



DOL News Brief

November 29, 2012

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WINNER OF PRSA'S 2012 THOTH AWARD & RAGAN'S 2012 PR DAILY AWARD — BEST ELECTRONIC NEWSLETTER —

Continuing to Combat Child Labor



Last week we looked back at the department's original Children's Bureau, one of four primary offices in the newly created Department of Labor of 1913, and how the bureau evolved over the last century.

Several readers pointed out a glaring omission: today's Wage and Hour Division, which oversees our modern-day child labor laws, originally was established as part of the Fair Labor Standards Act.

The division is responsible for the administration and enforcement of a wide range of employment laws, including those involving the role of



young people in the workplace. During this centennial year, the Wage and Hour Division will be commemorating several of its own milestones, including the 75th anniversary of the division's 1938 establishment and the 20th anniversary of the Family and Medical Leave Act. Stay tuned for more—and kudos to our readers for helping tell the full story of our centennial!

- Read Last Week's Centennial Corner
• Read About the Wage and Hour Division
• Read About the Wage and Hour Division History
• Overview on Wage and Hour and Child Labor
• View the Centennial Video

What's New

Reaching Out to Workers as Staten Island Starts Recovery From Sandy

Marking one month since Hurricane Sandy ravaged the area, Secretary Solis toured storm-damaged areas of Staten Island, N.Y., on Nov. 29 with leaders from state and nonprofit organizations, including Luis A. Ubinas, president of the Ford Foundation; Carlos M. Sada, consul general of Mexico in New



York, and representatives from the National Day Laborer Organizing Network. Starting at Midland Beach, Solis met with cleanup and recovery workers funded through the department's National Emergency Grant, and followed with a tour of a home being repaired by day laborers. The tour followed a roundtable discussion, which was hosted by Gonzalo Mercado, executive director of the El Centro Del Immigrante, that focused on the role of day laborers in the storm recovery and the importance of worker safety during cleanup efforts. Solis noted that more than 30,000 cleanup workers have participated in more than 1,000 outreach events held by the Occupational Safety and Health Administration, and pledged the department's continued commitment during the cleanup and recovery. "Our primary objective has been to make sure all those affected by Sandy—and all those involved in its recovery efforts—know that the Department of Labor is here, ready and willing to help in any way we can." The department has awarded more than \$46 million in National Emergency Grants to New York, New Jersey, Rhode Island and Connecticut, and made more than \$2 million available in Disaster Unemployment Assistance to individuals whose jobs were interrupted or lost as a result of Sandy. Thursday marked Solis' second visit to areas affected by the superstorm.
• View the Slideshow

Talent as the Driving Force

At the Newseum in Washington, D.C., on Nov. 28, Assistant Secretary of Labor for Employment and Training Jane Oates joined partners from across the country and around the world to discuss global best practices for growth, talent development and workforce innovation. The all-day event, dubbed "Talent-Driven Innovation: A Global Symposium on Best Practices," was organized by the Manufacturing Institute in partnership with Deloitte and with the support of the Alcoa Foundation, and featured a series of hour-long sessions designed to examine the

Following Bangladesh Fire, Department 'Ready to Help' Secretary Solis has extended heartfelt condolences to the people of Bangladesh and the families who lost loved ones in the devastating fire that swept through the Tazreen Fashion garment factory. In a Nov. 29 statement, she pointed out that the 1911 Triangle Shirtwaist factory fire in New York City became "our call to action" and galvanized support for stronger workplace safety. "The Tazreen Fashion factory fire is a similar call to action for Bangladesh and also for the many international buyers supplied by the country's garment factories," Solis said. The department "stands ready to help, with technical assistance and expertise, to work with the government of Bangladesh to ensure that this horrific tragedy becomes a watershed moment for Bangladeshi workers' rights," the secretary said.

global manufacturing ecosystem. Oates discussed the role the federal government can play in developing a skilled manufacturing workforce, and highlighted the continued need to expand and strengthen the use of apprenticeship programs in the United States. She was joined on the panel by Kumar Garg of the White House Office of Science and Technology Policy, as well as representatives from India, Germany, Brazil and Australia. More than 100 people joined the program in person, with many more from around the world participating via a live webcast.

