



DOL News Brief

April 18, 2013

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WINNER OF 2013 AVA DIGITAL GOLD AWARD & NAGC AWARD OF EXCELLENCE
- INTERACTIVE COMMUNICATION / E-NEWSLETTER -

A Champion for Women's Work



If you've ever counted calories at the supermarket, you can thank Esther Peterson. A lifelong advocate for workers and consumers, Peterson was the driving force behind the nutrition labels on our nation's

food products — but her influence extends far beyond the grocery store. A woman of diverse talents and interests, Peterson worked as a teacher, a labor organizer and a lobbyist. She advocated for raising the minimum wage from 40 cents to 75 cents an hour and for expanding the Fair Labor Standards Act to cover more industries. Impressed by her passion and capability, President Kennedy appointed her assistant secretary of labor and director of the Women's Bureau in 1961.

In that capacity, she continued to fight for improved labor standards and for working women. Peterson was a fierce proponent of the Equal Pay Act, which was passed in 1963. That same year, the Presidential Commission on the Status of Women, of



which she was executive vice chair, issued a groundbreaking report called "American Women." Addressing issues such as gender-based job discrimination, equal pay for equal work, and the need for daycare for working parents, the report formed the cornerstone of policies and programs that enhanced women's participation in many aspects of American life. As a mother of four, Peterson knew firsthand the challenges of balancing the demands of career and family, and she fought hard to establish a Labor Department daycare center. Today, the child development center, which first opened its doors in 1968, bears her name.

- [View the Centennial Timeline](#)
- [View the Centennial Video](#)
- [Learn About the Women's Bureau](#)
- [Learn About the Child Development Center](#)

What's New

'The Mission of the Labor Department Is the Mission of America'

Thomas Perez, President Obama's nominee to be the nation's 26th secretary of labor, told senators on April 18 that he would approach the job with an open mind and a willingness to work with "everyone who has skin in the game" to create new jobs. "You will always have a person who has an open and balanced approach," Perez told



the Senate Health, Education, Labor and Pensions Committee of his plan for leading the Labor Department. Perez, who currently serves as the assistant attorney general for civil rights at the Department of Justice, said he is proud of his accomplishments at the Justice Department, pointing to a 40 percent increase in the number of human trafficking cases prosecuted, stepped up hate crimes enforcement and efforts to protect the employment rights of military service members. He said his top priorities would be "jobs, jobs and jobs," along with getting Congress to reauthorize the Workforce Investment Act, which funds job training programs. He also pledged to continue enforcement of safety, wage and hour laws. In his opening statement, Perez said, "I share President Obama's vision of a growing economy powered by a rising middle class, with ladders of opportunity available to everyone willing to climb them. The Department of Labor plays a critical role in ensuring people have the skills to succeed in a 21st century economy, and that an honest day's work in a safe working environment leads to a decent living. The mission of the Department of Labor, now more than ever, is the mission of America."

- [View the Slideshow](#)
- [View the Hearing](#)

Working Mothers Call for Higher Minimum Wage

Working mothers in Phoenix have added their voices to the call for a higher federal minimum wage. Among those meeting with acting Secretary of Labor Seth D. Harris at a forum on April 18 were Dara Molina and Anita Belcher. Molina works at a fast-food restaurant and says a minimum wage increase would help. "It's not just the bills," she told Harris, but being able to afford "basic



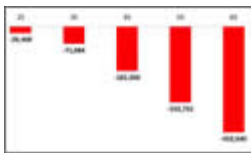
(Work in Progress) The Best of Our Blog

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

- [The Family and Medical Leave Act: 20 Years of Working for Working Families](#): The Family and Medical Leave Act, which turned 20 years old in February, is based on "a simple and fundamental principle: workers should not have to choose between the job they need, and the family members they love and who need their care," writes acting Deputy Administrator of the Wage and Hour Division Mary Beth Maxwell in this blog cross-posted in the Huffington Post. Maxwell tells the story of Peter, an Arizona man who was fired while recovering from surgery, to illustrate the importance of compliance with the law.
- [Pad Your Nest Egg: 5 Simple Tips Every Worker Should Know](#): Phyllis Borzi, assistant secretary of labor for employee benefits security, provides five valuable tips for workers to incorporate into their long-term financial planning. It highlights resources available from the Employee Benefits Security Administration that assist workers in making sound decisions about saving for retirement.
- [Taking Open Government to the Next Level](#): Carl Fillichio, who heads the department's Office of Public Affairs, writes about the innovative practices the department is adopting to help developers and the public access government data. These tools empower the public by making it easier to create apps, widgets and websites that combine department data with data from 26 other federal agencies.

