



DOL News Brief

October 4, 2012

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

History of the "DepSec"



The "Number 2" position at the U.S. Department of Labor has a long history. The position was initially known as the "Assistant Secretary" and was first filled by Louis F. Post (pictured), an assistant U.S. attorney for New

York. He served the first secretary of labor, William B. Wilson, from 1913-1921, the first eight years of the department. By 1925, the department had gained several assistant secretaries and the deputy was simply known as the "First Assistant Secretary." In 1946, legislation reorganized the offices of the department and established the "Office of the Under Secretary."

The former governor of Kentucky, Keen Johnson, was the first to be named to that position. In 1986, the office was given its current title of "Deputy Secretary." Our deputy secretaries have been all different ages when they arrived and took office. Louis Post was the oldest at 64 and Laurence Silberman was the youngest at 34. Two deputy secretaries enjoyed the job so much, they went on to become secretaries of labor: W. Willard Wirtz and James D. Hodgson.



What's New

TAACCCT Tour Rolls On

Community colleges are uniquely suited to provide targeted training that meets the skill needs of local employers, regardless of the industry. Over the course of the last week, Secretary Solis saw that first hand as she continued to visit recent Trade Adjustment Assistance Community College Career Training grantees. On Oct. 28, she traveled to Greenville, S.C., to learn more about a statewide consortium of colleges led by Greenville Technical College that received a \$14.1 million grant to expand innovative strategies to prepare workers for in-demand local manufacturing jobs. The strategies range from enhancing adult postsecondary transition centers to improving systems to transfer academic credits consistently across partner colleges. Job training took quite a different path as Solis traveled to a working farm on the campus of Vermont Technical College that is going to use its \$3.36 million grant to improve training for agriculture, food production, waste disposal and energy production careers. Gov. Peter Shumlin, Sen. Bernie Sanders and a number of local employers joined Solis in front of more than 150 students and community leaders to highlight the important role that agri-business has in supporting local economies.



On Oct. 3, Solis was in Tennessee for two additional stops, in Oak Ridge and Chattanooga. Roane State Community College's Oak Ridge campus is leading a consortium of 40 Tennessee schools that recently received a \$12.5 million grant to train students for health care careers through a new

program called RX Tennessee. Roane State President Dr. Gary Goff previously hosted the secretary and Dr. Jill Biden at the school's Harriman, Tenn., campus during the Community College to Career bus tour in February. After a quick trip down I-75, Solis finished the day at Chattanooga State Community College, where \$3 million in department funding is helping establish the Tennessee Valley Institute for Materials Joining and Training. The institute will offer certificate courses that take a little as six months all the way through to an associate or baccalaureate degree. With manufacturing jobs on the rise throughout the Chattanooga area, these investments will be crucial in maintaining a skilled workforce to meet

Discussing Careers at Furman



Furman University in Greenville, S.C., hosted Secretary Solis on Sept. 28 for a discussion on education and workforce development

opportunities for young Americans. Approximately 75 Furman students, faculty and parents gathered to hear Solis discuss the importance of education for future success, the department's work in training for emerging advanced manufacturing and information technology jobs, and protecting worker's rights and safety. "Young people like you

across the country are working hard, upgrading their skills, and learning new ones to take on the jobs of the future," Solis said, urging the students to "keep going. Keep striving. Your country needs you. So much of our success as a nation depends on your success now and in the future." Solis also underscored the importance of equal pay for women and protecting vulnerable workers, including young people.

- [View the Slideshow](#)

Spotlight on 401(k) Fees

Rules requiring disclosure of 401(k) fees are empowering workers to ask questions and make better retirement investment decisions,



Assistant Secretary of Labor for Employee Benefits Security Phyllis Borzi told business and civic leaders in Boston last week. Borzi said the new rules will help workers and retirees "save more for tomorrow by paying less in 401(k) fees today." The rules bring transparency to the true costs of 401(k) accounts and could benefit workers who encourage their employers to shop around for less expensive retirement plans. "What we want to do is help people become better informed," said Borzi, noting that nearly 72 million Americans participate in a 401(k)-type plan

- [Learn More About Retirement Plan Fees](#)
- [Contact an EBSA Benefits Advisor](#)

