



DOL News Brief

September 13, 2012

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Answering the Call of September 11



Police, firefighters, health-care workers, tradesmen and volunteers were called to action by the 9/11 terrorist attack eleven years ago. The attacks at the World Trade Center and Pentagon united the nation behind

the rescue mission led by first responders. To protect these workers and aid the emergency response, the Occupational Safety and Health Administration sent an initial contingent of 160 staff to Manhattan and a three-person team to Virginia. For the next 10 months, a total of 1,000 OSHA officials nationwide joined the around-the-clock cleanup and recovery operation. OSHA coordinated with federal, state, and local agencies to deploy industrial hygienists across downtown New York City to determine air exposure levels to asbestos and other volatile compounds, gathering 1,000 samples in the first 31 days. Respiratory and other personal protection equipment were distributed daily for hazards related to debris and heavy construction activities. The goal was to ensure the safety of the heroes at the disaster sites who helped our nation recover.



What's New

Revving Up Job Growth in Michigan

Workforce professionals play a key role in helping businesses grow by connecting the dots between a trained workforce and local employers looking to hire. To honor the work of these dedicated professionals, Secretary Solis traveled to Michigan this week to attend the 2012 Michigan Works! for



People annual conference. The conference drew more than 700 attendees, including economic development, business, and educational leaders, Workforce Development Board members, and Michigan Works! agency staff. Solis thanked the attendees for their significant impact in preparing workers for in-demand and growing industries in Michigan. Solis then visited the newly renamed



Ford Flat Rock assembly plant, where she joined executives from the carmaker and several elected officials to celebrate the upcoming expansion of Ford operations in the city. Starting next year, Ford will bring the entire production of its next generation Fusion to the Flat Rock plant, along with its

continued production of the iconic Mustang. To meet this new production demand, Ford is investing \$555 million and adding 1,200 new jobs at the plant. Solis praised the company for its strong commitment to the American economy and its efforts to in-source jobs back to the United States.

- View the Michigan Works! Slideshow
• Read the Secretary's Michigan Works! Remarks
• View the Ford Flat Rock Slideshow
• Read the Secretary's Statement at Ford Flat Rock

Building Bridges in Virginia



As part of its Hispanic Heritage month festivities, the Virginia Hispanic Chamber of Commerce honored Secretary Solis with the "Bridge Builder" Award

at its annual gala on Sept. 12. The award is given to a person who exemplifies a strong commitment to community partnership and collaboration between the public and private sectors. Past recipients include former president of Mexico Vicente Fox and U.S. Cabinet members Carlos M. Gutierrez and Anna Escobedo Cabral. The gala

National News

\$10.7 Million Awarded in Grants for Safety and Health Training

Seventy-two nonprofit organizations have been awarded \$10.7 million through the Susan Harwood Training Grant Program by the department's Occupational Safety and Health Administration. "The Department of Labor is committed to ensuring that workers and employers are provided education

was held at the Science Museum of Virginia and featured remarks from Gov. Bob McDonnell, who lauded the Obama administration's commitment to Latinos and the business community. Solis struck a similar tone in her acceptance speech, saying, "As Labor secretary, I've always believed that it's possible to be both pro-worker and pro-business. We can reach more people, advocate more boldly and affect more change. In a time when everyone has to do more with less, that kind of partnership is not only beneficial — it's necessary." As a preview to her remarks, Solis stopped by a Richmond TV station earlier in the day to talk jobs with host Lorenzo Hall. "We're doing everything we can to put Americans back to work," Solis said. "We're investing in first-rate job training and giving businesses the tax breaks they need to hire workers right here in Virginia."

- [View the Slideshow](#)
- [Watch the Interview](#)

Women's Bureau in Phoenix

The key priorities of the Women's Bureau, resources for homeless women veterans, equal pay, workplace flexibility and other matters were part of an outreach



discussion led by Jenny Erwin, the San Francisco regional administrator for the bureau in Phoenix on Sept. 7. Erwin addressed nearly 50 representatives from women's organizations, community advocates and workforce development agencies at the event sponsored by the local Office of Federal Contract Compliance Programs. A presentation was also provided by OFCCP District Director Marvin Jordan. Erwin and Jordan then joined Equal Employment Opportunity Commission District Director Rayford Irvin; Susan Nern, assistant district director of the Wage and Hour Division, and Michael Espinoza, Arizona's director of Veterans' Employment and Training Service, for a panel discussion.

