

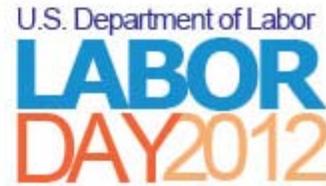


DOL News Brief

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September 6, 2012

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Labor Day Gets a Stamp



On Labor Day 1956, the U.S. Postal Service issued a 3-cent stamp to commemorate the federal holiday. The deep blue illustration on the stamp featured a design from the mosaic mural at the AFL-CIO headquarters in Washington. The mural, "Labor Is Life," was designed by artist Lumen Winter. The First Day of Issue ceremony was, for the first time, preceded by a dedication ceremony for the AFL-CIO building — both of which took place in the White House Rose Garden. At the event, President Dwight D. Eisenhower said: "Labor is the United States. The men and women who with their minds, their hearts and hands, create the wealth that is shared in this country — they are America."



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What's New

Commemorating Labor Day 2012



Observing her fourth Labor Day as the nation's secretary of labor, Secretary Solis said, "I'm inspired by job seekers from all walks of life in this country going back to school and upgrading their skills to match the demands of a 21st century global economy. I'm impressed by communities coming together

and new partnerships being formed among employers, labor unions and community colleges. And I'm reminded that for this federal agency and this administration, Labor Day has been, and will always be, every single day." In addition to marking the federal holiday with her official statement, Solis discussed the state of American labor on CNBC's "Wall Street Journal Report With Maria Bartiromo," outlined the department's efforts to promote job growth on "To the Contrary With Bonnie Erbe," and talked about women's employment on "Equal Time With Martha Burk." Solis remembered the legacy of Frances Perkins in an "On Faith" article in The Washington Post. About 130 newspapers and online news sites published op-eds by Solis, including her op-ed on the employment services provided to veterans by the department. Deputy Secretary Harris also took to the airwaves for Labor Day, providing listeners of WTOP radio in the D.C. area with a history of Labor Day and its importance to the nation.

- [Read the Secretary's Statement](#)
- [Read the Op-Eds and View the Videos](#)
- [Watch Secretary Solis With Maria Bartiromo](#)
- [Watch Secretary Solis With Bonnie Erbe](#)
- [Read Secretary Solis' Op-Ed About Frances Perkins](#)
- [Listen to Deputy Secretary Harris on Labor Day](#)

Twin Cities Welcome



Members of the Minnesota Building Trades and Sen. Al Franken welcomed Wage and Hour Division Deputy Administrator Nancy

Leppink last week to St. Paul, Minn. Leppink urged those gathered to "unite and celebrate a fair American workplace." The roundtable, held during Labor Rights Week, brought together state and federal government officials along with more than 50 labor leaders to discuss strategic enforcement of labor laws, worker misclassification and opportunities for collaboration.

Labor Rights Week in America

From a telethon in San Francisco to a "listening" event in Andover, Mass.,

National News

Post-Isaac Recovery Assistance for Louisiana and Mississippi

Louisiana and Mississippi will receive assistance with cleanup and recovery efforts related to storm damage from Hurricane Isaac under two National Emergency Grants announced Sept. 6 by Secretary Solis.



Louisiana's Workforce Commission was awarded \$3,358,017 to fund temporary jobs for cleanup



department employees took part in dozens of Labor Rights Week events hosted by consulates, embassies and local businesses throughout the country. "We cannot reach our goals alone and must enlist the resources of agencies, embassies, labor organizations and others to ensure workers are treated fairly and paid the wages they've earned," said Wage and Hour Division Deputy Administrator Nancy Leppink at a St. Paul, Minn., event. Leaders from WHD, which enforces federal laws governing a minimum wage, overtime pay, child labor and the rights of migrant workers, the Occupational Safety and Health Administration, which is principally concerned with protecting workers from hazards on the job, and the Bureau of International Labor Affairs, which helps facilitate international partnerships, have together brought this year's Labor Rights Week events to an entirely new audience of workers and employers alike.

