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DOL News Brief

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June 11, 2015

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

- [Chemical Facility Safety and Security](#): A Shared Commitment: Investigators found that the deadly explosion at a fertilizer storage facility in West Texas two years ago was caused by improperly stored ammonium nitrate. In response, President Obama issued Executive Order 13650, "Improving Chemical Facility Safety and Security" in August 2013.
- [Lack of Paid Leave Compounds Challenges for Low-Wage Workers](#): "While less than 61 percent of workers in the private sector have access to paid sick leave, an even lower proportion of workers among the lowest paid 25 percent have access to paid sick leave," writes Dr. Heidi Shierholz, the department's chief economist.
- [5 Things You Need to Know About the May Jobs Report](#): This was the best jobs report of 2015 so far. The economy added 280,000 jobs in May, bringing us to 12.6 million private sector jobs over the last 63 months.

All's Fair in Employee Innovation

Putting new ideas and tools to work was the purpose of the Technology and Innovation Fair at Bureau of Labor Statistics' headquarters on June 5. Attended by Deputy Secretary of Labor Chris Lu, BLS Commissioner Erica L. Groshen and more than 250 others, the event showcased innovative collaborations and technology solutions. More than two dozen exhibitors shared interactive displays including new data visualization dashboards and "Statipedia," a wiki platform for interagency statistical staff collaboration, and innovative uses of BLS administrative data, such as creating custom hurricane flood zone maps to aid in emergency preparedness and response. "Recognizing innovations ensures a workplace where new ideas are shared quickly, and employees are a conduit for efficiency and modernization," said Commissioner Groshen.

- [Daily Data Visualizations from BLS](#)
- [Learn About Statipedia](#)

What's New

Partnering With Weather Forecasters to Keep Workers Cool

Extreme heat kills dozens of workers and sickens thousands more every year. Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels and National Weather Service Deputy Director Laura Furgione discussed the risks of working outdoors in extreme heat with meteorologist and weather forecasters in a teleconference on June 10. Michaels discussed enhancements to OSHA's heat safety mobile app, which calculates the heat index and displays risk levels for workers. Furgione talked about the summer weather outlook, and both emphasized that outdoor workers must drink water, rest and cool off in the shade to avoid heat stress. As a result of the partnership between the two agencies, NWS has started including important worker safety information in all extreme heat alerts. Michaels asked the meteorologists to incorporate OSHA's worker safety message into their weather broadcasts. "If outdoor workers take these precautions, it can mean the difference between life and death," he said.

- [Get the App](#)
- [Learn About Heat Illness](#)
- [Read the NWS Blog Post](#)

National News

\$34 Million in Grants to Enhance Job Training Programs

The Workforce Innovation Fund exists to improve the effectiveness and efficiency of workforce development programs. To continue its efforts, the department announced the third round of funding for this program on June 10, making \$34 million available to enhance federally funded employment and training programs and share best practices to other service providers. "States and local areas continue to be laboratories for innovation, and these grants aim to help them develop sustainable, effective strategies that we can scale across the country," said Secretary Perez. The grants will build on the principles outlined in the 2014 Workforce Innovation and Opportunity Act to ensure that resources available from federal, state and local partners are coordinated and aligned to encourage a fully integrated, job-driven workforce system.

- [Read the News Release](#)

International Scene

U.S., Germany Sign Joint Declaration on Apprenticeship

In the 2015 State of the Union, President Obama called on employers to adopt or expand measures to help workers gain the skills needed to advance into better paying jobs. Since then, the department has worked with the Departments of Commerce and

Initiative Energizes Veterans

Department of Energy Secretary Ernest Moniz recently attended the Edison Electric Institute Conference in New Orleans to unveil the multi-department, public-private Utility Industry Workforce Initiative. On June 8, Moniz announced the partnership between the Departments of Energy, Labor, Defense and Veterans Affairs, along with five trade associations to recruit and train service members, veterans and military spouses for utility industry jobs. With 200,000 veterans separating from military service each year, recruiting and training for energy jobs can reduce the skills gap in the sector, projected to employ 1.5 million workers by 2030. "The administration continues to find exciting new ways to extend richly deserved ladders of opportunity to our veterans," said Secretary Perez. "With the Utility Workforce Council, Secretary Moniz and the energy industry are showing bold, innovative leadership, and we will deploy the resources and expertise of the Labor Department and the workforce system to help ensure its success."