- [Learn About the Manufacturing Institute](#)
- [Learn About Registered Apprenticeship Programs](#)

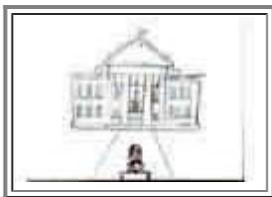
Share Your Stories

What does the current debate over the federal budget mean to you? The White House is asking Americans to share their stories on why it is important to keep taxes from going up on the middle class next year, as part of automatic tax increases set for the beginning of 2013. A typical middle-class family of four would see its taxes rise by \$2,200, the White House says, presenting many families with tough choices on buying groceries, filling a medical prescription or paying the rent.

- [Read the President's Message](#)

Equal Futures Challenge

While strides have been made in expanding opportunities for women and girls, barriers to political participation and



economic empowerment still remain. To address this global issue, the White House Council on Women and Girls launched a technological challenge: to create an app that promotes civic education and/or inspires girls to serve as leaders in our democracy. "I would like to learn how to be a better speaker, because you can't be a good leader if you can't communicate your thoughts and ideas efficiently," suggested 14-year-old Diane Delfin in a letter to potential contestants. Earlier this week, Secretary Solis was announced as one of several leaders who signed on to act as judges for the competition. Interested individuals may submit their app until Jan. 12, 2013.

- [Read the White House Blog](#)
- [Take the Challenge](#)

Tech Careers for Veterans



Helping military veterans transition to civilian careers can often be challenging, but with the help of organizations like SAP, the transition is

- [Read the Secretary's Statement](#)
- [Learn About the Triangle Shirtwaist Fire](#)
- [Take the Triangle Shirtwaist Fire Tour](#)

Commemorating World AIDS Day 2012



World AIDS Day, commemorated internationally on Dec. 1, is a day to reflect on lives lost since the emergence of the AIDS pandemic more than 30 years ago. In honor of the day, Secretary Solis is highlighting the department's ongoing efforts and, in a statement to be issued this

weekend, she notes that, "On World AIDS Day—and every day—the U.S. Department of Labor is proud to be among the six lead federal agencies responsible for implementing President Obama's National HIV/AIDS Strategy for the United States." DOL recently hosted an Institute on HIV/AIDS and Employment during the International AIDS Conference. The international event returned to the United States last summer for the first time in 22 years, thanks largely to successful efforts by the Administration in 2009 to end the travel ban on people with HIV entering the nation.

- [Read the Secretary's Blog on the AIDS Conference](#)
- [Learn About Federal Resources](#)
- [Read the President's Proclamation](#)

International Scene

Grants to Combat Child Labor in Cambodia and Liberia

The department's Bureau of International Labor Affairs awarded grants this week to combat child labor in Cambodia and Liberia. World Vision, a humanitarian organization, was awarded \$10 million to help address child labor issues in Cambodia's agriculture, fishing, aquaculture and domestic service sectors. In Liberia, a \$6 million agreement was awarded for a project focused on vulnerable children in geographic areas where rubber is produced. Since 1995, the department has funded 260 projects resulting in the rescue of approximately 1.5 million children from exploitative child labor worldwide.

- [Read the Cambodia News Release](#)
- [Read the Liberia News Release](#)

AROUND DOL

Orientation Held for 72 Susan Harwood Grantees

Representatives of the 2012 Susan Harwood Training Grant Program recipients gathered for an orientation at Labor Department headquarters on Nov. 29 that was hosted by the Occupational Safety and Health Administration. The 72 grantees include nonprofit organizations such as employer associations, unions, community organizations, community colleges, universities, and labor/ management associations. The grantees conduct programs that provide quality training materials and education for workers and employers in high-risk industries and small businesses. Their programs help identify



becoming easier. SAP, a business technology company, this week launched a Veteran to Work initiative that seeks to train 1,000 returning service-members in analytics, database and information technology skills in a year. SAP's overarching goal is to train 20,000 veterans over four years. John Moran, deputy assistant secretary for the Veterans' Employment and Training Service, joined representatives from the U.S. Chamber of Commerce in SAP's Washington, D.C., office for the launch of the program and to promote expanded public-private partnerships that encourage veteran hiring. Moran emphasized that veterans return from military service with many skills and traits that translate well in civilian workplaces, such as a strong work ethic, leadership, the ability to work in teams and to handle stressful situations.

