

This includes, but is not limited to:

- Illness, injury, hospitalization (You may be required to provide evidence of your ability to work, such as a doctor's statement)
- Incarceration
- School attendance
- Out of town or on vacation
- Loss of child care or transportation.

**You Can Go to School and Still Be Eligible
Department Approved Training (DAT)**

You may receive benefits if you are attending school or a training course if approved by Iowa Workforce Development.

You must make a written application for DAT on the form provided by Iowa Workforce Development. If available when you apply for benefits, provide the name of the school, type of training, class schedule, and the beginning and ending dates of training.

Most requests for DAT will be approved if the training has a substantial curriculum. Approval or denial is always in writing and you may appeal if you are denied. **While attending approved training, you do not have to be available for work or search for work to continue to be eligible for benefits.** However, if you stop training for any reason, you must notify Iowa Workforce Development and must immediately search for work as instructed.

Training Extension Benefits (TEB)

Training extension benefits are an additional 26 weeks of benefits available to individuals:

- Who meet the eligibility requirements for unemployment benefits,
- Who are laid-off or voluntarily separated from

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a declining occupation or involuntarily separated as a result of a permanent reduction of operations at the individual's last place of employment.

In addition to the above requirements:

- your training must be for an occupation that is considered to be a High Demand Occupation (HDO) as defined by Iowa Workforce Development, or
- a high-tech occupation or training approved

under the Workforce Investment Act (WIA), or

- you must be working towards a GED in an approved program

Application for these training extension benefits (TEB) must be submitted before the end of the benefit year of the UI claim. TEB is only payable after all payments on regular and extension unemployment insurance benefits are exhausted and is only available to

individuals who are attending a Department Approved Training program meeting the above requirements.

How to Claim Benefits Each Week

Each week you are unemployed and want to claim benefit payments, you **must** certify that you:

- Are unemployed or working reduced hours;
- Are able and available for work;
- Have not refused any job offers or referrals to a job;
- Are actively looking for work (unless waived);

and

- Are reporting any pay or private pension you may be receiving

This is done **each** week on-line using the continued claims web application or by telephone using the Interactive Voice Response (IVR) unit.

Continued Claim Web Reporting

You may file your weekly-continued claim on-line at <https://uiclaims.iwd.iowa.gov/weeklyclaims>. You will be presented your eligibility questions.

Touch-Tone Telephone Reporting

To file your weekly-continued claim by telephone, just call the continued claims reporting system at (800) 8505627. An Interactive Voice Response unit (IVR) will answer and a prerecorded voice will ask you the eligibility questions. You answer **yes** by pressing number **1** and **no** by pressing number **2**.

Some questions will instruct you to enter the pound key (#) at the end of your answer. Many of your answers will be repeated to you by the computer

system to make sure the information is correct. If it is not, you will be instructed on how to change your answer. The average length of time to file your continued claim by telephone is about three minutes.

Important: If you get disconnected, hang up, or close out before the system tells you that your claim has been accepted, you will have to log in or call again to successfully file your continued claim.

The current week is the week that just ended on Saturday. Continued claims filed on Saturday, Sunday, or Monday is processed at the end of the day on Monday.

Telephone lines are very busy on Saturday afternoon. Therefore, we suggest you file on-line or call late on Saturday or on Sunday or Monday to avoid a busy signal.

If you miss calling in for just one week, the system will allow you to file one back week and the current week during the same phone call.

Personal Identification Number (PIN)

The on-line continued claims application and the IVR system for filing your weekly-continued claim or reactivating an existing claim require you to enter a four-digit personal identification number (PIN). Your

PIN protects you from having another person file your claim or obtain information about your claim.

You will select your own PIN the first time you call in or log in on-line to report your weekly-continued claim.

Be sure to select a PIN that will be easy to remember, since you must use the same PIN each time you log in or call to file your weekly-continued claim or reactivate an existing claim. Do not use the repeated numbers (such as 1111 or 3333) or numbers in sequence (such as 1234).

Note: In some cases you will need to select a new PIN the first time you log in or call in your continued claim after reactivating an existing claim.)

You, the claimant, are responsible for the answers to the questions presented by the on-line web application and the IVR system so be sure you keep your PIN number secure.

Hours You Can Submit Your Weekly Claim

10:00 a.m., Saturday to 11:30 p.m., Sunday
or

8:00 A.M. to 8:00 P.M., Monday through Thursday

8:00 A.M. to 7:00 P.M., Friday

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It is not permissible for any other individual to file your weekly-continued claim for you. Do not share your PIN with anyone.

If you forget your PIN or you think someone else knows your PIN, report this immediately to Iowa Workforce Development and you will be provided instructions on how to establish a new PIN.

Preparing to File Your Weekly-Continued Claim

1. Be sure to have your Social Security number and your PIN number.
2. If you worked during the week or you received

or will receive vacation or holiday pay, etc. during the week, be sure you know the gross (before deductions) amount in dollars before you call.

3. Have a pencil and paper handy to write down information you may need when contacting Iowa Workforce Development.

Reporting Your Weekly-Continued Claim

Each time you file your weekly-continued claim, you will be asked a series of basic questions that can be answered by responding yes or no. You will also be asked to provide basic information that will depend on the answers you provide to the basic questions.

A sample script is provided below for you to review

prior to filing your first continued claim. Reviewing this sample script may save you time and confusion.

Sample Telephone IVR Script

1. Welcome to Iowa's unemployment insurance reporting system. For English, press one. For Spanish, press two.

2. Please enter your Social Security number.

3. You entered [repeats what is entered in number 2]. If this is correct, press one. If this is not correct, press two.

If a PIN number has already been established. Caller will not be asked questions 4, 5, and 6.

4. Please enter your birth date. For example, June 14, 1966 would be

entered as 06141966.

5. Please enter a new 4 digit PIN number. Do not use repeated numbers (such as

1111 or 3333 or numbers in sequence (such as 1234).

6. Your PIN number has been set to [repeats what is entered in number 5

]

7. Please enter your 4 digit PIN Number.

8. Thank You. Please hold while the system retrieves your claim information. This may take up to one minute.

9. To check on the status of your claim, press one.

To file your weekly-continued claim, press two.

To change personal information, press three.

For questions on a scheduled fact finding or to speak with a customer service representative, press four. To repeat this menu, press nine. To return to the previous menu, press *.