• [Read the Announcement](#)

Making Data Useful

Government data must meet the needs of the people who use it — that was the focus of discussion at the Data Users Advisory Committee meeting at the Bureau of Labor Statistics headquarters in Washington, D.C., on June 9. The group discussed topics ranging from big data opportunities, visualizations in data releases, and even outreach to the youngest group of BLS data users, kids. Attendees worked to find ways to make BLS data accessible and understandable to both novice and advanced data users. In her remarks to open the meeting, Commissioner Erica L. Groshen said that "meeting with and learning from data users is a vital part of our work to ensure we are meeting the needs of our customers."

• [Learn About the Advisory Committee](#)

Who Is an Employee?

Who is an employee, and who is the employer? Two questions more pertinent than ever, noted Wage and Hour Division Administrator Dr. David Weil on June 5 at New York University's 68th Annual Conference on Labor. "Analyzing business models emerging in the 21st century and evolving the way the Wage and Hour Division conducts its business, in light of these changes in the workplace, continues to be a focus of our work," Weil said. The division will soon publish an Administrator's Interpretation, providing analysis of how the Fair Labor Standards Act's definition of "employ" guides the determination of whether workers are employees or independent contractors, Weil told those gathered.

• [Read About the Fissured Workplace](#)

Education, and several German federal ministries to draft a declaration of intent. The declaration outlines the importance of promoting education and training to strengthen individual achievement and economic development. Both the department and German companies agree on the relevance of apprenticeship training programs. On June 5, Deputy Secretary of Labor Chris Lu and Assistant Secretary of Labor for Employment and Training Portia Wu joined Secretary of Commerce Penny Pritzker and German Parliamentary State Secretary of Education and Research Thomas Rachel for a signing ceremony at the German Marshall Fund's headquarters, cementing the two countries' support of apprenticeship programs.

Secretary Perez Meets With Counterpart from Spain

Continuing the momentum begun in Australia at last year's G20 Labor Ministerial meeting in Melbourne, Secretary Perez met on June 4 in Washington, D.C., with Spain's Minister of Employment and Social Security María Fátima Báñez García. They discussed their shared agenda to promote inclusive prosperity domestically and in international institutions, including the G20. Báñez expressed interest in learning more about public-private partnerships for job training in the U.S., as well as improving skills, industry-recognized certifications and the role of the private sector in providing job search and labor market information. Spain continues to cope with high rates of unemployment, particularly for its youth, as it struggles to emerge from the global financial crisis. Perez and Báñez agreed to continue pursuing opportunities for collaboration between the two countries.

• [Learn About the G20](#)

Shared Prosperity for All, Especially Children on the Agenda in Geneva

Changes in the modern, global workplace "have the potential to fundamentally alter the rights, protections and expectations of workers, ultimately threatening the dignity of work — and the dignity of life." Addressing these changes and ensuring shared prosperity were core themes in Deputy Secretary of Labor Lu's message to the 104th Session of the International Labor Conference on June 11 in Geneva, Switzerland. After a series of bilateral meetings, Lu delivered his remarks at the conference's plenary session. In the evening, Lu attended a reception honoring Nobel Peace Prize co-winner Kailash Satyarthi, where he announced a \$10 million award to the International Labour Organization to fund a global initiative on combatting forced labor. The Bureau of International Labor Affairs grant will fund the ILO's *Bridge Project (From Protocol to Practice: Building a Bridge to Global Action on Forced Labor)*, which supports global and national efforts to take action on last year's landmark ILO Forced Labor Protocol to Convention 29 of Forced Labor and its supporting Resolution. The announcement comes on the eve of the international World Day against Child Labor on June 12.

