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BY THE NUMBERS

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 7 out of 10
 Americans say
**raise the
 Minimum
 Wage**

(Work in Progress) The Best of Our Blog

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

- [An Announcement Concerning the Home Care Final Rule](#): A little more than a year ago, the department announced a rule that extended minimum wage and overtime protections to home care workers. After careful consideration, the department has decided to adopt a time-limited non-enforcement policy, writes Dr. David Weil, administrator, and Laura Fortman, deputy administrator, of the Wage and Hour Division.
- [Protecting Workers from Intimidation, Retaliation](#): The success of the department's enforcement work depends on cooperation from employers and workers alike. Intimidation and retaliation are against the law. The department has at its disposal many enforcement tools to protect workers' rights, writes Secretary Perez.
- [Out at Work](#): On National Coming Out Day, let's honor the courage of those who come out as LGBT and the leadership shown by forward-thinking employers, Mary Beth Maxwell, a senior advisor to the secretary of labor, writes.

Customer Service Week

The department sponsored a Customer Service Week town hall on Oct. 8 that was kicked off by Deputy

What's New

Preparing Workers for High-Demand Occupations

"Over the last four years, the Obama administration has made an unprecedented \$2 billion investment in community colleges to build a 21st century skills infrastructure," said U.S. Secretary of Labor Thomas E. Perez during a trip to Springfield, Mass., on Oct. 8. Perez, along with Education Secretary Arne



Duncan, visited Springfield Technical Community College to see firsthand how these investments are preparing workers for new in-demand occupations. The school is part of a consortium of 15 community colleges across Massachusetts that received \$20 million in 2011 to develop training programs for jobs in the health care, advanced manufacturing, informational technology and other high-tech industries. More than 6,500 students enrolled in programs and more than 70 percent found full-time work upon completion. Recently, the department announced grants totaling \$450 million in the final round of the Trade Adjustment Assistance Community College and Career Training initiative. The Springfield college was part of another statewide consortium that received more than \$20 million in this round. The grant will be used to provide degrees and certificates in science and technology fields to meet the growing demand in Massachusetts' innovation economy.

- [Learn About TAACCCT](#)

Trusting Employees and Impacting the Way Business Is Done



A new generation of entrepreneurs is using the power of their businesses to tackle social and environmental challenges. Known as B Corps, these companies demonstrate sustainable business practices, such as producing less waste and tapping local supply chains. Employees are crucial to

supporting these goals, and U.S. Secretary of Labor Thomas E. Perez was in Vermont on Oct. 9 to reiterate his longstanding belief that companies can be fair to their workforces and act as responsible corporate citizens while making a profit and growing their businesses. Perez toured Rhino Foods, which makes products for ice cream and frozen dessert companies, in Burlington. He was joined by Vermont Gov. Peter Shumlin, Congressman Peter Welch, Rhino Foods owner Ted Castle and others. Perez later



Secretary of Labor
Christopher P. Lu. The

town hall, which was streamed live from the department's auditorium to employees across the nation, included discussions of how to connect with the public as a customer, improve customer service, and address future challenges related to serving a multi-generational customer base. Carl Fillichio, the department's senior advisor for communications and public affairs, moderated a panel discussion featuring Wage and Hour Division Deputy Administrator Patricia Davidson, Social Security Administration Strategic Planning and Innovation Director Regina Smith and Commodity Futures Trading Commission Chief Learning Officer Jeffrey Vargas. Lu recognized the department's employees for the difficult and challenging work they undertake on behalf of the public while maintaining the department's commitment to customer service values of being accurate, courteous, efficient and effective.

- [Read the Blog Post](#)

New Veterans Memorial

A new memorial has opened near the National Mall to honor disabled veterans dating back to the American Revolution.



The American Veterans

Disabled Veterans for Life Memorial was dedicated on Oct. 5 by President Obama in a ceremony that was attended by Assistant Secretary of Labor Keith Kelly, who heads the Veterans' Employment and Training Service, and other veterans and dignitaries. In his remarks, the president said, "When our wounded veterans set out on that long road of recovery, we need to move heaven and earth to make sure they get every single benefit, every single bit of care that they have earned, that they deserve." Wounded veterans also must be given opportunities for training and careers, Kelly said after attending the dedication. "All of us at VETS stand ready to ensure our veterans receive priority services through the American Job Center network. One of the best ways to honor a veteran is to help a veteran find a job."

