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**To:** Kester, Tonykester@aging.sc.gov  
**Date:** 3/26/2015 10:31:29 PM  
**Subject:** The DOL Newsletter - March 26, 2015: Lead on Leave; Help for the Unemployed; Applauding Apprenticeship

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## DOL News Brief

March 26, 2015

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### What's New

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

- [The Federal Coal Mine Health and Safety Act Turns 45](#): The Coal Act's achievements and legacy are unquestioned — leading to healthier, safer mines and steady declines in fatalities and injuries during each decade since its passage, writes Joseph Main, assistant secretary of labor for mine safety and health.
- [The Triangle Fire's Lasting Legacy](#): This week, the department honors Frances Perkins' legacy by pursuing the changes she fought for — better working conditions and increased safety for all of America's workers, writes Carl Fillichio, senior advisor for communications and public affairs.
- [Everything Is Better When the Sun Is Shining](#): Our mission to promote and protect the welfare of workers by ensuring fair pay, safe workplaces and work-related benefits and rights dovetails seamlessly with Sunshine Week's message that open government is good government.

### Briefing the Business Community

"When it comes to investing their hard-earned retirement savings, the American people should feel confident that they're getting the best bang for their buck." That was the message Secretary Perez carried to the U.S. Chamber of Commerce's Capital Markets Summit on March 25. In short remarks and a question and answer session, Perez discussed the department's conflicts of interest rulemaking, designed to ensure that financial advisers are working in their clients' best interest. The Chamber of Commerce is one of many stakeholders with whom the department has consulted in the development of this regulation. Perez also thanked Chamber leadership for their support in the resolution of the recent West Coast port dispute.

- [Learn More About Conflicts of Interest](#)

### 'Leading on Leave' from Coast to Coast

Fulfilling the president's State of the Union call for greater workplace flexibility for families, Secretary of Labor Thomas E. Perez, Senior Advisor to the President Valerie Jarrett and Assistant to the President Tina Tchen will traverse the country on the "*Lead on Leave — Empowering Working Families Across America*" tour. At each stop, Perez will meet with workers, state officials and employers to promote best practices and discuss how paid leave and other flexible workplace policies can help support working families and businesses. Three states have paid family and medical leave laws in effect — Rhode Island, California, and New Jersey — and two states — Connecticut and California — have paid sick day laws in effect. Cities like Philadelphia; Tacoma and Seattle, Wash.; and Bloomfield, N.J., are acting to give workers access to paid sick leave. Businesses across the country also are adopting paid leave policies. "The reality is that, at some point, we all need time off from work to recover from an illness or to care for a loved one. Paid leave is a necessity not a luxury, and you shouldn't have to win the boss lottery in order to have a little bit of flexibility at work," said Perez. A day after the tour was announced, tech giant Microsoft announced that it would require its contractors and vendors to provide employees who perform work for Microsoft with 15 paid days off for sickness and vacation time. The tour kicks off in Seattle on April 1, and includes stops in Minnesota, California, Oregon, Georgia, Colorado, and Pennsylvania.

- [Learn More About Paid Leave](#)
- [View the Secretary's Message](#)

### Teaming Up With USDA to Get Unemployed Back to Work

"Silos are great to see on farms, but they have no place in how we build the skills infrastructure of this country," said Secretary Perez on the campus of Gwinnett Technical College in Lawrenceville, Ga. Perez joined Secretary of Agriculture Tom Vilsack on March 20 to announce \$200 million in USDA grants to help Supplemental Nutrition and Assistance Program participants find jobs and work toward self-sufficiency. Gretchen Corbin, commissioner of the Georgia Technical College System, welcomed the two secretaries to the Peach State, which received a \$15 million grant. Other winning projects are based in California, Delaware, Illinois, Kansas, Kentucky, Mississippi, Virginia, Vermont and Washington. The grants are an outgrowth of the new cabinet-level skills working group designed to better align federal workforce and economic development efforts. Earlier, Perez and Vilsack visited Gwinnett's successful bioscience department, where they met with students in the DNA and anatomy labs.