#EqualPayChat: 'Awesome'

Nancy wants guidance on keeping her small business afloat. Susan is a disabled veteran struggling to find a job. And Annalyn Kurtz



wonders how the pay gap affects younger workers. Their questions were among dozens addressed in a web chat hosted by the department on April 12. Experts from the Office of Federal Contract Compliance Programs, Office of the Chief Economist and the Women's Bureau discussed wage inequality and ongoing policy initiatives, and directed participants to resources designed to help workers. More than 350 people participated in the chat, and feedback was overwhelmingly positive. As one participant tweeted shortly after the event: "#EqualPayChat was awesome."

- [Read the Chat Transcript](#)
- [Read the Blog Post](#)
- [Read About Compensation Guidance](#)

Solicitor Spreads the Word

things" such as school uniforms and school supplies for her 11 and 12-year-old children. Belcher, who's also employed in fast food, has a college degree but can only work part time because of the care required for her two special-needs children. She receives some government assistance but not child support. "You can't judge people because they're getting help. I'm not a lazy person. Trust me," she said. "A minimum wage raise is about helping people achieve the American dream." President Obama is calling on Congress to raise the federal minimum wage from \$7.25 per hour to \$9 per hour by 2015, an increase that would boost the earnings of some 15 million workers nationwide, about 60 percent of whom are working women.

- [View the Conversations, Photos and Videos on Twitter](#)
- [Read the President's Proposal](#)

Higher Wages Good for Bottom Line



A Denver restaurant owner is voicing his support for a higher federal minimum wage, and demonstrating that paying his employees more has been good for his bottom line. Jose Avila says that, when he was a dishwasher dreaming of running his own establishment, he made a promise to himself that when

the day came he would pay his workers well. Now, a partner and owner of Machete Tacos & Tequila, Avila pays his dishwashers \$9 an hour, the level at which President Obama is asking Congress to set the federal minimum wage by 2015. "We can afford to pay our dishwashers \$9," Avila said at an April 12 Labor Department forum in the Mile High City. "The big chains always say they can't, but I'm proof you can. My employees are happy. We've been open for almost two years, and we have twenty employees. Eighteen of them have been there from day one." Mary Beth Maxwell, acting deputy administrator of the Wage and Hour Division, led the discussion in Denver, one of about 20 the department has held since February.

- [View the Slideshow](#)

Saluting Veterans with Expanded Investments in Job Initiatives

In his fiscal year 2014 budget request, announced April 10, President Obama demonstrated his commitment to getting good jobs for veterans by doubling down on veterans' employment investments at the department. The proposal includes approximately \$100 million in additional investments to help veterans find civilian jobs, for a total of \$351 million. Acting Secretary Harris took to the airwaves on April 17 to voice his support for the proposals and explain what the investments mean for individual veterans. He described the expanded services that would be available to transitioning service members under the new proposal, including additional funding for the Transition Assistance Program and for innovative veterans employment programs through the Workforce Innovation Fund. Asked about the likelihood of approval of the plan, Harris responded, "If there's anything we can agree on in Washington, it's that we owe a tremendous debt to our veterans."

- [Listen to Harris on Federal News Radio](#)
- [Read the Budget Blog Post](#)

National News

Puerto Rico Settlement: One of the Largest in Wage and Hour History

The commonwealth of Puerto Rico has agreed to pay more than \$35 million

The department's top lawyer is spreading the word that the department is in the business of protecting workers and making every effort to encourage employers to follow the law and do what's right. "Compliance assistance is an important part of the department's efforts to protect America's workforce," said Solicitor of Labor M. Patricia Smith to members of the American Bar Association at an April 9 meeting in Washington, D.C. Smith used the occasion to highlight strategic partnerships with other federal and state agencies to combat the misclassification of workers as independent contractors, denying them the wages and benefits they may otherwise be entitled to under the law. At an April 11 presentation at Cornell University in New York City, Smith talked about what the administration has done to protect whistleblowers under the 22 whistleblower laws enforced by the Occupational Safety and Health Administration, including conducting a review of OSHA's whistleblower program and establishing a Whistleblower Protection Advisory Committee.

