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**To:** Kester, Tonykester@aging.sc.gov  
**Date:** 5/14/2015 9:06:07 PM  
**Subject:** The DOL Newsletter - May 14, 2015: #LeadOnLeave in Florida; Championing a Higher Wage; Report on Vulnerable Workers

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## DOL News Brief

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May 14, 2015

### What's New

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

- [My State Has Paid Leave. It Meant Everything to My Family](#): "If we know paid leave works for employers and it is what employees want, what are we waiting for? It's time we start to lead on leave," writes Anne Quirk, a working mom from Providence, R.I.
- [Giving Mothers a Raise — One More Reason to Lead On Leave](#): "Too many parents face impossible choices like having to choose between time with a newborn and money to pay the bills," explains Mary Beth Maxwell, principal deputy assistant secretary for policy and a senior advisor to Secretary Perez.
- [Four Things You Need to Know About JOLTS](#): "The Job Openings and Labor Turnover Survey looks at business establishments — offices, factories, stores, etc. — and provides monthly data on the number of job openings, hires and separations," writes Dr. Heidi Shierholz, the department's chief economist.

### Failure: The Secret to Success

"I want to talk about something that I predict or bet is not on your resume... the importance of failure," Secretary Perez told graduates in a commencement address at the University of Detroit's Mercy Law School on May 8. He wrapped his counterintuitive message around setbacks suffered by everyone from J.K. Rowling to President Obama. He also cited NBA legend Michael Jordan ("I've missed more than 9,000 shots in my career... I've failed over and over and over again in my life. And that is why I succeed."). Perez said that while knowledge may be acquired in textbooks, wisdom is found in taking chances and sometimes getting "kicked in the gut." Perez also urged the school's future lawyers to use their degrees to pursue justice and expand opportunity, and to do it in the resilient city of Detroit as it continues its resurgence.

### Big Day for Progress on Paid Leave for Working Families

The #LeadOnLeave tour whisked through Florida, highlighting a critical issue at the heart of what President Obama calls middle-class economics. Secretary Perez joined St. Petersburg Mayor Rick Kriseman in a news conference on May 13 to discuss the importance of paid leave for America's working families. They then joined Tampa Bay Rays President Brian Auld and C1 Financial President and CEO Trevor Burgess — whose organizations have paid-leave benefits policies — to discuss how paid leave helps workers and the bottom lines of businesses. The day also brought news of two important paid leave advances. Secretary of the Navy Ray Mabus announced a proposal that would double the amount of paid maternity leave a sailor or Marine can take from six to 12 weeks, and social media giant Facebook announced new minimum standards for their contractors and vendors that provide employees sick time and a \$4,000 child benefit for parents who don't receive paid parental leave. The secretary summed up the news: "Paid leave isn't just good for individual companies; it's good for the national economy. A national paid leave law is a question of 'when' not 'if.'"

- [Learn About #LeadOnLeave](#)

### In Miami, Making the Case for Higher Wages

Secretary Perez joined restaurant entrepreneur Chris Sommers, co-founder of Pi Pizzeria, at the company's eighth and newest location in Miami's South Beach, on May 14 to highlight the importance of an increase in the national minimum wage. For workers there, Pi's minimum wage equals \$10.10 per hour — more than the current national minimum wage of \$7.25 per hour. Perez called that part of a successful business model implemented by Sommers. "The high road for businesses is also the smart road. He treats his employees with dignity. He pays them well. And as a result, he has a real loyal workforce," said Perez, who added that it's time for an increase in the national minimum wage so that all workers can benefit from an income boost. "You shouldn't have to win the boss lottery to get paid a decent wage," he said. Perez's visit is the latest in a series of meetings with business leaders who understand that higher wages are beneficial to workers and businesses alike.

- [Read the Blog Post](#)

### 'We Want to Help Working People Save as Much as They Can'

Conflicts of interest in retirement investment advice are putting workers' financial futures in jeopardy, U.S. Secretary of Labor Thomas E. Perez told AARP members on May 14 in Miami. Perez shared his thoughts on the corrosive impacts of conflicted advice and the department's proposal to reduce it at AARP's Life@50+ national member event. "Our goal is simple — we want to help working people save as much as they can, and we want them to keep as much of their hard earned savings as possible. This proposed rule will help us achieve that goal." Perez was joined on stage in Miami by AARP President Jeannine English.



