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DOL News Brief

January 29, 2015

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What's New

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

- [The Family Connection](#): Supporting Postsecondary Success of Young Adults with Disabilities: The transition to adulthood lasts longer than in the past, with families playing an important part in the lives of young people after high school. Imagine how crucial that family support is for a young person with a disability, writes Kathy Martinez, the assistant secretary of labor for disability employment policy.
- [Is Your Manicure Making Someone Sick?](#) Chang Hang, a nail salon owner, notes the significant hazards encountered by salon workers, including toxic chemicals and repetitive motions that can cause injuries and illnesses.
- [Working in a Winter Wonderland](#): 4 Things to Know in the Snow: Plenty of people work outdoors in the winter, and Jesse Lawder of the Office of Public Affairs lists four things that every employer should know.

Myth: Paid family leave is bad for business.

Not true: Research shows policies that support families are good for both workers and business. Companies that offer increased flexibility report benefits that offset or surpass upfront costs, such as increased productivity, recruitment of talented workers, lower turnover and replacement costs, reduced absenteeism and improved morale. When Google increased paid maternity leave from 12 to 18 weeks, the rate at which new mothers left the company dropped 50 percent. Paid sick leave also has its benefits. For businesses with few employees, absences can be challenging. A short-term absence can be significantly less disruptive than the long-term reduced productivity that can result when employees feel compelled to work while they are ill. Long-term productivity can be lost when an ill employee comes to work and increases the risk of infection to all of their coworkers.

- [Learn About Paid Leave](#)

Calling On All Mayors: Help Us Lead On Leave

When President Obama called for an increase in the minimum wage two years ago, state and local officials around the country responded by enacting wage increases in their respective jurisdictions. With the issue of paid leave gaining greater attention than ever, the president is hoping cities and states will take the lead once again. That message was delivered by U.S. Secretary of Labor Thomas E. Perez on Jan. 23 to mayors gathered at the White House for a session on issues facing working families. "Cities and states are laboratories for innovation," Perez observed. Noting that the United States is the only industrialized nation in the world without some form of paid leave for workers, he said, "Our workplace policies should reflect the realities of the 21st century workforce. It's time for us to lead on leave. I hope you'll help us do so." The municipal leaders were in Washington for the annual Winter Meeting of the U.S. Conference of Mayors.

- [Learn More About Paid Leave](#)

Soaring Higher With New Skills

Ask students in Pima Community College's Aviation Technology program: "What did you do at school today?" and you might be surprised. That's because the program offers combined classroom and hands-on training at the school's fully modern hangar at Tucson International Airport in Arizona. Students there are jump starting their in-demand aviation careers by learning on two full-sized Boeing 727s. Secretary Perez and Tucson Mayor Jonathan Rothschild visited the facility on Jan. 29 to learn how the program successfully delivers an 85 percent job offer rate. PCC received a \$2.5 million grant through the fourth round of the Trade Adjustment Assistance Community College and Career Training program, which enables the school to increase its certificate program based on requests from local employers like Bombardier. The college also is a partner in a \$5.3 million Youth CareerConnect grant to Pima County to expand technical training programs in area high schools. "When we talk about job-driven training, this is what we mean," said Perez. "Students know that if they work hard, job opportunities are out there, and employers in Tucson and across the country have confidence they are getting workers with the skills to succeed on day one." For program graduate and U.S. Army veteran Ashley Rodriguez, a found flier on the floor of the college's admissions center has turned into a career helping flyers travel safely. "I have a career I enjoy, and the pay isn't too bad either. There's plenty of opportunity for advancement in my field," said Rodriguez.

- [Read the Blog Post](#)

Fast Times at the Washington Auto Show

The American auto industry might

Championing Worker Voice

Emphasizing the importance of worker voice and skills development in a global economy, Secretary Perez participated in a signing ceremony at the Irish Embassy between the United Association of Union Plumbers, Pipefitters, Sprinklerfitters, Welders and HVAC Technicians (UA) and their counterpart in Ireland, the Technical Engineering and Electrical Union. The two unions are working together to share information and best practices on training, safety and organizing. Joining AFL-CIO President Richard Trumka at the event, Perez talked about apprenticeship ("the other college, the one without debt," he called it) as a critical workforce development strategy for the 21st century, a strategy pursued successfully by UA, in Ireland and in many other nations. Citing recently released Bureau of Labor Statistics data that show union members generally earn more than non-union workers, Perez celebrated the labor movement as one of the cornerstones of a strong middle class and an economy based on shared prosperity.