Powering the Workforce



Speaking in front of a capacity crowd of close to 200 people at the Newseum in Washington, D.C., Assistant Secretary of Labor for Employment

and Training Jane Oates kicked off a policy summit with National Journal magazine titled "Powering America's Workforce by Empowering Workers." Oates used her keynote remarks to highlight the importance of ensuring that training providers strengthen partnerships with local employers and lead to industry recognized credentials. Following her remarks, Oates sat down with National Journal Managing Editor for Domestic Policy Caren Bohan for an interview about how these training models are being used effectively by the utility industry to quickly train workers for in-demand jobs across the country. Susan Story, president and CEO of Southern Company Services, Inc. also spoke about her company's efforts to work with local community colleges and veterans organizations to build career pipelines.

growing employer demand.

- [View the Slideshow](#)
- [Learn More About TAACCCT](#)

Iowa Manufacturing Programs Get a Boost



With a \$13 million investment to expand advanced manufacturing training programs, Des Moines Area Community College is leading a 15 college consortium to prepare students for jobs in demand today. The grant to DMACC is part of the \$500 million Trade Adjustment Assistance Community College

and Career Training initiative. Deputy Secretary of Labor Seth Harris traveled to DMACC's Ankeny campus to see firsthand how the school's welding labs are preparing students for jobs in an area where manufacturers say there is a shortage of skilled workers. In addition to welding, the grant will fund training in such fields as manufacturing technology, robotics and industrial automation. "A capable, sophisticated and skilled workforce is the key to prevent outsourcing and replacing jobs that have disappeared with jobs that will last. An economy we intend to define on our own terms, on our own turf," said Harris.

- [View the Slideshow](#)

National News

MSHA Shares Good Guarding Practices



Injuries related to equipment guarding are among the most common and serious in the country's metal and nonmetal mining industry, according to the department's Mine Safety and Health Administration. Although MSHA standards specifically

require that moving machine parts be guarded to protect persons who come into contact with them, guarding violations accounted for one of every seven citations issued to mine operators in 2010. To address this problem, MSHA has introduced a new compliance assistance resource for the mining community – "Guarding Machinery at Metal & Nonmetal Mines." The guide will help improve the mining industry's understanding of good guarding principles; ensure the construction, installation and maintenance of high quality, effective guards; and improve compliance, inspection and enforcement consistency.

- [Read the News Release](#)
- [View the Slide Presentation](#)

National Disability Employment Awareness Month

"A strong workforce is an inclusive workforce: what can YOU do?" That is the theme of this year's National Disability Employment Awareness Month and the question the Office of Disability Employment Policy hopes all employers are asking themselves. As part of the month-long observance, ODEP



Solis, Keynoter at NLRB

Training Latinos for 21st century jobs, insuring up to 9 million Latino families without health insurance, and protecting outdoor workers from the summer heat wave were among the accomplishments Secretary Solis highlighted as she delivered the keynote address at the Hispanic Heritage Month observance sponsored by the National Labor Relations Board on Oct. 4. Solis acknowledged the important work the NLRB performs every day to enforce America's labor laws and promote stronger relations between labor and management. She also discussed her family's unique American journey and how she was once helped by federal student loans and Department of Labor programs that she is now charged with overseeing. She said, "I know the difference the government can make in people's lives, because I've lived it."



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- [View the Slideshow](#)

Economic and Social Mobility



At a global conference last week, Chief Economist Dr. Adriana Kugler discussed how technological and innovative changes are reshaping the world of work. The Economist magazine hosted the 2012 Human Potential conference in New York City to better understand how these changes

are impacting the global workforce. This conference, with more than 300 attendees, brought together prominent leaders from all over the world to discuss the fundamental issues affecting personal and professional life, including creativity, management, social purpose and the future of jobs. Kugler participated on a panel to discuss the topic of "Inequality and Upward Mobility." She explained that the rise of inequality over the last three decades is causing an unhealthy division in opportunities and is a threat to economic growth.