- [View the Slideshow](#)
- [Read the Secretary's Statement](#)
- [Read the Blog Post](#)
- [Watch the Secretary's Video](#)
- [Read More About International Partnerships](#)

Citizen Tech Engagement



In the fourth and final webcast of "AT Works," technology experts and federal partners teamed up with the Office of Disability Employment Policy to discuss the

connection between accessible technologies and the employment of people with disabilities. Assistant Secretary of Labor for Disability Employment Policy Kathy Martinez; Greg Elin, chief data officer at the Federal Communications Commission; and Sheila Campbell, director of the Center for Excellence in Digital Government at the General Services Administration, addressed ways to engage citizens in the development of accessible workplace technology. The dialogue centered on how the federal government is inspiring innovation and leveraging the open sharing of accessible data, from app challenges to IT development.

- [Listen to the Webcasts](#)

Employment Discrimination

The Office of Federal Contract Compliance can't be everywhere at once, but last week they were able to get to

and recovery efforts across the state in the aftermath of Hurricane Isaac and a \$3 million grant was awarded to the Mississippi Department of Employment Security for cleanup of the widespread damage across the state. Since cleanup work can involve safety and health hazards, the department's Occupational Safety and Health Administration also publicized safety precautions to protect workers and the public as they proceed with cleanup in their area. Additional resources for keeping safe during hurricane and storm cleanup and recovery operations are available on the OSHA website.

- [Read the Louisiana NEG News Release](#)
- [Read the Mississippi NEG News Release](#)
- [Read the OSHA Louisiana News Release](#)
- [Read the OSHA Mississippi News Release](#)
- [Learn More](#)

News You Can Use

Join Solis, Borzi for Webcast on 401(k) Fee Disclosure

Knowing how much you are being charged to invest in a retirement plan can make a major impact on overall savings. Join Secretary Solis and Assistant Secretary of Labor for Employee Benefits Security Phyllis C. Borzi for a Sept. 13 webcast on new 401(k) fee disclosure rules. The new rules, effective this summer, are giving workers and families the information they need to make sound retirement investment decisions.

- [Register Today](#)

Only Ten Days Left to Accept the Challenge



New technologies have the promise of making our safety and health resources even more accessible for workers and employers. Anyone with a little tech savvy and creative ingenuity has until Sept. 16 to accept the Workplace Safety and Health App Challenge. The Occupational Safety and Health Administration launched a public contest in May to develop an app that educates young people about their

rights and demonstrates the importance of safety and health in the workplace. Successful apps could take various forms – interactive and informative games, social or professional networking sites, or data visualization tools. A \$15,000 award will be given for the "Safety in the Workplace Innovator Award," \$6,000 for the "Safety and Health Data Award" and \$6,000 for the "Workers' Rights Award." There is also a "People's Choice Award" of \$3,000 for the developer of the app that receives the most public votes on the website. With less than two weeks left, you can still be one of the winners announced in October.

- [Read the Blog Post](#)
- [Accept the Challenge](#)

Green Scene

Taking the Green Job Message to the Airwaves

Lucia Bruce, regional administrator of the Women's Bureau in Philadelphia, took to the airwaves to promote the agency's "Why Green Is Your Color: A Woman's Guide to a



Hawaii – by video conference that is – to participate in the 30th annual meeting of the National Industry Liaison Group. OFCCP Director Patricia Shiu and agency staffers spoke about their agency's priorities with a focus on how they work with contractors to ensure compliance with equal opportunity requirements. "In the past three years, I've learned that the overwhelming majority of contractors do want to succeed in building diverse workforces. And, I've learned that employment discrimination is still far too common in our country, that we still need affirmative action to make sure that vulnerable workers have the opportunity to find, secure and succeed in meaningful jobs," said Shiu during a video-taped welcome to the conference. "That's why we have to update regulations that have sat on the shelf for nearly 40 years and, in some cases, aren't working as they were intended. That's why we have to modernize the way we collect and disseminate data about the workforce and about our enforcement activities. That's why we have to change the way we conduct compliance reviews, to enforce the entirety of the law and not just one narrow aspect."

- [Learn More](#)
- [Watch Shiu's Video Address](#)

Creating Employment Partnerships

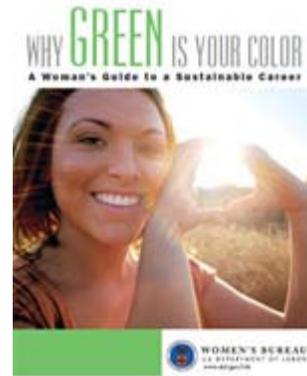
In an effort to improve the outcomes of the local workforce system, the City of Richmond, Va., last week organized a Workforce Development Policy Summit to discuss strategies to ensure workers are trained for jobs in demand and transition to employment faster. The summit brought together over 30 policy experts from state, local and federal government as well as community and business development organizations to learn how greater public and private collaboration can improve local labor market information and quicken job placements. Assistant Secretary of Labor for Employment and Training Jane Oates traveled to the Richmond Regional Planning offices to participate in the summit and offer the perspective from the federal government. This session was intended to work directly with the offices responsible for policy implementation and oversight to explore ways to better prepare the local workforce for current and future opportunities.