- [View the Slideshow](#)
- [Read the Trauma Guide](#)
- [View Video "Giving a Voice to Hope"](#)

Safety at Western Mines



Mine operators and associations in the western United States gathered in Washington state this week for a meeting with Joseph A. Main, assistant

secretary of labor for mine safety and health. Main spoke to aggregate associations and other mine representatives on Sept. 10 in Seattle, as well as the Washington State Labor Council, AFL-CIO. His remarks covered MSHA enforcement and agency reforms aimed at protecting the safety and

and training on identifying and preventing serious workplace hazards. The grants awarded will provide workers and employers in some of the most dangerous industries with important tools to identify and eliminate such hazards," said Secretary Solis. Since 1978, more than 1.8 million workers have been trained through the Susan Harwood program. The program's goals are to provide training on how to recognize and avoid safety and health hazards in the workplace, and to inform workers of their rights and employers of their responsibilities. According to the Sept. 11 announcement, seven organizations will be awarded \$785,000 in Capacity Building Developmental grants, and 49 grantees from 2011 will receive \$8.3 million in follow-up grants. Sixteen organizations will receive a total of \$1.6 million in grants for Targeted Topic Training and for Training and Educational Materials Development.

- [Read the News Release](#)
- [Learn About the Program](#)
- [Recipients of Capacity Building Grants](#)
- [Recipients of Targeted Topic Grants](#)

Million-Dollar Grant to Prepare Youths With Disabilities for Careers

More than \$1 million was awarded by the department on Sept. 10 to the Institute for Educational Leadership in Washington, D.C., to manage and operate a national center to prepare youths with disabilities for employment. The new National Technical Assistance and Demonstration Center on Preparing Youth with Disabilities for Employment will build capacity within and across youth service delivery systems to improve employment and postsecondary education outcomes for youths with disabilities. "Through our investment in this center today, we are laying the groundwork to ensure that youths with disabilities enter the 21st century workplace with the skills and experiences they need to succeed," said Kathy Martinez, assistant secretary of labor for disability employment policy.

- [Read the News Release](#)

Around DOL

Observing Hispanic Heritage Month

Kicking off Hispanic Heritage Month at the department on Sept. 10, Secretary Solis led a dialogue focused on the economy, education and the Latino community before more than 200 guests in the César Chávez Auditorium at the Frances Perkins Building. Solis was joined by a panel that



included a worker who found a job with the help of a program funded by the Workforce Investment Act; a researcher examining Hispanic progress, and Chief Economist Adriana Kugler, who reviewed Latino workforce economic data. The audience included community leaders, farm worker advocate Dolores Huerta, workers from different sectors of the economy, students, youth and journalists. A question-and-answer session with the panel covered job training programs for high-growth sectors, college affordability, what Hispanic heritage means and other topics. "The best way to honor our heritage is to work together to build an even better future," said Solis. "We know that America's economic future only will be as strong as our growing Latino community." Later in the day, Solis was keynote speaker at a Hispanic Heritage Month observance by the Congressional Hispanic Caucus Institute, where more than 600 members gathered in Washington, D.C., to

health of miners. Metal and nonmetal mines, which make up the majority of mines in the western states, were praised for a 27 percent drop in significant and substantial violations from 2010 to 2011. Main also discussed the agency's pre-assessment conferencing pilot, which allows operators and the agency to settle disputes prior to litigation. On Sept. 11, Main visited CalPortland Co.'s Dupont Pit in Pierce County, Wash., and Ash Grove Cement Co.'s Seattle plant in King County, Wash.

DOL News Brief Wins Top Award

Congratulations to the Department of Labor for winning Ragan's PR Daily Award for Best Electronic Newsletter.



Winners were honored at an awards luncheon on Sept. 11 at the Newseum in Washington, D.C. "We are so pleased that our team is being recognized for their extraordinary effort. Our goal is to let people know how we are working for them. The newsletter does a great job," said Secretary Solis. DOL News Brief faced competition from corporations, public relations agencies, nonprofit groups and other government agencies. The Ragan Awards competitions are one of the most prestigious in the PR and corporate communications industry.

