



UNITED STATES DEPARTMENT OF LABOR

SOLICITOR OF LABOR
ENFORCEMENT REPORT

FISCAL YEAR **2024**

The Office of the Solicitor's (SOL) mission is to provide legal services necessary to help achieve the Department's goals of promoting the welfare of wage earners, job seekers, and retirees, improving working conditions, advancing opportunities for profitable employment, and providing and protecting work-related benefits and rights. The Solicitor's Office enforces over 180 federal statutes and their implementing regulations.

In 2024, SOL achieved major success in critical cases that have had a profound and positive impact on the lives of workers across America. Our success stems from our ability to swiftly and relentlessly respond to suspected violations, hazards, and compliance assistance needs across a wide range of industries and sectors in partnership with our client agencies. This report highlights examples of SOL's work on safeguarding worker safety, securing the future of both workers and retirees, combatting the exploitation of workers, protecting workers from retaliation, and ensuring compliance with basic minimum wage and overtime pay requirements. I selected these cases for their complexity, scope, and outcomes. Together, they showcase SOL's proactive approach to protecting the integrity of the laws it is entrusted to enforce.

Nevertheless, this report offers only a small sample of SOL's work and the tools SOL employs as part of its strategic enforcement efforts. SOL upholds the law using all available legal channels, including, administrative proceedings, settlement negotiations, trials, and asset seizure requests in federal courts. SOL also contributes to developing precedent in labor law by filing *amicus* [briefs](#) with thorough arguments and sound interpretation of the law in appellate and Supreme Court litigation. Indeed, this year courts continued to cite favorably to SOL's *amicus* briefs.¹ The outcomes in the cases presented in this report highlight SOL's crucial role in safeguarding America's workforce and its future.

Seema Nanda
Solicitor of Labor

¹ See, e.g., *Kemp v. Regeneron Pharm Inc.*, 117 F.4th 63 (2d Cir. 2024) (citing [Denise Kemp v. Regeneron Pharm Inc.](#)); *Blanco v. Samuel*, 91 F.4th 1061 (7th Cir. 2024) (citing [Blanco v. Samuel et al.](#)).

SOL Protects Worker Health and Safety

This year SOL remained a pivotal force in ensuring workplace safety through the enforcement of the Occupational Safety and Health Act (OSH Act). Through its collaboration with the Occupational Safety and Health Administration (OSHA), SOL continued to enforce standards that significantly advanced one of the Department's primary goals of reducing workplace injuries, illnesses, and fatalities. SOL's use of traditional and innovative legal enforcement actions proved effective in holding accountable those who fail to maintain safe working conditions. These enforcement proceedings resulted in fines, penalties, and mandated safety improvements for employers across a variety of industries. More broadly, they served and continue to serve as a deterrent for safety violations and helped create a culture to protect workers from hazardous conditions. However, results are rarely immediate, as employers may hesitate to invest in necessary safety infrastructure. This is why SOL is prepared to pursue cases that can span several years or even a decade. The message is clear: SOL will not waver in its commitment to enforce the OSH Act and protect America's workers.

U.S. based chemical and worldwide distributor to pay \$1.3 million penalty following deadly explosion, commits to major safety overhaul

In May 2019, a devastating explosion and fire at an Illinois-based plant tragically and unnecessarily claimed the lives of four workers. An investigation by OSHA revealed that the company, AB Specialty Silicones, had failed to meet crucial safety standards, including neglecting electrical equipment compliance and using propane-powered forklifts in areas with flammable liquids. As part of a settlement in 2024, the company has agreed to pay \$1.3 million in penalties and take significant steps to overhaul its safety practices. The company also agreed to stop production at all facilities until an engineering firm designs new processes for production. This settlement represents a fundamental step towards preventing future tragedies and reiterating the message to companies, no matter how big or small, that they will be accountable for the safety of their workers. [Read more in the press release here.](#)