#ApprenticeshipWorks

Interest in apprenticeship continues to grow in light of President Obama's recent statements on the importance of expanding the on-the-job training program into more industries and occupations. To promote apprenticeships to business leaders, Secretary Perez hosted a Twitter chat on Jan. 27 with more than 160,000 online guests. Top companies, including Dow Chemical, UPS and Alcoa, joined leading apprenticeship sponsors like the UAW and the AFL-CIO. N.J. Sen. Cory Booker joined the online chat. In all, Perez answered 20 questions, ranging from how apprenticeships help boost industries to how they can encourage more women and minorities to enter growing fields.

- [Follow the Twitter Conversation](#)
- [Learn More About Apprenticeship](#)

Extending a Hand to the Homeless

Every year, thousands of volunteers venture out on one cold winter night in their communities nationwide to find people living without shelter, engage with them and direct them toward the services they need. At the same time, these volunteers are taking count of the people. The counts support the Department of Housing and Urban Development's annual "Point in Time Count," a census of America's homeless population on a given night. On Jan. 28, Deputy Secretary of Labor Chris Lu — joined by Deputy Assistant Secretary of Labor for Veterans' Employment and Training Teresa Gerton, VETS Chief of Staff Michael Bocchini and VETS Special Assistant Brian Hawthorne — canvassed a neighborhood surrounding Washington, D.C.'s historic Marine Barracks. Lu and company were joined by volunteers from the Departments of Labor, Veterans Affairs, Health and Human Services and HUD. The effort was significant especially for VETS, which is engaged in a full-throttle collaborative effort to meet President Obama's goal of ending veterans' homelessness by the end of this year.

- [VETS Resources for Homeless Veterans](#)

have been on a rocky road just a few years ago — with nearly one in five autoworkers getting a pink slip not a paycheck — but the industry is back on a fast track. In the last five years, about a half million new jobs have been created and, in 2014, American autoworkers spun out cars faster than any year since 2005. Secretary Perez visited the Washington Auto Show on Jan. 24 for a sneak peak at some of the more than 70 vehicles made in 13 states where the industry is flourishing and helping rebuild the middle class. Perez met with representatives from Ford, General Motors, FCA North America and Volkswagen at the show to discuss industry innovations that are creating the most technologically advanced and fuel efficient cars and trucks ever.

National News

Record Number of Discrimination Complaints Filed on Miners' Behalf

One of the most effective tools for keeping mines safe is ensuring that working miners feel confident to point out dangers or safety concerns without jeopardizing their jobs. Last year, the Mine Safety and Health Administration took legal action to protect miners who stood up for safety more often than at any other time in the agency's history. MSHA filed 49 complaints with the Federal Mine Safety and Health Review Commission in cases involving allegations of discrimination made by miners. Section 105(c) of the Federal Mine Safety and Health Act of 1977 states a miner cannot be discharged, discriminated against or interfered with in the exercise of statutory rights because he or she has engaged in a protected activity such as filing a complaint alleging a health or safety violation, or refusing to work under unsafe or unhealthy conditions. "The Mine Act provides miners the right to a safe and healthy workplace and protects them if they suffer unlawful retaliation for exercising those rights," said Joseph A. Main, assistant secretary of labor for mine safety and health.

- [Read the News Release](#)
- [Learn About Miners' Rights and Responsibilities](#)

Engaging the Public for Smarter Regulations

Workplaces are constantly changing, and the Labor Department is always reviewing its existing regulations to update rules that may be out of date, ineffective, insufficient or excessively burdensome. The department is looking for new ideas from the public on which rules should be modified, streamlined, expanded or even repealed. Therefore, it has launched an interactive website to engage interested parties to suggest rules that should be reviewed. Members of the public have until Feb. 25 to give input that will help the department implement effective and smart regulations to bring opportunity and economic security to working families, job-seekers and retirees.

