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## DOL News Brief

March 12, 2015

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### What's New

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

- [Protecting Our Testifying Workers](#): Employees who testify to health or safety violations are protected from retaliation or discrimination. When a worker in Massachusetts was intimidated by his employer, Regional Solicitor of Labor Michael Felsen shares how we took action.
- [Why This Counts](#): Volunteering in the United States: Bureau of Labor Statistics Commissioner Erica Groshen breaks down the data on volunteers, showing how they make important contributions to our economy.
- [Higher Wages Is Smart for Business](#): Companies large and small have taken action to raise starting wages for their employees. Why? Read what five CEOs had to say about their decisions.

### Opening Doors to Opportunity

For many of the nation's youth, particularly young men of color, the doors to opportunity are difficult to open. President Obama launched the My Brother's Keeper initiative in 2014 to encourage communities across America to break down barriers and address these issues. On March 5, the White House released a status report on the administration-wide effort. The department has played a critical role, making hundreds of millions of dollars available through competitive grants to develop innovative education and training programs. These efforts include programs to help individuals overcome the stigma of incarceration and obtain marketable job skills, and expanded apprenticeship opportunities for underrepresented populations and communities of color. As Secretary Perez often says, "We all succeed *only* when we all succeed."

- [Read the Secretary's Blog Post](#)
- [Read the White House Report](#)

### Sen. Edward Kennedy Inducted Into Labor Hall of Honor

In his 46 years as a United States senator, Edward "Ted" Kennedy did as much to improve the lives of working people as anyone in American history. Kennedy's hand shaped and strengthened nearly every aspect of the Department of Labor's work: the Occupational Safety and Health Act, the Employee Retirement Income Security Act, Job Corps, multiple increases in the federal minimum wage, protections for miners, equal pay, employment rights for people with disabilities, family leave and immigration reform; the list goes on (and on). On March 12, Kennedy became the 52nd inductee in the department's Hall of Honor and was lauded in a ceremony attended by a host of friends, family and colleagues from Congress and the labor movement. Former Labor Secretaries William E. Brock, Alexis Herman and Elaine Chao came to pay tribute, along with Kennedy's widow Victoria; sons Edward Jr., and

Patrick; William Kennedy Smith; Sens. Richard Durbin and Elizabeth Warren; and former Rep. John Tierney. President Obama offered his thoughts and well wishes by video. "He was a man of deep conviction — and no one was prouder to be a Democrat — but he also knew that you didn't solve problems or move the country forward by isolating yourself in an ideological echo chamber," Secretary Perez said at the ceremony. "He believed that responsible governing demanded bipartisan consensus and compromise." Established in 1988, the Hall of Honor posthumously recognizes the contributions made by extraordinary men and women throughout history for the betterment of work, workers and workplaces in America. With his labor legacy now permanently enshrined at the Frances Perkins Building, Kennedy's most famous words will reverberate through its halls for generations to come: "The work goes on, the cause endures, the hope still lives, and the dream shall never die."

- [Explore the Hall of Honor](#)
- [Read Secretary Perez's Prepared Remarks](#)
- [Read the News Brief](#)

### Encouraging Financial Literacy for Young Workers

More than 2,000 city leaders met in Washington, D.C., from March 7-11 to discuss opportunities to strengthen our nation's communities at the National League of Cities Congressional City Conference. Secretary Perez addressed the gathering on March 10 and reminded them of the crucial role cities play in helping Americans achieve their career ambitions. Cities nationwide will be important partners in developing and scaling innovative job training programs — like apprenticeships — as the department implements the Workforce Innovation and Opportunity Act. Perez took the opportunity to announce a new partnership with the NLC and the Consumer Financial Protection Bureau to launch a youth financial literacy pilot program to help young Americans better

## Boosting Military Families

Traveling to Georgia on March 11, Deputy Secretary of Labor Christopher P. Lu participated in the 2015 Fort Benning Transition Summit. His day began at 6:15 a.m. with a 4-mile run with officers led by Major General Austin Miller. A military spouses' roundtable discussion on the employment challenges faced by service members' spouses, including licensing and credentialing, and the frequent relocations that are a fact of military life followed. A little later, Lu addressed an audience of more than 100 employers and members of the U.S. Chamber of Commerce where he touched upon key department initiatives such as Priority of Service for veterans in Labor Department-funded programs at American Job Centers, and the department's Employment Workshop, a three-day program to help service members transition to civilian jobs.