10. You may enter your claim for the week ending [System calculated this date based on the expected week ending date].

11. It is important that you answer all questions truthfully. WARNING! Attempting to claim and receive unemployment insurance benefits by entering false information can result in loss of benefits, fines and imprisonment. To show you understand the warning message, please press one now. To show that you do not understand the warning message, press two.

12. Your weekly-continued claim can now be

entered. If you hang up before the system tells you thank you and that your weekly continued claim has been filed, your answers will not be recorded and your payment will not be made.

13. Did you work during the week ending [System

calculated this date based on the expected week ending date]? If yes, press one. If no, press two.

Questions 14, 15, 16 and 17 will only be asked if you answered yes to question 13.

14. Was this self-employment? If yes, press

one. If no, press two.

15. Enter the gross amount of wages rounded to the nearest dollar followed by the pound (#) key.

16. You said that you worked the week

ending [System calculated this date based on the expected week ending date]. If you are still working, press one. If you are laid-off, press 2. If you were discharged, press three. If you quit, press four.

17. During the week claimed you worked and earned \$ [Amount you entered in number 15] and you were [Option you selected in number 16]. If this is correct, press one. If this is not correct, press two.

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18. Enter the gross amount of holiday pay rounded to the nearest dollar followed by the pound (#) key. For no pay, enter zero followed by the pound key.

19. You said you received or will receive [Amount you entered in number 18] holiday pay. If this is correct, press one. If this is not correct, press two.

20. Enter the gross amount of vacation or severance pay rounded to the nearest dollar followed by the pound (#) key. For no pay, enter zero followed by the pound key.

21. You said you received or will receive [Amount you entered in number 20] vacation or severance pay. If this is correct, press one. If this is not correct, press two.

22. Are you now receiving a private pension or military retirement? If yes, press one. If no, press two.

23. Were you ready, willing, able and available for work during the week ending [System calculated this date based on the expected week ending date]? If yes, press one. If no, press two.

24. Did you refuse any job offers or job referrals during the week? If yes, press one. If no, press two.

Questions 25, 26 and 27 will not be asked if work search is waived.

25. Enter the number of employers you contacted followed by the pound key.

26. Were at least two contacts made in person? If yes, press one. If no, press

two.

27. Please remember it is your responsibility to keep a complete record of your work search contacts, as directed by the Workforce Development Center, and to provide a copy if requested.

28. The law imposes penalties for false statements.

Do you certify the statements which you entered are true for the week ending [System calculated this date based on the expected week ending date]? If yes, press one. To hear this statement again, press two. To cancel your claim, press three.

29. Thank you. Your claim for the week ending

[System calculated this date based on the expected week ending date] has been filed. To avoid a delay in benefit payments, please remember you must file each week.

How to Determine the Status of Your Claim and When You Will Be Paid

After you have claimed your first two weeks you can find out the status of your claim for benefits on-line at <https://uiclaims.iwd.iowa.gov/weeklyclaims> or by telephone at (800) 850-5627, the same number you use to file your weekly-continued claim. Just follow the prompts in the same manner as you would to file your weekly claim and press one when the system instructs, "To check on the status of your claim, press one. To file your weekly continued claim, press two. To change personal information, press three. For questions on a scheduled fact finding or to speak with a customer service representative, press four. To repeat this menu, press nine. To return to the previous menu, press *"

You can find out:

- The last week you claimed, if any.
- When your last payment was applied to your debit card or forwarded to your financial

institution.

- The amount of the payment.
- Remaining balance (in dollars).

The status of claim option is **only** available **8:00 A.M. to 8:00 P.M., Tuesday through Thursday and 8:00 A.M. to 7:00 P.M., Friday.** (If Monday is a holiday, the status of claim option is not available until Wednesday of that week.)

How to Get Paid

Payment by Pre-Paid Debit Card

You will receive a weekly payment that is applied to a pre-paid debit card unless you have requested direct deposit. You may access funds at your convenience using the pre-paid debit card. The debit card will allow you to:

- Make purchases or get cash back at a merchant
- Get cash at an ATM
- Get cash from a teller in a Bank or Credit Union

The pre-paid debit card option will also allow you unlimited access through a secure website or the Integrated Voice Response System (IVR) to:

- Check your balance
 - Select or change your Personal Identification Number (PIN)
Note: The PIN for your pre-paid debit card may be different than the PIN used for reporting to Iowa Workforce Development.
 - Review transaction history
 - Sign up for and receive notification of deposits by telephone or email
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- For telephone notification of deposits posted to your account, call the customer service IVR at (866) 899-5611 and follow the prompts to setup this service. Each month you are allowed six (6) free calls to the IVR to check your balance and obtain account information.
- For email notification of deposits to your

account, go to

<https://www.EPPICard.com>.

Setup your ID and password and enter your personal email address.

You have unlimited access to the on-line service to check your balance and obtain account information.

Your first benefit payment will be applied to the pre-paid debit card, if determined eligible (about three weeks), you will begin receiving weekly deposits to your debit card account. If you file your continued claim each week on Saturday, Sunday, or Monday, your payment **should be** applied to your debit card on Thursday*.

Exception: If there is a holiday during the week, payment will be delayed an extra workday. Since you will **not** receive any written notification of the deposit, it is your responsibility to verify receipt of the deposits posted to your debit card account by using the unlimited access through the secure website at <https://EPPICard.com> or by calling the IVR toll free number at (866) 899-5611.

Payment by Direct Deposit

To setup direct deposit you must obtain your financial institution's transit number and your account number (savings or checking) and complete the Direct Deposit Agreement form 60-0351 at the back of this handbook or print the form from our website at <http://www.iowaworkforce.org/ui/60-0351.pdf>. The form provides you with instructions on how to locate the transit number and account number or you may contact your financial institution. You must return the completed form to:

After you receive your first payment (about three weeks) and your form is processed, you will begin receiving weekly deposits. If you submit your continued

claim each week on Saturday, Sunday, or Monday, your payment **should be** deposited in your account on Friday*.

Exception: If there is a holiday during the week, payment will be delayed an extra workday. Since you will **not** receive any written notification of your deposit, it is your responsibility to verify receipt of the deposit from your financial institution.

*Due to circumstances outside our control, sometimes checks are not deposited or received on the expected day.

Denial of Benefits

Even though you may meet all other requirements, you may be disqualified from receiving unemployment insurance.