Mine Impact Inspections

Federal inspectors with the Mine Safety and Health Administration issued 210 citations and 14 orders during special impact inspections at 14 mines last month. One of those inspections involved Tunnel Ridge Mine in Ohio County, W.Va., which underwent two separate inspections, on Oct. 9 and Oct. 23. During the first visit, inspectors found fresh coal spillage up to three feet deep, loose coal and coal dust, and float coal dust along the conveyer beltlines. Additionally, the mine operator failed to record a number of hazardous conditions in its pre-shift/on-shift record book. Misaligned belts and belt conveyor flights, missing bottom rollers and damaged belt conveyor components also were found. Two weeks later, inspectors returned to the mine and found the operator had failed to properly maintain the coal dust collection systems on four different roof bolting machines and failed to comply with the approved ventilation plan. Since April 2010, MSHA has conducted 523 impact inspections and issued 9,160 citations, 889 orders and 38 safeguards.

• [Read the News Release](#)

Employment First

Facilitating the inclusion of people with the most significant disabilities in the workplace and community is the primary goal of Employment First, which stresses community-based, integrated employment services. On Nov. 27, Assistant Secretary of Labor for Disability Employment Policy Kathy Martinez addressed 75 representatives from 20 states at a meeting of the Employment First State Leadership Mentoring Program Community of Practice in Long Beach, Calif. During her remarks, Martinez emphasized the importance of improving the employment outcomes of youth and adults with significant disabilities. "Using EF strategies, we've been able to demonstrate that people who previously were considered unemployable can work, can be productive citizens, can contribute as taxpayers, and can achieve a level of optimal self-sufficiency," said Martinez.

and prevent workplace hazards, and inform workers of their rights and employers of their responsibilities. OSHA officials and grantee program directors discussed best practices on conducting training programs and the impact such training has on reducing injuries and illnesses. Expressing gratitude to recipients for their commitment, Dr. David Michaels, the assistant secretary of labor who heads OSHA, said, "Training workers and employers saves lives, and you all are a fundamental part of OSHA's efforts to improving the culture of workplace safety and health." Irasema Garza, senior counsel to the secretary of labor, also addressed the grantees and the importance of their work in assuring safe workplaces.

• [View the Slideshow](#)

DOL Working for You

Vet Gets Police Job Back Under USERRA



After returning from deployment to Kuwait with the Navy, Michael Schutz expected to return to his former job as a police officer in Truman, Minn. The city, however, cited impending state budget cuts and reduced Schutz's hours to part-time levels. "I just wanted my job back, and instead I was

ambushed," Schutz said. He filed a claim with the department under the Uniformed Services Employment and Reemployment Act, which protects the employment rights of service members returning to their civilian jobs. The case was referred to the Justice Department, which sued the city for violating USERRA. Under a settlement, Schutz got back his full-time job and received over \$11,000 in unpaid benefits, as well as additional hours of vacation time, paid legal fees and back payment of funds into his retirement account. Schutz lauded the department, saying it "helped expedite my case and got me a timely resolution."

Job Corps Provides Veteran With Path to a Career

Victoria Ewing had her sights set on a career in the Army, but a torn hamstring during training forced her to leave military service early. Determined to "not find a job, but a career," Ewing enrolled in California's Sacramento Job Corps Center and made the most of her 11-month stay there. She became certified in the cement masonry trade and was a member of the center's dance team and sergeant of arms for her dorm. She starred on the women's championship tournament basketball team and received the center's most outstanding student award. Ewing currently works for a local construction company, helping to pour cement for bridges and pave freeways. "Job Corps gave me a second chance on life, helping me find a career and make something of myself," she said.