- [Read the USDA News Release](#)

### Two-Day Summit on Apprenticeship Draws Thousands

Success in today's global economy means attracting the world's major businesses to invest in the United States. At the SelectUSA Investment Summit on March 23 and 24, more than 2,500



## #Cut50 Bipartisan Coalition

A national bipartisan coalition has formed to advocate cutting the incarcerated population by 50 percent in the next 10 years. Known as "#Cut50," the initiative has attracted key figures from across the political spectrum. Secretary Perez spoke at a conference hosted by #Cut50 on March 26 to highlight the importance of helping once incarcerated individuals transition back to their communities as a national economic issue. Steady employment plays a key role in reducing recidivism rates; a small decrease in recidivism can have measurable impacts on reducing the costs of incarceration. The department has supported re-entry programs for many years. This year, it will award more than \$60 million to expand access to federal job training and employment services to individuals exiting correctional facilities nationwide. Said Perez: "This is not just about offering hope... it's about what works. It's about pragmatic, empirical, data-driven solutions that make a difference in people's lives and make communities safer."

## Harnessing the Power of 'We'

Collective bargaining harnesses the power of "we" to give workers a voice in the workplace and create shared prosperity, Secretary Perez told members of the United Auto Workers' Collective Bargaining Convention in Detroit on March 24. At the event, UAW leaders from around the country finalized a resolution that will serve to guide local affiliates as they negotiate contracts in the next four years. "I'm here to support your right to have a voice," Perez said. "I'm here to support the notion that when we come together in good faith, we can reach agreements that benefit employers, workers and customers."

## HR Managers Can Make a Difference

The department is encouraging personnel managers to improve their companies' compliance with wage and hour laws, and open doors and opportunities to disabled workers. On March 24, Wage and Hour Division Administrator Dr. David Weil addressed nearly 600 attendees at the Society of Human Resource Management's 2015 Employment Law and Legislative Conference in Washington, D.C. "You sit in positions of great influence when it comes to improving compliance in the businesses you serve and in your industries more broadly," said Weil. "We want to continue to explore ways we can work together to get our information out there, into the hands of those who need it, and you can help us do that." SHRM renewed its alliance with the Office of Disability Employment Policy to promote employment outcomes for people with disabilities and challenged its members to consider what they can do to hire, retain and promote people with disabilities.

participants from countries and businesses worldwide engaged with high-level U.S. government officials to discuss investment options. Secretary Perez hosted two discussions at the summit, urging foreign businesses to consider the nation's highly-skilled workforce as a key incentive to set up shop in America. Resources like the department's ApprenticeshipUSA initiative and the national network of nearly 2,500 American Job Centers are helping develop a strong pipeline of skilled workers in the manufacturing, information technology and health care industries, among others. Apprenticeship leaders, Swiss-based Buhler and German-based MTU, shared their experiences growing their businesses thanks to U.S. apprenticeship programs and urged fellow employers to consider starting similar programs.

• [Learn More About ApprenticeshipUSA](#)

## National News

### \$27 Million in Grants to Help Soon-to-Be-Released Inmates Find Jobs

Criminal convictions often create overwhelming barriers to finding a good job. Lack of employment opportunities is also a contributing factor in the high-rate of recidivism in the United States. The department is taking action to stop the cycle of crime and incarceration with the availability of a \$27 million Training to Work — Adult Reentry grant program. Announced on March 24, the funding opportunity is designed to help thousands of soon-to-be-released inmates prepare for the job market by offering training and education services, mentoring opportunity and support services. "Good jobs are a pathway to the middle class. In the best America, everyone shares in prosperity. That's what these grants can make possible," said Secretary Perez. Approximately 20 grants will be awarded with a maximum value of \$1,360,000. Applications will be accepted until May 1.