- [Learn More About Priority of Service](#)
- [Read About DOL Employment Workshops](#)

## Promoting Priorities in Connecticut

Deputy Secretary Lu traveled to Connecticut on March 10 to highlight that state's progress on two key departmental priorities. First, Lu and Rep. Elizabeth Esty toured Henry Abbott Technical High School in Danbury. The school has partnered with Naugatuck Valley Community College, which recently received a \$1.7 million grant from the department to develop an Advanced Manufacturing Training Program. Students in the program earn school credit and industry-recognized credentials to prepare them for jobs with the nearly 5,000 manufacturing companies in the state. Lu then arrived in Hartford for a roundtable discussion with Rep. Rosa DeLauro, State Sen. Mae Flexer and other elected officials and business and worker advocates to discuss paid leave's value to the state's workers and its economy. Connecticut currently has a paid sick leave policy and is considering expanding paid family leave benefits.

## Steel Workers' Conference

For an audience of approximately 1,500 people at the United Steel Workers Health, Safety and Environment Conference on March 11 in Pittsburgh, Assistant Secretary of Labor for the Mine Safety and Health Administration Joseph A. Main highlighted the improvements the mining industry has made in the last five years, but cautioned that the steady occurrence of deaths since October 2013 remains a cause for concern. "We're stepping up enforcement, education and outreach, and 'walk and talks' between federal inspectors and miners, focusing on the conditions and violations commonly associated with mining deaths," Main said. Also on hand was Dr. David Michaels, assistant secretary of labor for the Occupational Safety and Health Administration. His remarks focused on OSHA's recent report about how the costs of workplace injuries and illnesses contribute to income inequality and the cycle of poverty. Against that backdrop, Michaels reiterated the importance of injury and illness prevention, in the steel industry and beyond. He also gave an update on efforts in that area.

manage their finances as they join the workforce. The program will identify 25 communities with year-round youth employment opportunities and offer financial knowledge education. "Developing healthy financial habits early on helps young people better access services and products that can help them save, invest and build credit," said Perez.

- [Read the Blog Post](#)

## President Obama Announces TechHire Initiative

Empowering Americans with the access to education and training to earn higher wages is a cornerstone of the president's middle-class economics. Before the National League of Cities conference on March 9, Obama unveiled the administration's latest commitment to prepare American workers for high-demand jobs in the high-tech industry — TechHire. Currently, there are more than 500,000 jobs open in the information technology sector — in several occupations that didn't even exist a decade ago — and not enough American workers to meet the demand. To meet the needs of employers and help more Americans find meaningful careers, the president announced a commitment by the Department of Labor to launch a \$100 million grant competition to encourage innovative training programs. The competition is expected to be launched later this year.

- [Read the Fact Sheet](#)

## National News

### Selma: Marching a Half Century Later

Returning to the site of one of the civil rights movement's most iconic events, U.S. Secretary of Labor Thomas E. Perez traveled to Alabama and joined tens of thousands in Selma to mark the 50th anniversary of "Bloody Sunday." On March 8, 1965, civil rights activists were protesting barriers to voter registration for black citizens peacefully when they were attacked and beaten by police as they tried to cross the Edmund Pettus Bridge. As part of the weekend-long commemoration, Perez spoke at the Martin and Coretta King Unity Breakfast. In his remarks, he connected the struggles for civil rights and labor rights, movements that reinforce one another and share many of the same goals. He later attended services at Brown Chapel A.M.E. Church, the staging ground for the 1965 marchers. Perez was joined by Rev. Jesse Jackson, Martin Luther King III, U.S. Attorney General Eric Holder, other cabinet members and the family of Viola Liuzzo, a union activist, mother of five and a Selma volunteer from Detroit who was murdered by Ku Klux Klan members in late March 1965. Perez also participated in the re-enactment of the march across the bridge and visited the National Voting Rights Museum.

- [Read the Blog Post](#)

### Youth Offenders Get Lifeline With Face Forward Initiative

For youth with criminal records, entering the job market as adults can be challenging. To help them overcome these obstacles and become productive members of society, the department launched the third round of its Face Forward initiative on March 9. The \$30.5 million program offers youth services they need to gain job skills and open the door to career success. Services include occupational training, support services and mentorships. In addition, the program helps eligible youth to expunge their juvenile criminal records. "With these grants, we can create a brighter future for these youth, build safer communities and strengthen our economy as a whole," said Secretary Perez. Applications will be accepted through April 23.