DOL in Action

San Francisco Bank Misclassified Workers, Pays \$1 Million

ERISA 2012 Recommendations

The Employee Benefits Security Administration understands that good advice can be hard to find. But this is not the case when it comes to advice the agency gets



each year from the ERISA Advisory Council. This week, the council presented the executive summary of its 2012 report to Deputy Secretary of Labor Seth Harris and Assistant Secretary of Labor Phyllis Borzi, who heads EBSA. Harris and Borzi thanked outgoing council members Mildeen Worrell, Denise Clark, Anna Rappaport, Michael Sasso and John Towarnicky for their years of service. The heart of the meeting was the presentation of council recommendations on beneficiary designations, income replacement during retirement and long-term disability insurance for workers. The council urged EBSA to develop educational materials, issue guidance or examine regulations in all three areas.

- [View the Slideshow](#)

Whistleblower Program Director

A new director has been named to oversee the Whistleblower Protection Program in the Occupational Safety and Health Administration. Beth Slavet comes to the department with years of experience in the enforcement of federal whistleblower statutes, and served as vice chairman of the U.S. Merit Systems Protection Board, where she was a member from 1995-2003. Over the last decade, Slavet has been in private practice with a special focus on whistleblower protection. OSHA enforces the whistleblower provisions of the Occupational Safety and Health Act of 1970 and 21 other statutes.

- [Read the News Release](#)

Embassies on Tour

Labor attaches from the embassies of China, Japan, Korea, the Philippines, Spain and the United Kingdom toured the Potomac Job Corps Center in



Washington, D.C., and the Arlington, Va., Employment Center. The department's Bureau of International Labor Affairs served as the host for last week's visit, which included briefings on labor and employment issues in the United States and a meeting with Job Corps students.

Safety Equipment Matters

The International Safety Equipment Association convened its largest annual national meeting Nov. 29, in Crystal City, Va., with Dr. David Michael, assistant secretary of labor for occupational safety and health, as the keynote speaker. The ISEA is

First Republic Bank has paid \$1,009,644 in overtime back wages for 392 employees in California, Connecticut, Massachusetts, New York and Oregon. Investigators from the Wage and Hour Division found that the San Francisco-based bank wrongly classified the employees as exempt from overtime pay, failed to record actual hours worked for the misclassified employees, and failed to include bonus payments in nonexempt employees' regular rates of pay when computing overtime compensation. The employees were entitled to overtime compensation at one and one-half times their regular rates for hours worked over 40 in a week.

- [Read the News Release](#)

Prevention Campaign Exposes Construction Hazards

The Occupational Safety and Health Administration has concluded its Construction Incident Prevention Initiative. During the four-month campaign, OSHA issued 243 citations and assessed a total of \$658,862 in proposed fines to companies on construction sites throughout the agency's Philadelphia Region, which encompasses Delaware, the District of Columbia, Pennsylvania and West Virginia. The campaign included 545 no-notice inspections focused on falls, trenches and silica exposure with 59 percent of the inspections revealing violations. Some of the most common violations included failing to use fall protection when working on roofs, ensuring that scaffolds are constructed safely, and protecting trenches from collapse.

Lawsuit Filed Against Boston Animal Hide Business

Citing "knowing, deliberate and intentional" violations of federal wage and hour law, the department has filed a lawsuit against Boston Hides & Furs Ltd. and company officials seeking at least \$500,000 in back wages and an equal amount in liquidated damages for underpaid employees of the Chelsea, Mass., wholesale animal hide business. An investigation by the Wage and Hour Division found that 14 employees worked approximately 10 hours per day, six days per week processing hides and furs for shipping to tanneries and were paid a daily cash wage of \$50 to \$70, which amounted to an hourly pay rate far below the federal minimum wage of \$7.25 per hour. In addition, the defendants ordered employees to hide in a nearby house when Wage and Hour Division investigators first arrived at Boston Hides & Furs so they could not be interviewed. The defendants fired the workers after investigators subsequently interviewed the workers.