- [View the Slideshow](#)

Job Creation in Michigan

To highlight federal support for job creation in auto communities, Jay Williams, the director of the department's Office of Recovery for Auto Communities and Workers, visited three Michigan sites on Oct. 1. Williams participated in two roundtables highlighting innovative community college training programs at Washtenaw Community College in Ann Arbor and at Henry Ford Community College in Dearborn. Washtenaw and Henry Ford recently received multi-million

and federal agencies will showcase a variety of events and speaking engagements and highlight resources available to employers and employees alike. Kathy Martinez, assistant secretary of labor for disability employment policy, kicked off NDEAM on Oct. 1 at the United States Business Leadership Network 15th Annual Conference and Expo, where she delivered remarks following the signing and renewal of the ODEP/USBLN alliance. "Only by talking and working closely with all those who have a stake in employing people with disabilities can we expand the conversation about disability employment," Martinez told the group. "And, it's the only way we can foster real, significant and long lasting change."

- [Learn More About NDEAM](#)
- [Read the Blog Post](#)
- [Read the Presidential Proclamation](#)

Around DOL

MSHA Investigators Trained by FBI

Investigating mine accidents can be a difficult and challenging job, one that requires unique skills and knowledge. To continue improving its response to accidents, the Mine Safety and Health Administration has enlisted the help of one of the government's premier law enforcement agencies. The FBI Laboratory's Evidence Response Team Unit is facilitating a two-week course on conducting accident investigations for 18 of MSHA's accident and special investigators. The training, which wraps up Oct. 5 at the National Mine Health and Safety Academy in Beaver, W.Va., covers securing an accident scene, photographing and sketching, collecting and packaging evidence, conducting interviews, dealing with false or altered records, and releasing the scene. "In the event an accident investigation identifies possible criminal activities, MSHA's investigators will be better prepared to interact with the Department of Justice," said MSHA Assistant Secretary Joseph Main.

- [Read the News Release](#)

Networking for Women Veterans

Providing vital resources to homeless women veterans is a priority for her agency, Women's Bureau Regional Administrator Jacqueline Cooke told an audience in Boston. The "Women in the Military: Resources for Benefits and Trauma-Informed Care" roundtable hosted by the bureau



last week brought together 50 representatives from homeless shelters, medical centers, community-based organizations, and state and federal organizations. The bureau's Angela Rizzolo, who organized the roundtable with the Massachusetts Women's Veterans' Network, gave an in-depth presentation on how to use the "Trauma-Informed Care Guide." The bureau is hosting a series of roundtables to educate service providers on the resources available to help homeless women veterans find a path to good jobs and financial security.

- [Read the Trauma Guide](#)

News You Can Use

Alternative Dispute Resolution Pilot Program for Whistleblowers

An alternative dispute resolution pilot program for whistleblower complaints

dollar grants from the department's Trade Adjustment Assistance Community College Career Training program to promote training in the IT and manufacturing industries, respectively. Williams also attended a ribbon cutting-ceremony for a new oil recycling facility in Detroit. Aevitas Specialty Services, which owns the facility, credited government assistance with stimulating the push for improved efficiency.

- [Read More About TAACCCT](#)
- [Read More About ORACW](#)

Virginia Church Steps Up

A 1,700-member congregation gathered Sept. 30 at the Heritage Fellowship Church in Reston, Va., where Ben Seigel, deputy director of the Center for Faith-based and Neighborhood Partnerships, addressed the role of congregations and job clubs ministries in the economic recovery. Siegel said job clubs offer networking opportunities, connections to employers, and instill confidence and hope. He also noted the department's Job Clubs Initiative is supporting the efforts of job clubs and ministries and facilitating partnerships with the public workforce system. Following the service, Seigel joined the congregation's HIRE Career Ministry Job Club information table to sign-up congregation members, and several parishioners expressed interest in working with the ministry to fill job openings in their companies.



- [Learn More](#)

Assuring Migrant Worker Rights



The Guatemalan mission in New York City and the department's Wage and Hour Division have entered into an agreement that seeks

to protect the rights of Guatemalan nationals working in New York. Maria Rosado, the division's New York district director, signed the agreement on Sept. 27 with Oscar Padilla Lam, consul general of the mission. The agreement calls for education and training to migrant workers on the minimum wage, overtime compensation, child labor standards, and migrant labor housing and transportation. The agreement results from a joint declaration between the department and Guatemala signed in 2011 by Secretary Solis.

