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Subject: The DOL Newsletter - April 9, 2015: Support for Trafficking Victims; Funds for YouthBuild; Successful Mine Rescue Test

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DOL News Brief

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April 9, 2015

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

- [Why I'm Optimistic About the Economy](#): "While March's numbers aren't as robust as we've seen over the last year, overall trends remain solid, and there is every reason to be optimistic about our economic trajectory going forward," writes Secretary Perez.
- [Chris Sommers: Boost Business By Raising Minimum Wage](#): "As a restaurant owner operating in four states and looking to expand, I'm happy to see the minimum wage going up in 21 states to kick off the new year," writes Chris Sommers, co-founder of Pi Pizzerias and Gringo Mexican Restaurant based in St. Louis, Missouri.
- [How Do I Use This API?](#) "Good Documentation Practices from Department of Labor: Many federal agencies do a tremendous job of documenting their APIs and data sources. One of my favorites is the Department of Labor's API documentation," writes Bill Brantley, Human Resource Information System Branch Chief in the U.S. Development Agency's Rural Development Human Resources Office.

Partnering For Opportunity

First Lady Michelle

Obama welcomed representatives from philanthropy, business, and Native American nations to the White House on April 8 to discuss challenges facing Native American youth. The group explored expanding public-private partnerships to create more opportunities for Native American people, more than 40 percent of whom are under the age of 24. Deputy Secretary of Labor Christopher P. Lu participated on a panel about jobs and economic development with Agriculture Secretary Tom Vilsack and Small Business Administrator Maria Contreras-Sweet. Lu highlighted the department's programs for, and investments in, native youth, including the Employment and Training Administration's Indian and Native American Programs. He also discussed new provisions of Workforce Innovation and Opportunity Act that target out-of-school youth and offers programs related to entrepreneurial skills training and financial literacy.

- [Learn About the DINAP Program](#)

What's New

Visa Changes Will Benefit Human Trafficking Victims

The Wage and Hour Division will now exercise its authority to certify applications for trafficking victims seeking "T" visas, U.S. Labor Secretary Thomas E. Perez announced in Seattle on April 2. At a roundtable on new American integration hosted by OneAmerica, Perez noted that the division also will certify "U" visa requests when workplace investigations detect three additional qualifying criminal activities: extortion, forced labor and fraud in foreign labor contracting. "The Labor Department is taking important steps to provide more support for workers who have been exploited significantly because of their immigrant status," said Perez. "These actions will protect workers, and help law enforcement protect our communities and public safety."

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

New Gender Identity and Sexual Orientation Workplace Rights

America's workers have new legal protections in the federal contractor workplace. As of April 8, federal contractors and subcontractors with new or newly modified contracts are prohibited from discriminating on the basis of sexual orientation and gender identity, the result of an Executive Order signed by President Obama in 2014. The new protections are administered and enforced by the department's Office of Federal Contract Compliance Programs. "Equality under the law means equality under the law for everyone. It means giving everyone the chance to go as far as their hard work will take them," said Secretary Perez in a blog.

- [Read the Blog Post](#)
- [Learn About LGBT Workplace Rights](#)

New Communication System Passes Mine Rescue Test

"Can you hear me now?" The answer was a resounding "Yes" as mine rescue personnel deep underground were able to communicate with the surface command center at a coal mine in Western Pennsylvania on April 8. Fortunately, the emergency was a simulated disaster — part of a mock mine emergency exercise — sponsored by the Mine Safety and Health Administration and hosted by CONSOL Energy's Harvey Mine in West Finley. MSHA used the event to showcase a new wireless system that has been years in development. The new technology enables real-time communications, tracking, mapping and atmospheric monitoring — all of which will make mine rescue quicker and safer. MSHA's mine emergency unit joined forces with CONSOL's eight rescue teams, the Pennsylvania Department of Deep Mine Safety and the Pennsylvania Special Medical Response Team in a series of drills that featured injured miners and smoke-filled tunnels. "The old method of relaying the results of exploration through multiple persons — almost like a 'Pony Express' system that often led to miscommunication — is over," said Assistant Secretary of Labor for Mine Safety and Health Joseph Main.