• [Read the News Release](#)

### Job Corps Celebrates Women's Successes

To celebrate Women's History Month, Job Corps has undertaken a Facebook campaign to honor female students who are taking full advantage of the program to turn their lives around. One of these students is Ceara Forbes, who enrolled in and graduated from the security and protective services training area at Carl D. Perkins Job Corps Center in Kentucky. She plans to advance to a position in road patrol and someday become a sheriff's investigator. Another is Krista Kelly, a 2014 graduate of the Virginia's Old Dominion Job Corps Center's electrical wiring career training program. Kelly aspires to obtain an engineering degree from her dream school, Virginia Commonwealth University. In Astoria, Oregon, Tongue Point Job Corps Center graduate Alexxa Hendershott is yet another of many success stories. She is using the skills learned at Job Corps to help build electric towing vehicles for LEKTRO, an electric vehicle manufacturer in nearby Warrenton. "Job Corps gave me the knowledge and skills I needed," Alexxa said. "They helped me to become who I am and allowed me to do what I love to do."

• [View the Facebook Campaign](#)

## It Happened on the Hill

### Emphasizing the Importance of Apprenticeships

Back on Capitol Hill for his third Congressional hearing this month, Secretary Perez made the case for strong investments in Labor Department programs that empower workers and their families. Appearing before the Subcommittee on Labor, Health and Human Services, Education and Related Agencies of the Senate Appropriations Committee on March 26, Perez stressed the importance of apprenticeship and other efforts to help more people get the skills and training needed for good jobs. "I like to refer to us as 'Match.com,' connecting businesses that want to grow with job-seekers who want to punch their ticket to the middle class," he told the panel. Perez also highlighted the department's worker protection mission and expressed his belief that there are opportunities for bipartisan common ground in the budget.

• [Read the Testimony](#)

### Conflicted Retirement Advice Is Center Stage at Hill Forum



## Women Veterans Celebrated

To commemorate Women's History Month, Women's Bureau Director Latifa Lyles gave the keynote address at the U.S. Department of Veterans Affairs event *"Weaving the Stories of Women's Lives."* Lyles discussed the achievements working women have made and the Department of Labor's efforts to help women veterans. She also lauded the work of former Women's Bureau Director Esther Peterson and her time on the Presidential Commission on the Status of Women. Veterans Affairs Deputy Assistant Secretary of the Office of Diversity and Inclusion Georgia Coffey presented a certificate of appreciation to Lyles after the keynote address.

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## Construction Roundtable

To further protect the health and safety of construction industry workers, the Occupational Safety and Health Administration convened a roundtable on March 19 with more than 25 representatives from industry and labor, the National Institute for Occupational Safety and Health, and the Center for Construction Research and Training. Deputy Assistant Secretary of Labor for OSHA Jordan Barab topped the agenda with updates on the agency's initiatives. The roundtable enabled all the partner agencies to share best practices, resources and upcoming campaigns with one another. Workgroups were also convened on new construction employee safety and health orientation and how best to reach the small construction contractors.

- [Learn More About Roundtables](#)

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## Women and the Minimum Wage

Women account for a little less than half of the U.S. working population, and nearly 6 in 10 workers earning the minimum wage are women. Many work full time as the sole breadwinner for their families with earnings of less than \$15,000 a year. A family of four with that income is 17 percent below the poverty line, even with tax credits. These numbers make it clear that raising the minimum wage would benefit millions of working women.

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

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## Apprenticeship Nominees Sought

The Office of Apprenticeship is accepting nominations for new members of the Secretary of Labor's Advisory Committee on Apprenticeship. The mission of the ACA is to provide advice and recommendations on the development and implementation of policies, legislation and regulations affecting Registered Apprenticeship. The ACA provides a diversity of perspectives with members representing the employer, labor and public sectors. Interested parties may submit nominations no later than April 17 to [oa.administrator@dol.gov](mailto:administrator@dol.gov) with the subject line "ACA nomination." All submissions, must include a letter of support and the individual's bio and resume.

- [Learn More About Apprenticeship](#)

Senior Counselor to the Secretary Sharon Block addressed congressional questions on the department's Conflicts of Interest rulemaking at the "Ending the Retirement Savings Drain and Improving Economic Security" forum on March 24. Sponsored by Sen. Elizabeth Warren and Rep. Elijah Cummings as part of their Middle Class Prosperity Project, the event drew retirement experts, state government officials and victims of conflicted retirement advice. "Now we've heard some very dramatic stories of big losses that came in a relatively short amount of time, but this really affects retirement savings for so many ... as it eats away a small amount each year," Block said. Warren questioned the argument from some that holding advisors to a higher standard could cause low and moderate income Americans to lose access to advice, to which Block responded, "...I would just point out that small savers are the people who can least afford to have their savings dissipated through poor investments..." Warren replied, "That is the irony, isn't it."