Taking the Right Steps

Twenty high school students completed the Youth Transition to Work Program at the

was launched this week by the Occupational Safety and Health Administration. The program will be implemented in OSHA's San Francisco and Chicago regions, and offer two voluntary resolution methods: early resolution and mediation. Parties seeking cooperative and voluntary resolutions of a whistleblower complaint filed with OSHA in these two regions will be notified of their options and may work through an OSHA coordinator trained in the new ADR methods. "OSHA is committed to fair, effective and timely enforcement of the whistleblower laws delegated to us by Congress," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. "Alternative dispute resolution can provide immediate relief and finality to both parties."

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

New Safety and Health Training Centers Announced

In an effort to meet the growing demand from the private sector and federal agency personnel for workplace safety and health training, the Occupational Safety and Health Administration has announced four new OSHA Training Institute Education Centers and renewed the status of 24 existing OTI Education Centers. The centers, which are non-profit organizations, offer coursework for people seeking professional certification and development in an array of industries. The new center locations are in Florida State College at Jacksonville, Fla.; Volunteer State Community College in Gallatin, Tenn.; Arizona State University in Tempe, Ariz.; and a consortium between Alliance Safety Council and Louisiana State University, both in Baton Rouge, La. In the past 10 years, more than a quarter-million students were trained through the OTI Education Centers Program with more than 40,000 students receiving training in Fiscal Year 2012.

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

DOL Working for You

VRAP Prepares Army Vet to Start Own Business

Army veteran Roger Allen took full advantage of the skills he learned in the service as a satellite ground station repairman, eventually working for some of the nation's largest telecommunications companies. But when the dot-com bubble burst, he fell on hard financial times. A subsequent job in property management was lost to the real estate market crash. Allen decided that "extra knowledge leads to a better future," so he enrolled in the Veterans Retraining Assistance Program at Clark College in Washington state. He plans to graduate with an associate's degree in network management and hopes to then begin his own small business. VRAP helps veterans "make things happen and is good for the economy," he said. VRAP was established by the VOW to Hire Heroes Act, signed into law last November by the president. Under it, the Department of Veterans Affairs, in cooperation with the Department of Labor, pays for up to 12 months of retraining assistance in a "high demand" occupation for unemployed eligible veterans between the ages of 35 and 60.



DOL Grant Powers Student Through Utilities Training

Danielle Clark of Washington state admits that taking risks got her into trouble as a teen. Clark

New Jersey Health
Care Employers District
1199J-American



Federation of State County and Municipal Employees Training and Development Fund in Newark, N.J., on Sept. 28. Ten students were preparing for the Certified Nursing Aide Program and ten for the Physical Therapy Aide Program. The ten students on the Physical Therapy Aide track will be the first in the country on a successful path to becoming U.S. Department of Labor certified apprentices in this occupation. Structured on-the-job training and classroom instruction for both nursing and physical therapy aides has led to a perfect job placement rate into the certified apprenticeship program.

- [Learn More About Apprenticeship](#)

Saving the Auto Industry

Minority automotive suppliers, dealers and community leaders are taking a close look at growth, jobs and opportunities in the automotive field as the industry rebounds. As part of the 13th Annual Rainbow PUSH Global Automotive and Energy Summit, Jay Williams, director of the Office of Recovery for Auto Communities and Workers, participated in a panel discussion titled "Economic Impact of Saving the Automotive Industry" on Oct. 3 in Detroit. More than 400 automotive executives, entrepreneurs, suppliers, dealers, consumers, government and elected officials, community leaders, automotive manufacturers and others convened to discuss strengthening and creating opportunities in the automotive and energy industries. Williams provided insight on job creation, insourcing and the automotive industry.