Some of the reasons you may be disqualified for benefits are:

- **Quit** your job without good cause attributable to your employer.
- Were **discharged** or suspended for **misconduct** in connection with your job.
- Refused suitable work with an employer or recall to suitable work by your former employer.

- Are **not able** to work, **not available** to work or **not actively seeking work** as required.
- Are unemployed due to a **strike or labor dispute**.
- **Have set unrealistic limitations** on the wages,

hours or days, types of work or locations of a job **you will** accept.

- **Fail to report** to the IowaWORKS Center or satisfactorily **participate in re-employment**

services when told to do so.

- Are a **school employee with** either a **contract** or **reasonable assurance** of returning to work when school resumes the next academic year

or term. If you are an educational employee, ask if this applies to you.

- Fail to return the Work Search History form when requested.

How to Reactivate Your Claim

If you have an existing claim, (claims are effective for one year) and you stopped claiming (weekly-continued claim call) for one or more weeks and you want to receive benefits again, you must reactivate your claim.

Reactivating an existing claim can be done on-line, at <http://www.iowaworkforce.org>.

Iowa Workforce Development
Unemployment Insurance Service Center
P.O. Box 10332

Des Moines, IA 50306-0332

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If you only worked for one employer during the past six months, you may reactivate an existing claim over the telephone using the UI Service Center's Interactive Voice Response (IVR) system.

You must reactivate your claim during the week you want to claim not after the week is over. The telephone system will ask you if you have worked since you last filed for unemployment benefits. **This means since you filed your last weekly- continued claim or since you last activated your existing claim even though you may not have reported any weekly-continued claims.** If you have worked, your answer should be yes. If you haven't worked (didn't claim a week or more due to illness, vacation, etc.) answer no.

If there is a problem on your claim or you worked for more than one employer, you will be instructed to reactivate your claim using the on-line application.

When you call to reactivate your claim, the computer will play a prerecorded message (a script). You will be asked to provide information and answer yes and no questions using your telephone keypad.

Sample scripts are provided in this handbook for you to review prior to making your call to reactivate your claim. Reviewing these scripts may save you time and confusion during your call.

Please be sure to listen very carefully to the script you hear when you call since that script may not match the sample scripts.

Touch-Tone Telephone Reactivation of an Existing Claim

To reactivate your existing claim by telephone, just call (866) 239-0843. An Interactive Voice Response (IVR) unit will answer. A prerecorded voice will ask you to provide information by responding to questions one at a time. You answer **yes** by pressing number **1** and **no** by pressing number **2**.

Several of your answers will be repeated to you by the computer system to make sure the information is correct. If it is not, you will be instructed on how to change your answer.

Important: If you get disconnected or hang up before the system asks you to certify your statements as being true and you respond that they are, you will have to call again to reactivate your claim.

Preparing to Reactivate an Existing Claim

1. Be sure to have your Social Security number and your PIN number for the call.
2. If you have worked since you last reported a

weekly continued claim or activated your claim,

you will need the following information:

- Name and address of your employer.
- Date you started working for your most

recent employer, and

- The date you last worked for that employer.

3.

If you have received or will receive vacation and/or severance pay, you will need the ending date of the period covered by that pay.

4. Have a pencil and paper to write down

information that you may need, such as your work search requirements.

Sample Telephone IVR Scripts

Sample 1—Temporary Layoff

The caller was temporarily laid off on 01-04-2008 and filed a valid claim with an effective date of 01-06-2008.

He/She drew several weeks of benefits and then

returned to work with the same employer on 01-28-2008, so the last week claimed was 01-25-2008. He/She

is again temporarily laid off from that same employer,

his/her last date worked was 06-20-2008, and he/she

won't receive any vacation or severance pay. The caller

expects to be recalled by his/her employer. The caller

waits until Monday morning the 23rd of June to call the

IVR and reactivate the existing claim because Monday

starts the week that he/she is unemployed.

1. Welcome to the Unemployment Insurance Service Center, a service of Iowa Workforce Development. For English, press one. For Spanish, press two.

Hours You Can Reactivate Your Existing Claim

The Internet filing option is available 24 hours a day, seven days a week

Touch-Tone Telephone IVR System

8:00 A.M. to 8:00 P.M., Monday through Thursday

8:00 A.M. to 7:00 P.M., Friday

9:00 A.M. to 2:00 P.M., Saturday

(With the exception of state holidays)

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2. If you have filed a claim for unemployment insurance benefits, press one. If you are an employer, press two. If you have not filed a claim for unemployment insurance and have general questions, press three.

Caller has filed a claim and wants to reactivate an existing claim (reopen an old claim), and presses 1.

3. Please enter your 9 digit Social Security number.

4. You entered [repeats entry]. If this is correct,

press one. If this is not correct, press two.

Caller presses 1.

5. Please enter your 4 digit PIN number.

6. Thank You. Please hold while the system retrieves your claim information. This may take up to 1 minute.

7. To check on the status of your claim, press one.

To reactivate an existing claim, press two. To change personal information, press three. For questions on a scheduled fact finding or to speak with a customer service representative, press four.

Caller wants to reactivate an existing claim and presses two.

8. Have you worked since [System calculated date]? If yes, press one. If no, press two.

Caller presses 1 because he/she had returned to work and is now laid off again.

9. Have you worked for a different employer since [System calculated date]? If yes, press one. If no, press two.

Caller has only worked for one employer, so presses 2.

10. If you were laid off due to lack of work, press one. If you were laid off because the business permanently closed, press two. If you are not working because you quit, press three. If you were discharged, press four. If there was a strike, lock out or labor dispute, press five. If you are still working reduced hours, press six. If none of these apply, press seven. To repeat these options, press nine.

Caller is temporarily laid off, so presses 1. (Although the business may be closed down during the layoff, it is not permanently closed.)

11. Did you decline to bump an employee with less seniority? If yes, please press one. If no, press two.

Caller wasn't laid off because he/she

declined to bump another employee with less seniority, so presses 2.

12. Do you expect to be recalled by your most recent regular employer? If yes, please press

one. If no, press two.

Caller expects to return to work with the employer in a reasonable period of time, so presses 1.

13. Enter the date you started working for your

most recent employer. For example, July 5, 1998, would be entered as 07051998.

14. Enter the date you last worked. For example, January 2, 2012, would be entered as

01022012.