- [Read the News Release](#)

## International Scene

### Berlin Hosts G7 International Stakeholder Conference

"Promoting Decent Work

Worldwide through Sustainable Supply Chains" was the topic of a G7 international stakeholder conference hosted jointly by Germany's Federal Ministry for Economic Cooperation and Development and the Federal Ministry of Labor and Social Affairs. Eric Biel, associate deputy undersecretary of labor for international affairs, joined government, business, labor and civil society leaders in Berlin on March 11 and 12 to discuss a range of issues pertaining to worker rights and working conditions. The two-

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## Celebrating Women's History

In March, the Women's Bureau is celebrating at Women's History events across the country. On March 10, Women's Bureau Director Latifa Lyles delivered the keynote address at the 6th Annual Wisconsin Alliance for Women's Health Summit in Madison. Lyles' speech touched on issues affecting working women, including paid leave, pregnancy accommodation and non-traditional occupations. At Boston's Simmons College, Women's Bureau Regional Administrator Jacqueline Cooke participated in "Making Women's Rights Real" on March 6. Attendees representing more than 50 organizations included Big Sister of Boston, Girls LEAP, YWCA Boston and Science Club for Girls.

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## Advancing Accessible Technology

Thousands of employers, technology providers and other public- and private-sector professionals converged in San Diego for the International Technology and Persons with Disabilities Conference, March 4-6. Sponsored by the California State University at Northridge, the event featured a presentation by Dylan Orr, the Office of Disability Employment Policy's chief of staff. He reviewed the department's efforts to promote the adoption of accessible workplace technology by America's employers. "We in ODEP consider accessible technology to be a civil rights issue, a gateway to equal opportunity," he said.

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## Gender Identity Awareness

More than 600 Office of Federal Contract Compliance Programs staff members participated in a presentation on gender identity awareness on March 9 at department headquarters in Washington, D.C. Mara Keisling, founding executive director of the National Center for Transgender Equality, and her policy director Raffi Freedman-Gurspan led an interactive discussion focused on how to make workplaces — including the Department of Labor — more inclusive and welcoming for transgender employees. Civil Rights Center Director Naomi Barry-Perez discussed departmental guidance on issues related to gender identity and transgender discrimination. "We will all be better at protecting workers, promoting diversity and enforcing the law when we are more compassionate, more understanding and more fluent in the language of inclusion," said OFCCP Director Patricia A. Shiu.

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## Retaliation Complaint Procedures

The Occupational Safety and Health Administration published a final rule on March 5, finalizing procedures for handling whistleblower retaliation complaints filed under the Sarbanes-Oxley Act. The act protects employees who report fraudulent activities and violations of Securities Exchange Commission rules that can harm investors in publicly traded companies. "Silencing workers who try to do the right thing is unacceptable," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. "This final rule safeguards investors by

day event included a keynote address by Nobel Peace Prize Laureate Kailash Satyarthi, who emphasized the importance of the department's funding and research that shines a light on poor labor practices around the world. The session also featured comments from German Ministers Andrea Nahles and Gerd Müller; Jim Yong Kim of the World Bank; Angel Gurría of the OECD, and Guy Ryder, the Director-General of the International Labour Organization.

- [Learn More About the Conference](#)

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## News You Can Use

### CareerOneStop Launches New Online Resources

With more job seekers searching online — and on their phones and tablets — the Employment and Training Administration has updated its CareerOneStop resource, making it more user-focused and accessible through a completely redesigned and mobile-friendly website. CareerOneStop offers streamlined access to key information and tools for job seekers, businesses and students. A new Credentials Center helps users on their journey to career success with online tools and information on an array of education and training options and how to plan and pay for them. Both mobile-friendly websites automatically adjust to a user's smartphone or tablet screen, providing on-the-go employment, training, and job search help.