- [Read the News Release](#) (English)
- [Read the News Release](#) (Spanish)
- [Read the News Release](#) (Portuguese)

Phosphates Company Cited for 40 Violations After Fatalities

Mississippi Phosphates Corp., has been cited for 40 safety and health violations following two worker fatalities at the company's Pascagoula, Miss., facilities. In May, an operator attempting to start up a steam turbine in sulfuric acid plant No. 2 was struck by flying metal debris when the turbine housing ruptured, apparently because of over pressurization. A similar incident occurred in June when an operator restarting a tripped steam turbine in sulfuric acid plant No. 3 also was killed by flying metal debris after an over-pressurization incident. "Employers need to be proactive to ensure that all operating equipment is properly maintained and functional," said Clyde Payne, director of OSHA's Jackson Area Office. "Had this employer done so, these tragic events could have been prevented."

- [Read the News Release](#)

Lawsuit Seeks Back Wages for Nashville Restaurant Workers

The department has filed a lawsuit against Los Arcos Seafood & Grill Inc.,

comprised of safety product manufacturers and a variety of other companies that support personal protective equipment and technologies. Dr. Michaels spoke about the importance of PPE in creating a safer workplace and injury and illness prevention programs. Currently, OSHA field staff are supporting efforts to help recovery workers, day laborers and volunteers involved in Hurricane Sandy cleanup operations, including coordinating distribution of donated PPE.

Outreach on Polish Radio

Chicago-based Wage and Hour Investigators

Maciej Radecki and Piotr Kisielinski, who are fluent in Polish,

recently visited two of

Chicago's Polish radio

stations, Polskie Radio, WNVR, 1030AM, and

WPNA, 1490AM, to participate in live outreach

programs. The two investigators covered common

overtime issues and discussed overtime

exemptions under the Fair Labor Standards Act,

as well as the wage and hour investigative

process and the Family and Medical Leave Act.

The live segments triggered numerous calls that

were answered by the wage and hour

investigators off the air immediately following the

programs. Both stations are available throughout

the Chicago area and worldwide via the Internet.



Weekly UI Claims

The department reported the advance figure for seasonally adjusted initial Unemployment Insurance claims was 393,000 for the week ending Nov. 24, a decrease of 23,000 from the previous week. The four-week moving average was 405,250, up 7,500 from the previous week's revised average of 397,750.

- [Read the News Release](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

OFCCP — Community Based Education & Outreach

- [December 6 — Memphis, TN](#)
- [December 13 — Memphis, TN](#)
- [December 20 — Memphis, TN](#)

OFCCP — Best Practices for Construction Contractors

- [December 27 — Baltimore, MD](#)

OFCCP — Compliance Assistance Seminar

- [December 5 — Boston, MA](#)
- [December 12 — Boston, MA](#)

doing business as Los Arcos Mexican Grill & Seafood in Nashville, Tenn., and its owners, Jose Gutierrez Jr. and Martin Romo, seeking \$227,366 in back wages plus an equal amount in liquidated damages. Investigators found that the employer failed to pay employees at least the federal minimum wage of \$7.25 per hour as well as provide overtime compensation at time and one-half employees' regular rate for hours worked beyond 40 in a week. Additionally, the employer failed to maintain accurate records of hours worked and wages paid.

- [Read the News Release \(English\)](#)
- [Read the News Release \(Spanish\)](#)

Penalties Proposed After Explosion at Georgia Chemical Plant

MFG Chemical Inc. in Dalton, Ga., has been cited by the Occupational Safety and Health Administration for 20 safety violations following a plant explosion in May that resulted in the hospitalization of approximately 40 people working in the surrounding area. During the production of a compound used in water treatment, an increase in temperature caused the reactor to over pressurize, rupturing the dome cover and blowing a hole in the roof of the facility. Proposed penalties total \$77,000.