- [Read the President's Remarks](#)
- [Learn About Employment Services](#)

Timely Data, 'Right Decisions'

Erica Groshen, commissioner of the Bureau of Labor Statistics, traveled to Cleveland on May 29-30, to provide remarks at a conference hosted by the Federal Reserve Bank of Cleveland. The theme of the conference was "Inflation, Monetary Policy, and the Public." While there, Groshen sat down for an interview with Mark Schweitzer, Cleveland Fed's research director. The interview,

addressed a gathering of B Corps business leaders, where he was joined by Sen. Bernie Sanders. "Consumers don't check their values at the door when they go shopping for goods and services, nor do investors when they're looking for a good opportunity. And more and more people want to work at places that demonstrate social mission and social impact, so this model is critical to attracting and retaining the very best talent," Perez said.

National News

Dialogue to Encourage New Ways to Address Hazardous Chemicals

Fewer than 500 chemicals out of the tens of thousands used in industry are covered under the Occupational Safety and Health Administration's Permissible Exposure Limits. In a press teleconference on Oct. 9, Dr. David Michaels, assistant secretary of labor for occupational safety and health, announced that OSHA is initiating a national dialogue with stakeholders to develop ways to prevent work-related illness caused by exposure to hazardous substances. "Many of our chemical exposure standards are dangerously out of date and do not adequately protect workers," said Dr. Michaels. "While we will continue to work on updating our workplace exposure limits, we are asking public health experts, chemical manufacturers, employers, unions and others committed to preventing workplace illnesses to help us identify new approaches to address chemical hazards."

- [Read the News Release](#)
- [Learn More About PELS](#)
- [Read the RFI](#)

International Scene

Findings Delivered on Worst Forms of Child Labor

In an announcement broadcast from the Washington Foreign Press Center on Oct. 7, Secretary Perez unveiled the department's annual "Findings on the Worst Forms of Child Labor" report. The report assesses efforts by more than 140 countries to reduce the worst forms of child labor and



suggests actions they can take to eliminate them. It is "not a reference book designed to sit on your shelf with the old encyclopedias, to collect dust and cobwebs," Perez said. "More than ever, it provides a roadmap for progress. It's a catalyst for action and an instrument of change." Deputy Undersecretary for International Affairs Carol Pier, who fielded questions from reporters at the announcement, added, "It is my hope that the information in this report, its assessments and its recommendations, will spur individual and collective action to help vulnerable children around the world find a better future." Perez also announced a \$7 million grant to Winrock International to implement a global project to support countries in improving their capacity to combat child labor.

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

posted on Oct. 7, focused primarily on the data produced by BLS to measure inflation and touched on how to connect BLS data to the general public. Responding to a question on the value of BLS data to society, Groshen responded, "Our policymakers really need this information, and our households really need this information because they have to make the right decisions for themselves and their families. Our businesses need this information so they can make the right decisions for their prices, for their purchases, for where they locate their companies."

- [Read the Interview Transcript](#)

It's Not a Competition, but...



Of the 24 federal agencies that developed plans for improving Asian American and Pacific Islander participation in their programs, the

Labor Department received the most favorable responses in a community feedback portal launched earlier this year. Public comments on the department's plan underscored the need for disaggregated data, translated materials and improved outreach to AAPI communities. On Oct. 9, department representatives met with Kiran Ahuja, executive director of the White House Initiative on AAPIs, to report on progress and map out future steps. "Strength through diversity is at the heart of so much of our work," said Office of Federal Contract Compliance Programs Director Patricia A. Shiu. "Now we have to build upon the great work that has been done over the past four years."

Geared Up on Transportation Jobs

More than 200 leaders and stakeholders from transportation, education and workforce systems gathered at the Department of



Transportation headquarters on Oct. 7 to develop and expand career pathways across all transportation modes. The meeting participants reviewed key employment trends and projections, and explored strategies and promising models for working together at the federal, state and local level to meet employer demand and provide ladders of opportunity for ready-to-work Americans. Eric Seleznow, deputy assistant secretary of labor for employment and training, participated on the opening panel with Transportation Deputy Secretary Victor Mendez and Education Assistant Secretary Johan Uvin. Seleznow talked about the work the department is doing to expand training programs in the transportation sector through Trade Adjustment Assistance Community College and Career Training grants, Registered Apprenticeship and

- [Watch the Secretary's Briefing](#)

DOL Working for You

Journalism Students Receive Primer on Business Reporting



When Boston University College of Communication Professor Lou Ureneck wanted to give his journalism students an edge at effectively reporting on business and the economy, he partnered with the Bureau of Labor Statistics. Tim Consedine, a regional economist with BLS, visited Ureneck's classroom last fall and presented an overview of agency data covering labor market trends and prices. Ureneck encouraged his students to ask questions because, once they graduated from classrooms to newsrooms,

they would be expected to know where to find viable sources of data. The initiative is part of the agency's Economic Analysis and Information Program, which disseminates information about BLS products and surveys to the general public. "We try to do these types of outreach with local journalism programs yearly, and we're hoping to expand it to cover more programs, such as business schools," Consedine said. He noted that occupations that benefit from BLS data include financial professionals, the news media and purchasing managers.