- [Visit the Interactive Website](#)
- [See Retrospective Review Progress Reports](#)

States Split \$38 Million to Expand 'Work Sharing' Programs

Layoffs are painful for everyone involved, so having an opportunity to prevent them helps both employers and workers. The department awarded nearly \$38 million to 13 states on Jan. 29 to expand short-time compensation programs, also known as "work sharing." "The program enables employers to temporarily reduce work hours for a group of employees as an alternative to layoffs during tough economic times. Affected workers have a portion of their lost wages supplemented by a percentage of their available unemployment compensation benefits. This program allows employees to retain their jobs — and benefits — while companies maintain a skilled workforce.

- [Read the News Release](#)

White House Event Highlights Efforts to Combat Human Trafficking

Each year in January, we observe National Slavery and Human Trafficking Prevention Month, an occasion to "stand with the survivors, advocates and organizations dedicated to building a world where our people and our children are not for sale," as President Obama wrote in his 2015 proclamation. An area of great concern with respect to trafficking is the complex global supply chains behind the products and services we use daily. At a White House event on Jan. 29, a group of business leaders, advocacy groups and government officials gathered to explore strategies for combating trafficking in these supply chains. Associate Deputy Undersecretary of Labor for International Affairs Eric Biel moderated a panel on anti-trafficking efforts

Transforming Community Colleges

N.Y. Congresswoman Grace Meng and Deputy Secretary of Labor Lu visited New York's Queensborough Community College on Jan. 23. The college is part of a six-college consortium that shares nearly \$20 million to develop career pathways to five industry sectors: health care, food services, education, manufacturing and business. The funding was awarded through the Trade Adjustment Assistance Community College and Career Training initiative. During his tour, Lu visited the college's state-of-the-art virtual hospital and 3-D printing lab. "Our investment to transform community colleges across the country is paying dividends to local workers who are getting the training they need to succeed in 21st century jobs," he said.

2014 Union Membership Report

The Bureau of Labor Statistics recently reported that the union membership rate in 2014 was 11.1 percent, down 0.2 percent from 2013. The report compiles data from the Current Population Survey to provide a breakdown on unionization rates by industry and occupation, race and ethnicity, and sex. It also provides information on earnings, and found that the 2014 median weekly earnings of union workers was \$970, compared to \$763 for nonunion workers. In a statement, Secretary Perez said, "Belonging to a union makes a powerful difference in people's lives, providing greater economic security and helping them punch their ticket to the middle class."

- [Read the BLS 2014 Report](#)
- [Read Secretary Perez's Statement](#)

Ensuring Opportunity for All

On July 22, 2014, President Obama signed the Workforce Innovation and Opportunity Act, helping job seekers access services they need to succeed in employment and match employers with skilled workers. The law also established an advisory committee to explore ways to increase competitive, integrated employment for individuals with disabilities, including on the Fair Labor Standards Act's certificate program. The committee held its first meeting in Washington, D.C., on Jan. 22 and 23. "We need to make sure that every person who wants to work has the opportunity to do so," said Secretary Perez. Assistant Secretary of Labor for Disability Employment Policy Kathy Martinez, Wage and Hour Division Administrator Dr. David Weil and Assistant Secretary for Employment and Training Portia Wu also participated. During the meeting, the committee heard from expert panels and selected as its chair David Mank, director of the Indiana Institute on Disability and Community at Indiana University.

- [Learn More About the Advisory Committee](#)

in federal contracting. It's a timely topic for discussion, as the White House also released an update to the Federal Acquisitions Regulations requiring a series of safeguards to help prevent human trafficking in the federal supply chain. Secretary of State John Kerry also presented the Presidential Award for Extraordinary Efforts to Combat Trafficking in Persons to the Coalition of Immokalee Workers, an internationally recognized worker-led labor rights organization based in Southwest Florida that addresses labor trafficking, enhances wages and promotes workplace rights.