- [Learn About WIOA Youth Programs](#)

Lead on Leave Tour Hits Chicago

"The Lead on Leave — Empowering Working Families Across America" tour is making stops around the country to amplify the call for paid leave. It stopped at the University of Chicago's Booth School of Business on April 9. With the help of outreach by the department's Women's Bureau, a crowd of more than 130 students and community members gathered to talk about the need for policies that support workplace flexibility with Valerie Jarrett, senior advisor to President Obama. "Paid leave is what businesses need to compete for the best and brightest employees," said Jarrett. "We shouldn't be leaving half of our talent on the sidelines. This isn't just about women. It is an entire family issue."

- [Learn About Paid Leave](#)

Alliance to Protect Airline Workers

An alliance between the Airline Ground Safety Panel and the Occupational Safety and Health Administration to address multiple aspects of airline ground personnel safety was renewed on April 8 in Washington, D.C. The alliance provides information and training resources to members, ground crew unions and contract firms, and workers. "OSHA and members of the airline industry have worked together in recent years to address safety issues among ground personnel," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. "The efforts of our continued alliance with AGSP will go a long way toward keeping workers across the country safe and healthy at the end of every workday."

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

Mistreatment Gives Way to Gratitude

While in New Mexico recently, Wage and Hour Division Administrator Dr. David Weil met with Albuquerque workers helped by Wage and Hour investigations. Carlos Peña and Theresa Quezada worked an average of 54 hours each week in a donut shop but were paid no overtime. They told Weil of their unfair treatment, but did not realize how serious it was until a federal investigation took place. "We were scared to say anything," said Quezada. "We are now more aware of our rights, and we tell others that they have rights, too." Both workers expressed gratitude that their workplace had improved. Weil also spoke with restaurant server Brandon Larlee, who was paid a salary but did not receive all wages owed him. Larlee believed he was mistreated but felt worse for his coworkers who had families and were paid less. Weil responded, "We are grateful that you came in and told us your stories, as it helps us in our work. It is important to get the knowledge of their rights to working people and ensure they get the wages that they deserve."

- [Read the Blog Post](#)
- [Learn More About Mine Rescue](#)

National News

Building a Better Future for America's Youth

A good education and career success remain out of reach for too many young people, but with \$76 million in available funding announced April 6, the department's YouthBuild program is working to make a difference. Using community-based alternative education as its base, YouthBuild helps at-risk youth complete high school or state equivalency degree programs while also learning skills to work in the construction, health care, information technology and other industries. At a Houston-area YouthBuild site in August 2014, Secretary Perez talked about the program. "YouthBuild isn't just the Labor Department at its best; it's America at its best — investing in potential, providing second chances. We don't kick people to the curb in this country when they've fallen on tough times. We give them a hand up and allow them to go as far as their hard work and personal responsibility will take them," Perez said. YouthBuild aligns closely with President Obama's *My Brother's Keeper* initiative to address persistent opportunity gaps facing boys and young men of color and to ensure that all young people can realize their full potential. A total of 76 grants are available and organizations have until June 5 to apply.

- [Read the News Release](#)
- [Learn More About YouthBuild](#)
- [Apply For Funding Online](#)

Grants Available to Improve Workforce Data

Building a better workforce system starts with having reliable data. Last year's Workforce Innovation and Opportunity Act encouraged greater coordination between workforce and education programs, and states have made important strides to integrate their programs. To further the progress, the Employment and Training Administration announced the availability of about \$10 million in grants on April 7 in the fifth round of funding under the Workforce Data Quality Initiative. Together with a complimentary Statewide Longitudinal Data Systems Grant Program funded by the U.S. Department of Education, these grants will help states improve accountability and transparency while connecting data infrastructure across programs. In announcing the latest funding, Secretary Perez said, "Better data helps us meet the needs of employers, workers and job seekers. It also increases accountability and gives consumers more information about which programs can help them achieve their goals." State Workforce Agencies have until May 6 to apply.