• [Read the News Release](#)

Switzerland's Apprenticeship Model Gets Department's Attention

To support the Obama administration's call to expand apprenticeship in the U.S., Deputy Secretary Lu met recently with business and government leaders in Switzerland, a global leader in using apprenticeships as a workforce development strategy. On June 9, Lu and U.S. Ambassador to Switzerland Suzi LeVine traveled to Zurich to meet with employers who grow their businesses with apprenticeships. The first stop was LIBS, a vocational training center funded by 80 companies that help lower companies' training costs and develop a large pool of skilled workers. Lu then headed to Lake Lucerne to visit Schindler, a global provider of elevators, escalators and related services. His tour concluded with a meeting of employers who discussed strategies to grow apprenticeships in the U.S. and expand their roles in industries such as health care, information technology and finance. Following his visit, on June 11 Swiss-company Zurich Insurance announced plans to significantly expand apprenticeship opportunities in their U.S. operations.

• [Read the Blog Post](#)

The Costs of Ignoring Safety

Safe and healthy workers make companies more profitable and productive, one of the messages Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels delivered as he addressed the annual conference of the American Society of Safety Engineers in Dallas on June 9. Michaels discussed lifesaving OSHA regulations and the cost of injuries for workers and their families. "Compliance with OSHA regulations is a minimum," he said. "To reach the goal of zero injuries, employers need to implement comprehensive injury and illness prevention programs. And there are important added benefits: Employers who manage for safety are more profitable and productive than ones who don't have comprehensive safety and health management systems." At the event, Michaels also renewed the safety and health alliance between OSHA and the organization of safety engineers.

- [Read a Report on Injury Costs](#)
 - [Read About the Alliance](#)
-

Partnerships in the West

Wage and Hour Division Administrator Dr. David Weil joined officials from the Utah, Montana and Wyoming state labor agencies in Salt Lake City on June 1 to discuss their shared commitment to addressing labor violations. Regional stakeholders, including labor and employer representatives and consulates joined the discussion. Weil stressed the need to focus on the challenges posed by the fissured workplace and limited enforcement resources, including the need to rapidly respond to workers encountering intimidation and retaliation. The group agreed to form a regional task force aimed at identifying and combating wage and labor violations.

- [Read About WHD-State Partnerships](#)
 - [Read About Stakeholder Engagement](#)
-

Helping Homeless Veterans

By helping ready homeless veterans for jobs through the American Job Center network, the Veterans' Employment and Training Service may, in turn reduce homelessness among service members. At the ninth annual Regional Conference on Best Practices to Prevent and End Homelessness, Acting Assistant Secretary of Labor for VETS Terry Gerton highlighted these efforts in her keynote address on June 5. Sponsored by Virginia's Homeward and Continuum of Care, community organizations battling homelessness in the Richmond area, the event drew approximately 200 professionals from area nonprofits, public social service agencies, regional healthcare systems and local congregations. "Reaching the national goal of ending veteran homelessness requires leadership at all levels of government and across private and philanthropic partners," Gerton noted, later adding, "It's up to all of us to work together to keep those who defend our rights to assemble in the streets from having to sleep in them."

- [Learn About American Job Center Resources](#)
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Take Three:

A Fighter for Federal Employment Equality

Workers' rights pioneer Frank Kameny fought for decades to end discrimination in the federal workplace. For his contributions to a better workplace, the department will honor him on June 23 with an induction to its Hall of Honor. Carl Fillichio, senior advisor for communications and public affairs at the department, answers three questions about Kameny — who died in 2011 — and his legacy.

How did Frank Kameny effectuate change in American work and workplaces? *A World War II veteran and Harvard-educated doctor of astronomy with the U.S. Army Map Service, Kameny was discharged and barred from federal government employment in 1958 after U.S. Civil Service Commission investigators asked if he was a homosexual. The experience led to his lifelong campaign to force the federal government to end discrimination in its employment practices based on sexual orientation.*

What are some of the changes that came about because of his efforts? *Kameny took incremental steps to change — for the better — the nation's largest employer. He played a pivotal role in the removal of homosexuality as a mental disorder by the American Psychiatric Association. Kameny organized the first protest for gay rights ever held in front of the White House, in 1965. He was a member of the first delegation to brief the administration on LGBT issues inside that same White House, under President Carter. Thanks to Frank, in 1975, the Civil Service Commission announced it would no longer exclude homosexuals from government employment. Twenty years later, President Bill Clinton signed an executive order to allow LGBT employees to hold security clearances and high government positions.*