## Observing AAPI Month

As part of the observance of Asian American and Pacific Islander Heritage Month, the department's Asian Pacific American Council hosted a panel discussion on the "Immigration and Naturalization Act of 1965: the Gateway to America for New Immigrants from Asia." The panel featured Dr. Heidi Shierholz, the department's chief economist; Dr. Julie Park, an associate professor with the University of Maryland; and Nicole Woo, domestic policy director at the Center for Economic Policy and Research. Deputy Secretary of Labor Chris Lu delivered opening remarks. "Through education, hard work and determination, many in the AAPI community have been fortunate to climb the ladder of success, but some of them, particularly low-wage workers, continue to face great challenges," he said. "So as we celebrate their successes during AAPI Heritage Month, I ask you to consider what more we can do to address the unmet needs of the community." The deputy secretary also attended the May 12 White House AAPI summit, attended by more than 2,000 community leaders, officials and others.

• [Learn About the AAPI Initiative](#)

## Vulnerable Workers Report

Nearly 30 percent of Asian American and Pacific Islander workers have reported being victims of employment discrimination. That survey finding raises concerns, says *The First Report of the Vulnerable Workers Project*, part of the White House's AAPI initiative, released by the department in conjunction with the U.S. Equal Employment Opportunity Commission, the Department of Justice and the National Labor Relations Board. The report is the product of listening sessions with AAPI workers about the challenges they face on the job, particularly those in high-risk and low-wage industries. A recent *New York Times* series depicted these issues in the nail salon industry. In response, the Occupational Safety and Health Administration and the Wage and Hour Division have reinforced their commitment to protecting these workers, unveiling additional guidance this week. The report's findings also will be used to develop enforcement and policy priorities for the federal agencies to address persistent issues.

• [Read the Report](#)

• [Learn About Nail Salon Workers' Rights](#)

## Support for Injured Workers

Office of Workers' Compensation Programs Director Leonard J. Howie III discussed his agency's work at a regulatory forum in Florida on May 13. Hosted by the National Council on Compensation Insurance in Orlando, the event gave Howie the chance to highlight how the agency's efforts intersect with state programs. He also outlined several current initiatives, including a proposed rule to better protect coal miners' health and a final rule expanding how the OWCP longshore program and its stakeholders share documents and information. OWCP administers four major disability compensation programs that provide medical treatment and other benefits to qualifying workers who have been injured or sickened on the job.

• [Learn About the Proposal](#)

## National News

### Building a Brighter Future for Coal Communities

The economic health of many Appalachian communities has relied on the coal industry since the end of the Civil War. With energy markets moving away from coal, workers and business tied to the industry have seen increasing levels of unemployment. On May 11, Secretary Perez traveled to eastern Kentucky to announce a new \$35.5 million multi-agency federal grant program to help communities there and across the country to retrain former coal workers and encourage new business development in their regions. Perez announced the program at the Shaping Our Appalachian Region summit in Pikeville. The event brought together a bipartisan coalition of community and business leaders to discuss strategies to create an effective economic development plan for the region's future. To highlight one successful approach, Perez visited Bit Source, a start-up tech firm in Pikeville, which has made hiring former coal miners a priority. The firm retrains miners for work as computer programmers and web developers. Bit Source's training is funded by a departmental grant to the Eastern Kentucky Concentrated Employment Program, a local workforce development organization. EKCEP received \$7.5 million on May 7 to provide employment and training services to workers affected by the region's declining coal industry.

• [Read the Blog Post](#)

• [Read the News Release](#)

## DOL Working for You

### High School Dropout's Wrong Track Gets Righted in Job Corps

Cristian Yanes-Salazar was a 16-year-old Nebraska high school dropout, facing difficult work at a beef slaughterhouse until the day he was accepted to the Pine Ridge Job Corps Civilian Conservation Center in Chadron. Just eight months later, he received his GED and a Health Occupations Training Certificate in elder care. The Guatemalan-American — who spent his formative years in his parent's native home — was soon enrolled at Chadron State College, thanks to support from his Job Corp counselors. On May 9, Yanes-Salazar was graduated with a bachelor's degree in human biology. He also accepted a commission with the U.S. Army's ROTC program. "My life was on the wrong track when I came to Job Corps," he said. "The center's counselors helped me find validity in what I wanted to do. They pushed me to succeed. I surprised my family and myself with what I have been able to accomplish since I walked through those doors as a dropout. I truly believe where there is a will, there is a way." Yanes-Salazar plans to pursue medical school to become a physician. He is the first member of his family to graduate from college and serve as an officer in the armed forces.