- [Learn About the Workforce Data Quality Initiative](#)
- [Learn About the Statewide Longitudinal Data Systems Grants](#)
- [Apply for Grant Funding](#)

Harwood Safety and Health Grants Now Available — \$3.5M in 2015

The Occupational Safety and Health Administration has begun accepting applications for the Susan Harwood Training Grant Program for the \$3.5 million available in 2015. The program supports the creation of in-person, hands-on training and educational programs and the development of materials for workers and employers that meet certain criteria. These include small businesses; industries with high injury, illness and fatality rates; and vulnerable workers, who are underserved, have limited English proficiency or are temporary workers. The grants will fund training and education for workers and employers to help them identify and prevent workplace safety and health hazards. "These grants... fund great programs with a truly noble goal, which is to make sure that every worker gets home safe and healthy at the end of the day," said Secretary Perez.

- [Learn About Harwood Grants](#)
 - [Read the Announcements](#)
 - [Watch Advice on Applying](#)
-

Mining For Life-Saving Answers

Industry stakeholders in California, Washington, Nevada and Idaho gathered in Sacramento on March 31 for a roundtable discussion on reducing mining fatalities and increasing opportunities for mine safety trainers. Assistant Secretary of Labor for Mine Safety and Health Joseph Main led the discussion with approximately 20 mine operators and state association members. Later that day, Main and other MSHA officials toured a Teichert Aggregates plant in Esparto, Calif., and Granite Construction sand and gravel facility in Capay. Both are producers of sand and gravel for general construction and road building that boast strong safety and compliance records. They attribute their success to employee involvement and effective training programs. The day wrapped up with a visit to the Cache Creek Conservancy Nature Preserve, a reclaimed mine site in Woodland.

Equal Pay Strategies for Employers

The Women's Bureau in San Francisco has begun a series of activities aimed at raising awareness about the existing wage gap between women and men. Regional Administrator Kelly Jenkins-Pultz encouraged employers to be vigilant about recruiting and retaining women in higher-paying, nontraditional occupations. At a forum with employers in San Francisco on April 1, she detailed concrete steps employers should take to eliminate unequal pay. Jenkins-Pultz talked about the importance of implementing and expanding workplace flexibility policies and procedures. "Because so much pay inequity begins with the starting salary, employers are encouraged to consider structured starting salaries as a best practice to ensure men and women begin employment with equal wages," she said. The forum was sponsored by the Northern California Industrial Liaison Group, a partnership of private sector federal contractors.

Apprenticeship in Health Care

At the state's Rutgers University, the New Jersey Health Care Talent Network kicked off its third annual Health Care Industry Week on April 6. The event showcased the growing need in New Jersey for health care workers and provided resources to students and area employers to help develop an effective pipeline of workers to fill high-demand health care occupations like nurses, home care professionals and health care technicians. The Rutgers program has adopted the apprenticeship model for training health care workers, including developing a new Community Health Worker apprenticeship program which recruits participants from the long-term unemployed. John Ladd, administrator of the department's Office of Apprenticeship, attended the event. He discussed the value the apprenticeship training model offers to employers and students. Ladd then joined Susan Schurman, dean of Rutgers University's School of Management and Labor Relations, to formally sign new apprenticeship standards, officially registering the school's apprenticeship program.

DOL Working for You

Hard Work and Good Food Equal Success

High school was an ill-fit for Susana Bravo. Boredom led the Louisiana teenager to act out often enough that her mother pointed her toward the New Orleans Job Corps Center. "In high school, I was tired of going to class because it became boring and repetitive," Bravo explained. She joined the Job Corps at 16 and her love of cooking put her on a road to independence, confidence and leadership. Bravo tried carpentry, a sales job and even cleaned bathrooms before the culinary program took hold of her. The program propelled Bravo to earn her high school diploma, and job opportunities followed at premier New Orleans restaurants such as the Roosevelt at the Waldorf Astoria Hotel and Criollo at the Hotel Monteleone. At Criollo, Bravo's mentor — Sous Chef Diego Mira — encouraged her to apply for a culinary scholarship offered by the John Besh Foundation. She did and won a \$65,000 scholarship to attend the prestigious International Culinary Center in New York. Upon graduation, Bravo plans to return to the Big Easy, which hardly describes her approach. "Hard work and staying prepared can go a long way," Bravo said.