How can people be involved in the induction? *Social media is a great way to spread the word, educate others about Frank and his legacy, and voice your gratitude for Frank's extraordinary and important contribution to American work, workplaces and the lives of American workers. Our #ThankFrank campaign makes it easy. This video explains it all:*

- [Watch the #ThankFrank Video](#)
 - [Read the Blog Post](#)
-

It Happened on the Hill

Minimum Wage for New Federal Contracts Is Subject of House Hearing

A Congressional panel is examining how outfitters and guides operating on public lands could be impacted by President Obama's executive order requiring certain federal contractors to pay a minimum wage of no less than \$10.10 per hour. Testifying on June 10 before the Committee on Oversight and Government Reform's Subcommittee on the Interior was Michael Lazzeri, the Wage and Hour Division's assistant administrator for government contracts. "We have found that assertions that contractors may be adversely affected by the executive order often overlook not only its benefits, but also the fact that it applies only to new contracts with the federal government, giving contractors time to plan for any potential economic impact," Lazzeri told lawmakers. Signed by the president in February 2014, Executive Order 13658 became effective on Jan. 1, 2015.

- [Learn About the Executive Order](#)
 - [Read the Blog Post](#)
-

DOL Working for You

Funds, Training Program BOOST Nursing Student's Future

Many students at the Florence-Darlington Technical College in South Carolina hope to become certified nursing assistants, receiving training in rooms outfitted in a hospital setting and working with mannequins that actually speak, respond and score the students' efforts and techniques. All of this is thanks to a program called BOOST (Better Occupational Outcome with Simulation Training), designed for students who might not otherwise enter the health field. For recent graduate Kaylynn Moore, BOOST has made all the difference. Funded with a

Women in the Workforce'

Representatives of the Women's Bureau visited Massachusetts on June 8 for a roundtable discussion, "Women in the Workforce." Co-hosted by the bureau and Middlesex Community College in Lowell, the event touched on topics including securing equal pay, increasing entry into higher-paying, non-traditional occupations, and expanding employment opportunities for women veterans. "Women are under-represented in high-growth, higher-paying jobs, such as those that require advanced scientific or technical knowledge, despite women's higher rates of education," said Women's Bureau Regional Administrator Jacqueline Cooke. Several panelists stressed that their organizations are working hard to attract, retain and promote women in non-traditional occupations.

• [See Non-traditional Jobs for Women](#)

Outreach in Idaho

The assistant district director of the Wage and Hour Division's Boise Area Office, Michelle Phillips, attended the Second Family Convention in Boise on June 6. Hosted by Sal y Luz Spanish-language radio, nearly 350 people received informational materials on labor rights and matters specifically related to federally administered wage and hour laws. Phillips promoted the Employment Education and Outreach — or EMPLEO — worker assistance program and its hotline, which is readily available to Hispanic workers in Idaho. "We make every attempt to actively ensure that workers understand what their rights are under the law, and this was a wonderful event to get the word out," Phillips said. The hotline number is 877-552-9832.

Staying Safe During Hospital Build

Taking an important step to protect employees during expansion work at Atlanta's Emory University Hospital that includes a pedestrian walkway, the Occupational Safety and Health Administration signed a formal alliance with the contractor and facility on June 9. The parties involved, including the Georgia Tech Research Institute, met at the headquarters of Gay Construction Co. to make the alliance official. "This partnership will influence a large group of subcontractors because of the fundamental safety and health programs that are mandated by the general contractor and their constant oversight at the job site," said William Fulcher, director of OSHA's Atlanta-East Area Office.

• [Learn About OSHA Partnerships](#)

Employment Law Goes Hollywood

A training seminar for California employers eager to comply with federal laws drew hundreds to Hollywood on June 9. Sponsored by the Equal Employment Opportunity Commission, the speakers included Ruben Rosalez, the regional administrator for the Wage and Hour Division, who discussed current challenges for employers and workers. "The trend we are seeing in more and more industries is the misclassification of employees as independent contractors by employers who evade the minimum

\$3.5 million grant from the Employment and Training Administration's Trade Adjustment Assistance Community College and Career Training program, the department provided the technology and support that made BOOST possible. A mediocre performer in high school, Moore was uncertain about her career path, so she enrolled in BOOST. "This program has opened so many doors for me and I have no idea where I would be without it," she said. "I went from barely graduating high school, feeling like a disappointment to my family, to receiving my CNA certificate and getting my first job." Based on her hard work and good grades in the program, Moore has been accepted into the college's registered nursing program that begins next fall.