Manufacturing in Cleveland

The resurgence in manufacturing has been a boon to the city of Cleveland, Ohio. Jay Williams,

Sustainable Career" to listeners of La Mega Radio in Philadelphia. The Women's Bureau and La Mega will partner in October to host a Philadelphia Latino Green Jobs Forum. The event will offer attendees information on how Latino women in the Philadelphia area can become financially stable and earn higher wages through jobs in the green industry.

- [Read the Guide](#)



DOL Working for You

Job Corps Grad Keeps an Eye on Cash and Chips



Every day, millions of dollars in cash and betting chips at Florida's Hard Rock Hotel and Casino are under the watchful eyes of security guard Mary Ann Franz, a graduate of the Carl D. Perkins Job Corps Center in Kentucky. After spending her teen years "moving around with nothing going for myself," Franz

enlisted in Job Corps, taking courses in CPR, self-defense, baton use, and fire safety. Franz said she came to Job Corps "for security and left with a lifetime of experiences." She graduated with multiple certificates that helped her secure her casino job.

Moving On, Thanks to 'Soldier On'

Physical and emotional issues caused Army veteran Mark Coleman to separate from his family and then lose his job. But Coleman turned his life around, thanks to Soldier On, a departmental grantee in Massachusetts, which offers housing, meals, recovery treatment, career counseling and job placement to veterans. Coleman said the program provides "the environment to decide what you want to do with your life, and the tools and resources to succeed." Soldier On helped Coleman get a temporary shipping job with a local candle maker. This work experience led to his landing a full-time job with benefits at a large firearms manufacturer. Now that his life has changed for the better, Coleman said he eventually hopes to attend college and become a substance abuse counselor to "allow me to help others."



DOL in Action

Federal Contractor Settles Allegations of Sex Discrimination
Lund Boat Co., a wholly owned subsidiary of the Brunswick Corp., has reached an agreement with the Office of Federal Contract Compliance

Director of the Office of Recovery for Auto Communities and Workers traveled to Cleveland last week for a series of meetings and events that highlighted the administration's investments in education, job training, and manufacturing. Over the course of two days, Williams met with the Greater Cleveland Partnership, Cuyahoga County Executive Ed Fitzgerald, the City Club of Cleveland and students, faculty and employers at the Cuyahoga Community College. The meetings highlighted the importance of the administration's commitment to growing American manufacturing and how the department's investments are helping to prepare workers with the necessary skills to meet employer demands as that industry continues to expand.

- [Read the Blog Post](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

Webcast for Women Nearing Retirement

For many women, planning for retirement is a mystery. Women live longer than men on average, and often face challenges in saving for a secure retirement. Minority women face even greater challenges. The Employee Benefits Security Administration is hosting a webcast to help women understand retirement planning and reach their retirement goals. "Taking the Mystery out of Retirement Planning – A Focus on Women and Retirement," is scheduled for Tuesday, Sept. 11, 2012, 1 p.m. – 2:15 p.m. EDT.

- [More Information and Register](#)

DOL — Compliance Assistance Workshop and Union Education Forum

- [September 13 — New Brunswick, NJ](#)

EBSA — Getting It Right...Know Your Fiduciary Responsibilities

- [September 11 — North Charleston, SC](#)

EBSA — Retirement Savings: Saving More for Tomorrow by Paying Less in 401(k) Fees Today Webcast

- [September 13 — Online](#)

EBSA — Taking the Mystery Out of Retirement Planning - A Focus on Women and Retirement Webcast

- [September 11 — Online](#)

OASAM — Small Business Vendor Outreach Session

- [September 19 — Washington, DC](#)

Programs that settles allegations of hiring discrimination by the federal contractor. In a consent judgment approved by the department's Office of Administrative Law Judges, Brunswick Corp. and Lund Boat Co. have agreed to pay \$295,000 in back wages and interest to 185 female job applicants who were rejected for entry-level positions at Lund's boat manufacturing plant in New York Mills, Minn. OFCCP investigators based in Chicago conducted a review of the Lund Boat Co.'s facility beginning in September 2007. The department filed an administrative complaint with its Office of Administrative Law Judges on Nov. 30, 2011, alleging that Lund officials had systematically discriminated against female job applicants in 2006 and 2007.