- [Learn More About BLS Speakers](#)

DOL in Action

Findings Released in Deadly West Virginia Coal Mine Accident

In its investigation of a double fatality at a West Virginia coal mine in May, the Mine Safety and Health Administration determined that the mine operator did not take the necessary steps to protect miners from hazardous conditions brought on by retreat mining, a technique that involves extracting coal while leaving behind pillars for support, then returning to mine the pillars in a sequence that causes the roof to collapse. Two miners working at Brody Mine No. 1 in Boone County, W.Va., were killed by a large pillar of coal that burst while retreat mining was underway. The outburst occurred three days after a similar event, one which was not reported to MSHA. The agency issued three citations to the mine operator. Penalties have not yet been assessed.

- [Read the News Release](#)

Freight Company Sued to Recover Retirement Contributions

Eclipse Freight Systems Inc. and its owner Christopher L. McDougal are being sued in an effort to recover about \$62,000 in employee retirement contributions. The department's lawsuit, filed in U.S. District Court for the Northern District of Texas, Fort Worth Division, alleges that McDougal and his company violated the Employee Retirement Income Security Act of 1974 by using assets belonging to the employee retirement plan for the benefit of his business operations. Eclipse Freight Systems, formerly located in Grapevine, Texas, is engaged in the business of freight transportation services. An Employee Benefits Services Administration investigation revealed that, for more than two years, wages intended for contribution to the retirement plan were withheld from employees' pay but were not forwarded to the retirement plan. The department seeks a court order requiring the restoration of all plan losses and barring McDougal from serving in any capacity to any other employee benefit plan.

cross-agency partnerships.

Misclassification Agreement



The Alabama Department of Labor and the Wage and Hour Division's Gulf Coast District Office signed a memorandum of understanding on

Oct. 2, in Montgomery, Ala., to protect the rights of workers by preventing their misclassification as something other than employees, such as independent contractors. The agreement represents a new effort on the part of agencies to work together to protect the rights of employees and level the playing field for responsible companies by reducing the practice of misclassification. The Alabama Department of Labor is the latest state agency to partner with the Wage and Hour Division. In Fiscal Year 2013, investigations resulted in more than \$83,051,159 in back wages for more than 108,050 workers in industries such as janitorial, food, construction, day care, hospitality and garment.

• [Read the News Release](#)

Florida Agricultural Initiative

An ongoing enforcement initiative conducted by the Wage and Hour Division that focuses on the agricultural industry in northern and central Florida has uncovered widespread violations of federal laws. The laws include provisions that set minimum standards for wages and disclosure of working conditions, basic standards for safe and clean housing and safe transportation, and standards for access to clean drinking water and toilet facilities in the field. To date, the initiative has resulted in more than \$100,000 in back wages for 277 workers and more than \$25,000 in civil money penalties assessed.

• [Read the News Release](#)

Women's Leadership Program

The inaugural fellows of the Massachusetts Workforce Women's Leadership Fellowship Program met with Gov. Deval Patrick, Women's Bureau Regional



Administrator Jacqueline Cooke, and Susan Adams of the Center for Women and Business at Bentley University in Waltham on Sept. 30. The fellowship was created to expand access to opportunities for women leaders in government and the private sector. During the meeting, Cooke highlighted the recent Women's Bureau Forums on Working Families and the White House Summit on Working Families, and commended the governor and the university for creating the program. Cooke called it "a win for the women, a win for the commonwealth, a win for participants' future employers, and a win for the economy."

• [Read the News Release](#)

Florida Contractors Face \$355,000 in Penalties for Unsafe Work Sites

GP Roofing & Construction LLC and Archer Exteriors Inc. were cited by the Occupational Safety and Health Administration with 12 safety violations for exposing workers to falls and other hazards at three residential work sites in the Panama City, Fla., area. The violations included failure to provide workers with fall protection systems, allowing employees to use powered nail guns without eye and face protection, and improper use of extension ladders. Archer Exteriors subcontracted GP Roofing & Construction to install shingles at the three job sites. In March, OSHA initiated the inspections as part of its Regional Emphasis Program on Falls in Construction. Proposed penalties total \$355,300.