- [Learn More About Labor Supply Chains](#)

International Scene

U.S., Denmark Policymakers Discuss Labor Market Strategies

Senior officials from the Danish Ministry of Employment took part in a bilateral dialogue led by Deputy Secretary of Labor Christopher P. Lu on Jan. 28. They compared labor market strategies that combat long-term unemployment, promote inclusiveness in the labor market, strengthen apprenticeships and discussed effective work-family policies. Senior officials from several U.S. Department of Labor agencies — including the Employment and Training Administration, Office of Disability Employment Policy, Office of the Assistant Secretary for Policy and the Women's Bureau — had the opportunity to share experiences and learn from their counterparts in a nation with historically strong and effective labor and social policies. Denmark is a place where, in the words of one Danish official, "Everyone has a right to childcare." Learning about the experiences and successful programs of others will help the department implement the administration's goal of providing better work-family balance policies, including paid sick and maternity leave.

ILO Receives \$8 million to Reduce Child Labor in Vietnam

The International Labor Organization received an \$8 million award from the Bureau of International Labor Affairs to implement a technical cooperation project to prevent and reduce child labor in Vietnam. The project will support Vietnam's national plans of action on children, child protection and child labor and will increase the capacity of national institutions and stakeholders to respond to child labor. "2015 marks the 15th year of our bilateral cooperation on labor issues with the Government of Vietnam, and the funding of this project highlights our continued partnership and underlines our commitment to provide assistance to vulnerable children and their families," said Deputy Undersecretary for International Affairs Carol Pier.

- [Read the News Release](#)

It Happened on the Hill

High Marks From Transitioning Service Members

The Employment Workshops of the Transition Assistance Program provide service members with the skills they need to secure good civilian careers when they leave the military. The department initiated a significant redesign of these workshops recently to make them more engaging and relevant, and to address the unique challenges facing returning service members. At the Economic Opportunity Subcommittee of the House of Representatives' Veterans Affairs Committee on Jan. 27, Teresa Gerton, deputy assistant secretary of labor for policy at the Veterans' Employment and Training Service, gave an update on the progress of the program. "The [customer survey] data strongly suggest that the Employment Workshop is meeting the high expectations of its customers," Gerton reported. "DOL will continue to review feedback and evaluate the program to ensure that the curriculum remains relevant, learning is taking place, and service members feel prepared to transition from military service and pursue other career goals." Last year alone, the department conducted more than 6,600 Employment Workshops for more than 207,000 participants at 206 military installations worldwide. More than 9,000 of the 207,000 participants were part of the National Guard and Reserve.

- [Learn More About TAP](#)
-

Sex Discrimination Guidelines

A proposed rule would clarify federal contractors' requirements to prohibit sex discrimination, updating existing guidelines to align with laws, court decisions and societal changes since they were originally issued in 1970. The Office of Federal Contract Compliance Programs announced the proposed rule on Jan. 28. "Our sex discrimination guidelines are woefully out of date and don't reflect established law or the reality of modern workplaces," said OFCCP Director Patricia A. Shiu. "We owe it to the working women of America — and their families — to fix this regulatory anachronism."

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

Workplace Challenges

Workers and community leaders from Southern California's Asian-American and Pacific Islander communities recently attended three listening sessions hosted by the Departments of Labor and Justice, and the Equal Employment Opportunity Commission. More than 200 workers from Samoa, Tonga, the Marshall Islands, Cambodia and the Philippines shared the challenges they face in the workplace with respect to health, safety, compensation, job training, discrimination and equal opportunity. The agencies involved plan to use the information from these and similar conversations around the country to inform federal enforcement of labor laws. The White House Initiative on Asian-American and Pacific Islanders co-sponsored the listening session.

The Case for Global Paternity Leave

Families shouldn't have to choose between caring for a child and providing for that child, observed Women's Bureau Director Latifa Lyles at an event on global paternity leave hosted by New America Foundation CEO Anne-Marie Slaughter and co-sponsored by Promundo. The event in Washington on Jan. 28 explored how paid leave policies benefit children, families and the bottom line of both businesses and countries. "We know that when men take leave the culture of the organization tends to have a more positive outlook as it is related to paid leave," said Lyles. The panel included Barbara Wankoff of KPMG and Jake Brewer of Change.org and was moderated by journalist Liza Mundy, who is also director of the Breadwinning and Caregiving Program at New America Foundation.