15. Will you receive severance or vacation pay? If yes, press one. If no, press two.

16. You said you started work on [Date entered in number 13]. You said you last worked on [Date entered in number 14]. You said the last day you were or will be paid was [System calculated this date based on the caller providing the date he/she last worked and indicating no severance or vacation pay]. If this is correct, press one. If not correct, press two.

Caller presses 1 because the responses are correct.

17. Are you able and available for work? If yes, press one. If no, press two.

Caller is able and available for works so presses one.

18. You said you [Repeats selected option in number 17]. If this is correct press one. If not, press two.

Caller presses 1 because response is correct.

19. The law imposes penalties for false statements.

Do you certify the statements you entered are true? If yes, press one. If no, press two. To hear this message again, press three.

Caller certifies the statements given are true

by pressing 1.

20. Your claim has been reactivated effective [System calculated date]. You must notify Iowa Workforce Development if your lay off status changes and your lay off becomes indefinite.

21. To return to the previous menu, press *. To

end this call, press two or hang up.

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Sample 2—Hasn't Worked Since Last Claiming

The caller was permanently laid off on 01-04-2008 and filed a valid claim with an effective date of 01-06-2008. He/She drew several weeks of benefits, then went to take care of a sick family member for three weeks and was not available for work, so he/she did not call in weekly-continued claims for those weeks. He/She became available for work again on 02-15-2008. He/She waits until Monday morning the 18th of February to call the IVR and reactivate the existing claim because he/she wasn't available for work the majority of the previous week(s), so Monday starts the first week he/she is available.

1. Welcome to the Unemployment Insurance Service Center, a service of Iowa Workforce Development. For English, press one. For Spanish, press two.

2. If you have filed a claim for unemployment insurance benefits, press one. If you are an employer, press two. If you have not filed a

claim for unemployment insurance and have general questions, press three.

Caller has filed a claim and wants to reactivate an existing claim (reopen an old claim), and presses 1.

3. Please enter your 9 digit Social Security number.

4. You entered [repeats entry]. If this is correct, press one. If this is not correct, press two.

Caller presses 1.

5. Please enter your 4 digit PIN number.

6. Thank You. Please hold while the system retrieves your claim information. This may take up to 1 minute.

7. To check on the status of your claim, press one.

To reactivate an existing claim, press two. To change personal information, press three. For questions on a scheduled fact finding or to speak with a customer service representative, press four.

Caller wants to reactivate an existing claim and presses two.

8. Have you worked since [System calculated date]? If yes, press one. If no, press two.

Caller presses 2 because he/she has not worked.

9. Are you able and available for work? If yes,

press one. If no, press two.

Caller is able and available for works so presses one.

10. You said you [Repeats selected option in number 9]. If this is correct press one. If not, press two.

Caller presses 1 because response is correct.

11. The law imposes penalties for false statements.

Do you certify the statements you entered are true? If yes, press one. If no, press two. To hear this message again, press three.

Caller certifies the statements given are true

by pressing 1.

12. Your claim has been reactivated effective [System calculated date]

13. To return to the previous menu, press *. To end this call, press two or hang up.

What Happens When Your Claim Is Protested

All employers you've had for the last 18 months can potentially be liable for your unemployment insurance benefits; therefore, they are eligible to protest.

If you indicated in your claim that you quit or were fired from your most recent job, your claim is automatically protested.

Fact-Finding Interview

If your claim for UI is protested, Iowa Workforce Development may arrange a fact-finding interview. You should continue to phone in weekly-continued claims if your claim is protested.

The fact-finding interview will be conducted by telephone. You and the employer will receive a **Notice of Unemployment Insurance Fact-Finding Interview** containing the scheduled date, time, and the telephone number where you will be called for the interview. Complete instructions are provided on the notice you receive.

If you will not be available to participate, notify IWD immediately or you may lose your benefits. Follow the instructions on the notice you received to contact Iowa Workforce Development.

Within a few days of the interview, you will receive an appealable decision in the mail. Read it carefully. If it is favorable to you and there are no additional issues, your claim will be released so you can begin receiving payments. However, if the decision is later reversed on appeal, you will be required to repay the benefits you received.

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If You Are Denied Benefits, Can You Appeal First-Level Appeal—Administrative Law Judge

If you or the employer disagrees with a decision, either party has the right to appeal and present testimony to an administrative law judge.

The appeal must be postmarked or received within 10 calendar days after the mailing date shown on the decision. You may mail your appeal to:
Iowa Workforce Development

Appeals Bureau
1000 East Grand Avenue
Des Moines, IA 50309-0209
or

Fax it to (515) 242-5144

You may contact the Appeals Bureau at (515) 281-3747 or your local IowaWORKS Center to assist you in filing an appeal or answering general questions.

If the decision is appealed by either you or the employer, a **formal** hearing over the telephone with an administrative law judge is scheduled. However, you or the employer may request an in-person hearing. The party requesting the in-person hearing must travel to the IowaWORKS Center closest to the **other** party.

There are 15 IowaWORKS Centers that conduct inperson hearings.

Note: You should continue to file your weeklycontinued claims during the appeal process.

If you receive a notice for a telephone hearing, you will be instructed to telephone the Appeals Bureau immediately to verify that you will participate and to provide the phone number where you and witnesses can be reached. The Appeals Bureau phone number on the notice is toll-free.

Warning: If you do not telephone the Appeals Bureau prior to your scheduled hearing, you will **not** be called to participate.

Unlike the fact-finding interview, an appeal hearing is **formal due process** where all parties are sworn in and the hearing is recorded on tape.

The administrative law judge will take new statements concerning the issue even if a statement was already given at the fact-finding interview. Either party can submit additional evidence at the hearing, so it is important you participate. You may choose to be represented by an attorney but you must do so at your expense.

The administrative law judge makes an impartial decision based on the information presented at the

hearing and the contents of your file. You will receive the administrative law judge's decision in the mail in about 10 to 14 days.

Second-Level Appeal - Employment Appeal Board

If you or the employer disagrees with the administrative law judge's decision, it may be appealed to the Employment Appeal Board. The appeal must be postmarked within 15 calendar days from the mailing date of the administrative law judge's decision.

Members of the Employment Appeal Board are appointed by the governor to equally represent (1) employees, (2) employers, and (3) the general public. The board is in the Iowa Department of Inspections and Appeals, located in the Lucas State Office Building.