- [Watch a Recording of the Forum](#)
- [Learn About Conflicts of Interest Rulemaking](#)

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## DOL Working for You

### Family Secures Future After Devastating Medical Setback

An ordinary day turned tragic for his family when Tom Navagato suffered a sudden brain aneurism in February 2014, leaving the 57-year-old Centennial, Colorado, man disabled and unable to return to work. To make financial decisions on his behalf, his wife Susane was forced to seek custody of her husband in court. Her next hurdle was assessing her husband's pension benefits, which eventually led her to Kathy Robinson, J.D., a benefits advisor with the Employee Benefits Security Administration in Kansas City, Mo. "She is my guardian angel," Susane said of Robinson. "She went out of her way to help me. During this long past year, she was one of the few people who offered me a ray of hope and friendliness. When I was ready to give up, she wanted to make sure that no stones were left uncovered regarding our benefits." To unravel Tom's pension benefits from eight different employers and four plans in which he was vested, Robinson made nearly 90 phone inquiries. The end result is that Susane now receives monthly payments that help her get through these challenging times. Robinson is proud of the results. "It is gratifying when I am able to actually get the person his or her benefits and make a positive difference in their life," said Robinson. "I'm lucky to have a career where helping others comprises a significant core of what I do." Today, Tom's progress is slow but steady. He has no short-term memory, and doesn't always remember the loved ones around him, but Susane is grateful that some of her financial worries have been alleviated, and is thankful for the Labor Department's help.

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## DOL in Action

### Millions in Back Wages Recovered for New Jersey Gas Station Workers

In the past five years, more than 1,100 attendants at Shell, Exxon, BP and other leading brand gas stations in New Jersey have been denied the minimum wage and, in some cases, overtime pay. Thanks to a multiyear enforcement initiative conducted by the Wage and Hour Division, these workers have received \$5.5 million in back wages and damages. In fiscal year 2014, the division recovered almost \$300,000 in back wages and damages for nearly 100 employees, about \$3,000 per worker. "The wages recovered for these low-wage workers will help them pay rent and put food on the table for their families. These wages will also fuel the local economy," said Secretary Perez.

- [Read the News Release](#)

### Contractor Twice Ignores Deadly Electrocution Hazards

Only three days after an employee of Kolek Woodshop Inc. of Creighton, Pa., was electrocuted in September 2014 on a roofing job in Tarentum, his employer sent another worker to finish the job amid the same hazards. An Occupational Safety and Health Administration inspection resulted in one willful violation for Kolek for endangering the second employee. OSHA also identified four serious violations involving roofing workers exposed to fall hazards, an aluminum scaffold erected too close to a 7,200-volt power line, untrained employees, and a ladder provided without nonconductive side rails



## Job Corps Celebrated in Georgia

Georgia state Sens.

Vincent Fort and Nan Orrock presented Atlanta Job Corps Center leadership with a resolution in the statehouse's upper chamber proclaiming March 24 "Job Corps Day" in Georgia. In recognition of Job Corps' 50th anniversary, members of the House and Senate offered their support and praised the program and its benefits. State Rep. Kimberly Alexander is a former Job Corps graduate. She spoke to Atlanta Job Corps students about her positive experiences in the program. "Job Corps provided a solid foundation to springboard my education and career," said Alexander. "Now, as an elected official, a great deal of my time and energy is spent on ensuring that our citizens have access to quality hands-on training and education. I encourage all young people to secure a lifelong trade." State Rep. "Able" Mable Thomas presented a similar Job Corps proclamation in the state's House chamber.

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## Reaching Out to Filipino Workers

Wage and Hour Division and the Equal Employment Opportunity Commission officials met with Los Angeles-based Pilipino Worker Center's executive director Aquilina Soriano-Versoza on March 9 to discuss innovative ways to strengthen labor rights outreach to the large Filipino community in Los Angeles and nationwide. One idea proposed was the creation of a toll-free helpline for Filipino workers' labor concerns. "By joining forces and reaching out to key leaders in this important community, we will continue to improve our assistance into labor rights' knowledge and compliance. We look forward to the introduction of new tools and proven actions that will help us all get there faster and more efficiently," said Kimchi Bui, the division's district director in Los Angeles.