• [Read the News Release](#)

Silicon Valley Care Givers Received as Little as \$3.25 per Hour

A U.S District Court judge has ordered Ageway Senior Care Inc. and its owner Ana Dayeh to pay \$134,682 in back wages and damages to 13 Filipino care givers who worked at the company's residential care facilities for the elderly in and around Silicon Valley, Calif. Wage and Hour Division investigators found that the workers received as little as \$3.25 per hour worked, with no overtime pay for hours that exceeded a 40-hour workweek. On average, these employees worked as many as 53 hours per week. "Care givers in residential care home facilities work extremely hard taking care of our nation's elderly, sick and disabled," said Susana Blanco, the division's district director in San Francisco. "Taking advantage of these vulnerable workers is just as unacceptable as it is illegal." Under the terms of a consent judgment, the employer also was ordered to take specific steps to remain in compliance and to inform its workers of their rights under the law.

Connecticut Contractor Exposed Employees to Lead Hazards

A Connecticut company, Rockville Construction LLC, faces \$107,100 in penalties for 25 serious violations of workplace safety and health standards. The Occupational Safety and Health Administration cited the contractor, which is overseeing the Hockanum Mill renovations in Rockville, Conn., for inadequate safeguards against lead exposure, respirator deficiencies, fall and electrical hazards. Employees were exposed to high lead levels from scraping lead-containing paint and the employer failed to determine lead exposure levels, provide effective controls to reduce exposure levels, and did not train employees about lead hazards and safeguards.

• [Read the News Release](#)

Hawaii Pet Hospital Fails to Pay Overtime

Waipahu Waikele Pet Hospital Inc. has agreed to pay \$61,887 in overtime back wages plus an equal amount in damages to 85 employees in Hawaii for labor violations. An investigation by the Wage and Hour Division in Honolulu over a two-year period determined that the Oahu-based veterinarian hospital failed to pay the overtime premium to its receptionists, technicians, kennel attendants and others who worked in excess of 40 hours per workweek. "Employers cannot enter into agreements with employees to receive straight-time pay for overtime hours worked when they are lawfully entitled to an overtime premium," said Terence Trotter, the division's district director in Hawaii. "We appreciate the employer's full cooperation in resolving this matter quickly and in fairness to the impacted workers."

Judge Upholds Citations Issued to New York Chicken Processing Plant

An administrative law judge from the Occupational Safety and Health Review Commission has affirmed citations issued by the Occupational

Latin American Day in L.A.



Staff from the Wage and Hour Division in Los Angeles attended the first ever "Día de Latinoamericano en Los Angeles" (Latin American Day in Los

Angeles) on Oct. 4. The event, held at Los Angeles' MacArthur Park, was sponsored by the Group of Latin American and Caribbean Countries of Los Angeles. The division set up an information booth with resources to better inform the public about employee rights and federal labor laws enforced by the division. Hundreds of people attended the event. Participants included representatives from several consulates, including those from Mexico, Guatemala, Costa Rica, Honduras, El Salvador, Nicaragua, Ecuador, Peru, Bolivia, Uruguay and Argentina.

Weekly UI Claims

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 287,000 for the week ending Oct. 4, a decrease of 1,000 from the previous week's revised level. The four-week moving average was 287,750, down 7,250 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 — What to expect during an OFCCP Audit

- [November 6 — Houston, TX](#)

OFCCP — Employment 411: Conference for Business and Community Based Organizations

- [October 24 — Columbus, OH](#)

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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Safety and Health Administration to MB Consultants Ltd., doing business as Murray's Chickens. In May 2012, OSHA cited the company's South Fallsburg, N.Y., chicken processing for a variety of safety and health hazards, including failure to provide employees with information and training about the hazards of products that contain peracetic acid and bleach, as required by OSHA's hazard communication standard. MB Consultants contested its citations, and a hearing was held. The administrative law judge found that the company had failed to train production workers on the chemical hazards and that the company's machine maintenance procedures were overly general.

- [Read the News Release](#)

Proper Machine Guarding Would Have Prevented Amputation

West Hartford Stairs and Cabinets has been cited by the Occupational Safety and Health Administration for 16 serious workplace violations at its manufacturing plant in Newington, Conn. In April, an employee lost parts of two fingers in an inadequately guarded machine. "This is exactly the type of serious injury that proper guarding of a machine's operating parts would have prevented," said Warren Simpson, OSHA's area director in Hartford. In addition to the machine guarding hazards, OSHA found that employees were exposed to fire hazards from a dust collection system that lacked a spark detector to prevent hot metal from igniting an explosion. The manufacturer faces \$60,200 in fines.