All parties will receive a **written transcript** of the administrative law judge's hearing and will be given an opportunity to submit a written **summary** of their side.

The Employment Appeal Board does not hold hearings. The board decides each case by reviewing all the evidence that was presented to the administrative law judge. The board may affirm or reverse the administrative law judge's decision or may send the case back to the administrative law judge for further review or order a new hearing and decision if they feel the evidence in the administrative law judge's hearing is not sufficient or is incomplete. It usually takes 60 to 180 days from the date the appeal is filed to receive the Appeal Board decision.

If you disagree with the Employment Appeal Board decision, you may file a petition for judicial review in Iowa District Court or request a rehearing before the Appeal Board. The procedure and appeal deadlines are indicated on the decision.

What If You Are Overpaid

If you receive benefits to which you are not entitled, you will be liable for repayment of those benefits.

Iowa Workforce Development will recover an overpayment by requiring you to repay the total overpayment amount or repay under an installment payment plan if approved by the department. If you become eligible for unemployment insurance benefits in the future and you have an overpayment balance, your overpayment will be recovered by deducting it

from any benefits you might otherwise receive on a weekly basis. No unemployment insurance benefits can be paid on a regular unemployment insurance claim until the overpayment has been recovered.

If you have an overpayment of at least \$50, the department will **garnish your Iowa state tax refund**,

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lottery prize, or vendor payment. If fraud is involved, the Investigations and Recovery Bureau may file a lien against your property and/or garnish wages to recover the overpayment.

Note: Total overpayment amounts include payments made to you and payment made on your behalf to revenue agencies for tax withholding and to the Child Support Recovery Unit for child support.

Are Benefits Taxable

All unemployment insurance benefits are fully taxable on your state income taxes. You have the option of having federal and/or state taxes withheld from your benefit payments. Deductions are **10 percent** of the gross benefit payment for federal taxes and **5 percent** of the gross benefit payment for state taxes. If you elect to have taxes deducted, you will have to complete and sign the Tax Withholding Agreement form found at the back of this handbook.

Please check your options for federal or state or both, sign, date and return the form to:
Iowa Workforce Development
Unemployment Insurance Service Center

P.O. Box 10332

Des Moines, IA 50306-0332

By January 31 of each year, you will be mailed a Form 1099-G telling you the amount of benefits you were paid during the previous year and any federal and/or state taxes that were withheld. The Internal Revenue Service and the state Department of Revenue and Finance also are advised of the amount of benefits paid to you and deductions withheld for you.

Requirements exist pertaining to quarterly tax payments. If you need tax assistance, contact the Internal Revenue Service at (800) 829-1040.

Using Wages Earned in Another State, the Military or the Federal Government

When you file a claim you must report all wages in **all states** in the last 18 months, including wages from the **military and federal** employers, and provide complete addresses and dates of employment. If we have to request wage information from another state or the federal government, your claim will be delayed until we receive this information (usually about one week).

To receive **credit for military** wages, you need to provide a copy of your DD-214 (Member 4). If you

served in the reserves, you must have had at least 90 consecutive days of active service for these wages to be used. The military service, not Iowa Workforce Development, determines if your earnings can be used on a claim.

If you worked for the **federal** government (nonmilitary), please send, if available, copies of your check stubs, W-2 and SF-8, which show the payroll address of your federal employer to the UI Service Center.

Iowa Workforce Development will inform you of your options in filing if you have any wages from out of state, the military or the federal government.

If You Move Out of Iowa, May You Claim Benefits Using Your Iowa Wages

Interstate Claim

If you filed a claim in Iowa and then moved out of state, go to or call the nearest public employment service office in the state where you live. That office will register you for work. You will be instructed by your resident state to call the Iowa Unemployment Insurance Service Center to change your address and telephone number. **(You must notify the UI Service Center of any address changes because unemployment insurance correspondence may not be forwarded by the Postal Service.)** You will continue to file your weekly-continued claims using the toll-free number in Iowa. Iowa will continue to be the state paying your benefits until you obtain work, exhaust benefits, or your benefit year expires.

If you move out of Iowa and then want to file for benefits using Iowa wages, you must report to the nearest unemployment insurance office in the state where you are now living. That office will register you for work and instruct you to call the Iowa UI Service Center Interstate line to file your application for benefits.

Note: If you have worked in the state you moved to, you may be eligible to combine your wages from Iowa and the other state. This may increase your WBA and MBA, so be sure to ask your resident state about that option.

The UI Service Center will then administer your claim and mail you all the information you need to claim benefits. You will file your weekly-continued claim online or by telephone as explained in Reporting Your Weekly-Continued Claim.

Once you establish an Iowa interstate claim, **Mail all correspondence to:**

Unemployment Insurance Service Center
P.O. Box 10332

Des Moines, IA 50306-0332
For telephone inquiries, call (866) 239-0843

Image 19

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The Quality Control Program

The Quality Control program randomly selects claimants who are currently filing for benefits and reviews their claim. If you are selected, you will be asked to verify any wages you've earned and work search contacts you've made. You are required to attend an interview with a Quality Control representative. If you refuse to cooperate, you may be denied benefits. If you are selected for a review, it does not mean we suspect you have done something wrong. The federal government, for program improvement, requires the Quality Control program.

Release of Information

Information on your unemployment insurance claim is considered confidential by law. You may have a copy of all information in your file if you contact the UI Service Center or submit a written and signed request. Only general information may be given over the telephone. If you provide a written and signed request, wage record information will be provided to a third party.

Information on your claim **does** become a matter of **public record** if you receive an appeal decision on your claim from an administrative law judge (see First-Level Appeal).

Iowa Workforce Development will release information on your claim to various federal and state agencies if requested, and we are required to provide it by law, rule or regulation.

Are There Any Other Benefit Programs**Workforce Investment Act**

If you are unemployed as a result of a permanent layoff, plant or business closing, and you have had the same type of job for many years, you may be eligible for this special dislocated worker program. If you think you qualify for this program, ask for more specific information.

Trade Act

If you are unemployed due to foreign imports, you may qualify for Trade Adjustment Assistance. If you think you qualify for this program, ask for more specific information.

Workers' Compensation Unemployment Insurance Claim

If you have recovered from a workers' compensation injury or illness and you lack the necessary earnings to qualify for an unemployment insurance claim as explained in *What Are the Wage Requirements?*, you may be eligible to receive benefits based on wages you were paid before the workers' compensation claim. If

you think you qualify for this program, ask for more specific information.