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## Agricultural Training in California

More than 250 crew leaders, supervisors and ranch managers employed by one of the world's leading suppliers of fresh strawberries, raspberries, blueberries and blackberries recently participated in several Wage and Hour Division training sessions in Watsonville, Calif. The workshops were conducted in collaboration with the Equal Employment Opportunity Commission and the state's Occupational Safety and Health Administration. They focused on federal labor laws regulating the agricultural industry. "This collaboration with a major agricultural employer such as Reiter Affiliated Companies was a critically important step forward in our efforts to support agricultural employers to monitor their own supply chain for compliance," said Ruben Lugo, the division's Western Region Agricultural Enforcement Coordinator. "Reiter took the first step by having their employees receive training directly from the division, the EEOC and Cal/OSHA."

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that contacted power lines and resulted in the fatality.

- [Read the News Release](#)

## New York City Transit Authority Retaliates Against Employee

An Occupational Safety and Health Administration whistleblower investigation found that the New York City Transit Authority and a supervisor there discriminated against an employee who exercised his safety rights under the National Transit Systems Security Act. As a result, OSHA ordered the NYCTA and supervisor Mark Ruggerio to pay the employee \$52,500 in damages and take corrective action. In August 2012, the employee and Ruggerio participated in a New York Public Employees Safety and Health inspection. After Ruggerio told inspectors that a drill press was not working, the employee said the press was operating and turned it on. Ruggerio then threatened the employee with a loss of overtime work. The employee filed a timely whistleblower complaint. OSHA investigators determined that the employee's participation in the safety inspection, filing of his complaint and sharing his concerns with OSHA were all protected activities.

- [Read the News Release](#)

- [Learn About Whistleblower Protections](#)

## Dollar General Commits Repeat Safety Violations, Fined \$83,000

A Dollar General Corp. store in Georgia was cited by the Occupational Safety and Health Administration after a December 2014 inspection exposed safety hazards. OSHA issued four repeated citations to the employer for failing to ensure that exit doors at the Bowdon store were unlocked, and for allowing merchandise to block exit routes and electrical access panels. Store management also failed to have portable fire extinguishers inspected annually. Nationwide, Dollar General stores have received more than 40 citations after more than 70 OSHA inspections since 2009. A complaint prompted OSHA's latest inspection, which resulted in \$83,050 in penalties.

- [Read the News Release](#)

## Houston Group Home Care Providers Receive Back Wages

Texas-based Viacell LLC, doing business as A Devoted Care Provider, did not pay \$60,923 in overtime to care providers and administrative staff at its corporate location in Stafford and six group homes in the Houston area. An investigation by the Wage and Hour Division's Houston District Office found Viacell failed to pay time and one-half for hours worked beyond 40 in a workweek as required by the Fair Labor Standards Act. The employer also failed to keep accurate time and payroll records. "The back wages these vulnerable workers received, and the money they will earn by being paid as the law requires, will help them and their families put food on the table and pay their bills," said Cynthia Watson, regional administrator for the Wage and Hour Division in the Southwest.

- [Read the News Brief](#)

## Construction Workers' Exposure to Trenching Hazards 'Can be Fatal'

SER Construction Partners Ltd. of Pasadena, Texas, was cited for one repeated and two serious violations for letting employees work amid trenching hazards at a Houston construction site. A repeated violation was issued for not providing adequate cave-in protection such as sloping, benching or a protective shield system. In August 2010, the Occupational Safety and Health Administration cited the company for similar violations. The serious violations include failure to provide a safe egress from the trench and prevent water accumulation. Proposed penalties total \$79,900. "Exposing workers to trenching hazards without adequate protections can be fatal," said Josh Flesher, OSHA's acting area director in the Houston North office. "OSHA's standards must be followed to prevent workers from being injured."