After a decade of safety violations and defying court orders, roofing contractor paid \$365,576 in penalties following SOL motion to seize personal assets

Starting in 2014, OSHA cited Joshua Herion, a roofing contractor and his company, ECS Roofing Professionals Inc., nine times for fall protection violations. In 2022, OSHA cited them again for exposing workers to deadly fall hazards at two job sites. In 2023, the Occupational Safety and Health Review Commission affirmed OSHA's penalties. Nonetheless, the company refused to make payment. Consequently, in January 2024, SOL filed an OSHA Section 17(l) debt collection action in U.S. District Court. SOL uses debt collection litigation strategically to compel recidivist employers to cease violating health and safety standards, thereby improving health and safety conditions for their workers. After a default judgment, SOL obtained and filed liens on the roofing contractor's real property which resulted in the recovery of all fines and attorney's fees owed, totaling \$365,576. [Read more in the press release here.](#)

National discount store agreed to nationwide enhanced compliance agreement to improve workplace safety and \$12 million in penalties

On July 11, 2024, OSHA entered into a corporate-wide settlement agreement with a national discount retailer, Dollar General, that resolved over 90 pending cases for hazards caused by excess inventory. The excess inventory was stored unsafely, and blocked fire exits, electrical panels, and fire extinguishers. As part of the agreement, the store chain paid \$12 million in penalties and agreed to implement several enhanced measures that prioritize workplace safety. During the two-year agreement term, for example, the store chain must establish and maintain a robust safety and health management system; reduce inventory and implement phased distribution to prevent hazards; and maintain a safety operation center to monitor store conditions. The agreement also requires the store chain to fix future egress and housekeeping violations within 48 hours of OSHA notification. If it fails to comply, the company will be liable for \$100,000 in daily penalties up to \$500,000. This agreement heralds a change in the store chain's safety culture, improving employer accountability. [Read more in the press release here.](#)

Giant e-commerce retailer Amazon agrees to implement company-wide safety measures for ergonomic hazards

On December 18, 2024, OSHA and Amazon executed an unprecedented corporate-wide settlement agreement that resolves ergonomic citations issued at ten Amazon facilities while also requiring Amazon to take action at the corporate level to ensure ergonomics requirements are effectively implemented at each Amazon facility covered by the agreement. The agreement will apply to all of Amazon's fulfillment centers, sortation centers, and delivery stations, among other facilities, in federal OSHA's jurisdiction and provides for an alternative dispute resolution process intended to quickly address and correct ergonomic hazards raised by Amazon workers. The agreement also memorializes ergonomic safety measures that Amazon has implemented at facilities cited by OSHA in 2023 for ergonomic hazards. Among other things, the agreement authorizes OSHA to conduct monitoring inspections at the locations where OSHA cited hazards, including access to documents and witnesses relevant to Amazon's implementation of its ergonomics program. [Read more in the press release here.](#)

SOL Ensures Employees Receive the Benefits They Were Promised

This year, in partnership with the Employee Benefits Security Administration (EBSA), SOL enforced the Employee Retirement Income Security Act of 1974 (ERISA) through complex enforcement actions that relied on a range of legal tools and strategies to protect employees and retirees. SOL understands the vital importance of employee contributions to employer-sponsored health and retirement plans, as these are made with the goal of securing a stable future and ensuring the well-being of their loved ones. Therefore, it is especially egregious when those entrusted with managing such plans betray that trust, leaving workers facing insurmountable medical debt and an uncertain future. In a range of ERISA cases, SOL took swift action in federal courts to stop the transfer of embezzled money, restored losses to retirement plans, and ensured fiduciary compliance. As a result, SOL obtained relief for tens of thousands of employees, health care providers, and retirees.