The Power of Diversity



A panel of experts highlighted the power of diversity and how to best harness it at a forum hosted by the regional Office of Federal Contract

Compliance Programs, the San Francisco Bay Area Federal Executive Board, and the San Francisco Federal Building Diversity Awareness Council. The Sept. 7 event, moderated by Dr. Kenneth P. Monteiro, dean of the College of Ethnic Studies at San Francisco State University, discussed the benefits of inclusion, current and future demography of ethnicity, generational diversity in the workplace, and the best means of attaining and embracing diversity. Experts from the Cesar Chavez Institute, Kaiser Permanente, Genentech, the Equal Employment Opportunity Commission, University of California at Berkeley and San Francisco State University answered questions on mentoring, rotational assignments, and developing and retaining employees.

- [View the Slideshow](#)

celebrate "Latina Pioneers."

- [Watch the Video](#)
- [View the Slideshow](#)

Remembering 9/11 With a Moment of Silence



People across the country, around the world and at the department shared a moment of silence at 8:46 a.m. (EDT) on Sept. 11 to remember the horrific events of September 11, 2001 and the nearly 3,000 people who lost their lives in the terrorist attacks. "We remember the fallen – the police officers and

firefighters who ran into burning buildings as others ran out, and the brave first responders who gave their lives to save countless others. We also remember the working people of this tragedy – from the custodians and restaurant workers to the administrative staff, security guards and business executives who died inside the buildings that day," Secretary Solis said in a statement.

- [Read the Secretary's Blog Posting](#)

International Scene

Brazilian Delegation, Department Meet on Human Trafficking

The United States is not alone when it comes to combating human trafficking and labor exploitation. This week, a delegation of Brazilian judges, prosecutors and advisors from federal and state levels visited Washington, D.C., to learn more about how the U.S. government combats human trafficking in the



United States. The delegation met with Gabriela Lemus, senior advisor to the Secretary and director of the Office of Public Engagement, and representatives from the Bureau of International Labor Affairs, Wage and Hour Division, Employment and Training Administration, Office of the Inspector General, and Office of the Solicitor. The delegation was invited by Department of Homeland Security Secretary Napolitano following the July signing of a joint statement of intent to combat human trafficking between Napolitano and the Brazilian Supreme Federal Court and the National Council on Justice.

- [View the Slideshow](#)

Martinez Discusses Disability Employment Policy for London Forum

U.S. efforts to foster workplace flexibility as a strategy to increase the employment of individuals with disabilities was discussed by Kathy Martinez, the department's assistant secretary of labor for disability employment policy, via telephone to the 2012 International Forum on Disability Management in London on Sept. 10. In her remarks, Martinez also discussed the impact of Executive Order 13548 on federal hiring of people with disabilities. "The president is committed to transparency and specified that information about the level of hiring at all federal agencies be published on the Web," she emphasized. "This has proven remarkably effective." About 500 employers, union representatives, advocates, policymakers and others attended the forum.

- [Executive Order 13548](#)

Working With State Agencies

The Interstate Labor Standards Association welcomed Wage and Hour Division's Deputy Administrator Nancy Leppink to Mystic, Conn., for their annual



convention that began Sept. 10. Leppink spoke to representatives from 18 state labor agencies about WHD's enforcement priorities and accomplishments, such as misclassification MOUs signed between the division and 13 states. She also emphasized the importance of collaboration and mutual efforts with state agencies, saying, "Working together, we can leverage our resources to drive employer behavior towards compliance with all applicable labor laws."

- [Read More on Misclassification](#)

Assessing Leave Benefits



At a conference on Sept. 10, organized by the Institute for Women's Policy Research and the Work-Family Strategy Council, Chief

Economist Adriana Kugler discussed data related to unpaid and paid family leave. She explained the advantages, potential limitations and key findings from the newly released Leave Module of the American Time Use Survey; the 1995, 2000, and 2012 Family Medical Leave Surveys, and the National Compensation Surveys. The surveys show that average coverage is high but that lower paid and part-time workers, those employed by smaller employers and those in service occupations have much lower coverage. The surveys also show that while coverage is high, use of leave benefits is much lower and that there are many with unmet need for leave.