Latino Labor Force



The Latino workforce has seen faster and more sustainable gains in this current economic recovery compared to past recessions, with their unemployment

rates declining more than 1 percentage point in the last year alone, according to Chief Economist Dr. Adriana Kugler. Kugler spoke at a conference hosted by the International Association of Latino-American Professionals at Montgomery College in Takoma Park, Md., on Sept. 28. Addressing an audience of more than 200 community development, industry and government leaders, Kugler also stressed the growing importance of the Latino labor force in the wider U.S. economy. She said that, in particular, Latino women are among the fastest growing groups of the self-employed and small business owners.



said she is now focused "on a career and getting paid" as an apprentice in the electric power and utilities industry, which has a critical need for skilled workers. The help Clark received was provided by the GreenWays – Jobs for the Future Initiative, funded by the department's Green Jobs Innovation Fund and by SkillUp Washington, a Seattle-based organization that supports workforce development training. Clark also received pre-apprenticeship training in green construction and utilities through an Apprenticeship and Nontraditional Employment for Women

program. She then applied for and received a Vocational Outside Line Training Academy scholarship allowing her to attend an additional training program this fall. Upon graduation, she will help construct and maintain electric power transmission and distribution facilities throughout the Pacific Northwest, working in what Clark describes as "my dream job, with travel and risk."

DOL in Action

Agreement to Settle Allegations of Hiring Discrimination

The Office of Federal Contract Compliance Programs has reached an agreement with federal contractor Nash Finch Co. to settle allegations of hiring discrimination against female job applicants at the company's distribution facility in Lumberton, N.C. In consent findings approved by the department's Office of Administrative Law Judges, Nash Finch Co. has agreed to pay \$188,500 in back wages and interest to 84 qualified women who were rejected for the entry-level position of "order selector" at the company's sales and distribution facility in Lumberton. OFCCP investigators conducted a review of Nash Finch's employment practices at the Lumberton facility from May 1, 2005, to Dec. 31, 2006. Based on their findings, the agency asserted that Nash Finch had failed to ensure qualified female job applicants received equal consideration for employment without regard to sex as required by Executive Order 11246. Nash Finch is the second-largest publicly traded wholesale food distributor in the nation, and distributes food products to military commissaries around the world.

- [Read the News Release](#)

Dog Handlers to Receive Back Wages From Tennessee Company

K-9 SOS Search on Site, a federal contractor in Oak Ridge, Tenn., owes 34 dog handlers \$178,721 in back wages and benefits following an investigation by the Wage and Hour Division. The company was found to have violated the McNamara-O'Hara Service Contract Act's fringe benefit requirements as well as the Fair Labor Standards Act's overtime and record-keeping provisions. The investigation by the division's Nashville District Office discovered that the employer failed to record and pay workers for hours that dog handlers spent picking up, transporting and returning the dogs to and from work sites and kennels. The company also failed to pay the correct fringe benefits to kennel workers. K-9 SOS provides detection dogs as a subcontractor of Wackenhut Security, and performs work under contracts with the U.S. Department of Energy and National Nuclear Security Administration in Oak Ridge and at other federal facilities.

Health and Safety in Philly

Representatives from the Occupational Safety and Health Administration participated in the 12th Annual Binational Health Week event on Oct. 1 sponsored by the Mexican Consulate in Philadelphia. During the event, OSHA Area Director Albert D'Imperio spoke to more than 60 workers about OSHA's commitment to lowering the fatality rate for the Hispanic community and ensuring the health and safety of all workers. OSHA Compliance Assistance Specialist Isabel DeOliveira answered questions and distributed information on employee rights.



- [View the Slideshow](#)

Literacy as a Building Block

Speaking to participants of the "Literacy Is Just Good Business: Where Adult Literacy & Workforce Development Merge" webinar on Oct. 3, Assistant Secretary of Labor for Employment and Training Jane Oates talked about the link between low literacy and challenging labor market outcomes for some adult workers. She focused on the need to improve partnerships and collaboration between the workforce development system and community development organizations to improve literacy among the workforce while meeting the needs of employers in search of a more educated labor force. Other panelists included Denine Torr of Dollar General Foundation, Frank Ridzi of the Central New York Community Foundation, Stephanie Powers of the Council on Foundations, Julian Alssid from Workforce Matters, and Sharon Bush of the Lloyd A. Fry Foundation.

