected."

New Hampshire Roofers Endangered by 25-Foot Falls

Employees of Ken Stanley, doing business as A+ Roofing, were exposed to potentially fatal falls of up to 25 feet at a Somersworth, N.H., job site due to their employer's failure to ensure the use of required fall protection. The Occupational Safety and Health Administration opened its inspection in June after being contacted by a concerned passer-by, who thought the employees were in danger of falling as they installed a roof. The Milton, N.H.-based roofing contractor, which has been cited five times previously for the same hazard, faces \$61,600 in proposed fines. "There was nothing to prevent these workers from falling more than two stories to the ground below," said Rosemarie Ohar, OSHA's area director for New Hampshire. "They were at risk of death or disabling injuries. Their employer, with a history of similar violations, knew that the lack of fall protection violated workplace safety standards,"

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Workers Restoring Chicago Landmark Were Exposed to Asbestos

Workers renovating an 1887 firehouse in Chicago were exposed to asbestos and electrical hazards, according to an investigation by the Occupational Safety and Health Administration. The inspection found Structure Development Midwest LLC failed to collect and dispose of asbestos-containing material in sealed, labeled and waterproof bags. The Chicago real estate and management company was issued one willful and seven serious citations carrying proposed penalties of \$46,000.

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Inappropriate Handling of Chemicals Found at Repair Facility

An investigation found that Transport Tech LLC failed to provide employees with an effective training program, including information on appropriate handling and safe use of hazardous chemicals at its Hillside, Ill., repair facility. The Occupational Safety and Health Administration has cited the company for five repeat safety violations, carrying proposed penalties of \$66,400. "Workers have the right to know what chemicals they are exposed to and how to protect themselves against exposure, which can have severe health effects," said Angeline Loftus, OSHA's area director at the Chicago North office in Des Plaines.

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Fatal Connecticut Fall Could Have Been Prevented

The death of a 28-year-old worker who fell 18 feet from a roof could have

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been prevented if proper fall protection safeguards had been used by M&M Roofing of Wolcott, Conn., the Occupational Safety and Health Administration has found. The employee was removing shingles from the roof of a house in Watertown, Conn., when he fell. He died later as a result of his injuries. OSHA's inspection found that, while the worker was wearing a safety harness, it was not tied to an independent anchorage point when he fell. OSHA cited M&M Roofing for similar hazards three times since 2011 at work sites in Enfield, Wolcott and Manchester, Conn.

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- [Watch Fall Protection Video](#)

Failure to Follow Safety Procedures Led to Worker's Death

A 48-year-old supervisor was fatally injured when he was struck by a metal door while performing maintenance at Certified Heat Treating Inc. in Miamisburg, Ohio. The Occupational Safety and Health Administration cited the company for 10 serious violations. "If Certified Heat Treating had followed established safety procedures, this tragedy might have been prevented," said Bill Wilkerson, OSHA's area director in Cincinnati. OSHA's investigation found that the company failed to isolate an energy source on the outer metal door, implement lockout/tagout procedures and install an adequate restraining device to prevent the door from operating during service and maintenance.

- [Read the News Release](#)

New Jersey Cabinetry Company Exposed Workers to Carcinogen

Choice Cabinetry LLC, a custom-order cabinetry company in Somerville, N.J., exposed employees to safety and health hazards, many involving methylene chloride, a carcinogen, according to the Occupational Safety and Health Administration. Initiated as part of its Site-Specific Targeting Program for industries with high injury and illness rates, OSHA's inspection in March revealed 15 violations, including three willful. Proposed penalties total \$136,290.

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