• [Learn About Job Corps](#)

## DOL in Action

### DuPont Cited for Gas Release That Killed 4 in Texas

Four workers killed by a lethal gas last November would be alive today had their employer, DuPont, taken steps to protect them, an Occupational Safety and Health Administration investigation found. OSHA cited DuPont for 11 safety violations and identified scores of safety upgrades the company must undertake to prevent future accidents at its Lannate/API manufacturing building in La Porte, Texas. One worker was overwhelmed when methyl mercaptan gas was unexpectedly released as she opened a drain on a methyl mercaptan vent line. Three co-workers who came to her aid were also overcome.

• [Read the News Release](#)

### Lloyd Industries Deemed 'Serial Violator'

A Pennsylvania duct manufacturer has been fined \$822,000 by the Occupational Safety and Health Administration after an inspection prompted by a gruesome injury in July 2014. This was not OSHA's first inspection of



- [Read the Black Lung News Release](#)
- [Read the Longshore News Release](#)

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## Two Named to Advisory Panel

James T. Brett and Ari Ne'eman have been appointed to the Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities by Secretary Perez. Brett, president and CEO of The New England Council, and Ne'eman, president and co-founder of the Autistic Self Advocacy Network, are the panel's two members. The committee is a key provision of the Workforce Innovation and Opportunity Act. Brett will serve with the group of representatives from the employer community or national employer organizations, while Ne'eman will represent national disability advocacy organizations for adults with intellectual or developmental disabilities.

- [Learn About the Committee](#)

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## Chicago Data Conference

More than 100 people attended a conference for data users in Chicago on May 13 to learn more about the economic information produced by the event's host, the Bureau of Labor Statistics. Gathered at DePaul University, the bureau's program specialists described data collection, its uses and trends, and how to navigate the bureau's web site. Charlene Peiffer, regional BLS commissioner in Chicago; David Friedman, associate commissioner for the Office of Prices and Living Conditions; and Steve Henderson, chief of the Branch of Information and Analysis, were among the presenters. Staff from the Illinois Department of Employment Security's Labor Market Information Office also participated.

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## Job Corps' China Connection

Ten representatives of the Chinese Ministry of Education and Chinese Technical Colleges visited the Milwaukee Job Corps Center on May 4 to share best practices and methods of training future workers. The visiting educators toured the center, met the staff and student ambassadors in each of the trade areas and learned about programs and management. "The visit provided an opportunity to exchange information about training workers to meet job needs in the technical world of manufacturing and other skills," said James Roberts, director for the Milwaukee Job Corps Center. The delegation was invited by the Department of Education, through its National Committee on United States-China Relations program.

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## Training for Home Care

Approximately 125 owners and administrators of adult care, group and family care homes received training at a workshop offered by the Wage and Hour Division's North Carolina District Office on May 13. Held in Hickory, attendees were members of the North Carolina Association of Long-Term Care Facilities. Division staff gave an overview of the Fair Labor Standards Act and led more detailed extended discussions on hours worked,

Lloyd Industries, Inc., of Montgomeryville. Despite numerous federal inspections, warnings, fines and promises to stop putting workers at risk, dozens of Lloyd employees have been seriously injured since 2000. In July, a 21-year-old worker lost three fingers when the die on a press brake machine dropped on his hand. "William Lloyd and Lloyd Industries are serial violators of OSHA safety standards, and their workers have paid the price," said Assistant Secretary for Occupational Safety and Health Dr. David Michaels. "This must stop now."

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

### Tobacco Workers to Receive Back Wages

Twenty-one employees of a Kentucky tobacco grower that violated federal labor laws will receive \$16,298 in back wages after a Wage and Hour Division investigation by the Louisville District Office. T Bond LLC in Sparta violated the H-2A visa program, the Fair Labor Standards Act, and Occupational Safety and Health Act Field Sanitation provisions by failing to maintain an active worker's compensation policy or insurance; reimburse H-2A workers for the entire cost of their transportation back to their place of origin; provide potable water, toilets and hand-washing facilities within the required distance; and pay workers at the required rate. T-Bond also will pay an H-2A civil money penalty of \$11,948 and has agreed to future compliance with H-2A, FLSA and OSHA sanitation requirements also.