Disaster Unemployment Assistance (DUA)

If you are unemployed as a result of a disaster and you lack the necessary earnings to qualify for an unemployment insurance claim as explained in *What Are the Wage Requirements?*, you may be eligible to receive benefits based on non-covered wages. If you think you qualify for this program, ask for more specific

information.

When Benefits Are Exhausted

When either the national or Iowa unemployment rates exceed a certain level, you may be entitled to additional weeks of benefits after exhausting all regular benefits. If an extended benefit period is declared and it appears that you qualify, you will be notified to contact Iowa Workforce Development.

Fraud

You commit fraud if you knowingly make false statements, provide false information, or withhold information to obtain benefits. Examples of fraud include failure to properly report work and earnings or a job separation. **Attempts to claim and receive benefits fraudulently can result in loss of benefits, fines or imprisonment.** Be sure you make no false statement when applying for unemployment insurance or during the time you are claiming and receiving benefits.

Equal Opportunity Is the Law

Iowa Workforce Development is an equal opportunity employer and does not discriminate in its programs and services on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation, or belief, and for beneficiaries only, citizenship or participation in WIA.

If you think you have been subjected to discrimination you should contact the affirmative action officer located at:

Iowa Workforce Development

1000 East Grand Avenue
Des Moines, Iowa 50319-0209

Auxiliary aids and services are available upon request to individuals with disabilities.

Image 20

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WORK RECORD

Gross wages you earn while you are claiming partial benefits must be reported during the week they are earned (not paid). They must be reported on a **Sunday through Saturday** basis regardless of the work week normally used by your employer. You may want to record your earnings on this form so you can properly report them on your continued claim.

SUN

MON

TUES

WED

THURS

FRI

SAT

Rate Of Pay:

Week
Ending

#Hours
Worked

#Hours
Worked

#Hours
Worked

#Hours
Worked

#Hours
Worked

#Hours
Worked

#Hours
Worked

Total
Hours

Total
Wages

Image 21

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RECORD OF WORK SEARCH

You are required to keep a list of your work search contacts in this handbook. You should keep this copy for at least one year.

Date Company Name Person Contacted Results of Contact

Company Address Phone No. Method of Contact

Date Company Name Person Contacted Results of Contact

Company Address Phone No. Method of Contact

Date Company Name Person Contacted Results of Contact

Company Address Phone No. Method of Contact

Date Company Name Person Contacted Results of Contact

Company Address Phone No. Method of Contact

Date Company Name Person Contacted Results of Contact

Company Address Phone No. Method of Contact

Date Company Name Person Contacted Results of Contact

Company Address Phone No. Method of Contact

Date Company Name Person Contacted Results of Contact

Company Address Phone No. Method of Contact

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Date Company Name Person Contacted Results of Contact

Company Address Phone No. Method of Contact

Date Company Name Person Contacted Results of Contact

Company Address Phone No. Method of Contact

Date Company Name Person Contacted Results of Contact

Company Address Phone No. Method of Contact

Date Company Name Person Contacted Results of Contact

Company Address Phone No. Method of Contact

Date Company Name Person Contacted Results of Contact

Company Address Phone No. Method of Contact

Image 22

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RECORD OF WORK SEARCH

You are required to keep a list of your work search contacts in this handbook. You should keep this copy for at least one year.

Date Company Name Person Contacted Results of Contact

Company Address Phone No. Method of Contact

- 1. No (Stop)
- 2. Yes (Start)
- 1. No (Stop)
- 2. Yes (Start)

IOWA withholding equal to 5 percent of my gross weekly benefit payment.

If you are paid \$10.00 or more in unemployment insurance benefits, Iowa Workforce Development will mail a form 1099-G listing the amount of benefits paid to your address of record by January 31. The 1099-G also will list the amount(s) of any federal and/or state taxes withheld the previous year.

Claimant Signature _____ Date Signed _____

Complete and make a copy for your files. Return original to: **Iowa Workforce Development Center
Unemployment Insurance Service Center
P.O. Box 10332
Des Moines, IA 50306-0332**

Administrative Use Only

O.C. Date

Image 24

Image 25

IOWA WORKFORCE DEVELOPMENT

Direct Deposit Agreement

60-0351 (08-2009)

Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request to individuals with disabilities.
For deaf, and hard of hearing, use Relay 711

Administrative Use Only

O.C. Date

READ THE BACK OF THIS AGREEMENT BEFORE FILLING IT OUT

Social Security Number

First Name MI

Last Name

Checking

Savings

Start Direct Deposit **Stop** Direct Deposit And Return to Debit Card **Change** Direct Deposit

I hereby authorize the State of Iowa, Iowa Workforce Development to pay directly to my account identified below, and I additionally authorize the depository to credit the deposits to my account. The department can only deposit funds in the account of the above named individual, if eligible for direct deposit.

It is your responsibility to verify deposit of funds with your bank or financial institution.

Name of Bank or Financial Institution Branch

City Zip Code

I authorize the Unemployment Insurance Service Center to receive information from my financial institution regarding this account to investigate/resolve any potential discrepancies or errors in the receipt of unemployment insurance benefits.

Bank Transit/ADA Number (9 digits)

Account Number (up to 17 digits)

The State of Iowa, Iowa Workforce Development, is **NOT** responsible for erroneously reported bank transit numbers, account numbers, nor for the completion of this agreement in the event the institution you select is not participating in the Direct Deposit program through the Federal Reserve System.

Claimant Signature: _____ Date Signed: _____

Complete and make a copy for your files. Return original to: **Iowa Workforce Development Center
Unemployment Insurance Service Center
P.O. Box 10332
Des Moines, IA 50306-0332**

State

Image 26

INSTRUCTIONS

To Start

or

Change:

To Stop:

1. Write in Social Security number.
2. Write your name.
4. Check the box for either a start or change.
5. Check the box for the type of account you have, e.g., savings or checking
6. Write in the bank name and branch.
8. Write in the bank transit/ABA number and bank account number, using only letters and numbers, NO SPACES, HYPHENS OR CHARACTERS. (See sample below)
10. Sign and date the form.

Starting with the first box, writing left to right, write ONLY your number, leaving the remainder of the boxes blank. On a checking account these numbers are printed at the bottom of your checks.