- [Read the Blog Post](#)
- [Explore CareerOneStop](#)
- [Visit the New Credentials Center](#)

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## DOL Working for You

### From Homeless Veteran to Hometown Hero

Mickey Cook, a former U.S. Army logistics specialist and Iraq war veteran, faced his share of highs and lows when he returned to civilian life. Cook left the service while living in Virginia, but couldn't find a job there so he moved to South Carolina to live with family. His challenges continued, leaving Cook homeless. While living in a local homeless shelter, he sought help from Fast Forward, a nonprofit organization supported by a Veterans' Employment and Training Service grant to help homeless veterans find employment and a place in society. Fast Forward's staff and counselors worked with Cook on resume preparation, interviewing and other job skills. Eventually, he landed a job as a concierge with Marriott Hotels and twice has been named employee of the month. Recently, the Columbia City Council recognized Cook as a role model who has faced adversity and ultimately triumphed. "When you hit rock bottom, you can either stay there or you can work your way out," observed Cook. He said that he's "still working his way out" and plans to attend the University of South Carolina to study hospitality management.

- [Learn About the Homeless Veteran Reintegration Program](#)

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## DOL in Action

### Serial Safety Violator Faces Contempt Charges

A Maine roofing contractor's continued disregard of a federal U.S. Court of Appeals order to correct safety hazards and pay more than \$400,000 in fines could land him in jail. The department has asked the court to hold Stephen Lessard in civil contempt. The owner of Lessard Roofing & Siding Inc. in Greene and Lessard Brothers Construction Inc., in Lewiston, defied a December 2011 court order to correct violations levied from 2000 to 2011 by the Occupational Safety and Health Administration and pay \$404,000 in fines and interest. Most recently, OSHA cited Lessard for fall-related hazards and fined an additional \$287,000. "This is scofflaw behavior by a serial violator who demonstrates contempt — not only for the law and the U.S. Court of Appeals, but for the safety and lives of his employees," said Maryann Medeiros, OSHA's area director in Maine.

- [Read the News Release](#)

### Advance Auto Parts Store Ignores Dangerous Asbestos Exposure

A worker complaint of asbestos, mold and hygiene hazards led Occupational

protecting whistleblowers who shine a light on illegal or fraudulent conduct that otherwise may go uncorrected."

- [Read the News Release](#)
- [Read the Final Rule](#)

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## Illinois Governor's Safety Award

John Lee of the Illinois

Feed and Grain Association received the 4th annual Governor's Award for Contributions to Safety and Health at this year's Downstate Illinois Occupational Safety and Health Day. Gov. Bruce Rauner presented the award to Lee for his efforts to educate agri-business employers and workers on grain handling safety. "DIOSH Day provides an opportunity for safety professionals in downstate Illinois to gain important information, learn about valuable resources and network with hundreds of their peers," said Thomas Bielema, director of the Occupational Safety and Health Administration's Peoria office. More than 700 people attended the March 5th event, which is co-sponsored by OSHA and the Illinois Manufacturing Excellence Center, Illinois Department of Labor, and other industry and professional safety and health organizations.

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## Calling All Construction Contractors

Construction contractors nationwide are asked to help the Wage and Hour Division to gather vital data on wages and benefits being paid to industry workers. In two recent videos released online, the division explains how employers can help. Ensuring the payment of prevailing wages and benefits to workers on federally-funded construction projects protects workers' incomes and levels the playing field for contractors. "Stakeholder participation in our survey process is critical," said Michael Lazzeri, the assistant administrator for government contracts. "The greater the participation, the more accurate our published wage rates will be as a result. As with all of our work, the Wage and Hour Division strives to reach the highest levels of customer service, with the greatest accuracy possible."

- [Watch the Videos](#)

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## Focus on California Women

The San Francisco regional office of the Women's Bureau joined the Pasadena Commission on the Status of Women on March 4 to discuss the release of the "2015 Report on the Status of Women in Pasadena." Written by Mount Saint Mary's University, the report found that women in Pasadena enjoy better earnings compared to other California women and, on average, earn 91 percent of men's annual wages. Women's Bureau Regional Administrator Kelly Jenkins-Pultz noted that Pasadena women have much higher levels of education other women in the state, which has helped open the highest paying jobs to them and narrowed the wage gap. The report also addresses housing and homelessness concerns, women veteran issues, domestic violence and human trafficking.