Combating Family Homelessness

The U.S. Interagency Council on Homelessness was convened this week by its chair, Health and Human Services Secretary Kathleen



Sebelius, to discuss the issue of family homelessness. Representatives from Tacoma, Wash., and Salt Lake City discussed strategies to coordinate an array of federal programs, including workforce programs, to help homeless families

News You Can Use

ERISA Council Meeting Set for Sept. 25

An open meeting of the Advisory Council on Employee Welfare and Pension Benefit Plans, also known as the ERISA Advisory Council, will take place Sept. 25 at department headquarters. The council will discuss reports and recommendations on the issues of disability benefits for participants in defined contribution plans; current challenges and best practices concerning beneficiary designations in retirement and life insurance plans, and examining income replacement during retirement years in a defined contribution plan system.

- [Read the News Release](#)

Meeting the Needs of Retirees

New fee disclosure regulations and other projects still in the works are creating a retirement environment that better meets the needs of workers and families striving to shore up their nest eggs. Deputy Assistant Secretary of Labor for Employee Benefits Security Michael L. Davis delivered this message to an audience of more than 300 financial advisors and others at the 2012 Plan Advisor National Conference this week in Orlando.

Completed EBSA regulatory projects, including those requiring disclosures of 401(k) investment and servicing fees, are greatly improving transparency in the retirement arena and empowering workers and employers to make better informed decisions about their retirement investments. Ongoing work, including the effort to enhance fiduciary protections for retirees, workers and their families who seek investment advice, will provide greater assurances that advice is not compromised by conflicts of interest or bias, Davis told the group.

- [Learn More About EBSA](#)

Deadline Extended for Worker Safety Challenge



The deadline for the Occupational Safety and Health Administration's Workplace Safety and Health App Challenge has been extended. Entrants now have until Nov. 30 to develop and submit apps that educate young people about their rights and demonstrate the importance of safety and health in the workplace. Successful apps could take various forms – interactive and informative games, social or

professional networking sites, or data visualization tools. Prizes include \$15,000 for the "Safety in the Workplace Innovator Award," \$6,000 for the "Safety and Health Data Award," and \$6,000 for the "Workers' Rights Award." There is also a "People's Choice Award" of \$3,000 for the developer of the app that receives the most public votes on the website.

- [Accept the Challenge](#)

DOL Working for You

VRAP Helps Navy Vet Get High-Tech Training

A job layoff caused Navy veteran Timothy Thompson to consider a career change, so he turned to the department's Veterans Retraining Assistance Program for help. Thompson had previous experience as an electronics technician in a submarine and later with a

succeed. Ben Seigel, deputy director of the department's Center for Faith-based and Neighborhood Partnerships, represented Secretary Solis at the Council meeting, where he highlighted the department's new Workforce Innovation Fund grants. Three of the 26 grant awards are supporting local efforts to better align programs of workforce agencies and housing agencies.

- [View the USICH Meeting Webcast](#)
- [Learn More about the Tacoma, WA Workforce Innovation Fund Project](#)

Ending Violence Against Women

The department is dedicated to combating violence against women and increasing public awareness about abuse by educating employers and workers across the country on strategies to prevent and reduce workplace violence. On Sept. 13, Secretary Solis marked the 18th anniversary of passage of the landmark Violence Against Women Act, pledging to redouble "our commitment to a zero tolerance policy against this heinous crime and our efforts to help victims rebuild their lives."

- [Read the Secretary's Statement](#)

Open Government Webcast



In carrying out President Obama's pledge to work toward "an unprecedented level of openness in government," the Office of Disability

Employment Policy, joined by leaders across the federal government, hosted a live webcast Sept. 13 to exchange information and perspectives on new and innovative open government strategies. Speakers included Carl Fillichio, the department's senior advisor for communications and public affairs; Michael Reardon, ODEP policy advisor and ePolicyWorks team lead, and leaders from other federal agencies, including the departments of Homeland Security, Health and Human Services, and Transportation. The webcast was part of ODEP's ePolicyWorks initiative, which leverages the latest technology to address barriers to employment for people with disabilities and fosters real-time collaboration around key policy issues.