- [Read the News Release](#)

Judge Orders Restaurant Owner to Cooperate With Investigation

The department has obtained a consent order enjoining Atlanta business Antico Foods LLC and its owner from intimidating and retaliating against any of its employees who are cooperating in a federal investigation. The Wage and Hour Division began an investigation of Antico Foods in July to determine if the business complied with the Fair Labor Standards Act. Soon after the investigation began, Antico Foods' employees reported to investigators that company owner Giovanni DiPalma accused a worker of cooperating with the Wage and Hour Division and terminated the employee. DiPalma instructed employees to hide from investigators and provide false information to investigators about their work hours and the identity of their employer.

- [Read the News Release](#)

Workers Exposed to Cave-in Hazards on Ohio College Campus

Two employees of Industrial Power Systems were exposed to cave-in hazards while installing steam and chill water piping for the construction of a recreation center on the University of Toledo campus in Ohio. The Occupational Safety and Health Administration has cited the company for one willful and one serious safety violation, carrying proposed fines of \$75,000. OSHA initiated the inspection in August under the National Emphasis Program for Trenching and Excavation after a compliance officer observed the workers in the 10-foot deep unprotected trench.

- [Read the News Release](#)

'Catastrophic Injury' Suffered by Worker Caught in Machinery

An employee was severely injured when he became caught in unguarded arbor rollers at Kloeckner Metals Corp. in April. Consequently, the Occupational Safety and Health Administration has cited the Cincinnati manufacturing plant with one repeat and three serious safety violations, carrying proposed penalties of \$56,000. "This worker suffered a catastrophic injury because Kloeckner Metals failed to observe basic safety procedures," said Bill Wilkerson, OSHA's area director in Cincinnati.

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Philadelphia Union to Rerun Officer Election



Tweets [Follow](#)

 **US Labor Department** 
@USDOL 4h

Industries use more than 10,000 chemicals, but fewer than 500 are covered by #OSHA permissible exposure limits. ow.ly/Cvfe1

Expand

 **US Labor Department** 
@USDOL 5h

"My life is a tribute to the American Dream." —Lew Prince, co-owner of Vintage Vinyl in St. Louis, MO 1.usa.gov/1yQO7R1

International Brotherhood of Electrical Workers Local 98 in Philadelphia has agreed to conduct a new election for five executive board positions under the supervision of the Office of Labor-Management Standards before Dec. 5. An OLMS investigation of the union's May 2014 election disclosed that the union improperly determined that two nominees for the executive board were ineligible to run for office.

Improperly Maintained Equipment Linked to Worker Fatality in Ohio

Following the death of an employee at Haverhill Chemicals LLC, the Occupational Safety and Health Administration has cited the Ohio manufacturer for 21 serious and two other-than-serious safety violations. Proposed fines total \$134,000. OSHA's investigation found the 61-year-old employee suffered fatal injuries in April while clearing a blockage on the drain line to a reactor. "Haverhill Chemicals has a responsibility to ensure the safety of its workers by ensuring equipment used to carry highly hazardous chemicals is properly installed and maintained," said Nick Walters, OSHA's regional director in Chicago.

- [Read the News Release](#)

FedEx Faulted on Safety Hazard at Shipping Center

FedEx Corp.'s failure to properly guard a conveyor belt at its Wilmington, Mass., shipping distribution center exposed its employees to potential injuries, an Occupational Safety and Health Administration inspection has found. OSHA determined that the rotating parts of a belt conveyor system at the Wilmington facility lacked sufficient guarding to prevent employees' fingers and hands from getting caught in those rotating parts. This could result in injuries such as pinched or crushed fingers and hands, concussions, abrasions or possible nerve damage. OSHA previously had cited FedEx in 2010 and 2011 for similar hazards at company facilities in Grove City, Ohio and Syracuse, N.Y. As a result of the prior violations, OSHA cited FedEx for a repeat violation and proposed a fine of \$44,000.

- [Read the News Release](#)

Safety Deficiencies Found at New Jersey Explosives Company

Workers loading and assembling explosive devices used for military and commercial purposes were readily exposed to safety hazards, according to citations issued against Andover, N.J.-based Cartridge Actuated Devices Inc. Following a March inspection, the Occupational Safety and Health Administration cited the company for 15 serious violations that reflected deficiencies in its process safety management program. The inspection was initiated under a national emphasis program focused on process safety management for chemical facilities, which also covers explosives. Proposed penalties total \$70,700.

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