Your bank, credit union, or savings and loan institution will be able to provide you with your account number to receive your unemployment insurance benefits direct deposit.

If you are paid \$10.00 or more in unemployment insurance benefits, Iowa Workforce Development will mail a form 1099-G listing the amount of benefits paid to your address of record by January 31. The 1099-G also will list the amount(s) of any federal and/or state taxes withheld the previous year.

1. Write in your name and Social Security number.
2. Check the box for a stop.
3. Date and sign the form.

Image 27

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IowaWORKS Center Directory

If you have any questions concerning registration for work or general unemployment insurance questions, contact your nearest *IowaWORKS* Center listed below or you can look up information at one of our Access Point locations. Please visit www.iowaworkforce.org for Access Point location information.

If you are an interstate claimant (filing against Iowa from another state), please call the Unemployment Insurance Service Center at (866) 239-0843.

*Indicates offices that conduct in-person appeal hearings.

Burlington*	(319) 753-1674
Carroll*	(712) 792-2685
Cedar Rapids*	(319) 365-9474
Council Bluffs*	(712) 242-2100
Creston*	(641) 782-2119
Davenport*	(563) 445-3200
Decorah*	(563) 382-0457
Des Moines*	(515) 281-9619
Dubuque*	(563) 556-5800
Fort Dodge*	(515) 576-3131
Fort Madison	(319) 372-4412

Iowa City (319) 351-1035
Marshalltown..... (641) 754-1400
Mason City* (641) 422-1524
Ottumwa* (641) 684-5401
Sioux City* (712) 233-9030
Spencer*..... (712) 262-1971
Waterloo*..... (319) 235-2123
Webster City (515) 832-5261

Image 28

Image 1

Message: FW: Cynthia Clark**Case Information:**

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:45 PM
Item ID: 40862075
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ FW: Cynthia Clark

From Stalker, Teresa [IWD] **Date** Thursday, March 06, 2014 12:00 PM
To Olivencia, Nicholas [IWD]
Cc

Please respond to Kirsten. Thank you.

From: Wood, Kirsten [IWD]
Sent: Thursday, March 06, 2014 11:29 AM
To: Stalker, Teresa [IWD]
Subject: RE: Cynthia Clark

Teresa-

Evelyn Ruby forwarded this email onto me because I handle the federal tax refunds. Our procedures for the federal refund are a little different than state. We send a request to the Department of Treasury to see if a federal tax refund is available to intercept. If it is, then they will send a payment back to us and we apply it as a payment. Unlike state, I do not have the ability to take or release a refund. Since Cynthia's refund has already been applied to her overpayment balance, I will have to request a special warrant be mailed to the claimant for the refund we incorrectly intercepted.

There still is showing an overpayment balance of \$1140. Do you remove the balance when it has been determined that is bankruptcy? Or do you wait until it is final? Just wanting to know the procedures in case this comes up again.

Thanks!

Kirsten L. Wood

Phone (515)725-3736
Fax (515)242-0495

From: Ruby, Evelyn [IWD]
Sent: Monday, March 03, 2014 10:23 AM
To: Wood, Kirsten [IWD]
Subject: FW: Cynthia Clark

From: Stalker, Teresa [IWD]
Sent: Monday, March 03, 2014 10:14 AM
To: Eklund, David [IWD]
Cc: Ruby, Evelyn [IWD]
Subject: Cynthia Clark

Please release the federal refund for Cynthia Clark, 4095.

Bankruptcy trustee is – Renee Hanrahan, P.O. Box 1088, Cedar Rapids IA 52406

Message: RE: BAM Population

Case Information:

Message Type: Exchange
 Message Direction: External, Inbound
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:21 PM
 Item ID: 40861645
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

RE: BAM Population

Date Wednesday, April 16, 2014 12:17 PM

From Spisak, Andrew - ETA
To Van Syoc, Jim [IWD]
Cc Austin, Dennis - ETA; Miller, Ross - ETA; Douglas, Jodi [IWD]; Hernandez, Patricia - ETA

Jim,

The coding edit fails because these records are coded '0' in the gender field (data element #8). Only codes 1, 2, and 8 are valid. Please consult with your programmer to make sure that all records in the transactions file are coded with one of those codes in position #36 (gender). Use code 8 if gender is not known (no nulls). See Handbook 395, chapter III, p. 17:

C. Editing the UI Transactions File

The COBOL program one uses the following criteria to edit the UI transactions file. The program generates an error report, which will include all records that fail one or more of the edits. Data elements failing an edit will be flagged. An example of the format of the error report is shown on page III-19.

Data Element # and Name	Edit Criteria
1. State I.D. Code	Must be valid numeric FIPS code for state from input control record; must be 1-56, 72, or 78, except for codes 3, 7, and 14.
2. Batch Number	Must match batch # in input control record: 6-digit numeric YYYYWW; YYYY must be < current year; WW must be > 01 and < 53. ¹
3. Social Security Number	Must be numeric > 0.
4. Claim Date	8-digit numeric MMDDYYYY; MM must be > 01 and < 12; DD must be > 01 and < max. days in MM; YYYY must be < current year. Can be all zeros if Transaction Type (item 7) equals 3 (separation denial) or 4 (non-separation denial) and Claim Type (item 16) equals 0.
5. Transaction Date	8-digit numeric MMDDYYYY; MM must be > 01 and < 12; DD must be > 01 and < max. days in MM; YYYY must be < current year. Must be greater (later) than or equal to Item 4 (Claim Date). ^{1,2} If Transaction Type (item 7) equals 1, 3, or 4: Must be greater (later) than or equal to Batch Week Beginning Date from input control record. ¹ Must be less (earlier) than or equal to Batch Week Ending Date from input control record. ¹ If Transaction Type (item 7) equals 2 (monetary denial): Must be greater (later) than or equal to 14 days prior to the Batch Week Beginning Date from input control record. ¹ Must be less (earlier) than or equal to 14 days prior to the Batch Week Ending Date from input control record. ¹
6. Sample Selection Indicator	Must equal 2.
7. Transaction (Sample) Type	Must equal 1, 2, 3, or 4. ¹
8. Gender	Must equal 1, 2, or 8 (INA).