- [View the Slideshow](#)
- [View the Archived Webcast](#)

private company. But he realized he needed an advanced education to improve his prospects "of getting a much better job." Thompson turned to National College Campus Support, a career college with 30 campuses in six states, and enrolled in courses in Ohio. With financial help provided by VRAP, Thompson plans to graduate in 2014 with an information systems engineering degree. Last



November, President Obama signed the VOW to Hire Heroes Act into law, which established VRAP. Under it, the Department of Veterans Affairs, in cooperation with the Department of Labor, pays for up to 12 months of retraining assistance in a "high demand" occupation for unemployed eligible veterans between the ages of 35 and 60. Veterans can find more information on VRAP through American Job Centers or the Veterans' Employment and Training Service.

- [Find Out More](#)

Job Corps/AmeriCorps Student Changes Lives



Vanessa Ruff has set a lofty ambition for herself, "to help as many people as I can." Ruff graduated from the Muhlenberg Job Corps Center in Kentucky with a certification in medical office support, and also used her time there to work on her communication skills and to mentor fellow students. She then joined AmeriCorps, a federal community service program, where ambition met opportunity. She traveled to New Orleans to rebuild homes destroyed by Katrina. She landscaped property around a home for troubled children in Mississippi. Then it was off to Virginia, where she helped install new water pipes and build homes in a poor community. "Our team has

touched many lives through our work," Ruff said. Her new goal is to attend college to become a social worker and help even more people.

DOL in Action

Restaurant Industry Enforcement Initiative Nets \$675,000 for Workers

Boston's Sunset Grill, Sunset Cantina, Big City Restaurant and their owner have agreed to pay 70 workers a total of \$675,000 — \$337,500 in back wages plus an equal amount in liquidated damages — to resolve violations of the Fair Labor Standards Act. An investigation by the Wage and Hour Division found that some employees were paid "straight time" for all hours worked instead of the required overtime rate, failed to combine hours for employees working at two locations in the same workweek, thus failing to pay the correct overtime premium when workers' combined hours exceeded 40. The investigation was conducted as part of an ongoing enforcement initiative focused on the restaurant industry by the Wage and Hour Division's Boston office.

- [Read the News Release](#)

Training Accord in Chicago

The Chicago District Office of Wage and Hour signed a memorandum of understanding with the Chicago Consulate of the Dominican Republic, which serves a 12-state area, including Ohio, Iowa, Michigan, Wisconsin, Nebraska, Minnesota, Indiana and Missouri. As part of the MOU, the Chicago office agreed to provide training to the consulate staff and assist the consulate with questions from constituents. Consul General Gisselle Castillo Veremis invited WHD District Director Thomas Gauza to speak at a private gathering of other Latin American consuls general to discuss the benefits of partnering.

- [Learn More](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

OASAM — Small Business Vendor Outreach Session

- [September 19 — Washington, DC](#)

OFCCP — Analyzing Personnel Activity Data

- [September 20 — Omaha, NE](#)

OFCCP — Building Partnerships for the Community

- [September 14 — Anniston, AL](#)

OFCCP — Compliance Assistance Seminar for Construction Contractors

- [September 18 — Atlanta, GA](#)
- [September 19 — Philadelphia, PA](#)

OFCCP — Compliance Assistance Seminar for Supply & Service Contractors

- [September 18 — Nashville, TN](#)
- [September 26 — Nashville, TN](#)

OFCCP — Developing Written Affirmative Action Plans

- [September 26 — Columbus, OH](#)

OFCCP — Regulation Review

- [October 11 — Chicago, IL](#)

OFCCP — Seminar for First Time Service and Supply Contractors

- [September 23 — Philadelphia, PA](#)

OFCCP — Workforce Solutions Conference and Resource Fair

- [October 19 — San Francisco, CA](#)

Employees Exposed to Toxic Materials at San Diego Navy Facility

Notices of safety and health violations have been issued to a Navy facility by the Occupational Safety and Health Administration for exposing workers of a Coronado, Calif., aircraft maintenance facility to toxic materials such as lead, cadmium and beryllium. Fleet Readiness Center Southwest was inspected by OSHA three times in 2011, resulting in notices for 21 serious violations, including two related to the accumulation of cadmium.

- [Read the News Release](#)

Auto Supplier to Pay Whistleblower \$275,000

Dana Holding Corp. has been ordered by the department to reinstate and pay \$274,922 in back wages and benefits, compensatory damages and attorney's fees to a financial analyst who was fired from the company's Toledo facility in 2009. The order resulted from an investigation by the Chicago office of the department's Occupational Safety and Health Administration into alleged violations of the whistleblower protection provisions of the Sarbanes-Oxley Act of 2002. OSHA was able to substantiate a complaint submitted by the employee, who alleged termination for raising concerns about inaccuracies in the company's customer information assessment system database that could be reflected as inaccuracies in the company's annual financial reports.