- [View a Video of the Event](#)
- [Learn About Paid Leave](#)

Keeping Lone Star Workers Safe

The San Antonio chapter of the Associated General Contractors of America and the Occupational Safety and Health Administration signed a two-year alliance to provide safety and health training to more than 425 of the chapter's member firms in 19 counties in South Texas. AGC staff works to promote safety and health awareness by training, educating and mentoring its members' construction businesses.

DOL Working for You

Training Program Rescues Diver's Sinking Business

Dennis Walker was a professional diver for more than 25 years before deciding to start his own commercial diving business. He poured his money and sweat into the business, but was not getting the return on his investment he needed to support his family. So, Walker reached out to CareerSource Brevard and enrolled in the Energy Launch program, now called Startup Quest. Funded by the Employment and Training Administration, the program connects aspiring entrepreneurs with established business leaders. The eight-week mentorship program teaches participants how to network, market, finance and establish a business. The intensive course culminates with participants pitching a completed business plan to a group of judges. "This program is way more than some classes or handouts to read; it is getting your hands dirty and actually starting a business," said Walker, who used the best practices and skills he learned and applied them to his struggling business. Soon after the class ended, Walker and his wife's company was awarded a contract for \$1.6 million. He attributes his success to the knowledge and confidence he gained from the program.

DOL in Action

Laid-off Kentucky Workers to Receive Job Training Benefits

Approximately 875 Kentucky workers affected by recent layoffs at the Paducah Gaseous Diffusion Plant and GE Aviation will benefit from re-employment assistance services. On Jan. 23, the department announced a National Emergency Grant of \$4,598,681 to the West Kentucky Workforce Investment Board to help laid-off workers get the training and employment services they need to find new jobs. The funding also will make entrepreneurial training available to interested participants.

- [Read the News Brief](#)

Explosive Dust and Other Hazards Found at Texas Grain Mill

Grain-dust accumulation, in certain circumstances, can injure workers if it explodes or ignites, according to citations issued to Muleshoe, Texas-based Minsa Corp. by the Occupational Safety and Health Administration. Inspectors also found workers exposed to electrical equipment contaminated with foreign materials, unused openings in a breaker box improperly closed, and an uncovered junction box with live electrical parts. In addition, workers at the corn flour mill were exposed to dangerous machinery, blocked emergency exit routes and falls from a platform that lacked a guardrail. Penalties total \$151,200.

- [Read the News Release](#)

Warehouse Workers Exposed to Electrical Hazard

An August 2014 investigation by the Occupational Safety and Health Administration found dangerous electrocution, fire and other hazards at a Jersey City trucking company warehouse. The N.J.-based Xpedited Services LLC received 14 serious citations with \$63,000 in associated fines for tangled extension cords, overloaded power outlets in wet locations, blocked exits, faulty forklifts, machines without safety guards, and damaged floors.

- [Read the News Release](#)

Old Lead Presents New Hazard

A Brooksville, Fla.-based bridge-coating company exposed workers to dangerously high levels of lead as workers removed old paint on a bridge in Albany, Ga., the Occupational Safety and Health Administration reported. OSHA inspectors visited the Atlas Steel Coatings Inc. work site after receiving a complaint and issued the company 13 serious citations with \$58,800 in penalties. Violations included failure to train workers on lead hazards, provide personal protective equipment to workers exposed to lead, develop a site-specific lead compliance plan, and provide showers for workers exposed to unsafe levels of lead. Lead exposure can impair kidney function, raise high blood pressure and cause other negative health effects.

- [Read the News Brief](#)

Ohio Plant Fails to Manage Highly Hazardous Chemicals

Workers at Georgia-Pacific Chemicals LLC were exposed to formaldehyde and other potential health and safety hazards because the company did not

Through its alliances, OSHA works with businesses, trade associations, unions, consulates, professional organizations, faith- and community-based organizations and educational institutions to prevent workplace fatalities, injuries and illnesses. The South Texas alliance will develop compliance assistance tools and resources and educate workers and employers about their rights and responsibilities.