DOL in Action

Jury Awards \$1.3M to 101 Cheated and Threatened Workers

Two companies, Pacific Coast Foods Inc., and J&J Comfort Zone Inc. have been ordered to pay more than \$1.3 million in back wages and damages to 101 workers at their J&J Mongolian Grill and Spa Therapy businesses in Bellingham, Washington. A unanimous jury verdict found workers were systematically denied minimum wage and overtime pay, and that the defendants interfered with, and retaliated against workers who cooperated in the investigation. "No one who works hard and plays by the rules should be cheated out of the wages to which they are legally entitled," said Secretary Perez. "In this case, the business owners took advantage of their workers and continued to do so even after being informed by investigators that they were operating in violation of federal labor law. That's unconscionable. We will hold accountable those businesses that break the law, and just like in this case, ensure that justice prevails for workers."

- [Read the News Release](#)

Substandard Scaffold Sends Three Roofers to the Hospital

Three Massachusetts roofing workers were hospitalized after a two-story fall that occurred when a scaffold platform broke beneath them. They sustained spinal, eye, face, chest and rib fractures, broken bones and a punctured lung. The Occupational Safety and Health Administration found that the incident in Wenham occurred because a spruce plank used as the platform could not support the workers' weight, was not graded for scaffold use, and the plank's invoice was clearly marked "not for scaffold use." OSHA cited contractors A.C. Castle Construction Co., Inc./Daryl J. Provencher Home Improvement for willful, repeated and serious violations and proposed \$294,500 in fines. "Had this employer obeyed the law and followed OSHA standards, this incident and the resulting serious injuries to three workers would not have occurred. It was completely preventable," said Dr. David Michaels, assistant secretary of labor for occupational safety and health. "Instead of purchasing and using scaffold grade planking that could support the load, this employer needlessly gambled with the safety and well-being of its employees."

- [Read the News Release](#)

- [Learn About the Upcoming National Fall Safety Stand-Down](#)

Tank Cleaning Could Have Prevented Worker's Death

A Houston-based oil drilling company has been cited by Occupational Safety and Health Administration investigators after an explosion fatally injured 28-year-old Marine veteran Dustan Payne. Nabors Completion and Production Services Co. failed to clean a water hauling tank thoroughly before allowing Payne to weld inside the tank at a Williston, N.D., work site. On Oct. 3, 2014, vapors in the tank ignited and seriously injured Payne, who died five days later. OSHA issued one willful and four serious safety citations involving welding operations and has placed Nabors in its Severe Violator Enforcement Program. "Employers must develop and implement a stringent container cleaning program. No container should be assumed to be safe for

Getting Older Women Back to Work

Research shows that unemployed older women remain out-of-work for longer periods of time than younger women, and when they do return to find work, older women often earn lower wages with less desirable working conditions than before. To try to turn the tide by providing the tools these women need to enter or re-enter the workforce, the Women's Bureau in Dallas and the Dallas County Community College District have scheduled three conferences in the region. The second in the series, titled "50+ Women to Work: Ready, Set, Employed," was held on April 7 in Lancaster, Texas, with about 80 women in attendance at the Cedar Valley College. The third conference is planned for April 29 at Richland College in Dallas.

- [Read the Older Women and Work Fact Sheet](#)

Safety in Agriculture Is Priority

Approximately 90 farm and forest labor contractors, farmers and stakeholders participated in a workshop to learn more about agricultural labor law requirements in Woodburn, Oregon, on March 31. The Wage and Hour Division, Oregon's Bureau of Labor and Industries and the Oregon Occupational Safety and Health Division provided comprehensive training on federal and state requirements for farm labor contractors. The division's Western Regional Director of Enforcement Richard Longo emphasized the priority for safety in transportation, as most injuries can be avoided. Thomas L. Silva, the division's district director in Portland, said that these educational forums are paramount to ensure that workers are not only paid accurately, but that employers are also implementing safety measures to protect workers and avoid injuries and fatalities.

- [Read the Agriculture Employment Guide](#)

Outreach in Oklahoma

From 2011 to 2014, the majority of agricultural industry Wage and Hour Division investigations by the Oklahoma City District office yielded violations. To improve compliance with labor laws governing the industry, the division has launched a multi-year educational and enforcement initiative in Oklahoma. This year, the agency is reaching out to growers with education and technical assistance to increase awareness and, in turn, compliance. Initial enforcement efforts will focus on area's watermelon growers.