Focusing on Workforce Challenges

In the Gulf Coast city of Biloxi, Miss., on Oct. 1 Assistant Secretary of Labor for Employment and Training Jane Oates provided the keynote address to a conference of workforce development professionals. Sponsored by the Southeastern Employment and Training Association, the SETA 2012 Fall Conference brought together more than 600 representatives from state and local workforce agencies, post-secondary and adult education organizations and economic development groups to discuss challenges facing the workforce system. Oates discussed the need for greater collaboration between the workforce system and local employers, as well as the need to leverage local, state, and federal resources to move the economy forward. She also highlighted the department's recent efforts to encourage creativity and efficiency in job training programs through the Workforce Innovation Fund and Trade Adjustment Assistance Community College Career Training grants.

- [Read the News Release](#)

99 Cent Only Stores Cited for Serious Violations at Houston Facility

Multiple process safety management violations were found at the Houston distribution center of Commerce, Calif.-based 99 Cent Only Stores. The Occupational Safety and Health Administration cited the company with 19 serious safety and health violations related to process safety management, including exposing workers to anhydrous ammonia while storing frozen products in refrigeration units. Proposed penalties total \$121,000. The company employs about 12,000 workers and has operations in Arizona, California, Nevada and Texas.

- [Read the News Release](#)

Overtime Violations Found at North Carolina Body Shop
Brynn Marr Body Shop in Jacksonville, N.C., has agreed to pay \$19,174 in back wages to 15 employees following an investigation by the Wage and Hour Division. The investigation found violations of the Fair Labor Standards Act's overtime and record-keeping provisions. The investigation by the division's Raleigh District Office discovered that the employer improperly classified employees as exempt from FLSA's overtime requirements and was paying them straight-time for all hours worked.

- [Read the News Release](#)

Former Ohio Union Official Sentenced to Prison for Embezzling

A former office secretary for the Ohio and Vicinity Regional Council of Carpenters in Cleveland has been sentenced to 18 months of incarceration followed by two years of supervised release for embezzling union funds. Laura Dixon was also ordered to pay full restitution in the amount of \$170,216. In March 2012, Dixon pleaded guilty to one count of embezzling labor union funds. A joint investigation by the Office of Labor-Management Standards and Office of Inspector General disclosed that from at least 2005 until March 2010, Dixon embezzled union funds by pocketing the majority of union dues that were paid in cash. In order to conceal her theft, Dixon falsified the information in the union's electronic accounting system, produced false accounting reports showing inflated bank account balances, and refused to share bank documents with union officials.

Pay Violations Found at North Carolina Hotel During Investigation

Veer Investments LLC of Charlotte, N.C., doing business as America's Best Value Inn & Suites, has agreed to pay \$37,394 in back wages to 34 employees following an investigation. The Wage and Hour Division investigation found violations of the Fair Labor Standards Act's overtime, minimum wage and record-keeping provisions. The employer made unlawful deductions from employees' pay as a disciplinary action, failed to pay them for required training, and paid them straight-time for hours worked over 40 in a work week, investigators found. The employer also paid housekeepers a piece-rate of \$3 per room and did not ensure that their pay equaled the federal minimum wage per hour.

- [Read the News Release](#)

Texas Oil and Gas Company Cited Following Fatality
Halcon Resources Corp. was cited for two willful and seven serious safety violations at the company's work site in Wichita County, Texas. The

People are Talking About Us!

Regular readers of this newsletter may notice something a little different about our masthead: a special banner noting the prestigious awards that the DOL News Brief has won recently. We are especially proud of the accolades from Ragan's PR Daily, since the organization has a long history of producing state-of-the-art newsletters and employee communications. At their 2012 PR Daily Awards, they named us Best Electronic Newsletter and cited our innovative use of interactive design, recycling and repurposing of news stories, and links to slideshows, videos and valuable resources. Here's more of what they had to say . . . and we couldn't agree more!