- [Read the Report](#)

Safety and Health Administration inspectors to an Advance Auto Parts store in Kansas City, Mo. After finding one repeated and 10 serious safety and health violations, the inspectors levied \$60,000 in penalties. "Exposure to asbestos is a dangerous workplace issue that can cause loss of lung function and cancer, among other serious health effects. When Advance Auto uses an older building with presumed asbestos-containing material, such as floor tiles, it has a responsibility to conduct periodic air monitoring and must post warning signs for workers," said Barbara Theriot, OSHA's area director in Kansas City.

- [Read the News Release](#)

## New York Roofer Fails to Provide Fall Protection

As they drove to a work site in Katonah, N.Y., Occupational Safety and Health Administration inspectors saw workers replacing a roof without fall protection. OSHA launched an inspection and cited Franco Roofing Inc. of Yonkers for seven repeat and four serious violations of workplace safety standards. In 2011 and 2012, the company allowed similar hazards in New York and Connecticut, and received citations. "Falls, slips and other injuries can and should be avoided at all cost through the use of proper equipment and training, and OSHA will not tolerate companies that don't adhere to basic safety standards," said Diana Cortez, OSHA area director in Tarrytown.

- [Read the News Brief](#)

## Suit Filed Against Fiduciaries to Restore Retirement Plan

The department has sued Vic International Corp., James Victor Green, Kelly Milligan and Paul Kelley, in Knoxville, Tenn., for failing in their fiduciary responsibilities. An Employee Benefits Security Administration investigation found that, from August 2011 to March 2012, the defendants breached their fiduciary duties under the Employee Retirement Income Security Act by failing to remit \$21,688 in employee contributions to the plan and allowing the funds to be co-mingled with general company assets. The suit asks the court to require the defendants to restore all losses to the plan, prohibit the defendants from serving as fiduciaries to any ERISA-covered plan in the future, and appoint an administrator of the plan. Vic International Corp. ceased operations in March 2012.

- [Read the News Brief](#)

## Honolulu Restaurant to Return \$57,000 in Tips, Unpaid Wages

Paradise Inn Hawaii LLC, doing business as Tsukiji Fish Market Restaurant in Honolulu, agreed to pay \$48,029 in tips and \$9,538 in back wages to 68 employees. Wage and Hour Division investigators found that the employer unlawfully required servers to share their tips with non-tipped employees while still paying those servers an hourly wage less than the full minimum wage.

- [Read the News Brief](#)

## Saipan, Tinian Employer to Return \$70,000 to Workers

Long Feng Corporation has agreed to pay \$70,197 in back wages owed to 24 workers at its New XO Market in Saipan and Tian Hong Market in Tinian after a Wage and Hour Division investigation. The grocery store, poker arcade and coin laundry establishments failed to pay minimum wage and overtime, and the employer had workers enter into agreements giving up their entitlement to overtime. The company also was cited for record-keeping violations of the Fair Labor Standards Act. "When a business is subject to the wage provisions of the FLSA, an employer cannot lawfully enter into separate wage agreements with their workers that undermine their basic rights under the law," said Terence Trotter, the division's district director in Hawaii.

- [Read the News Brief](#)

## Deadly Forklift Accident a 'Preventable Tragedy'

Midwest Manufacturing has been cited by the Occupational Safety and Health Administration in the Sept. 2014 death of a forklift operator in Valley, Neb. The 54-year-old warehouse worker was fatally injured while moving trusses. OSHA inspectors found the company, owned by home improvement store Menards Inc., exposed workers to struck-by hazards at the facility. "This preventable tragedy demonstrates how quickly a routine workday can turn deadly," said Bonita Winingham, OSHA's area director in Omaha. "Employers must educate and train forklift operators and others working in warehouses to remove debris and other material from the path of forklifts."

- [Read the News Brief](#)

## Modernizing Compensation Claims

New rules are modernizing claims processes for the Office of Workers' Compensation Programs' longshore program. Currently, some tasks could only be completed via registered or certified mail, but a final rule and proposed rule published March 12 will enable easier, more efficient transmission of records and information. "Using current communications technology is increasingly important to good governance," said OWCP Director Leonard J. Howie III. "In publishing this rule, we've listened to our stakeholders, and I feel confident that modernizing our regulations to embrace new technology will enable us to provide a heightened level of service."