- [Read the News Brief](#)

Win for 1,300 Bay Area Caregivers

A multiyear compliance assistance and enforcement initiative by the Wage and Hour Division found that Bay Area residential care facilities and nursing homes have underpaid more than 1,300 workers by millions of dollars. Agency investigators concluded that — between 2011-2014 — minimum wage and overtime violations resulted in more than \$6.8 million dollars in back wages and damages for the workers; money needed by these low-wage workers to cover basic life expenses, such as rent, food, transportation and child care. "The hardworking

welding operations," said Eric Brooks, OSHA's area director in Bismarck.

- [Read the News Release](#)

New Jersey Employer Violates Guest Worker Program

Wage and Hour Division investigators found that the owner of two East Rutherford, N.J., companies violated a provision of the H-1B visa program. Five H-1B visa workers employed with Amazing Apple Inc., an accessory importer doing business as Blue Bell, and Space Age Inc., a scarf importer doing business as Barrington Scarves, were not paid the wage rate required by the labor condition application. The employer will pay \$322,094 in back wages and penalties. The willful nature of the violation also resulted in a civil penalty of \$12,500 and a two-year debarment, excluding the employer from participation in any visa or immigration program that requires labor certification.

- [Read the News Release](#)

Roof Workers Faced 7-Story Falls Until Inspectors Arrived

Construction workers installing roofing and heating and air-conditioning units atop a Des Plaines, Ill., condominium risked fatal seven-story falls because its employer, a repeated offender, did not provide protection required by the Occupational Safety and Health Administration. For the sixth time since 2004, Armor Shield Construction was cited for exposing workers to fall hazards. The most recent inspection at Armor Shield revealed three repeated and two serious safety violations with penalties of \$72,380 proposed. "Armor Shield needs to make immediate changes to its safety program. No worker should ever be subject to fall hazards when basic safety equipment can prevent tragedies," said Angeline Loftus, OSHA's area director for the Chicago North Area Office in Des Plaines.

- [Read the News Release](#)

Machine, Welding Hazards Prevalent at Missouri Manufacturing Plant

Twice in 18 months, workers at a metal-mesh manufacturing plant in Warrenton, Mo., risked dangerous cut, laceration and amputation hazards by machines being operated without proper safeguards. Acting on a complaint, Occupational Safety and Health Administration investigators identified one repeated and eight serious safety violations at Metso Minerals Industries Inc., which faces proposed penalties of \$64,250. "More than 200,000 American workers are injured by machine hazards annually. Workers pay the price when companies fail to follow standards to reduce injuries," said Bill McDonald, area director of OSHA's St. Louis office.

- [Read the News Release](#)

Texas Natural Gas Facility Faces Fines

A Texas natural gas processing facility was cited for eight serious safety violations by Occupational Safety and Health Administration inspectors in October 2014. Five of the violations issued to Enbridge G&P (North Texas) L.P. in Springtown were for Process Safety Management, which includes the unexpected release of toxic, reactive or flammable liquids and gases in processes involving highly hazardous chemicals. The proposed penalty totals \$41,250.

- [Read the News Release](#)

Workers in Danger of Chlorine Gas at Kansas Foundry

Workers risked exposure to dangerous chlorine gas while forging blocks of metal material at an aluminum foundry in Prescott, Kan., because their employer did not train them on how to handle and store the gas, Occupational Safety and Health Administration inspectors found. Improperly used, chlorine gas can cause severe respiratory damage. Unsafe use of the gas was discovered by OSHA at Custom Alloy Sales 34P LLC in September 2014 after a complaint prompted an inspection. As a result, OSHA issued 31 serious health and safety citations with proposed penalties of \$160,200. "With more than 30 violations, it's clear that the safety and health of its workers are not priorities at Custom Alloy Sales. Failing to provide training, safety equipment is unacceptable," said Judy Freeman, OSHA's area director in Wichita.