SOL obtains a temporary restraining order against service provider alleged to have embezzled millions from retirement funds

SOL obtained a [temporary restraining order](#) (TRO) against a third-party administrator of a retirement plan, RiversEdge Advanced Retirement Solutions, LLC, and its owner, Paul Palguta. SOL alleged that the defendants embezzled millions of dollars from 17 retirement plans since 2017. SOL also alleged that the defendants mismanaged the plans' trust accounts, frequently transferring assets among unrelated trusts to conceal their embezzlement, in addition to making large cash withdrawals from corporate accounts containing ERISA plan assets. The TRO provided immediate injunctive relief, including, for example: removal of the defendants as service providers or fiduciaries to the ERISA plans; enjoining the defendants from transferring any plan assets; freezing the defendants' bank accounts; and forbidding the defendants from destroying records. [Read more in the press release here.](#)

SOL confirms payment of approximately \$1.7 million to ERISA plan pursuant to a unique settlement agreement

SOL reached a favorable settlement in 2023 with Garden Homes Management Corporation, sponsor of the Garden Home Management Corp. Profit Sharing Trust 401K Plan, and the Plan's current and former trustees. The settlement resolved allegations of prohibited transactions and losses sustained because of the Plan's investment in limited partnerships controlled by the fiduciaries. Under the terms of the Settlement Agreement, the fiduciaries agreed to be barred from serving as fiduciaries to any ERISA-covered plan for a period of five years, to divest the Plan of the prohibited investments, and to restore all losses sustained by the Plan, with interest. The Agreement included a fully executed contingent Consent Judgment to be filed in court if the fiduciaries failed to fully satisfy the terms of the Agreement. As of March 2024, the fiduciaries involved had returned approximately \$1.7 million to the Plan and paid the \$71,881.66 penalty.

Federal court approves final \$12 million distribution to victims of mismanaged employee health plan that covered over 14,000 participants across 36 states

In another significant legal victory, the U.S. District Court for the Northern District of Illinois approved a plan to distribute \$12 million to health plan participants and medical providers that were affected by the

mismanagement of a multiple employer welfare arrangement plan run by AEU Holdings LLC Employee Benefit Plan and its partners. The distribution was another significant step in the years-long legal battle to recover from severe fiduciary breaches by the plan's former administrators. This case started in 2017 when an EBSA investigation revealed that \$83 million in health claims were improperly billed to participants because the plan administrators significantly underfunded the plan and, as a result, healthcare providers had not been paid for the services they had provided. The court-ordered distribution helped cover unpaid claims for employees that faced medical debt due to the mismanagement. [Read more in the press release.](#)

SOL Combats Pervasive Child Labor

SOL made significant strides in fulfilling the Department's mandate to protect minors in the workplace. SOL, in partnership with the Wage and Hour Division (WHD), enforces the Fair Labor Standards Act's (FLSA) prohibitions on child labor. This year, SOL continued to assist the WHD with investigations and related litigation that held employers accountable for unlawful child labor. SOL's work went beyond supporting the WHD in assessing penalties. SOL obtained court orders requiring employers to carry out compliance measures that stand to improve industry standards up and down supply chains, including through training, audit practices, and disgorgement of profits obtained through unlawful child labor. SOL's strategic enforcement efforts with the WHD that leverage all of the Department's available tools send a clear message that employers will not be allowed to unlawfully profit from child labor without consequences.

Employers fined and ordered to pay the profits derived from their exploitation of minor workers at a meat packing facility and staffing agency in Los Angeles County

In June 2024, one month after SOL filed a complaint, SOL secured a federal court [judgment](#) against, A&J Meats, a meat processor, and The Right Hire Inc., a staffing agency, for illegally employing children in dangerous conditions in violation of the FLSA. The employers were ordered to surrender \$327,484 in illegal profits and pay \$62,516 in penalties after a WHD investigation found that children were assigned hazardous tasks, such as using sharp knives and working in freezers. The court order prohibits the companies from committing future violations and requires them to provide training and undergo monitoring for several years. This case exemplifies how SOL, through a multi-layered legal strategy, can influence employer training and other practices to increase compliance and protect children from hazardous working conditions. [Read more in the press release here.](#)