- [Read the News Brief](#)

## California Restaurant to Pay \$45,000 in Back Wages, Damages

Aura Thai restaurant in Long Beach failed to meet the required minimum wage obligation by paying servers a flat rate of \$50 per day for more than 9 hours of work per day on average. Investigators from the Wage and Hour Division found that the California restaurant owed four servers and four kitchen staff \$22,957 in unpaid minimum wage and overtime back wages and an equal amount in liquidated damages. "Restaurant employees often work long hours to support themselves and their families. They deserve to be paid the wages they rightfully earned," said Skarleth Kozlo, the division's assistant district director in Ontario.

- [Read the News Brief](#)



## Cross-Agency Collaboration

Federal officials highlighted the importance of cross-agency collaboration at a forum organized by the Office of Federal Contract Compliance Programs in Phoenix on March 18. More than 70 representatives of worker advocacy groups, community-based organizations and employers attended. Panelists from the OFCCP, Wage and Hour Division, Occupational Safety and Health Administration, and the Equal Employment Opportunity Commission addressed the major laws and regulations enforced by their agencies, as well as complaint processes, investigative procedures and priorities for enforcement and outreach. "We are guided by a common purpose, and cross-agency collaboration is critically important to better fulfill our mission," said Marvin R. Jordan, OFCCP's district director in Phoenix.

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## Safety Stand-Down in Georgia

Construction contractors, the Federal Highway Administration, state and local government, and the Occupational Safety and Health Administration partnered for a one-hour safety stand-down at construction sites in Georgia during National Highway Work Zone Awareness Week. From March 23-27, employers voluntarily stopped work at construction sites from 7 a.m. to 8 a.m. to provide work zone safety training to road workers so they can protect themselves from the dangers of distracted drivers and injuries caused by passing vehicles, flying debris and other objects. "This alliance is about the mothers, fathers, sisters and brothers who died on-the-job because a driver was distracted by a text message, a phone call or other activity," said Kurt Petermeyer, OSHA's regional administrator for the Southeast.

• [Read the News Release](#)

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## Weekly UI Claims

Seasonally adjusted initial Unemployment Insurance claims fell to 282,000 for the week ended March 21, the department reported. The advance figure was down 9,000 from the previous week's unrevised level. The four-week moving average was 297,000, down 7,750 from the previous week's unrevised average.

• [Read the News Release](#)

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## Upcoming Deadlines & Events

### Open Funding Opportunities

#### OASAM — Vendor Outreach Session

• [April 23 — Washington, DC](#)

#### OFCCP — An OFCCP Audit Through the Eyes of An Investigator

• [April 21 — Webinar](#)

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

• [April 15 — Columbia, SC](#)

#### OFCCP — New Scheduling Letter

• [April 16 — Orange, CA](#)

## Suit Seeks Back Wages, Damages for Florida Restaurant Workers

The department has filed a lawsuit against Florida Millenium Investments LLC, doing business as El Mariachi Mexican-Spanish Restaurant, Jorge Correa and owner Marco F. Molano, for violations found in a Wage and Hour Division investigation. Investigators determined the employers did not pay minimum wage and overtime to servers and kitchen staff when they worked in excess of 40 hours in a week. Although they claimed to have paid workers back wages owed as a result of violations found in a previous investigation, the employers lacked adequate proof. Filed in U.S. District Court for the Southern District of Florida, the complaint seeks back wages and an equal amount in liquidated damages and to permanently enjoin the defendants from violating the Fair Labor Standards Act in the future.

• [Read the News Brief](#)

## Kansas Union Embezzler Sentenced to Prison

Timothy Sanchez, former president of American Federation of Government Employees Local 906 in Topeka, Kansas, was sentenced recently to 18 months of imprisonment and one year of supervised release. He was also ordered to pay restitution of \$50,156. In September 2014, Sanchez admitted guilt in U.S. District Court for the District of Kansas to one count of Interstate Transportation of Money Obtained by Fraud. An Office of Labor-Management Standards investigation revealed that Sanchez went to great lengths to hide his embezzlement from the union and OLMS, recreating more than five years of meeting minutes to make it appear his expenditures were approved by the union membership and executive board. His efforts were unsuccessful as investigators determined he falsified documents to further the embezzlement.