- [Read the News Brief](#)

### Rhode Island Roofers Spotted in 'Clear-and-Present Danger'

Occupational Safety and Health Administration inspectors headed back to their office in Providence, R.I., in January saw a dangerous situation in clear view at a Rhode Island jobsite in North Smithfield. They witnessed two men working on a ladder-jack scaffold without guardrails or protective gear. The inspectors stopped the car, ordered the employees off the scaffold and launched an inspection. They found that roofing contractor Ivan Paredes of Brockton, Mass., violated worker safety standards willfully, for which he faces a \$70,000 fine. In addition to the absence of fall protection, Paredes was cited for not having his employees use an access ladder to reach the scaffold's work platform safely.

- [Read the News Release](#)

### Security Guards to Get Nearly \$350,000 in Back Wages, Damages

A Puerto Rico security firm that guards business and government workers failed to protect 653 of its own workers by violating their right to a fair day's pay for a fair day's work, the Wage and Hour Division found. Investigators determined that San Juan-based Alpha Guards Management Inc. violated the overtime provisions of the Fair Labor Standards Act and misclassified employees as independent contractors. The department went to U.S. District Court and obtained a consent order that requires Alpha Guards to pay the workers \$173,847.86 in back wages, plus an equal amount in liquidated damages. The company also must not threaten the employees nor require them to kick back the wages; and inform them of the judgment and their rights in a language they understand.

- [Read the News Release](#)

### Auto Parts Manufacturer Ignores Safety Rules

Workers stamping metal automotive parts at an Illinois manufacturing plant risked lacerations and amputations and the danger of being struck by robotic welding equipment because their employer ignored safety rules. Acting on a complaint, Occupational Safety and Health Administration inspectors identified two willful and eight serious safety and health violations at Peoria-based USA Technologies Inc. last November. The company faces \$114,100 in proposed penalties. "Employees pay the painful price when companies don't follow standards," said Thomas Bielema, area director of OSHA's office in Peoria. "Each year, about 3 million workers in America are injured on the job. That is unacceptable."

- [Read the News Release](#)

### Dairy Cooperative Fined After Worker Buried in Grain Bin

Proving how dangerous a grain bin can be to workers, a 52-year-old employee of Wisconsin's Burnett Dairy Cooperative in Grantsburg died when he was engulfed in corn grain. Occupational Safety and Health Administration inspectors found the feed mill operators failed to follow safety procedures that might have saved the man who was unclogging a pump when tragedy struck. Investigators identified two willful and eight serious



training time, recordkeeping breaks and overtime. They also explained what to expect should an investigation occur. The division office has been engaged in a group home initiative since 2010, and have noted an increase in the number of violations cited at small, family-owned group homes.

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## Suit Filed to Restore Retirement Plan

The department has taken action after Law Partners LLC, Milton Bryan Peoples, and the Law Partners LLC 401(k) Salary Reduction Plan failed in their fiduciary responsibilities to employees in Trussville, Ala. Employee Benefits Security Administration investigators found that, during payroll periods from January 2007 to December 2010, the defendants withheld employee contributions totaling \$64,725 and failed to segregate the contributions from company assets in a timely manner. The defendants also allowed the funds to be commingled with general company assets. The department has filed suit, asking the court to require the defendants to restore all losses to the plan, prohibit the defendants from serving as fiduciaries to any Employee Retirement Income Security Act covered plan in the future, and appoint a successor to administer the plan.

• [Read the News Brief](#)

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## Weekly UI Claims

Seasonally adjusted initial Unemployment Insurance claims fell to 264,000 for the week ended May 9, the department reported. The advance figure was down 1,000 from the previous week's unrevised level. The four-week moving average was 271,750, down 7,750 from the previous week's unrevised average.