- [Read the News Brief](#)

Pregnancy Protections at Work

More than 600 people from across the nation participated in a Jan. 27 webinar entitled "Know your Rights: Employment Protections for Pregnant Workers." In her opening remarks, Women's Bureau Director Latifa Lyles showcased an interactive map that shows which states offer employment protections for workers who are pregnant or nursing. Sarah Crawford from the Equal Employment Opportunity Commission, Melissa Josephs from Women Employed and Dina Bakst from A Better Balance also presented. Topics included updated enforcement guidance of pregnancy protections and the EEOC's focus on pregnancy protections, the recent enactment of the Pregnancy Fairness Law in Illinois, and similar pregnancy laws in Delaware, New York City and other localities.

- [View the Interactive Maps](#)

Mine Safety Progress

At the West Virginia Coal Association's 42nd Annual Mining Symposium in Charleston, West Virginia, Assistant Secretary of Labor Joseph Main highlighted strategic actions the Mine Safety and Health Administration has implemented in the past five years to better protect miners and positively affect the mining industry's approach to safety. Main highlighted a number of reforms the agency has undertaken since 2010, including targeting mines with a history of compliance problems, publishing rules to prevent black lung disease and coal mine explosions, and filing a record number of discrimination cases on behalf of miners.

- [Read the News Release](#)

- [Read Assistant Secretary Main's Remarks](#)

Worker Rights in New Mexico

Farm labor contractors, growers and industry leaders learned about their legal responsibilities at the New Mexico Crop Production Association Conference in Ruidoso, N.M., on Jan. 26. The Wage and Hour Division's El Paso Area Office offered information on how to pay workers, keep them safe on the job, and provide safe and sanitary residential facilities. The Migrant and Seasonal Agricultural Worker Protection Act requires farm labor contractors to register with the Labor Department and protects some of the nation's most vulnerable workers by establishing standards related to employee wages, housing, transportation and recordkeeping. El Paso Area Office staff will be headed to Las Cruces on Feb. 3 to spread the word at the 2015 New Mexico Chile Conference hosted by the Chile Pepper Institute, Wan international, non-profit organization devoted to education and research related to chile peppers.

implement proper chemical management procedures at its Columbus, Ohio, plant. The Occupational Safety and Health Administration found 11 serious violations with penalties totaling \$60,500. OSHA cited the violations under its Process Safety Management Standards, which contain specific requirements for managing highly hazardous chemicals used in work processes such as formaldehyde, manufactured for various industrial applications and products.

- [Read the News Release](#)

Suit Alleges Utilities Contractor Violated Workers' Rights

No-Dig Tec LLC and its president, John Newell, wrongfully terminated two of the company's workers after they questioned pay practices and filed a complaint with the Wage and Hour Division in Dallas, according to a lawsuit filed on Jan. 26 by the department in U.S. District Court. The suit states the employer violated the Fair Labor Standards Act's anti-retaliation clause. No-Dig Tec is an underground utilities contractor specializing in trenchless technology or "pipe bursting." The department is seeking lost wages, an equal amount in liquidated damages, employment reinstatement and other appropriate remedies the two workers may be entitled to under the law.

- [Read the News Brief](#)

Ohio Painting Company Again Fails to Prevent Falls

Twice in two years, employees at P & W Painting Contractors were put in danger of falling as they worked on top of machines and elevated platforms more than 14 feet off the ground. After a complaint, an Occupational Safety and Health Administration investigation identified one repeat and eight serious safety violations, including a lack of fall protection and forklift hazards at the company's Toledo, Ohio, facility. OSHA has proposed penalties of \$40,040.

- [Read the News Release](#)

Las Vegas Limo Drivers to be Paid \$232,000 Following Investigation

Like neon lights, slot machines and high-stakes gamblers, chauffeured luxury transportation is a vital feature of the fabled Las Vegas experience. For nearly 500 drivers of one limousine company improper payroll deductions and tip credits left many chauffeurs with earnings below the minimum wage, an investigation by the Wage and Hour Division found. The employer, Executive Las Vegas, will pay a total of \$232,317 to 479 employees for violating minimum wage regulations after the division's Las Vegas District Office determined the limousine and shuttle bus employer had made payroll deductions for vehicle repairs, uniforms, drug tests, fuel, name badges, cash shortages and water cups. Doing so caused the earnings of hundreds of commission-based drivers to fall below the minimum wage.