• [Learn More About TAACCCT](#)

DOL in Action

Judge Hits Former CEO With 20-Year Sentence for \$25 Million Fraud

A federal district judge in Tennessee sentenced the former CEO of a payroll processing company to 20 years in prison on charges related to massive fraud that affected more than 1,000 victims. A jury convicted L. Brian Whitfield of the Sommet Group LLC of conspiracy, wire fraud, theft from an employee benefit program, filing a false tax return and money laundering. He was ordered to pay \$25.9 million in restitution, and his sentence includes an imposition of a \$1.8 million money judgment. The scheme involved the diversion of millions of dollars in client funds to prop up affiliated companies Whitfield controlled and pay for personal expenses. The case was a joint investigation by the Employee Benefits Security Administration, IRS and FBI. The U.S. Attorney's Office for the Middle District of Tennessee prosecuted.

• [Read the News Release](#)

Fatality at Assembly Plant Preventable, Investigation Finds

The death of a 52-year-old contractor crushed by a 4-ton conveyor carriage at an automotive assembly plant in Missouri could have been averted if his employer followed federal safety standards, Occupational Safety and Health Administration investigators determined. Last December, a weld failure caused a temporary support safety pin to disengage on an assembly line conveyor carriage at the Ford Kansas City Assembly Plant in Claycomo. The 7,600-pound carriage then fell on the worker. OSHA cited his employer KCI Inc., with one willful safety violation under OSHA's general duty clause. The agency also cited Ford for one serious violation for not inspecting the assembly line's construction. Ford contracted with KCI for workers at the plant.

• [Read the News Release](#)

Federal Contractor at California Air Base Violates Wage Laws

Embedded in the award of every federal contract is an obligation to uphold federal laws and wage rules. The Wage and Hour Division reminded one Southern California heating and air-conditioning contractor of that requirement during a recent investigation. As a result, the agency recovered \$92,912 in unpaid wages and fringe benefits for 27 workers fulfilling two U.S. Army Corp of Engineers' contracts at the March Air Reserve Base in Riverside. Investigators found Christian Brothers Mechanical Services Inc., — between 2011 and 2014 — violated the prevailing wage and fringe benefits requirements under the Davis-Bacon and Related Acts when it paid several journeymen at the lower laborer's rate for hours worked when the contractor owed the full rate. The company also failed to pay employees appropriate and timely fringe benefits.

• [Read the News Release](#)

Florida Boat Builder Exposes Workers to Electrical, Fall Hazards

An inspection of a Florida sports boat manufacturer last December by the Occupational Safety and Health Administration yielded 25 safety and health violations. Investigators visited Contender Boats Inc. in Homestead as part of its Site Specific Targeting Program and issued citations for failing to perform frequent crane inspections and exposing workers to electrical hazards, unguarded machinery and unsafe levels of noise. Proposed penalties total \$106,000.

• [Read the News Brief](#)

Deadly Naval Facility Accident Preventable, Investigation Concludes

Stronger safety measures may have saved two workers struck and killed by a 7-ton buoy at a Pearl Harbor naval maintenance facility last December.

wage and overtime requirements of the Fair Labor Standards Act," he said. "Training is extremely important to achieve and maintain compliance with federal law." The division's district director in Los Angeles, Kimchi Bui, participated in a panel on pregnancy-based discrimination and highlighted protections for expectant workers under the Family and Medical Leave Act and nursing mothers under the Affordable Care Act.

Closing the Gender Gap

A new round of competitive grants worth \$1 million will soon be available to study the feasibility of paid leave in up to 10 states. Women's Bureau Deputy Director Pronita Gupta announced the news on June 5 at a YWCA workshop panel in Washington, D.C. Gupta stressed the importance of women's economic security. She also discussed how the Women's Bureau is addressing pay secrecy and occupational segregation. "We know that when women succeed, America succeeds," she said.