- [Learn About Whistleblowers](#)
- [Learn About Misclassification](#)

Connecting Workers to Jobs

"If you train them, will they come?" That was the question posed at a plenary session of the International Economic Development Council's 2013 Federal Forum, where Assistant Secretary of Labor for Employment and Training Jane Oates delivered keynote remarks on April 14 in Alexandria, Va. The question refers to the workforce development training that helps workers develop the skills they need to fill positions that are most sought after by businesses in local communities. Oates discussed the department's efforts to connect workers and employers in high-growth local industries through services available at American Job Centers and grants like the Trade Adjustment Assistance Community College and Career Training grants. More than 200 people gathered to hear leaders from government, academia, business and workforce professionals.

Statistical Data Goals

There are challenges for a statistical agency to produce high-quality, relevant data in a fast-paced, data-rich environment. Bureau of Labor Statistics Commissioner Erica Groshen recently spoke on these challenges as part of a panel at the 50th Annual Conference of the Society of American Business Editors and Writers. Leveraging administrative or "big" data to supplement current survey efforts, maintaining response rates in BLS surveys, and meeting customers' demands for new and improved products were raised by the commissioner. In response to critiques that have been made regarding revisions to BLS data, Groshen remarked, "It's important to note that we strive to balance two statistical goals: timeliness and accuracy. If we didn't care about both, we would never revise our data, or we would wait for all of

in back wages and interest to 4,490 current and former employees of the Department of Corrections and Rehabilitation. This action follows an investigation by the Wage and Hour Division that found violations of the Fair Labor Standards Act's overtime and record-keeping provisions. "We are pleased that the commonwealth of Puerto Rico has been our partner, through a long and arduous process, in correcting the improper payment of back wages," said acting Secretary Harris. "This agreement returns hard-earned wages to workers and underscores the Department of Labor's commitment to ensuring that workers receive the wages they earn, as mandated by federal law." The agreement, which is one of the largest settlements in the Wage and Hour Division's history, is part of a consent judgment approved April 11 in the U.S. District Court for the Commonwealth of Puerto Rico.

- [Read the News Release](#)

It Happened on the Hill

Harris Visits House Subcommittee to Highlight Budget

Following up on last week's release of President Obama's fiscal year 2014 budget proposal, acting Secretary Harris on April 16 testified before the House Appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies. Harris highlighted the president's priority to create a thriving middle class with ladders



of opportunity for everyone willing to work hard and lift themselves up. The acting secretary highlighted four major priorities in his testimony: turning the unemployment system into a re-employment system; building the skills of American workers; helping veterans find civilian jobs; and protecting America's workers and their benefits. "The federal government, and the Labor Department in particular, has a critical role to play in catalyzing further growth and job creation, and helping to build an economy that grows from the middle class out," Harris said. "The president believes, and his budget demonstrates, that we don't need to choose between job creation and long-term deficit reduction. That's a false trade-off. We can and must have both."

- [Read the Testimony](#)
- [Learn About the Budget Request](#)

Groshen Testifies on Consumer Price Index



The House Ways and Means Subcommittee on Social Security this week asked Dr. Erica Groshen, the commissioner of the Bureau of Labor Statistics, to testify on the Consumer Price Index. BLS produces several principal economic indicators, like the widely-known monthly employment statistics, as well as

measures of inflation like the CPI, which tracks changes in the cost of living. During the hearing, Groshen provided a history of the CPI, an overview of the methodology used to determine the CPI and a summary of the various versions of the CPI used for specific populations. The hearing focused on the impact of using the chained CPI for urban consumers in determining the cost of living for seniors and its impact on recent proposals to reform Social Security.

the information to come in before publishing." Groshen also noted some of the efforts that BLS is making to stay relevant to the public, such as the BLS Twitter feed.