- [Read the News Release](#)

Idaho Steel Manufacturer Cited Following Fatal Forklift Accident

Ernesto Paramo never knew his shift on Aug. 4, 2014, would be his last, leaving his family and friends to grieve his untimely death. The 30-year-old welder clocked in that day, as he had many times before, at Caldwell, Idaho-based Superior Steel Products Inc. Paramo was in an unsecured basket raised improperly on a forklift about nine feet off the floor when the basket fell off a forklift onto the concrete floor below. In the past year, nearly one in four Idaho workplace fatalities was a result of improper forklift use. An investigation by the Occupational Safety and Health Administration found Superior Steel did not protect employees from numerous hazards related to the use of forklifts, including training, modifications and operation. Investigators also discovered confined space, flammable liquid and respiratory hazards.

- [Read the News Release](#)

Explosion Kills Worker at Omega Protein Plant

An explosion killed a temporary worker and critically injured a co-worker at a Mississippi-based Omega Protein plant, prompting the Occupational Safety and Health Administration to investigate the July 2014 accident. OSHA found four companies violated safety regulations that could have prevented the tragedy. The companies are Accu-Fab & Construction Inc., Omega Protein, and JP Williams Machine & Fabrication — all in Moss Point — and Global Employment, in Pascagoula. While cutting and welding pipes to a wastewater storage tank, the workers were unaware the tank contained methane and hydrogen sulfide gases. Omega Protein, maker of Omega-3 fish oil and specialty fish meal products, received a willful citation for exposing employees to fire and explosion hazards. OSHA cited Accu-Fab for a willful violation for failure to train workers on chemical hazards in the work

- [Learn About MSPA](#)

Weekly UI Claims

Seasonally adjusted initial Unemployment Insurance claims fell to 265,000 for the week ended Jan. 24, the department reported. The advance figure was down 43,000 from the previous week's revised level. This is the lowest level for initial claims since April 15, 2000 when it was 259,000. The four-week moving average was 298,500, down 8,250 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 Seminar

- [March 5 — Philadelphia, PA](#)

EBSA — Health Benefits Laws Compliance Assistance Seminar

- [February 10 — Austin, TX](#)
- [February 11 — Austin, TX](#)

OFCCP — Audit Through the Eyes of an Investigator

- [February 24 — Chicago, IL](#)

OFCCP — Compliance Assistance for Federal Contractors Developed in Conjunction with the OFCCP Sample Affirmative Action Plan (AAP)

- [February 12 — Orange, CA](#)

OFCCP — Construction 16 EEO & Affirmative Action Specification

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

OFCCP — Good Faith Efforts, Exceptional Results

- [February 17 — Chicago, IL](#)

OSHA — White House Initiative on Asian Americans and Pacific Islanders Interagency Working Group Webinar

- [February 10 — Philadelphia, PA](#)

OWCP — Town Hall Meetings to assist nuclear weapons workers

- [February 25 — Carlsbad, NM](#)

WHD — Presentation on Labor Standards in Agriculture

- [February 3 — Las Cruces, NM](#)

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area; Global Employment Services received a serious violation for this same hazard; and JP Williams was cited for one serious violation for improperly storing oxygen and acetylene cylinders.

- [Read the News Release](#)

Unpaid Wages Recovered for Oregon Construction Workers

Sierra Construction Co. Inc. has agreed to pay \$87,239 in back wages to 39 workers at, a federally financed apartment building project in Portland, Ore. Wage and Hour Division investigators found Sierra and two of its subcontractors failed to pay the prevailing wages required by the Davis-Bacon and Related Acts. They determined Sierra, the general contractor improperly classified workers in lower-paying positions that did not reflect all duties performed by the employees. Sierra also failed to include information listing the required DBRA wage rates in contracts with two subcontractors, who then failed to pay their employees the required prevailing wages.