- [Read the Article & Watch the Video](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

EBSA — The Affordable Care Act: Important New Protections for You and Your Family Webcast

- [October 24 — Online](#)

MSHA — Training Resources Applied to Mining Conference

- [October 9-11 — Beaver, WV](#)

OFCCP — Analyzing Personnel Activity Data

- [October 18 — Omaha, NE](#)
- [November 2 — Columbus, OH](#)

OFCCP — Compliance Seminar on Applicant Tracking

- [October 29 — San Francisco, CA](#)

OFCCP — Construction Evaluations

- [November 1 — Chicago, IL](#)

OFCCP — Construction Requirements

- [December 6 — Columbus, OH](#)

OFCCP — Developing Written Affirmative Action Programs/ Workplace Accommodations

- [October 25 — Columbus, OH](#)

OFCCP — Internet Applicant Recordkeeping Rule

- [December 20 — Omaha, NE](#)

OFCCP — National Origin Discrimination

- [November 15 — Omaha, NE](#)

Occupational Safety and Health Administration initiated an inspection following a report of a fatality involving an employee who came into contact with energized electrical parts and was electrocuted while working to restore power to a pumping station. The Houston-based oil and gas servicing company failed to provide training on safe work practices and to provide electrical protective equipment, such as gloves, for employees when performing maintenance work. "If the company had followed OSHA's safety standards, it's possible that this tragic accident could have been prevented," said Jack Rector, OSHA's area director in Fort Worth, Texas.

- [Read the News Release](#)

Mississippi Company Faces Penalties for Trenching Hazards
Brocato Construction Inc., of Batesville, Miss., has been cited by the Occupational Safety and Health Administration with two willful and one serious safety violation following an inspection of two trenches where workers were relocating gas and water lines in Olive Branch, Miss. The willful violation is for failing to provide workers with protection against cave-in hazards while they were working in one trench more than 5-feet deep and another trench that was 8-feet deep. The serious violation involves exposing employees to struck-by and cave-in hazards by not providing a ladder to enter and exit the excavation. Proposed penalties total \$117,600.

- [Read the News Release](#)

Former Illinois Union Official Sentenced in Embezzlement Case

William Adrian, former business manager for Plumbers and Pipefitters Local 101 in Belleville, Ill., has been sentenced to 366 days in prison and three years of supervised release for embezzlement. Adrian was also ordered to pay more than \$102,000 in restitution. In March 2012, Adrian pleaded guilty to a two-count information charging him with embezzling union funds and theft from an employee pension or welfare plan. A joint investigation conducted by the Office of Labor-Management Standards, Employee Benefits Security Administration, and Office of Inspector General, disclosed that from 2008 through 2011, Adrian used union credit cards to make fraudulent charges, including the purchase of wine totaling over \$23,000.

Texas Company Repeatedly Exposed Workers to Cave-in Hazards

Hurtado Construction Co. in Richmond, Texas, was cited by the Occupational Safety and Health Administration for three repeat violations following an inspection that found employees installing sewer lines in a 10-foot-deep trench that lacked required cave-in protection. An inspection was initiated at a work site in the Aliana residential subdivision of Richmond as a follow-up to a previous inspection. Proposed penalties total \$46,200.

- [Read the News Release](#)

Workers Exposed to Asbestos at Long Island's Nassau Coliseum

The company that manages the day-to-day operations of the Nassau Veterans Memorial Coliseum on Long Island faces \$88,000 in proposed fines for asbestos, electrical, chemical and other hazards facing workers at the coliseum. The Occupational Safety and Health Administration's Long Island Area Office cited SMG @ Nassau Coliseum LLC after its inspection found maintenance workers and electricians were exposed to asbestos or materials potentially containing asbestos while working in various locations, including the coliseum's ice plant, catwalks and a loading dock. SMG also did not take adequate steps to address the hazards. These conditions

occurred in areas not accessible to the general public.

- [Read the News Release](#)

Multiple Safety Violations Found at Texas Manufacturing Plant

ThyssenKrupp Airport Systems Inc. was cited by the Occupational Safety and Health Administration with 28 serious safety violations at its Fort Worth, Texas, work site for exposing workers to "struck-by," fall, amputation and shock hazards while they were manufacturing airport passenger boarding bridges. OSHA's Fort Worth Area Office initiated an inspection of the North Sylvania Avenue facility under the agency's National Emphasis Program on Amputations and its Regional Emphasis Program on Safety and Health Hazards in the Manufacture of Fabricated Metal Products. Some of the violations involve failing to regularly inspect overhead cranes, hooks and slings; rate or inspect devices used for lifting; and provide machine guarding for a press brake and belt sander. Proposed penalties total \$172,000.