- [Read the News Release](#)

Health and Safety Violations Found at Ohio Machine Shop
Logan Machine Co. has been cited with 16 safety and health violations by the Occupational Safety and Health Administration. A March inspection was initiated after a complaint that alleged hazards at the Akron, Ohio, plant. Proposed penalties total \$66,600. Serious safety violations included failing to evaluate each powered industrial truck operator's performance at least once every three years and to regularly inspect powered industrial vehicles. Serious health violations involved failing to properly store flammable and combustible materials, use undamaged welding helmets and provide fire extinguishers.

- [Read the News Release](#)

Underage Worker Suffers Serious Injury While Herding Cattle
Valentine Livestock Auction Co. in Valentine, Neb., has been assessed a total of \$46,602 in civil penalties by the department after a 15-year-old employee was crushed against a metal gate by a stampeding calf while herding cattle. An investigation by the Wage and Hour Division found 26 violations of the Fair Labor Standards Act's child labor provisions, including allowing five minors to work herding cattle; employing three youths under the legal age of employment; employing minors outside of allowable time standards; and failing to record birth dates for 10 minor employees.

- [Read the News Release](#)

Oregon Blueberry Farmers Pay \$240,000 in Back Wages, Penalties

Three Oregon blueberry farmers have paid more than \$240,000 in back wages, liquidated damages and penalties after the department found violations of the Fair Labor Standards Act and the Migrant and Seasonal Agricultural Worker Protection Act. Investigations by the Wage and Hour Division disclosed that the growers allowed multiple workers to hand pick berries on a single employee's "ticket" but paid only the one worker the piece-rate for each pound picked. While the additional workers helped fill the bins, their names never appeared on payroll records. Investigators also found an 11-year-old among the workers.

- [Read the News Release](#)

Workers Injured in Missouri Fireworks Plant Explosion

Global Pyrotechnic Solutions Inc., a fireworks manufacturer in Dittmer, Mo., has been cited for 25 serious and six other-than-serious safety violations after three workers suffered burns caused by an explosion at the company's facility in March. The employees were transported to local hospitals, and two were treated for serious burns and released. The third employee, who suffered third-degree burns, was hospitalized for approximately 20 days. The Occupational Safety and Health Administration has proposed penalties

ODEP — ePolicyWorks Development Think Tank Webcast: New Strategies for Successful Collaboration

- [September 13 — Online](#)

OFCCP — Analyzing Personnel Activity Data

- [September 20 — Omaha, NE](#)

OFCCP — Building Partnerships for the Community

- [September 14 — Anniston, AL](#)

OFCCP — Compliance Assistance Seminar for Construction Contractors

- [September 18 — Atlanta, GA](#)
- [September 19 — Philadelphia, PA](#)

OFCCP — Compliance Assistance Seminar for Supply & Service Contractors

- [September 12 — Nashville, TN](#)
- [September 18 — Nashville, TN](#)
- [September 26 — Nashville, TN](#)

OFCCP — Developing Written Affirmative Action Plans

- [September 26 — Columbus, OH](#)

OFCCP — Employer Outreach

- [September 7 — Phoenix, AZ](#)

OFCCP — Maintaining Applicant Flow Data

- [September 13 — Omaha, NE](#)

OFCCP — Preparing for an Evaluation by OFCCP (Non-Construction Contractors)

- [September 7 — Philadelphia, PA](#)

OFCCP — Regulation Review

- [October 11 — Chicago, IL](#)

OFCCP — Seminar for First Time Service and Supply Contractors

- [September 23 — Philadelphia, PA](#)

OFCCP — Workforce Solutions Conference and Resource Fair

- [October 19 — San Francisco, CA](#)

OLMS — Compliance Seminar

- [September 13 — Albany, NY](#)

OLMS — Trustee Workshop

- [September 18 — Huntington, WV](#)
- [September 18 — Minneapolis, MN](#)

totaling \$116,900.