• [Read the News Release](#)

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## Upcoming Deadlines & Events

### Open Funding Opportunities

#### EBSA — Health Benefits Laws Compliance Assistance Seminar

- [June 2 — Anchorage, AK](#)
- [June 3 — Anchorage, AK](#)

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

- [May 19 — Philadelphia, PA](#)
- [June 4 — Salt Lake City, UT](#)
- [June 24 — Denver, CO](#)

#### EBSA — Mental Health Parity Webcast: Important Information About Your Health Coverage

- [May 28 — Washington, DC](#)

#### OFCCP — Common Problem Areas for Federal Contractors

- [June 4 — Houston, TX](#)

#### OFCCP — Filing an Employment Discrimination Complaint

- [May 28 — Chicago, IL](#)

#### OFCCP — New Veterans' Regulations

- [June 17 — Orange, CA](#)

safety violations, including the company's failure to deactivate a drag conveyor and allowing the worker to be in the bin with moving material. OSHA placed the company in its Severe Violator Enforcement Program.

• [Read the News Release](#)

## Oregon Millworkers to Receive Training Opportunities

Snow and ice from a late fall storm in Oregon caused the roof of a Woodgrain Millwork facility in Prineville to collapse, leaving dozens of workers suddenly unemployed. On May 14, the department awarded \$499,801 in National Emergency Grant funding to the Oregon Department of Community Colleges and Workforce Development to provide reemployment services for the approximately 100 workers affected by the layoffs. Faced with limited prospects for reemployment in the area's lumber mills, workers will have retraining opportunities to prepare them to move into growing industries such as health care, information technology, manufacturing and transportation.

• [Read the News Brief](#)

## Forever 21 Again Cited for Blocked Emergency Exits

For employees at fashion retailer Forever 21, emergency exits blocked by piles of inventory are a hazardous trend. A recent Occupational Safety and Health Administration inspection of a store at a Farmington, Conn., mall found workers hindered from exiting the store swiftly if there was a fire or emergency. Forever 21 stores in New Jersey and Massachusetts have also allowed similar hazards. In light of the recurring problems, OSHA cited Forever 21 Retail Inc. for three repeated violations at the Connecticut store and proposed fines of \$165,000.

• [Read the News Release](#)

• [Review the Emergency Exit QuickCard](#)

## Ohio Plant Urged to Install Safety Guards on Industrial Machines

Despite the May 2014 death of a worker killed after he was caught in a machine at its North Carolina location that lacked safety guards, a rubber-hose manufacturer is exposing workers at its Bellefontaine, Ohio, facility to similar risks. Occupational Safety and Health Administration inspectors visited the Ohio facility in October 2014 and found workers there at risk of amputations and serious injuries while working on machines without required safety guards. Based in Ohio, HBD/Thermoid Inc., was cited for one willful and 10 serious safety violations. The company faces \$134,000 in proposed penalties.

• [Read the News Release](#)

## Ohio Farm Workers Face Grain Bin Dangers

An Ohio grain elevator and feed mill company has been found putting workers in danger of being buried in grain or overcome by noxious fumes by not ensuring safe work conditions. In November 2014, Occupational Safety and Health Administration inspectors visited Hanby Farms Inc., in Nashport under the Local Emphasis Program for grain handling. They identified 29 serious safety violations and OSHA proposed penalties of \$102,900.

• [Read the News Release](#)

## Former Texas Union Officer Sentenced for Embezzlement

A former secretary-treasurer of Communications Workers of America Local 6150, in Dallas, has been sentenced to three years of probation and ordered to repay \$79,526 to the union after pleading guilty to embezzlement. Office of Labor-Management Standards investigators found Sharon Ratcliff wrote unauthorized checks to pay for her personal expenses. OLMS investigators uncovered her scheme during a compliance audit of the local union. Ratcliff pleaded guilty in U.S. District Court in April.

## Forklift Hazards, Fall Risks Found at Pennsylvania Warehouse

Safety complaints led to an inspection by the Occupational Safety and Health Administration of a food industry warehouse in Pennsylvania. During its November 2014 inspection, OSHA found two repeat and two serious violations at Americold Logistics LLC's warehouse in Manchester. The citations involved forklift hazards, worker exposure to falls and improperly anchored storage racks. Proposed penalties total \$47,300.