- [Read the News Release](#)

Cave-in and Struck-by Hazards Found At Construction Site

Workers installing sewer lines at an Alabama job site were endangered by a lack of cave-in protection and other deadly hazards, Occupational Safety and Health Administration inspectors report. Global Construction & Engineering Inc. was issued seven citations for not providing workers with cave-in

men and women who take care of our relatives and friends need to be compensated fully for their time," said Ruben Rosalez, the division's regional administrator in San Francisco.

- [Read the News Release](#)

Weekly UI Claims

Seasonally adjusted initial Unemployment Insurance claims rose to 281,000 for the week ended April 4, the department reported. The advance figure was up 14,000 from the previous week's revised level. The four-week moving average was 282,250, down 3,000 from the previous week's revised average.

- [Read the News Release](#)

Calendar Highlight

#EqualPayDay

Join an Equal Pay Day conversation April 14 when Secretary Perez will host Reps. Nancy Pelosi, Rosa DeLauro and Senior Advisor to the President Valerie Jarrett. Tune into dol.gov/live/ and ask your questions using #EqualPayDay.

- [Learn About Equal Pay Day](#)

Upcoming Deadlines & Events

Open Funding Opportunities

EBSA — Get Financially Fit Early in Your Career

- [April 28 — Webcast](#)

EBSA — Getting It Right: Know Your Fiduciary Responsibilities

- [May 7 — Pasadena, CA](#)

OASAM — Vendor Outreach Session

- [April 23 — Washington, DC](#)

OFCCP — An OFCCP Audit Through the Eyes of An Investigator

- [April 21 — Webinar](#)

OFCCP — Construction 16 EEO & Affirmative Action Specification

- [April 15 — Columbia, SC](#)

OFCCP — Good Faith Efforts Required by OFCCP

- [May 7 — Orange, CA](#)

OFCCP — New Scheduling Letter

- [April 16 — Orange, CA](#)

OFCCP — Outreach and Positive Recruitment for Section 503/VEVRAA

- [April 16 — Houston, TX](#)

OFCCP — Presentation: Protecting Your Workplace Rights

- [April 23 — Dallas, TX](#)

OFCCP — Protecting Your Workplace Rights

- [April 14 — Chicago, IL](#)
- [April 22 — Chicago, IL](#)

OFCCP — The New VEVRAA Regulations

protection, ensuring workers wore head protection and not ensuring workers placed dirt and equipment far enough away to prevent it from falling into the trench at the Center Point work site. The October 2014 inspection was initiated as part of OSHA's National Emphasis Program on Trenching and Excavation. Global faces \$48,840 in penalties.

- [Read the News Brief](#)

Foundry Workers Exposed to Numerous Serious Hazards

A Texas foundry has been cited by Occupational Safety and Health Administration investigators for 32 serious safety and 18 serious health violations after an October 2014 inspection. American Spincast Inc. employs about 70 workers in Belton and was subject to the inspection as part of OSHA's Site Specific Targeting program. The program directs enforcement resources to high-hazard workplaces where the highest rates of injuries and illnesses occur. The health inspection was initiated under the National Emphasis Program on Primary Metals to identify and reduce exposures to harmful chemical and physical health hazards. The violations included failing to implement administrative or engineering controls when noise levels exceed 100 decibels; provide guardrails or personal fall arrest systems for work on elevated locations; ensure a forklift man basket had safe design and was properly attached; provide safety protection on lathes, saws, sander, conveyors and other machinery; and guard transmission belts and pulleys on multiple machines. Proposed penalties total \$165,200.

- [Read the News Brief](#)

Massachusetts Dentist Must Pay Fired Whistleblower

A federal court judgment sought by the department has ordered a Massachusetts dentist and his practice to pay more than \$85,000 in back wages and compensatory damages to a dental assistant he fired after she filed a safety complaint with the Occupational Safety and Health Administration. The former employee contacted OSHA after N. Terry Fayad, D.M.D., told the assistant to remove safety caps before disposing of used needles as a way to reduce costs. Her concern that she and her co-workers risked needle stick injuries and infection from bloodborne pathogens led her to contact OSHA. The department sued Fayad, claiming he violated the anti-retaliatory provisions of the Occupational Safety and Health Act. Judge George A. O'Toole ruled the employee's firing after OSHA began its inspection was retaliatory and a violation of section 11(c) of the OSH Act.