- [Read the News Release](#)

California Garment Contractor Missed Payrolls, Investigation Finds

Final Touch Laundries Inc. has agreed to pay \$103,904 in back wages to 64 employees after an investigation by the Wage and Hour Division disclosed that the Gardena, Calif., garment contractor had missed its payroll for several workweeks. In addition, investigators found that Final Touch Laundries also had violated federal overtime requirements when, in prior workweeks, it failed to pay time and one-half employees' regular rates for hours worked beyond 40 per week as required by the Fair Labor Standards Act.

- [Read the News Release](#)

Broadcast Employees Union to Hold Supervised Election

The National Association of Broadcast Employees and Technicians, Communications Workers of America Local 11 in New York City has agreed to conduct a new election for the office of secretary under the supervision of the Office of Labor-Management Standards. An OLMS investigation of the local's November 2011 election of officers found that the union failed to respond in a timely manner to a request to mail campaign literature. The new election must be held by Nov. 9, 2012.

Suit Filed Against DirecTV, Subcontractor For Back Wages, Damages

The department is suing DirecTV and a subcontractor in Washington state for alleged willful violations of the Fair Labor Standards Act. The suit resulted from an investigation by the Wage and Hour Division in Seattle that found that DirecTV and Kent, Wash., subcontractor Advanced Information Systems paid employees on a piece-rate basis, resulting in hourly rates below the federal minimum wage. The division intends to assess civil money penalties against the defendants. DirecTV and Advanced Information Systems were found to be responsible, as joint employers, for the violations. The department's Regional Office of the Solicitor in Seattle filed the suit in the U.S. District Court for the Western District of Washington.

- [Read the News Release](#)

Grower, Contractor Agree to Penalties for Child Labor Violations

PTM Berry Farms, a Washington state blueberry grower, and a farm labor contractor each agreed to pay \$32,000 in penalties following an investigation that found four children between the ages of 8 and 11 harvesting blueberries. Investigators from the department's Wage and Hour Division also found that 188 workers were not paid the minimum wage under the Fair Labor Standards Act or required wages under the Migrant and Seasonal Agricultural Worker Protection Act. The grower and the contractor will pay these employees a total of \$12,100 in back wages and liquidated damages.

- [Read the News Release](#)

Insurance Brokerage Firm Sued for Illegal Pension Plan Activity

Dietrich & Associates Inc., an insurance brokerage firm in Plymouth Meeting, Pa., was named a defendant in a department lawsuit due to illegal activities related to the company's role as fiduciary to a hospital pension

- [September 25 — Appleton, WI](#)

OSHA — Expert Forum on the Use of Performance-based Regulatory Models in the U.S. Oil and Gas Industry, Offshore and Onshore

- [September 20-21 — Texas City, TX](#)

WHD — Greene County Health Care, Inc.'s 15th Annual International Fiesta

- [September 9 — Snow Hill, NC](#)

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plan. The suit alleges that the company violated their fiduciary duties by receiving undisclosed and impermissible compensation totaling \$522,047 for their services, which exceeded the \$50,000 previously agreed upon.

- [Read the News Release](#)

Company Cited for Exposing Workers to Toxic Chemicals
Citgo Refining and Chemicals Co. LP has been cited for five safety violations by the Occupational Safety and Health Administration. An inspection was opened by OSHA at the company's Corpus Christi facility upon receiving a complaint that employees had been exposed to a leak of hydrofluoric acid at a flange in the alkylation unit while performing maintenance work. "This employer did not have proper safeguards in place to protect employees from the release of toxic chemicals," said Michael Rivera, OSHA's area director in Corpus Christi. Proposed penalties total \$66,500.

- [Read the News Release](#)

Contractor Sued for Firing Whistleblower

An Albany, N.Y. demolition and construction disposal contractor, Champagne Demolition LLC, has been sued in federal court by the department for allegedly firing an employee who reported improper asbestos removal practices while performing work at a high school in Gloversville, N.Y. The worker was fired one day after informing company management of the improper practices and subjected to verbal threats and legal action. The department's complaint, filed by its Regional Office of the Solicitor in New York in the U.S. District Court for the Northern District of New York, charges that the defendants discriminated against the employee by conducting retaliatory acts in violation of Section 11(c) of the Occupational Safety and Health Act.

- [Read the News Release](#)

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