- [Read the News Release](#)

North Carolina Contractor to Pay Back Wages

RJ Concrete Inc. of Fuquay-Varina, N.C., has agreed to pay 12 current and former employees \$37,783 in back wages following an investigation by the department's Wage and Hour Division that identified violations of the Fair Labor Standards Act's overtime and record-keeping provisions. The investigation found that the employer paid the employees a "day rate," compensating them at a fixed amount per day without accounting for the overtime premium due for hours worked beyond 40 in a week. Additionally, the employer failed to keep accurate records of hours worked and wages paid. RJ Concrete Inc. is a contractor engaged in the construction of residential basements.

- [Read the News Release](#)

Commercial Bakery in Bronx Faulted on Safety

The Occupational Safety and Health Administration has cited commercial baker Zaro Bake Shop, Inc. for 26 serious violations of safety and health standards last April. The agency found 20 serious violations of safety standards and determined that the company failed to provide adequate guarding of moving machine parts, a lack of lockout/tagout procedures to prevent machines from starting up while workers serviced them, and slippery and uneven floors, among other things. A health inspection found six violations involving combustible dust hazards, not providing eye protection for employees working around corrosive materials, and a lack of eyewash stations for workers exposed to hazardous chemicals, among other violations.

- [Read the News Release](#)

Numerous Hazards Found at Connecticut Metal Stamping Plant

The Occupational Safety and Health Administration has cited Associated Spring-Barnes Group Inc. for 30 serious violations of workplace safety standards at its Bristol, Conn., metal stamping plant. The company faces \$139,000 in proposed fines for electrical, mechanical, exit access, fall and combustible dust hazards identified during an inspection by OSHA's Hartford Area Office. Inspectors found that combustible dust was allowed to accumulate, two of the plant's dust collection systems lacked controls to

OFCCP — Compliance Assistance Seminar — Construction Contractors

- [December 20 — Miami, FL](#)

OFCCP — Construction Contractors Educational Seminar

- [December 13 — Baltimore, MD](#)
- [December 18 — Richmond, VA](#)

OFCCP — Construction — Nuts and Bolts

- [December 5 — Houston, TX](#)

OFCCP — Construction Requirements

- [December 6 — Columbus, OH](#)

OFCCP — Developing an Affirmative Action Plan

- [December 5 — Orange, CA](#)

OFCCP — How to Develop an AAP — Small and First Time Contractors

- [December 5 — Houston, TX](#)

OFCCP — Incumbency vs. Availability Seminar

- [December 19 — Milwaukee, WI](#)

OFCCP — Internet Applicant Recordkeeping Rule

- [December 20 — Omaha, NE](#)

OFCCP — Retaliation Complaints

- [December 6 — Omaha, NE](#)

OFCCP — Small and New S and S Contractors Seminar

- [December 6 — Baltimore, MD](#)
- [December 6 — Richmond, VA](#)
- [December 13 — Richmond, VA](#)
- [December 20 — Baltimore, MD](#)
- [December 20 — Richmond, VA](#)

OFCCP — Workplace Accommodations under the Rehabilitation Act of 1973

- [December 5 — Chicago, IL](#)

OSHA — Advisory Committee on Construction Safety and Health

- [November 27-30 — Washington, DC](#)

OWCP — Meetings to Assist Nuclear Weapons Workers

- [December 4 — Farmington, NM](#)
- [December 5 — Kayenta, AZ](#)

prevent or suppress fires and explosions, and three emergency exit routes led through areas where the dust collection systems would vent if a fire occurred. Inspectors also found a variety of machine guarding, electrical and fall hazards; damaged protective gloves; an improperly stored container of combustible liquid; and lack of an emergency eyewash.

- [Read the News Release](#)

Lawsuit Filed Against The Christmas Light Co. in Dallas

The department has filed a lawsuit against The Christmas Light Co. Inc. in Dallas for violations of the Fair Labor Standards Act. The company failed to pay 233 installers about \$240,881 in minimum wage and overtime back wages. The investigation, by the Wage and Hour Division's Dallas District Office, determined that the company paid employees a flat rate for installing and removing Christmas lights and paid "straight time" for hours worked over 40 in a work week. The FLSA requires that covered, nonexempt employees be paid at least the federal minimum wage of \$7.25 for all hours worked, plus time and one-half their regular rates, for hours worked beyond 40 in a work week.