• [Learn About Occupational Segregation](#)

Weekly UI Claims

Seasonally adjusted initial Unemployment Insurance claims rose to 279,000 for the week ended June 6, the department reported. The advance figure was up 2,000 from the previous week's revised level. The four-week moving average was 278,750, up 3,750 from the previous week's revised average.

• [Read the News Release](#)

Upcoming Deadlines & Events

Open Funding Opportunities

EBSA — Getting It Right: Know Your Fiduciary Responsibilities

• [June 24 — Denver, CO](#)

OASAM — Vendor Outreach Session

• [July 22 — Washington, DC](#)

OFCCP — 16 Steps to Construction Compliance

• [July 16 — Orange, CA](#)

OFCCP — AAP: Creating an Inclusive Workforce

• [July 16 — Houston, TX](#)

OFCCP — Compliance Assistance for Construction Contractors

• [June 25 — Omaha, NE](#)

• [July 14 — Denver, CO](#)

OFCCP — Compliance Assistance and Coordination Meeting by OFCCP and the EEOC

• [July 29 — Denver, CO](#)

OFCCP — Compliance Assistance by OFCCP and DOL Agencies for Employers

• [June 23 — Denver, CO](#)

OFCCP — Complying With the Section 503

Occupational Safety and Health Administration investigators concluded that workers at the Middle Loch facility in Honolulu were repairing moorings on a barge when a chain suspending the buoy broke and struck the men. Two other workers were injured. The U.S. Navy contracted the work to Truston Technologies, Inc., which then subcontracted to Healy Tibbitts Builders Inc.

• [Read the News Release](#)

Texas Company Cited in Worker Fatality

An investigation by the Occupational Safety and Health Administration into the death of a worker killed when trapped in a mixer/auger bin found 18 serious violations at a specialty chemical manufacturer in Texas. OSHA's Lubbock Area Office issued citations to Venture Chemicals Inc., in Seagraves for the build-up of combustible dust; electrical violations that could have started a fire; lack of protective equipment on two augers; and failure to implement a respiratory program by fit testing.

• [Read the News Brief](#)

'Explosive Combination' as Heater Ignites Vapors in Railcar in Kansas

Two workers in Kansas endured several weeks of skin graft surgery and physical therapy after suffering second-degree burns when gas vapors exploded in a railcar last December. Owned by GBW Railcar Services LLC of Cummings, the railcar was being prepared for cleaning when an electric heater ignited the flammable gas. Five other workers were injured and hospitalized. After the incident, Occupational Safety and Health Administration inspectors identified 11 serious safety violations and proposed penalties totaling \$46,900. "Two employees suffered painful injuries that put them out of work for three months because GBW Railcar Services ignored worker safety," said Judy Freeman, OSHA's area director in Wichita. "Failing to eliminate potential ignition sources from areas where flammable substances were likely to be present proved an explosive combination."

• [Read the News Release](#)

Oregon Roofer Owes Overtime Pay to 32 Workers

An Oregon roofing company did not pay its employees overtime, a violation of the Fair Labor Standards Act found by Wage and Hour Division investigators. The review confirmed that Ri-Ky Roofing in Portland paid workers for overtime at an even lower rate than the regular hourly rate. The company also paid in cash. "An employer cannot undermine the worker's basic right to receive the legally required overtime pay," said Thomas L. Silva, the division's district director in Portland. "Hardworking employees deserve way better and should never have to worry about shortages in their paychecks." Ri-Ky Roofing has agreed to pay \$37,931 to 32 workers.

• [Read the News Brief](#)

Restaurant Workers in Tucson to Receive Back Wages, Damages

An Arizona bar and restaurant has agreed to pay back wages and an equal amount in damages to 21 salaried cooks and other staff after improperly classifying them as exempt from overtime. Wage and Hour Division investigators found that Hotrods Old Vail, in Tucson, violated the Fair Labor Standards Act when it paid its employees a flat salary for hours worked beyond 40 hours in a week. The law requires time-and-one-half the regular rate of pay for overtime hours. The company also agreed to pay a \$3,740 civil money penalty because of the willful nature of the violations found.