- [Follow @BLS_gov on Twitter](#)

ODEP Accomplishments

Credible data, extensive training and increased employment opportunities are among the outputs highlighted by a recent Office of Disability Employment Policy report. "ODEP Accomplishments 2009-2012" highlights the agency's efforts to ensure that people with disabilities are fully included in the department's mission of improving job opportunities for American workers. "People with disabilities, people like me, have the skills and talent to add significant value to America's workplaces," said Kathy Martinez, assistant secretary of labor for disability employment policy. Highlighting achievements, initiatives and resources from the past four years, the report shows that under Martinez's leadership ODEP has countered negative perceptions about the employability of people with disabilities; increased access to training, employment and youth transition services; and expanded access to employment support and job accommodations.

- [Read the Report](#)
- [Read the Blog Post](#)
- [Visit the ODEP Website](#)

Safety Conference in Dallas

Spreading the word on workplace safety and health, John Hermanson, Occupational Safety and Health Administration's regional administrator in Dallas, spoke to an audience of about 1,800 at the annual ISNetworld conference on April 12. Hermanson spoke about OSHA's fall and heat illness prevention campaigns and what employers can do to find and fix workplace hazards before workers are injured.



Temporary Workers in Philadelphia



More than 70 refugees from Indonesia, Bhutan, Burma, and multiple Latin American countries attended a "Community Conversation" on rights

afforded temporary workers. Regional Representative Robert Angelo and Wage and Hour Division District Directors Ivette Vigano and Patrick Reilly attended the event on April 13 organized by the Lutheran Immigrant and Refugee Service in Philadelphia. With the help of translators speaking five different languages, department staff listened to the stories of refugees

- [Read Erica Groshen's Testimony](#)

News You Can Use

New Safety Booklet on Preventing Falls Off Ladders

Gearing up for the spring and summer construction season, the Occupational Safety and Health Administration unveiled a new bilingual English-Spanish booklet, "Falling Off Ladders Can Kill: Use Them Safely." The booklet, part of OSHA's national campaign to prevent fatal falls — the leading cause of death in construction — provides clear, easy-to-follow information about ladder hazards and how to use ladders safely, featuring illustrations and plain language writing. The falls prevention campaign now enters its second year and OSHA is working with the National Institute for Occupational Safety and Health and the National Occupational Research Agenda on outreach. An April 10 webinar on preventing fatal falls drew more than 700 participants.

- [Download the Booklet](#)

Buoying Maritime Safety Committee

Noting the high injury and fatality rate and the specialized character of maritime work, the department re-established the charter of the Maritime Advisory Committee for Occupational Safety and Health. Created in 1995, MACOSH advises and makes recommendations to the secretary of labor on matters relating to the maritime industry. MACOSH has made more than 100 recommendations to the Occupational Safety and Health Administration, which may seek advice on a variety of subjects including outreach, rulemaking, and other activities to help focus industry action and reduce life-threatening conditions. The 15-member committee represents the interests of industry, employers, workers and the public.

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



Around DOL

Improving Financial Literacy Among Young People

Reaching young people with financial literacy information can be challenging. Asking financially literate young people to come share their ideas with the department is somewhat easier. This week, during National Financial Capability Month, Assistant Secretary of Labor for Employee Benefits Security



Phyllis C. Borzi met with the winners of the 2012 iOme Challenge. iOme (pronounced "I owe me") is dedicated to improving financial literacy among young people. The challenge asks students to conduct research and write papers and produce videos that offer solutions for making financial literacy a priority for young people. University of Tennessee, Knoxville students who won the most recent challenge shared their thoughts with Borzi on the best ways to reach young people with the message that it is never too early to start saving for retirement, no matter how small the savings.

and provided information on how and where to report workplace issues. When asked where they go to report a workplace safety or wage problem, a Bhutanese refugee responded, "We go nowhere because we are scared to lose our job. We are scared to lose our job because once the job is gone, everything is gone!"

Collaborating in California

The Center for Faith-based and Neighborhood Partnerships teamed up with Bayside Church in Sacramento, Calif., to host a community forum on getting Californians back to work. CFBNP Deputy Director Ben Seigel addressed more than 120 in attendance representing the public and private sectors, small business and education and secular and faith groups, encouraging them to collaborate and expand their efforts in creating meaningful pathways to work for members of the community.



• [View the Slideshow](#)

Veterans Job Fair in Seattle



More than 320 Seattle-area veterans attended a job fair on April 12 hosted by the Office of Federal Contract Compliance Programs and the Department of

Veterans Affairs. The event featured 30 local employers with job openings in industries such as construction and health care. Staff from the VA and local job centers offered help writing resumes and connecting with services offered by the VA, the Department of Labor and job centers. Veterans came away with job prospects, networks and information on their rights.