- [Read the Final Rule](#)
- [Read the Proposed Rule](#)
- [Read the News Release](#)

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## Jobs Report Questions Answered

America added more than 12 million jobs in the last 60 months, extending the longest recorded streak of private-sector job growth. In concert with the release of the February jobs report, Dr. Heidi Shierholz, the department's chief economist, and Dr. Ed Montgomery, dean of the McCourt School of Public Policy at Georgetown University, hosted a Google+ Hangout to discuss its highlights. In recognition of February's celebration of Black History Month, they took a deeper dive into data on African Americans in the labor force. Dr. Ken Harris, president and CEO of the Michigan Black Chamber of Commerce, and Dr. Avis Jones-DeWeever, president and CEO of Incite Unlimited, also participated.

- [Watch the Discussion](#)
- [Read Blog Post](#)

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## Weekly UI Claims

Seasonally adjusted initial Unemployment Insurance claims declined to 289,000 for the week ended March 7, the department reported. The advance figure was down 36,000 from the previous week's revised level. The four-week moving average was 302,250, down 3,750 from the previous week's revised average.

- [Read the News Release](#)

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## Upcoming Deadlines & Events

### Open Funding Opportunities

#### EBSA — Getting It Right: Know Your Fiduciary Responsibilities Webcast Series

- [March 18 — Webcast: Day 2](#)
- [March 19 — Webcast: Day 3](#)

#### OFCCP — Affirmative Action Program Development for Small or First-Time Supply and Service Contractors

- [March 18 — Baltimore, MD](#)
- [March 25 — Arlington, VA](#)

#### OFCCP — Complaint Procedures

- [March 18 — Orange, CA](#)

#### OFCCP — Construction 16 EEO & Affirmative Action Specification

## Hazards Prove to Be an 'Explosive Combination' at Illinois Facility

Two temporary workers injured in a Chicago-area factory were unable to return to their job for months after first- and second-degree burns hospitalized them. In October 2014, a gas-powered forklift ignited at Polychem Services Inc. in Chicago Heights and seriously injured two workers. An investigation by the Occupational Safety and Health Administration resulted in six willful, one repeated and four serious safety violations with penalties totaling \$110,000. "Lack of training, combined with using a forklift not approved for this environment, proved an explosive combination. When you operate a plant producing flammable materials and byproducts, worker protection must be job one," said Kathy Webb, OSHA's area director in Calumet City.

- [Read the News Release](#)

## Florida Roofing Contractor Is Chronic Offender, Fined \$186,000

Jasper Contractors, a Jacksonville, Fla., roofing contractor, has been cited by the Occupational Safety and Health Administration after August and December 2014 inspections found workers on roofs without fall protection. Seven citations were issued for not using fall protection and having workers without protective equipment, as well as unsafe ladder usage. Since 2009, OSHA has inspected Jasper sites 13 times and levied numerous citations for violating fall protection and other safety standards. In the most recent case, penalties total \$186,200.

- [Read the News Release](#)

## Contractors Faulted in Deadly Alabama Trench Collapse

A lack of cave-in protection caused the death of a day laborer in Birmingham, Ala., in August 2014, the Occupational Safety and Health Administration has determined. Its investigation found subcontractor Joshua Dailey responsible for the trench collapse that buried the worker alive. Dailey received a willful violation for allowing employees in an excavation to work without proper protections. The general contractor, Bates Construction also received a serious violation for not notifying OSHA of the fatality. At the time of the collapse, the worker was attempting to connect sewer lines to a new home. Proposed penalties total \$53,800.

- [Read the News Release](#)

## Worker Dies Because Missouri Manufacturer Ignored Safety Hazards

A 58-year-old maintenance worker died after he was pinned between a scrap metal table and a railing at his Bridgeton, Mo., worksite. An investigation by the Occupational Safety and Health Administration found Hussmann Corp. failed to prevent the table from lowering unintentionally and, as a result, issued three willful and 12 serious safety violations in the September 2014 accident. The company has been placed in OSHA's Severe Violator Enforcement Program.

- [Read the News Release](#)

## Worker's Death at Scrap Metal Facility Preventable

The death of a 52-year-old man in September 2014 at a Denver scrapyards could have been averted if the metal baling machine he was working in was shut down properly, the Occupational Safety and Health Administration concluded. An inspection by OSHA investigators determined that Atlas Metal & Iron Corp. failed to lock out the energized baling machine and properly assess the permit-required confined space. The agency also found a lack of proper equipment access, combustible dust accumulations, missing guardrails on working surfaces, and inadequate protection around moving machine parts.