- [Read the News Release](#)

Scrap Metal Recycler Exposed Montana Workers to Hazards

The Occupational Safety and Health Administration has cited A&S Metals for safety violations at the company's Butte, Mont., recycling facility. Inspectors found 10 serious violations, including exposing workers to unguarded equipment such as a drill press, a metal compactor, alligator shears and a vertical portable grinder. Other violations included improper housekeeping, overhead crane and rigging hazards, incomplete handrails, and the unsecured storage of compressed gas cylinders. The Castroville, Calif.-based employer faces \$59,000 in penalties.

- [Read the News Release](#)

Dover Chemical Co. Fined \$545,000 Following Hazardous Release

Dover Chemical Co. has been cited for 47 health and safety violations by the Occupational Safety and Health Administration after an unexpected release of hazardous materials led to the temporary shutdown of the company's Dover, Ohio, plant and an adjacent highway in May. Although no injuries were reported as a result of the incident, OSHA opened an investigation that focused on the agency's standards for process safety management at facilities that use highly hazardous chemicals. Proposed fines total \$545,000. Dover Chemical has been placed in OSHA's Severe Violator Enforcement Program, which mandates targeted follow-up inspections to ensure compliance with the law.

- [Read the News Release](#)

New Hampshire Wood Pellet Manufacturer Agrees to Correct Hazards

New England Wood Pellet LLC will take systemic and substantive steps to prevent fire and explosion hazards at its Jaffrey, N.H., plant as part of a settlement agreement with the Occupational Safety and Health Administration. The company also will pay a fine of \$100,000. The worksite, which experienced explosions and fires over the past year, was cited by OSHA for numerous hazards stemming from the absence of protective devices, which were exacerbated by a buildup of sawdust on surfaces throughout the plant. New England Wood Pellet initially contested its citations and fines but now has agreed to implement measures to prevent, detect and suppress any potential fires and explosions. The company also

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help!
4 hours ago · reply · retweet · favorite



Join the conversation

has agreed to hire an independent third-party expert to evaluate the effectiveness of the corrective measures.

- [Read the News Release](#)

4 Mines Issued Potential Pattern of Violations Letters

The Mine Safety and Health Administration placed four mining operations on notice about a potential pattern of violations of mandatory health or safety standards under the Federal Mine Safety and Health Act of 1977.

The four mines that received warning letters were Ten-Mile Coal Co. Inc.'s No. 4 Mine in Harrison County, W.Va.; Pike Floyd Mining Inc.'s No. 3 Mine in Pike County, Ky.; Argus Energy WV LLC's Deep Mine No. 8 in Wayne County, W.Va.; and Noranda Alumina LLC's Gramercy Facility in St. James County, La. The Mine Act provides for enhanced enforcement at mines that exhibit a pattern of violations. Mines that receive such notices have the opportunity to implement corrective action programs, and they must reduce their rates of significant and substantial violations or face serious enforcement action. Two years ago, MSHA implemented improved screening criteria to better identify problem mines. "The revised potential pattern of violations program, along with other enforcement actions such as impact inspections, is making mines safer," said MSHA Assistant Secretary Joseph Main. "The number of chronic violators meeting improved screening criteria has substantially dropped since we began implementing these criteria in 2010."

- [Read the News Release](#)

Safety Violations Found at Cardboard Box Manufacturer

The Occupational Safety and Health Administration has cited cardboard box manufacturer Color Carton Corp. for 24 serious violations of safety and health standards as part of an effort to focus on industries with higher-than-average illness and injury rates. OSHA found violations including inadequate fall protection, a lack of machine guarding, as well as a lack of overhead crane inspections. Additionally, the company had no hearing conservation program to protect workers from excessive noise, eyewash stations for workers exposed to corrosive materials, or a hazard communication program for workers exposed to dangerous chemicals, among other violations.

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