• [Read the News Brief](#)

## Metal Tube Manufacturer' Workers Faced Serious Hazards

Acting on a complaint, Occupational Safety and Health Administration inspectors issued 27 violations to an Illinois metal tube manufacturer that put



## **OFCCP — New VEVRAA and Section 503 Regulations Affecting Veterans & Disabled Persons**

- [May 21 — Dallas, TX](#)

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

- [June 8 — Chicago, IL](#)

## **OFCCP — Scheduling and AAP Requirements**

- [June 25 — Houston, TX](#)

## **OFCCP — Scheduling Letter Updates**

- [June 23 — New Orleans, LA](#)

## **OLMS — Compliance Assistance Seminar**

- [May 19 — Appleton, WI](#)
- [May 21 — Maple Grove, MN](#)

## **OWCP — Traveling Resource Center to assist nuclear weapons workers**

- [May 18 — Los Alamos, NM](#)
- [May 21 — Albuquerque, NM](#)
- [June 8 — Los Alamos, NM](#)
- [June 11 — Albuquerque, NM](#)
- [June 15 — Los Alamos, NM](#)
- [June 18 — Albuquerque, NM](#)
- [June 22 — Los Alamos, NM](#)
- [June 10 — Grand Junction, CO](#)
- [June 11 — Moab, UT](#)

## **WHD — Educational workshop for Farm Labor Contractors**

- [May 27 — Goldsboro, NC](#)

## **WHD — The Fair Labor Standards Act (FLSA) Enforcement in the Construction Industry**

- [May 28 — Houston, TX](#)

## **WHD — The Fair Labor Standards Act (FLSA) Enforcement in the Construction Industry**

- [June 3 — New York, NY](#)
- [June 11 — Frederick, MD](#)

## **WHD — What to expect during a WH investigation (in Spanish)**

- [May 26 — Houston, TX](#)

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workers at risk of lacerations, amputations and exposed them to explosion and fire hazards. In its December review, OSHA found that All Steel Products of Vandalia stored flammable materials in open containers near propane heaters where they might ignite, failed to shut down and lock out machines properly before repair and maintenance, and did not train employees on respiratory standards. The company faces \$109,900 in proposed penalties.

- [Read the News Release](#)

## **Military Contractor Exposed Workers to Cave-in Dangers**

At South Carolina's Fort Jackson, Occupational Safety and Health Administration inspectors found DS Utilities Inc., a federal contractor, exposed workers to dangerous trenching hazards while working at the U.S. Army base. Inspectors said the trench was unprotected and at-risk of cave-in, lacked a safe means of entry and exit, had workers operating heavy equipment too close to the trench's opening, and left holes at the site uncovered which created tripping hazards. The January inspection was part of a National Emphasis Program on Trenching and Excavation.

- [Read the News Brief](#)

## **Hotel Owners to Pay 43 Employees \$119,000 in Back Wages, Damages**

A Kentucky hotel operator is subject to a U.S. District Court's consent judgment and permanent injunction for violations of the Fair Labor Standards Act. Shivam Hospitality LLC and its owners, Mahesh Nichani and Saurabh Taneja, who operate the Florence Aston Hotel in Florence, must pay 43 employees \$119,434 in back wages and liquidated damages after an investigation by the Wage and Hour Division's Louisville District Office. Investigators found that the owners misclassified their housekeeping, laundry, front desk and maintenance staff as independent contractors, and denied them minimum wage and overtime compensation. The defendants agreed to be under a permanent injunction to ensure future FLSA compliance.

- [Read the News Brief](#)

## **Employee Union Official Sentenced for Providing False Statements**

The former treasurer of the American Federation of Government Employees Local 709 in Colorado and an employee of the U.S. Bureau of Prisons was sentenced on May 11 for embezzling more than \$59,000 in union dues. Aide Spade, 49, was ordered to pay restitution of \$14,234.18 plus an additional \$5,000 fine for creating and submitting a false document she knew contained fraudulent statements and entries. She was also sentenced to three years of probation. Funds were diverted for personal use, which was uncovered in April 2012 in a union audit. She resigned from her job in November 2012. At that time, she paid nearly \$45,000 in restitution. The case was investigated by the Office of Labor-Management Standards and the Department of Justice Office of the Inspector General.

- [Read the News Release](#)

## **Illinois Company Cited in Death of Diver in Ohio Pond**

A 23-year-old worker drowned when his air supply depleted while scuba diving in a pond in New Albany, Ohio. Occupational Safety and Health Administration inspectors reviewed the deadly November 2014 incident and found his employer, U.S. Aqua Vac Inc., failed to supply the worker with a reserve air tank or line-tending, nor maintain continuous visual contact. OSHA identified two willful, four repeated and 11 serious safety violations. The agency also placed the company in its Severe Violator Enforcement Program.

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