• [View the Slideshow](#)

Reaching Out in Pennsylvania

Edward J. Rogers, district director for the Office of Federal Contract Compliance Programs in Philadelphia, was keynote speaker at the



Pennsylvania Department of Labor and Industry's Office of Vocational and Rehabilitation's Annual Training on April 10. He stressed the importance of closing the unemployment gap and bringing more people with disabilities into the labor force. The group in attendance placed more than 9,000 individuals with disabilities into jobs during the past year. On April 12, Rogers joined OFCCP Regional Director Michele Hodge and Deputy Director Vincent Whipple and Equal Employment Opportunity Commission's General Counsel P. David Lopez, for a discussion on ways both

- [Learn More About iOme](#)
- [Learn More About the Department's Financial Literacy Efforts](#)

DOL Working for You

No Job, No Income, But a Lifeline From VETS Programs

Facing health and economic crises, Army veteran Denise McNeill turned to two department programs under the Veterans' Employment and Training Service for help. McNeill, a single mom, had lost her long-term conference planning position while caring for her sick mother. Her entire extended family was on the brink of being homeless. "I had no job, no income, I was scared," McNeill said. She went to America Works of Washington, D.C., a job-placement organization that assists homeless veterans, under the Homeless



Veterans Reintegration Program. She received career counseling, including help upgrading her resume, improving her interview skills and searching social media for job openings. Although her situation was dire, McNeill said she never despaired because "others have been worse off than me." An America Works official said McNeill was so impressive in her professional demeanor and overall presence that when an opening occurred at the organization, she was hired to help low-income individuals find educational training programs. McNeill has also enrolled in a community college under the department's Veterans Retraining Assistance Program, which offers educational assistance to eligible veterans 35 to 60 years of age.

Of Note

Chief Economist Wins Award for Best Research Paper

The American Economic Association announced recently that research by Dr. Jenny Hunt, the department's chief economist, received the American Economic Journal's award for best paper in macroeconomic research in 2013. Hunt's paper focuses on the extent to which skilled immigrants increase innovation in the United States. The paper found that immigrants held patents at nearly twice the rate of native-born patent holders and that an increase in high-skilled immigrants increases the overall per-capita rate of patents for the country. Hunt's research has important policy implications as President Obama has called for an overhaul to the nation's immigration system to recruit and retain more high-skilled immigrants in the United States.



- [Learn More About Hunt](#)
- [Read the Research Paper](#)

Blue & Gold Honors and Communicator of the Year

The 2013 Blue Pencil & Gold Screen Awards were announced April 17 by the National Association of Government Communicators, and the department's Office of Public Affairs was honored in seven

agencies can collaboratively fight employment discrimination.

Georgia Safety Stand-Down



During National Highway Work Zone Awareness week, April 15-19, the Occupational Safety and Health

Administration is

partnering with construction contractors, the Federal Highway Administration, the state of Georgia and local government organizations to sponsor a one-hour safety stand-down at construction sites throughout Georgia. The stand-down focuses on the prevention of distracted driving and worker injuries from traffic objects and vehicles. Objects and vehicles striking workers are a leading cause of construction-related deaths.

- [Read the News Release](#)

Disability Conference in Florida

"Disability matters" was the message that Assistant Secretary of Labor for Disability Employment Policy Kathy Martinez brought to a gathering of CEOs, diversity and human resource managers this week. Martinez addressed approximately 250 corporate officials at the Florida Blue Corporate headquarters in Jacksonville, Fla., on April 16. The conference focused on helping employers share best practices in disability inclusion and learn about the federal government's success in implementing President Obama's Executive Order 13548. "Disability matters because when it comes to the workplace, savvy companies like yours know it matters when it comes to the marketplace," Martinez said.

Focus on Workforce Investment

Higher education and the reauthorization of the Workforce Investment Act were covered in keynote remarks by Assistant Secretary of Labor for Employment and Training Jane Oates to the Hispanic Association of Colleges and Universities' 18th Annual National Capitol Forum. Leaders from the group's more than 400 colleges were on hand April 16 in Washington, D.C., for the session titled "The Status of the WIA Reauthorization and its Impact on HSIs." The group took Oates appearance as an opportunity to thank her for work on behalf of the nation's Hispanic community.