- [Read the News Release](#)

Texas Plastics Manufacturer Ignored Key Safety Procedures

Plastic Molding Technology Inc. in El Paso, Texas, must address 11 safety violations cited by the Occupational Safety and Health Administration after an inspection that began last November. OSHA found the employer lacked procedures to properly isolate the equipment energy source and prevent equipment from moving while workers performed maintenance; did not perform required periodic inspections to protect workers from machine hazards during maintenance and servicing; and allowed damaged or missing safety guards on a plastic injection molding machine and other equipment that could cause burns or electrical shock. The inspection was conducted under OSHA's National Emphasis Program on Amputations.

- [Read the News Brief](#)

Former Michigan Union Official Sentenced to Prison for Embezzlement

Ann Marie Shaffer, former dues clerk for Detroit's International Brotherhood of Electrical Workers Local 58, recently was sentenced to one year and one day in prison and two years of supervised release, and ordered to pay \$340,267 in restitution. In August 2014, Shaffer pleaded guilty to one count of embezzling union funds in U.S. District Court for the Eastern District of Michigan. A joint investigation by the Office of Labor-Management Standards and the Office of Inspector General uncovered that, between September 2008 and September 2010, Shaffer stole union funds by engaging in a check substitution scheme. She also received dues remittance checks from employers, set them aside without properly recording them and, when an equal amount of cash was received, embezzled the cash by replacing it with the unrecorded checks.

- [Read the DOJ News Release](#)

Hawaii Security Company Pays Overtime Back Wages

Phoenix Security Hawaii, a provider of property and event security services in Oahu, agreed to pay \$177,924 in back wages to 60 workers for violating wage provisions of the Fair Labor Standards Act. The Wage and Hour Division found employees predominantly identified as "patrolmen" were not paid an overtime premium when they worked more than 40 hours in a workweek. Rather, many were paid on a "salary basis" for their scheduled hours of work. "When the primary job duties of the worker reflect frontline activities such as guarding property, set salary payments for regularly scheduled work hours do not relieve the employer from their responsibility to pay an overtime premium," said Terence Trotter, the division's district director in Hawaii.

Workers Misclassified at Texas Construction Companies

Specialty Painting & Wall Covering Inc. and M & S Enterprise in Nederland, Texas, paid 22 workers \$108,783 in overtime back wages after an investigation by the Wage and Hour Division's Houston District Office. The investigation found that M & S Enterprise misclassified workers as independent contractors, and both companies violated the Fair Labor Standards Act's overtime and record-keeping provisions. Workers of Specialty Painting & Wall received paychecks for up to 40 hours per week, but when those same workers worked more than 40 hours, they were paid with a separate check by M & S Enterprise at a straight-time rate with no taxes withheld. The companies paid all back wages and agreed to classify employees properly, maintain accurate time and payroll records, and pay time and one-half for hours worked over 40.

- [Read the News Release](#)

Solid Waste Facility Fined \$91,000 in Explosion That Injured 2

An explosion at a solid waste disposal facility and processing plant, which severely burned two laborers last July, prompted the Occupational Safety and Health Administration to issue eight safety violations to Indianhead Biomass Services. OSHA found the St. Augustine, Fla.-based company failed to design and implement fire and explosion protective measures; develop a hazard communication plan; and ensure that each worker used a lock to protect against machine startup when performing maintenance activities. The injured workers were attempting to shut down a sawdust dryer to unclog an outlet vent when smoldering embers ignited the sawdust inside the dryer. Proposed penalties total \$91,000. Four months earlier, an explosion at the same facility injured two workers.

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Auto Parts Co. Management Ignored Hazards, Worker Seriously Injured

A worker at WKW Erbsloeh North America Inc.'s Alabama auto parts supply facility performing tank maintenance slipped, fell backwards, and was submerged in a tank of highly corrosive phosphoric and sulfuric acid. The worker suffered severe burns to his face and internal organs. Responding to the accident last July, inspectors from the Occupational Safety and Health Administration discovered safety violations that placed employees in serious peril and led to the worker's injuries. Violations included exposing workers to falls from walkways without railings, failing to provide workers with equipment to prevent accidental machine startup, and not monitoring air quality inside chemical tanks. Proposed penalties total \$177,500.

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