- [Read the News Release](#)

Workers at 3 Detroit Bakeries to Receive Back Wages

Sheila's Bakery LLC has signed an agreement with the department to pay \$63,229 in back wages to 21 employees after an investigation determined that the Mexican bakery chain committed violations of the Fair Labor Standards Act at its three Detroit locations. Wage and Hour Division investigators found that employees had been misclassified as independent contractors and consequently did not receive overtime pay as required by the FLSA. The bakery also failed to maintain accurate time and payroll records.

- [Read the News Release](#)

45 Serious Violations Found for Asbestos Exposure; 7 Companies Cited

Three Miami-based and four San Antonio-based companies face penalties totaling \$148,000 for exposing employees to asbestos hazards at the remodeling of the Reserves at Pecan Valley apartment complex in San Antonio. "Asbestos is an extremely hazardous material that can potentially cause lifelong, irreversible health conditions," said John Hermanson, Occupational Safety and Health Administration's regional administrator in Dallas. The Miami-based contractors include Newport Property Ventures LLC, Newport Property Construction LLC and Jamesboys Inc. The San Antonio-based subcontractors cited were Alex Vega, doing business as Alco Painting & Remodeling, Luis Lozada, Frank Gonzalez and Clemente Covarrubias, doing business as Knock It Out. Violations include failing to abate asbestos hazards, ensure employees work in regulated areas, perform air monitoring for asbestos exposure and train workers on the hazards of working with asbestos.

- [Read the News Release](#)

Montana Foundry Faulted for Safety, Health Violations

SeaCast Inc.'s foundry in Butte, Mont., has been cited by the Occupational Safety and Health Administration for 14 safety and health violations – including one willful violation for failing to administer a continuous, effective hearing conservation program. The Washington state company faces

OLMS — Trustee Workshop

- [September 18 — Huntington, WV](#)
- [September 18 — Minneapolis, MN](#)
- [September 25 — Appleton, WI](#)

OSHA — Expert Forum on the Use of Performance-based Regulatory Models in the U.S. Oil and Gas Industry, Offshore and Onshore

- [September 20-21 — Texas City, TX](#)

WB — Sustainable Careers Workshop

- [September 14 — Worcester, MA](#)

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proposed penalties of \$104,000 following an inspection that was conducted under the agency's national emphasis programs on silica and primary metals. "Employers must ensure that adequate measures are in place to protect employees from serious harm such as hearing loss, amputation and respiratory issues," said Jeff Funke, OSHA's area director in Billings.

- [Read the News Release](#)

Former Cashier at Las Vegas Laborers Union Sentenced to Prison

Stacy Johnson, former cashier for Laborers International Union of North America Local 872 in Las Vegas, has been sentenced to one year and one day in prison for embezzling union funds and one year in prison — to be served concurrently — for falsifying union records. Johnson was also ordered to pay \$53,500 in restitution and complete one year of supervised release. Between 2006 and 2009, Johnson embezzled more than \$50,000 in union funds by depositing the union's membership dues and initiation fees into her personal bank account on 107 different occasions. Johnson concealed her theft by manipulating the union's dues accounting software to falsify the records, which included both the receipts and member records, causing the union to under report the amount of funds received and file inaccurate reports with the department.

Apartment Maintenance Workers Exposed to Pesticide, Hospitalized

Rochdale Village Inc., a Queens, N.Y., apartment community, has been cited by the Occupational Safety and Health Administration after two maintenance employees were hospitalized for accidentally inhaling a powder pesticide. The agency found the employees lacked adequate respiratory protection and effective training and information to protect themselves from pesticides and other hazardous chemicals. Rochdale Village also failed to conduct a workplace assessment that would have identified these hazards. Other employees, who worked with caustic chemicals, lacked eye and hand protection, while employees who bagged garbage — and thus were exposed to needles and debris — lacked adequate safeguards to protect them from bloodborne pathogens. Proposed penalties total \$116,400.

- [Read the News Release](#)

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