- [Read the News Release](#)

Department Sues to Recover ESOP Losses for Golden State Workers

The department has sued to recover losses suffered by participants in the employee stock ownership plan of California-based Sierra Aluminum. The suit follows an investigation by the Employee Benefits Security Administration Los Angeles office alleging that the aluminum products maker and its plan trustee, Illinois-based GreatBanc Trust Co., overvalued company stock, resulting in plan losses. The department alleges that GreatBanc violated the Employee Retirement Income Security Act by breaching its fiduciary duties to the Sierra Aluminum ESOP when it allowed the plan to pay more than fair market value for employer stock in June 2006. The suit also names Sierra Aluminum, the ESOP's sponsor, as a defendant.

- [Read the News Release](#)

Cleveland Company Cited for Exposing Workers to Chromium
Cleveland Tank & Supply Inc. has been cited by the Occupational Safety and Health Administration with 19 serious health and safety violations — including failing to assess and monitor exposure to hexavalent chromium and provide adequate personal protective equipment. As a result of an April inspection based on a complaint, OSHA has proposed fines of \$72,800. Exposure to chromium — which is commonly found in dyes, paints, plastic and coating materials — can result in irritation to airways, nasal passages, skin and eyes.

- [Read the News Release](#)

Additional Assistance for Laid Off Steel Workers

A \$450,777 National Emergency Grant increment was announced by the department on Oct. 4 to assist about 184 workers affected by layoffs at six RG Steel facilities—four in Ohio and two in West Virginia—along with the supplier, Kinder-Morgan in Pennsylvania. The grant, awarded to the Ohio Department of Job and Family Services, will provide re-employment services to the affected workers. "Ohio's steel industry continues to be in a state of transition," said Assistant Secretary of Labor for Employment and Training Jane Oates. "This federal grant will provide continued re-employment and retraining services so that impacted workers can more effectively compete for new jobs in growing local industries."

- [Read the News Release](#)

OFCCP — Regulation Review

- [October 11 — Chicago, IL](#)

OFCCP — Retaliation Complaints

- [December 6 — Omaha, NE](#)

OFCCP — What to Expect During an OFCCP Audit/ OFCCP Regulatory Update

- [November 14 — Columbus, OH](#)

OFCCP — Women in Nontraditional Jobs/The Complaint Process

- [October 17 — Columbus, OH](#)

OFCCP — Women's Workplace Rights

- [October 18 — Milwaukee, WI](#)

OFCCP — Workforce Solutions Conference and Resource Fair

- [October 19 — San Francisco, CA](#)

OFCCP — Workplace Accommodations under the Rehabilitation Act of 1973

- [November 1 — Omaha, NE](#)
- [December 5 — Chicago, IL](#)

OSHA — Federal Advisory Council on Occupational Safety and Health (FACOSH) Meeting

- [October 18 — Washington, DC](#)

WB — "Why is Green Your Color?" a FREE Green Jobs Forum for Latina Women

- [October 10 — Philadelphia, PA](#)

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Workplace Violence Safeguards Found Lacking at Care Facility

ResCare Ohio Inc. has been cited for exposing employees to workplace violence at the company's Fairfield, Ohio, residential care facility, which operates as Camelot Lake. The Occupational Safety and Health Administration has proposed penalties of \$8,700. An investigation was initiated under OSHA's Site-Specific Targeting Program and a national emphasis program targeting nursing home facilities with a days away, restricted, transfer (or "DART") rate of 10 or higher per 100 full-time workers. Employees have been exposed to physical assaults during routine interaction with residents who have a history of violent behavior.

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Prison Term Set for Former 401(k) Plan Trustees in Kentucky
An Employee Benefits Security Administration investigation has led to more than a year in prison for a Kentucky couple convicted of embezzling retirement plan funds. William H. Kiser and Mary Sue Kiser, trustees of the Irotas Manufacturing Co. Inc. 401(k) Plan, embezzled more than \$487,000 from the defunct company's retirement plan during the summer of 2008. The Kisers will also pay restitution and serve three years of supervised release following their incarceration.

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