- [Read the News Release](#)

## West Virginia Contractor Ignores Fall Protection for Roofers

A West Virginia contractor received one serious and three willful violations from Occupational Safety and Health Administration inspectors who found the Martinsburg employer did not provide fall protection to roofers at a worksite in Morgantown. K&F Construction Inc. exposed workers 25 and 30 feet above the ground to dangerous falls and did not ensure eye protection was worn by workers using a pneumatic nail gun to lay roofing insulation. The company also used a forklift to support a scaffold inappropriately. The violations carry penalties totaling \$109,450.

- [Read the News Brief](#)

## Alabama Union Agrees to Hold New Officer Election

American Federation of Government Employees Local 2206 in Birmingham,

- [March 18 — Columbia, SC](#)
- [April 15 — Columbia, SC](#)

#### **OFCCP — Construction Review and the Sixteen Specifications**

- [March 23 — San Francisco, CA](#)

#### **OFCCP — New Regulations Implementing the Section 503 of the Rehabilitation Act**

- [March 19 — Richmond, VA](#)

#### **OFCCP — New Scheduling Letter**

- [April 16 — Orange, CA](#)

#### **OFCCP — New Supply and Service Scheduling Letter and Itemized Listing**

- [March 17 — Chicago, IL](#)

#### **OFCCP — Outreach and Positive Recruitment for Section 503/VEVRAA**

- [April 16 — Houston, TX](#)

#### **OFCCP — Protecting Your Workplace Rights**

- [April 14 — Chicago, IL](#)

#### **OFCCP — The New VEVRAA Regulations**

- [April 14 — Chicago, IL](#)

#### **OFCCP — Town Hall Meetings to assist nuclear weapons workers**

- [March 18 — Westminster, CO](#)

#### **OFCCP — Veterans & Persons with Disabilities Hiring Expo**

- [March 27 — Los Angeles, CA](#)

#### **WHD — Wage and Hour 101: What to expect during a WH investigation**

- [March 27 — Houston, TX](#)
- [March 31 — Houston, TX](#)

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Ala., agreed to conduct new nominations, if necessary, and a new election for the officer positions of vice president of grievances; vice president, computer operations section; vice president, section 1; vice president, section 2; and secretary under the supervision of the Office of Labor-Management Standards. OLMS investigators found that the union failed to provide proper notice of election; denied members the right to vote; and permitted ineligible members to vote. The union also failed to provide adequate safeguards when instructions were not included with the ballot and when candidates were listed on the ballot for races for which not all members were eligible to vote. The new election will be held on April 25.

#### **Back Wages Sought for Wisconsin Restaurant Workers**

A lawsuit filed in federal district court in Green Bay, Wis., seeks back wages and liquidated damages for kitchen staff and servers employed by four Mexican food restaurants near Appleton. Wage and Hour Division investigators found El Azteca Restaurants failed to pay kitchen staff and servers at least the minimum wage and overtime for hours worked beyond 40 in a workweek. "Failing to abide by the law and denying workers the wages to which they are legally entitled deprives them of their hard-earned income, and the ability to care for themselves and their families," said Karen Chaikin, Midwest regional administrator in Chicago.

- [Read the News Brief](#)

#### **Nuclear Workers in Wyoming**

The Office of Workers' Compensation brought its traveling resource center to Wyoming on March 10 and 11. Representatives shared information about medical benefits available under the Energy Employees Occupational Illness Compensation Program Act, and staff answered questions and helped visitors file claims. The program is part of the Energy Employees Occupational Illness Compensation Program, which provides compensation and health benefits to eligible Department of Energy nuclear weapons workers and their families.

- [Learn More About DEEOIC](#)
- [Learn More About EEOICPA](#)

#### **Georgia Union to Rerun Election**

National Air Traffic Controllers Association Local ZTL, in Hampton, Ga., recently agreed to conduct new nominations and an election for the positions of president, vice president, secretary, treasurer and one area representative under the supervision of the Office of Labor-Management Standards. An OLMS investigation found the union failed to provide proper notice of election when it included incorrect information about the ballot return deadline and duplicate ballot request deadlines for the October 2014 election. The union also failed to provide adequate safeguards when ballots were left unsecured in an office where officials and candidates had access, and when an election official accessed the ballots in a post office box without anyone else present. The new election will be held on Oct. 15.

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