Weekly UI Claims

categories. Carl Fillichio, senior advisor for public affairs and communications at the



department, was presented with the 2013 Communicator of the Year award by NAGC President Glen Thomas. Fillichio was honored for protecting the integrity of the department's sensitive economic data while ensuring news media access to embargoed information. In the awards competition, the Labor Department won first place for the Labor Hall of Honor display located in the department's headquarters and the centennial "Our History" poster campaign. It received two awards for photography, and awards for the Summer Jobs+ campaign, an equal pay Twitter chat and its weekly e-newsletter (so right now, you are reading an award-winning newsletter!). NAGC is a national professional organization for federal, state and local government public affairs and communications professionals.

- [View the Slideshow](#)

DOL in Action

Victory for Arizona Worker in Family and Medical Leave Case

When Peter Lyle took leave from his job as a delivery man for an Arizona water company in late 2009 to undergo hip replacement surgery, he did so with his employer's approval. He also took leave with the understanding that his job would still be available to him upon his return, a protection guaranteed by the Family and Medical Leave Act. Shortly after he began his leave, his employer, O Premium Waters of Mesa, Ariz., was purchased by Atlanta-based DS Waters of America Inc., doing business locally in Arizona as Sparkletts. The new company refused to reinstate Lyle at the end of his protected 12-weeks of FMLA leave. The department investigated the case, and with a federal judge's approval, required Sparkletts to offer Lyles reinstatement, \$26, 871 in back wages and reimbursement of \$31,464 in medical expenses. "This case is a real victory for workers and families seeking justice against unlawful employment practices," said Mary Beth Maxwell, acting deputy administrator of the Wage and Hour Division. "An employee was suddenly left without a job, paycheck or medical benefits when the company changed hands. He and his family suffered emotional and financial stress at a time when they could least afford it."

- [Read the News Release](#)
- [Read the Blog Post](#)

Ohio Company Exposed Workers to Amputation Hazards

Ball Aerosol and Specialty Container Inc. has been cited with 11 safety violations for exposing workers to machine guarding hazards at its Hubbard, Ohio, metal container manufacturing facility. The Occupational Safety and Health Administration proposed fines of \$589,000. OSHA initiated an inspection of the facility after receiving a complaint that alleged the company continued to expose machine operators to unguarded hazardous machinery, even though the employer had been cited for lack of machine guarding on the same equipment in 2009. OSHA's inspection found that the company knowingly permitted workers to operate the machines without proper guarding. Because of the hazards and the violations cited, Ball Aerosol has been placed in OSHA's Severe Violator Enforcement Program.

- [Read the News Release](#)

The department reported the advance figure for seasonally adjusted initial Unemployment Insurance claims was 352,000 for the week ending April 13, an increase of 4,000 from the previous week. The four-week moving average was 361,250, up 2,750 from the previous week's revised average.

- [Read the News Release](#)

Calendar Highlight

Centennial Symposium

The School of International Service at American University will host a one-day Centennial symposium looking back at 100 years of U.S. labor and employment relations and the future of labor and employment in the United States and abroad. The department is participating in the event, which includes three panels of scholars, policymakers, practitioners and a keynote lunch speaker. Acting Secretary of Labor Harris, Solicitor M. Patricia Smith and acting Deputy Secretary for International Affairs Carol Pier are scheduled to speak. The symposium will be held on April 26, from 9 a.m. to 4 p.m., at American University in Washington, D.C.

- [Learn More about the Event](#)
- [Request an Invitation](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

EBSA — Taking the Mystery Out of Retirement Planning Workshop

- [April 24 — Chicago, IL](#)
- [May 7 — Seattle, WA](#)

OFCCP — 16 Construction EEO / AA Requirements Roundtable Discussion

- [May 1 — Milwaukee, WI](#)

OFCCP — Best Practices for Implementing an Affirmative Action Program

- [May 14 — New Orleans, LA](#)

OFCCP — Compensation Matters: Best Practices for Fair Pay

- [April 23 — San Francisco, CA](#)

OFCCP — Compliance Assistance / Outreach and Education Event for Prime and Subcontractors

- [May 16 — Richmond, VA](#)