Court entered consent judgment against hotel and owner for violating anti-retaliation provisions of the FLSA in case involving retaliation against minor

In 2024, SOL secured a Consent Judgment against Lava Hot Springs Inn and its owner, George Katsilometes, for violations of the FLSA. SOL [filed a complaint](#) on behalf of a fourteen-year-old bellhop who complained about child labor violations to the WHD because the inn's owner scheduled her for full-time work during the school year when their school moved to remote learning due to the COVID-19 pandemic. Immediately following a site visit by the WHD, the inn's owner fired the minor and barred her and her family from the employer's property. The Consent Judgment permanently enjoins the inn and its owner from violating the FLSA. The inn and its owner paid \$110,000 to the minor, including about \$108,000 in non-pecuniary damages.

SOL Protects the Voices of Workers

SOL remains committed to protecting workers' rights to report legal violations without fear of retaliation. Preventing retaliation is crucial for the effective enforcement of labor laws because a strong system of enforcement depends heavily on workers coming forward to report abuses. By actively preventing retaliation and enforcing retaliation provisions, SOL helps create a safe environment where workers can report abuses and exercise their rights without fear of losing their employment and livelihood. SOL's enforcement actions support and foster a culture of accountability in which workers know that the Department of Labor stands behind their right to report violations and engage in protected conduct under the law.

Company permanently enjoined from retaliating against truck drivers who challenged wage violations

When a group of truck drivers took a stand and sued their employer, Cargomatic, Inc., for wage violations, the employer retaliated by threatening to countersue, accusing the drivers of breaching their service agreements. The employer also demanded that workers sign an arbitration agreement with [fine print](#) that effectively forced them into arbitration if they wanted to exercise their rights. In response, SOL intervened and secured a permanent injunction that prohibits the employer from retaliating against the drivers. As this case illustrates, SOL recognizes the unique role that the federal government can play in ensuring that workers can fully exercise their rights and hold employers fully accountable when workers experience retaliation and/or are forced by their employer to participate in individual private arbitration. [Read more in the press release.](#) Click [here](#) to learn more about SOL's work on coercive contractual provisions.

SOL thwarted employer's attempt to retaliate against employees to avoid liability

An investigation that began in 2020 revealed that an employer, Mega Liquor and Smoke, had systematically failed to pay its workers the legally mandated minimum wage. In 2023, pursuant to a Settlement Agreement in Lieu of Litigation, the employer agreed to pay more than \$350,000 in back wages to the affected employees. The company made a partial payment. However, in 2024, rather than honoring its commitment, the employer retaliated against the workers who were still owed money. The employer tried to shield itself from the consequences of its failure to pay by pressuring workers into signing false receipts stating they received their back pay pursuant to the Agreement. The employer also publicly threatened to fire employees who refused to comply. But SOL ensured that the employer abided by the Agreement and obtained a permanent injunction to bar the employer from retaliating against employees. The employer has since satisfied the judgment, paid the \$350,000 in back wages, and paid attorney's fees. [Read more in the press release here.](#)

SOL secures successful resolution against company for non-compliance with Equal Employment Opportunity Regulations

In 2018, the Office of Federal Contract Compliance Programs (OFCCCP) scheduled equal employment opportunity compliance reviews at several DISH Network locations. The satellite internet service provider refused to submit the required documents. SOL with the OFCCCP—which is responsible for ensuring that employers doing business with the federal government comply with laws and regulations requiring equal employment opportunity—followed through with administrative proceedings that this year resulted in an agreement with

DISH for their submission of data and related documents for nine of their locations by June 2025 so that OFCCP can conduct the scheduled reviews. SOL will work with OFCCP to continue to ensure that every contractor doing business with the federal government follows applicable equal employment opportunity regulations. [Read more in the press release here.](#)

SOL Protects Workers by Ensuring Fairness, Preserving Dignity, and Pursuing Justice

SOL continued to combat minimum wage violations, employee misclassification, and unlawful denials of overtime pay to protect workers from exploitation. In doing so, SOL upholds the dignity of work and ensures that employees and their families are not adversely affected by those who seek to take advantage. This enforcement also levels the playing field for businesses because it prevents non-compliant employers from gaining an unfair advantage by underpaying workers and ensures those who follow the law are not at a disadvantage. Everyone wins when workers receive their lawful compensation.