- [Read the News Release](#)

- [Learn More About Whistleblower Safeguards](#)

Saipan Hotel to Pay \$117,000 in Back Wages to 84 Employees

Saipan Hotel Corporation — doing business as Hafadai Beach Hotel — has agreed to pay \$117,000 in back wages to 84 employees in Saipan. Wage and Hour investigators found the employer did not pay housekeepers, servers, and maintenance and office workers for all the hours they worked. The hotel did not pay for time worked before and after scheduled shifts or for work performed during meal breaks. Several salaried management workers were incorrectly categorized as "exempt" from overtime requirements as well. "An employer cannot pay workers only for the hours they believe should have been worked, but must pay for the hours actually worked," said Terence Trotter, the division's district director in Honolulu.

- [Read the News Brief](#)

Aircraft Manufacturer's Workers Faced Numerous Hazards

Employees at a Connecticut aircraft engine and parts manufacturer were exposed to potential lacerations, crushing injuries, amputation, electrocution and ventilation hazards, Occupational Safety and Health Administration inspectors found. OSHA began an inspection at Beacon Industries Inc. in Newington in October 2014 after a complaint. Numerous hazards were found, including inadequate training and lack of protective equipment for employees who performed live troubleshooting on electrical equipment; missing or inadequate safeguards to prevent employees from contact with the operating machine parts; failure to conduct required inspections and provide safeguarding for a mechanical power press; and absent or inadequate procedures to prevent the unintended startup of machinery during servicing. In all, 18 serious violations were discovered with \$71,100 in proposed fines.

- [Read the News Release](#)

Excessive Noise, Dust Hazards Found at Georgia Manufacturer

A wood crate manufacturer in Georgia did not protect permanent and

- [April 14 — Chicago, IL](#)

OPA — When Women Succeed, America Succeeds

- [April 14 — Washington, DC](#)

OWCP — Traveling Resource Center to assist nuclear weapons workers

- [April 28 — Newport News, VA](#)

WB — Equal Pay Day

- [April 14 — Philadelphia, PA](#)

WHD — Employee or Independent Contractor? Employment Relationship under the FLSA

- [April 30 — Houston, TX](#)

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temporary employees from excessive noise, hand injuries and respiratory irritation, Occupational Safety and Health Administration inspectors determined. North American Container Corp. in Adairsville was issued eight safety and health citations, totaling \$59,400 in proposed penalties, after an October 2014 inspection. Four repeat and four serious violations involve failure to have an emergency action plan; not providing employee training on the hazards of inhalation of wood dust; not providing proper hand protection; failing to establish a noise testing program; and not training employees on the hazards of excessive noise levels. North American makes crates and boxes for lawn and garden products, such as all-terrain vehicles, tractors, lawn mowers and blowers.

- [Read the News Release](#)

Houston Grocery Workers Get \$1.3M in Back Wages

Many workers in Houston's specialty grocery stores live on less than \$300 a week where a month's rent averages \$1,000 or more, reports the Wage and Hour Division which also discovered, as part of a multiyear enforcement initiative, widespread minimum wage and overtime violations under the Fair Labor Standards Act. In fiscal years 2013 and 2014, its Houston District Office concluded 120 cases and returned more than \$1.3 million in back wages and damages to 1,253 workers. Investigations found employees worked off the clock; were not paid for mandatory training time; were wrongly classified as overtime exempt; or were paid straight time for overtime hours.

- [Read the News Release](#)

Back Wages Returned to Wyoming, South Dakota Workers

The U.S. Department of Labor secured consent judgments and injunctions in Wyoming and South Dakota that ordered broadcasting and lodging companies owner Jan Charles Gray and his affiliated businesses to comply with the Fair Labor Standards Act and to pay \$21,000 in back wages to 10 former employees in those states. The courts also ordered the employers to train managers and employees about their rights under the FLSA, pay in compliance with the minimum wage and overtime requirements of the law, maintain accurate records, and not retaliate against any employee who files a complaint with, or cooperates in an investigation by the Wage and Hour Division. "The courts' rulings make a strong statement about the importance of an employer's obligation to comply with the law," said Cynthia Watson, the Wage and Hour Division's regional administrator in Dallas, Texas.

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