OFCCP — Compliance Assistance Seminar: Supply & Service Contractors

- [April 24 — Nashville, TN](#)
- [May 1 — Nashville, TN](#)
- [May 8 — Nashville, TN](#)

Home Health Care Safety Alliance

Workers in 10 Northeastern states are the beneficiaries of a new alliance between the Occupational Safety and Health Administration and the Consul General of the Philippines in New York City. Through the alliance, OSHA and the consulate will provide information, training, guidance and access to education and training resources to Philippine nationals, particularly those working in home health care, and their employers. The training will address safety and health hazards associated with home health care and promote understanding of the rights and responsibilities of workers and employers under the Occupational Safety and Health Act, including the OSHA complaint process. The alliance, which was signed on April 15, will cover workers in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island and Vermont.

- [Read the News Release](#)

Electric Company Sued for Retaliating Against Employees

El Paso A.R.C. Electric Inc. and two of its officers in El Paso, Texas, are facing a lawsuit following an investigation by the Wage and Hour Division. The company violated the anti-retaliation provisions of the Fair Labor Standards Act by firing two workers for exercising their rights under the law. The investigation found that two of the company's workers were wrongfully terminated for filing a complaint against the employer and providing statements to investigators. The lawsuit seeks to recover lost wages, liquidated damages and employment reinstatement for the workers.

- [Read the News Release](#)

Pilgrim's Pride Corp. Cited Following Fatality

Pilgrim's Pride Corp. in Canton, Ga., has been cited with eight safety violations following the death of a worker who became caught in an unguarded hopper while attempting to remove a piece of cardboard. One related serious violation by the Occupational Safety and Health Administration involves not providing effective machine and equipment guarding, so that workers cannot enter areas of operation and be exposed to struck-by and caught-in hazards. "Establishing safety and health programs that identify and remove hazards before a worker gets injured or sick goes to the very core of providing a safe and healthful workplace," said Bill Fulcher, director of OSHA's Atlanta-East Area Office. "In this case, a tragic loss resulted from equipment that could easily have been guarded."

- [Read the News Release](#)

Tropical Storm Irene Cleanup in Vermont

A \$770,000 National Emergency Grant increment was announced to continue clean-up and recovery efforts in Vermont following Tropical Storm Irene. The grant was awarded to the Vermont Department of Labor on April 16. "Vermont continues the difficult, but necessary, work to recover from the damage caused by Tropical Storm Irene," said Assistant Secretary of Labor for Employment and Training Jane Oates. "Additional funding from the Labor Department will help Vermont with storm cleanup and also provide temporary work to those in need of employment."

- [Read the News Release](#)

Wisconsin Company Fails to Pay Prevailing Wage Rates

Didion Milling has agreed to pay \$175,602 in back wages to 13 employees who were constructing an ethanol production facility in Cambria, Wis. The project was funded in part by a \$5.6 million grant from the U.S. Department of Energy. An investigation by the Wage and Hour Division found that the contractor violated prevailing rate, fringe benefit and overtime provisions of the Davis-Bacon and Related Acts and the Contract Work Hours and Safety Standards Act. Didion failed to pay employees rates required for the categories of work they performed on the project.

- [Read the News Release](#)

- [May 15 — Nashville, TN](#)

OFCCP — Construction and Compliance Webinar

- [April 25 — Portland, OR](#)

OFCCP — Construction: Nuts and Bolts

- [May 14 — Dallas, TX](#)

OFCCP — Construction Requirements

- [May 3 — Columbus, OH](#)

OFCCP — "Empowerment Session" on Developing AAPs for New and Small Supply and Service Contractors and Outreach Best Practices for a Diverse / Inclusive Workforce

- [May 16 — Richmond, VA](#)

OFCCP — Good Faith Efforts to Accomplish Goals

- [May 15 — Orange, CA](#)

OFCCP — Good Faith Efforts to Successful Outreach

- [May 6 — Milwaukee, WI](#)

OFCCP — Interactive Disability Awareness and Resource Outreach Seminar

- [April 24 — Portland, OR](#)

OFCCP — National Origin Discrimination

- [May 2 — Omaha, NE](#)

OFCCP — Retaliation Complaints

- [May 16 — Omaha, NE](#)