SOL's partnership with a state enforcement agency resulted in the assessment of \$3 million in back wages

In a powerful collaboration, SOL collaborated with the State of Illinois to investigate an employer, Greenridge Farms Inc., who had denied 238 workers their earned wages over the span of 7 years. The employer systematically paid workers for only 40 hours via paycheck, while compensating overtime at regular pay instead of the overtime wage using cash, depriving the employees of their rightful overtime pay. Through the collective efforts of SOL and state authorities, the case was brought to court and resulted in a consent decree that mandates the employer to pay \$3 million in back wages. This case highlights the strength of SOL's partnerships with other enforcement agencies and demonstrates its commitment to ensuring workers are lawfully and fully compensated for their labor. [Read more in the press release.](#)

SOL obtains \$35 million verdict against 15 healthcare facilities and owners for wage violations and employee misclassification

SOL obtained a judgment of over \$35 million in total back wages and liquidated damages against 15 healthcare facilities and the facilities' owners for wage violations and employee misclassification in *Secretary v. Comprehensive Healthcare Management Service LLC, et al.* SOL prevailed after a 13-day bench trial that involved 50 testifying witnesses and more than 600 trial exhibits. The U.S. District Court for the Western District of Pennsylvania found that the Defendants engaged in an enterprise-wide pattern and practice of misclassifying their employees. Through diligence and extensive preparation, SOL overcame the employers' efforts to avoid judgment through bankruptcy proceedings. In addition to the judgment, the court permanently enjoined the companies from further FLSA violations.

Court of appeals cited SOL's amicus brief to find that an outright denial of a leave request under the Family Medical Leave Act is not necessary for a violation

In [Kemp v. Regeneron Pharmaceuticals Inc., 117 F.4th 63 \(2d Cir. 2024\)](#), an employee asserted that although her employer did not outright deny her request for leave under the Family Medical Leave Act (FMLA), the employer unlawfully interfered with her FMLA rights by responding to her requests to work remotely due to her daughter's medical condition in ways that discouraged her from taking FMLA leave. The district court granted summary judgment to the employer, holding in relevant part that the denial of FMLA rights was required to establish an FMLA violation. On appeal, SOL filed an *amicus* [brief](#) explaining that interference with FMLA rights constitutes an FMLA violation even if the employer did not actually deny a request to use FMLA protections. The Second Circuit

overruled the lower court's reasoning, explicitly agreeing with the Department's interpretation and quoting from SOL's brief. This is an example of how SOL's advocacy has a positive impact and helps courts interpret worker protection statutes.

Court of appeals ruled in favor of workers' rights citing SOL's amicus brief on the domestic worker overtime exemption

In another example of the significant impact SOL has on the development of labor laws, in [*Blanco v. Samuel*, 91 F.4th 1061 \(11th Cir. 2024\)](#), a nanny who worked overnight shifts sought unpaid overtime from her employers. The employers argued that an exemption from the FLSA's overtime pay requirement applied because the nanny was a domestic service employee who "reside[d]" in the household where she worked. The district court sided with the employer. On appeal, SOL filed an *amicus* [brief](#) explaining that under the Department's longstanding interpretation and given the facts of this case, this employee did not reside at the home and, thus, the exemption did not apply. In its decision concluding that the employee was entitled to overtime pay, the Eleventh Circuit referred repeatedly to SOL's brief and the guidance documents cited in it, explaining that the Department's interpretation was consistent with the statutory text and, for that and other reasons, had "persuasive value."



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