• [Read the News Brief](#)

Sacramento Caregivers to Receive \$39,000 in Back Wages

A California residential care operator violated the Fair Labor Standards Act's minimum wage, overtime and record-keeping provisions, Wage and Hour Division investigators found. Ed David Care Homes Inc., operator of four Sacramento-area facilities, paid its workers less than the federal minimum wage. The company also failed to pay the required overtime premium for hours worked beyond 40 in a week. The company agreed to pay more than \$39,000 in minimum wage and overtime back wages to 10 caregivers.

"Caregivers working long hours for those in need deserve a fair day's pay for a fair day's work," said Cesar Avila, assistant district director for the Wage and Hour Division in Sacramento.

• [Read the News Brief](#)

Ohio Day Care Workers Owed Back Wages, Damages

An Ohio day care center did not pay its employees the federal minimum wage or required overtime, Wage and Hour Division investigators found. Here to Help Learning Academy LLC in Columbus also failed to maintain

and VEVRAA Regulations

- [June 25 — Milwaukee, WI](#)

OFCCP — New Veterans' Regulations

- [June 17 — Orange, CA](#)

OFCCP — Scheduling and AAP Requirements

- [June 25 — Houston, TX](#)

OFCCP — Scheduling Letter Updates

- [June 23 — New Orleans, LA](#)

OWCP — Town Hall Meeting to Assist Nuclear Weapons Workers

- [June 16 — Bridgeton, MO](#)
- [June 17 — Bridgeton, MO](#)

OWCP — Traveling Resource Center to Assist Nuclear Weapons Workers

- [June 15 — Los Alamos, NM](#)
- [June 18 — Albuquerque, NM](#)
- [June 22 — Los Alamos, NM](#)

WHD — Free Seminar: Understanding Subminimum Wages under Section 14(c) of the FLSA

- [June 30 — Portland, OR](#)
- [July 16 — Charlotte, NC](#)
- [July 30 — Salt Lake City, UT](#)
- [July 30 — San Jose, CA](#)

WHD — The Family and Medical Leave Act

- [June 16 — Houston, TX](#)
- [June 18 — Houston, TX](#)

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accurate records of all hours worked by its employees, in violation of the Fair Labor Standards Act. A suit filed by the department seeks to recover more than \$11,688 in back wages and liquidated damages for the employees. It also asks the court to enjoin the company and its owner, Michele Blake, from violating the FLSA in the future.

- [Read the News Brief](#)

Defendants to Restore Funds to Maine IRA Plan

Fiduciaries of a family-owned appliance and electronics company in Maine failed to remit withheld employee contributions to its SIMPLE IRA plan, an Employee Benefits Security Administration investigation found. In December, the department sued the plan and Timothy W. Seavey of Seavey's Furniture & Appliance Inc. in Windham for violating the Employee Retirement Income Security Act. On June 1, in a consent judgment, Seavey agreed to restore more than \$26,000 to the plan and never again serve as a fiduciary to an ERISA-covered plan. "Once again, we remind plan fiduciaries that they are required to administer the plan solely in the interests of its participants, those individuals who have entrusted employers with their retirement security, and not in the interests of themselves or any other parties," said Susan Hensley, EBSA's regional director for New England.

- [Read the News Brief](#)

Pension Plan Trustee Convicted, Sentenced in Grand Theft

A Superior Court in Alameda County sentenced the former owner of a California upholstery company to six months imprisonment and five years of probation for defrauding his employees' 401 (k) plan. Lance Silva, who owned National Upholstering Company, Inc., served as trustee of his employees' plan abused his position for personal gain, an investigation by the department found. It determined that Silva posed as four different 401(k) plan participants, and altered account and contact information to obtain distributions from other employee accounts improperly. Local prosecutors charged Silva with 12 criminal counts, and he has been ordered to pay \$43,380 to the four affected 401(k) account participants.

- [Read the News Brief](#)

Airline Industry Union to Hold New Officer Election

Missouri's Machinists District Lodge 142 in Kansas City will hold a new election for several officer positions under the supervision of the Office of Labor-Management Standards, the result of an agreement after an OLMS investigation. In its 2014 officer election, OLMS found that the union failed to provide its members timely notice of the election when it sent out information too far in advance of the vote. In this case, the election notice was included in a union newsletter that was mailed to members more than six months prior to the June 2014 balloting. District Lodge 142 represents more than 30,000 active and retired flight attendants and airline employees nationwide. The new election will be completed during the summer of 2016.

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