OFCCP — Women in Nontraditional Jobs / The Complaint Process

- [May 15 — Columbus, OH](#)

WB — Celebrating Children and Literacy

- [April 27 — Detroit, MI](#)

WB — Federal Labor Standards: Prevailing Wage and FLSA Training

- [April 25 — Kansas City, MO](#)

WB — Green Jobs Workshop

- [April 30 — Philadelphia, PA](#)

WHD — Prevailing Wage Training

- [April 25 — Kansas City, MO](#)

Clerical Employee at Union Pleads Guilty to Embezzlement

Cora Carper, a former clerical employee of the International Association of Heat and Frost Insulators and Allied Workers, located in Lanham, Md., pleaded guilty last week in federal court to embezzlement from a labor union. Her plea involved a scheme to steal at least \$200,000 from the union's political action committee. After an investigation by the Office of Labor-Management Standards, Carper admitted to writing more than 300 checks to cash from the union's PAC fund. To conceal the embezzlement, Carper made false entries in the union's computerized ledger indicating that the checks were written for donations to political candidates, expense reimbursements, or conference expenses. Carper faces up to five years in prison and fines of \$250,000, in addition to paying restitution of the money she embezzled. The plea was announced by Rod J. Rosenstein, U.S. attorney for the District of Maryland, and Mark Wheeler, district director of OLMS' district office in Washington, D.C.

- [Read the Department of Justice News Release](#)

Former Fiduciary Convicted in Multimillion Dollar Scam

A joint investigation by the Employee Benefits Security Administration and the FBI has led to the conviction of a former benefit plan fiduciary. A federal jury in Boise this week convicted Matthew D. Hutcheson of Eagle, Idaho, of 17 counts of wire fraud. Hutcheson is a former trustee and fiduciary for a number of multiple employer pension plans. The jury found that during 2010, Hutcheson misappropriated more than \$5 million from the plans for his own use. Each count of wire fraud is punishable by up to 20 years in prison, a maximum fine of \$250,000 or twice the gain or loss from the offense, and up to three years of supervised release. The government is seeking forfeiture of approximately \$5,307,688, or substitute assets. Hutcheson is scheduled to be sentenced on July 23, 2013. The case was prosecuted by the U.S. Attorney's Office for the District of Idaho.

- [Read the Department of Justice News Release](#)

New Jersey Laundry Company Faces Fines for Safety Hazards

Prestige Industries LLC, doing business as Prestige in North Bergen, N.J., has been cited with nine safety violations by the Occupational Safety and Health Administration. The company faces \$219,000 in fines for violations including failure to protect workers from unguarded machinery; provide training on machine maintenance; establish procedures for controlling energy sources and hazard communications; and electrical hazards.

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Suit Filed to Restore Retirement Plan Contributions

Empact Medical Services Inc. and its officers Angela Cotter and Elizabeth Gail DeBusk are being sued by the department to restore \$10,582 in assets to the company's 401(k) plan. The plan was allegedly mishandled by the defendants in violation of the Employee Retirement Income Security Act. An investigation by the Employee Benefits Security Administration found that the defendants did not segregate employee contributions from company assets and failed to forward the funds to the plan in a timely manner. The company was located in LaVergne, Tenn., and provided ambulance services before it filed bankruptcy in March 2009. The plan currently has 15 participants.

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St. Louis Roofing Contractor Placed in Severe Violator Program

Roofing contractor KG Framing and Construction LLC has been cited with 12 safety violations for failing to provide roofers with protection from falls at a commercial shopping site. The company has now been cited six times for this violation and each inspection noted there were workers with limited English proficiency who may be at increased risk of not understanding

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safety rules and procedures. The Occupational Safety and Health Administration has proposed fines of \$121,480 and has placed the company in the Severe Violator Enforcement Program.

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Bloodborne Pathogen Hazards Found at Pennsylvania Pain Institute

Keystone Pain Institute has been cited by the Occupational Safety and Health Administration for eight serious health violations involving bloodborne pathogen hazards at its Altoona, Pa., facility. OSHA's inspection was prompted by a complaint alleging the hazards and resulted in \$46,800 in proposed penalties. Violations include the company's failure to provide workers with the Hepatitis B vaccination series and training on bloodborne pathogens and to implement adequate procedures for handling of blood or other potentially infectious materials to minimize splashing.

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