## US Steel Corp.'s Safety Shortcuts Lead to Fatal Explosion

US Steel Corp. was cited by the Occupational Safety and Health Administration after two workers were killed and another critically injured at its steel production facility in Fairfield, Ala. The explosion occurred as workers were attempting to open a malfunctioning furnace valve. OSHA issued eight citations to the employer for failing to develop a procedure for workers to operate the valves safely; missing safety signs; not training workers to identify hazards and improperly installing an exit gate.

• [Read the News Release](#)

## Hawaii Wedding Planner Pays Back Wages, Damages

Wave USA Inc., doing business as Ka Nalu Wedding, Blue Blue Flowers in Honolulu, paid \$35,481 in back wages and damages to 25 employees after an investigation by the Wage and Hour Division. Investigators found eight foreign nationals from Japan entered Hawaii through an approved J-1 visa training program but were primarily employed as front-line workers who were paid as little as \$4 per hour. The employer also failed to pay the required overtime premium to other workers. "Wave USA unlawfully employed J-1 visa holders as employees earning below the minimum, which took away their right to a basic minimum wage and gave the employer an unfair advantage over its competitors," said Terence Trotter, the division's district director in Honolulu.

• [Read the News Brief](#)

## Steel Storage Manufacturer Fined Nearly \$300,000

Chicago-based Edsal Manufacturing Co. faces \$294,300 in penalties after an inspection by the Occupational Safety and Health Administration. OSHA found five repeated and 16 serious violations and placed the company in the Severe Violator Program. KG Payroll & Staffing Services Corp., which provides temporary labor to the plant, also faces \$11,000 in fines for not ensuring their workers were properly trained on the use of personnel protective equipment and hazards associated with working at the facility.

• [Read the News Release](#)

## Federal Inspector Looks Up, Sees Serious Worker Violations

Driving down a street in Concord, N.H., an Occupational Safety and Health Administration inspector saw something that didn't look quite right: a worker replacing a light fixture atop a restaurant with no fall protection. He stopped and began an inspection, ultimately citing Daniels Electric Corp. for one willful and two serious violations and proposed fines of \$40,000. "A fall from 12 feet can kill or disable a worker for life; so can an electric shock. While this worker was fortunate that we spotted these hazards before an injury occurred, he should never have been exposed to these hazards in the first

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

- [April 16 — Houston, TX](#)

**OFCCP — Protecting Your Workplace Rights**

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

**OFCCP — The New VEVRAA Regulations**

- [April 14 — Chicago, IL](#)

**OFCCP — Scheduling Letter Updates**

- [April 7 — New Orleans, LA](#)

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

- [March 27 — Los Angeles, CA](#)

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

- [March 31 — Houston, TX](#)

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place. Required safeguards must be used every time on every jobsite," said Rosemarie Ohar Cole, OSHA's New Hampshire area director.

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**Mine Inspectors Find Imminent Danger at Oklahoma Mill and Quarry**

Since April 2010, the Mine Safety and Health Administration has conducted nearly 900 specially targeted impact inspections at the nation's mines. On Feb. 18, inspectors visited Buzzi Unicem USA's Lone Star Pryor Plant, Mill & Quarry in Mayes County, Okla. There, they issued 14 citations to the mine operator, as well as five citations and one order to contractors working on the mine site. Among the hazards found were allowing miners to work on an elevated wooden scaffold of insubstantial design and construction, which led to an imminent danger order.

- [Read the News Release](#)

**California Taco Restaurant Owes Workers \$36,000**

A California taco restaurant violated the Fair Labor Standards Act when it failed to pay the overtime premium for all hours worked beyond 40 in a workweek. Wage and Hour Division investigators from the San Francisco District Office determined Taqueria Papa Chano's restaurant in Monterey owed \$36,026 in overtime back wages and damages to 11 workers. Investigators also found the employer failed to keep accurate records. "Restaurant workers are particularly vulnerable to unfair labor practices. They must be paid as the law requires for all hours worked," said Susana Blanco, the division's district director in San Francisco. "The Wage Hour Division will use all available tools to protect workers and level the playing field for employers."

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