This is also documented in the program code included in Hyginus Nwizu's message below:

```
IF CB-SEX = 1 OR = 2
    MOVE CB-SEX TO BAMB-GENDER
ELSE
    MOVE 8 TO BAMB-GENDER
END-IF
```

Andy Spisak
 Office of Unemployment Insurance
spisak.andrew@dol.gov
 202-693-3196

From: Van Syoc, Jim [IWD] [mailto:James.Vansyoc@iwd.iowa.gov]
Sent: Wednesday, April 16, 2014 11:59 AM
To: Spisak, Andrew - ETA
Cc: Austin, Dennis - ETA; Miller, Ross - ETA; Douglas, Jodi [IWD]

Subject: RE: BAM Population

Hello Andy,

As requested here is the report from this week.

Thank you,
Jim Van Syoc
Iowa BAM

From: Spisak, Andrew - ETA [<mailto:Spisak.Andrew@dol.gov>]
Sent: Wednesday, April 16, 2014 10:38 AM
To: Van Syoc, Jim [IWD]
Cc: Austin, Dennis - ETA; Miller, Ross - ETA
Subject: RE: BAM Population

Hi Jim,

Can you send us a copy of the records that are failing from the error report? You are correct that code 8 is valid for gender unknown. Please be sure to delete or blank out SSNs and any other PII.

Thanks.

Andy Spisak
Office of Unemployment Insurance
spisak.andrew@dol.gov
202-693-3196

From: Austin, Dennis - ETA
Sent: Wednesday, April 16, 2014 11:06 AM
To: Spisak, Andrew - ETA; Miller, Ross - ETA
Subject: FW: BAM Population

Hello Andy and Ross,

See issue below.

Thanks,

Dennis

From: Van Syoc, Jim [IWD] [<mailto:James.Vansyoc@iwd.iowa.gov>]
Sent: Wednesday, April 16, 2014 9:20 AM
To: hotline@uis.doleta.gov
Cc: Douglas, Jodi [IWD]
Subject: FW: BAM Population

Good Morning,

We have a question that we hope you can help with. During the last three weeks when our BAM sample is processed the Bam UI Transaction File Error Report has contained approximately 20 issues all relating to gender. We have been in touch with our IT department with the resulting information obtained below. Is there any way you could help us address this issue or give guidance on what actions should be taken?

Thank-you,
Jim Van Syoc
Iowa BAM

From: Nwizu, Hyginus [IWD]
Sent: Tuesday, April 15, 2014 10:24 AM
To: Van Syoc, Jim [IWD]
Cc: Shenk, Jim [IWD]; Douglas, Jodi [IWD]; Callan, Patrick [IWD]; Budrevich, Steven [IWD]
Subject: RE: BAM Population

Yes, the line of coding is from IWD's software. We need to contact the national office to get information about Gender/other or Gender/missing because their software should NOT limit gender to M/F. We still run into this problem with some IWD's software where gender/other/not-available is not handled. We also know that "N/A" is still part of the statistical Binomial Distribution.

From: Van Syoc, Jim [IWD]
Sent: Tuesday, April 15, 2014 9:30 AM
To: Nwizu, Hyginus [IWD]
Cc: Shenk, Jim [IWD]; Douglas, Jodi [IWD]
Subject: RE: BAM Population

Good Morning Chuks,

Regarding your note below how do we go about getting this resolved? Is the line of programming below from IWD's software? Would you recommend we contact the national office to try and determine why gender code 8 is causing an edit exception?

Thanks, Jim Van Syoc

From: Nwizu, Hyginus [IWD]
Sent: Thursday, April 10, 2014 10:51 AM

To: Van Syoc, Jim [IWD]
Cc: Shenk, Jim [IWD]; Douglas, Jodi [IWD]
Subject: RE: BAM Population

The BAM selection is supposed to be able to deal with gender unavailable. I don't know why it is saying that it failed edit. I don't know what DOL has in the software that only accounts for Male (1), Female (2), but not "N/A" for anything else.

```

RUN DATE: 04/04/2014
STATE: 19
SIZE          03          000328
MALE         00          000184
FEMALE       03          000140
GENDER MISS  00          000004
WHITE        03          000241
NON-WHITE    00          000049
ETHNIC MISS  00          000038
AGE < 25     00          000044
AGE 25-34    01          000086
AGE 35-44    00          000086
AGE 45-64    02          000102
AGE 65+      00          000010
AGE MISS     00          000000
UI           03          000327
UCFE/UCX     00          000001
PROGRAM MISS 00          000000

```

```

IF CB-SEX = 1 OR = 2
  MOVE CB-SEX TO BAMT-GENDER
ELSE
  MOVE 8 TO BAMT-GENDER
END-IF

```

```

05 BAMT-GENDER          PIC 9(01).
   88 BAMT-GENDER-M     VALUE 1.
   88 BAMT-GENDER-F     VALUE 2.
   88 BAMT-GENDER-NA    VALUE 8.
   88 BAMT-GENDER-VALID VALUE 1, 2, 8.

```

From: Van Syoc, Jim [IWD]
Sent: Monday, April 07, 2014 1:46 PM
To: Nwizu, Hyginus [IWD]
Cc: Shenk, Jim [IWD]; Douglas, Jodi [IWD]
Subject: BAM Population

Hello Chuks,

For about the last three weeks the BAM UI TRANSACTION FILE ERROR REPORT has contained approximately 20 exceptions. They are all relating to Gender. These exceptions are marked with a plus sign with the footnote stating, "Field Failed Coding Edit". Since it was not marked with a "*" we assume it was not taken out of the population since that footnote states, "Field Failed Edit For Inclusion In Sampling Frame".

Are we correct with the assumption that these cases are not thrown out of the population?

Is there anything we can do to address the edits?

Thanks, JimVS

Message: Council Bluffs PJ position

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:39 PM
Item ID: 40861927
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **Council Bluffs PJ position**

From Spencer, Todd [IWD] **Date** Friday, April 04, 2014 1:26 PM
To Adams, Lori [IWD]
Cc

[Hiring Justification Council Bluffs PJ - 2014.doc](#) (96 Kb HTML) [CB Vacant PJ PDQ.doc](#) (99 Kb HTML)

Attached is the documentation to request filling the PROMISE JOBS case manager position vacated by Mary Ryan's retirement in Council Bluffs.

Todd Spencer
District Manager
Iowa Workforce Development
Creston Office: 641-782-2119 Ext. 33
Carroll Office: 712-792-2685 Ext. 33
Cell: 641-344-3665

This justification is to be completed for every vacancy. Approval must be received before a vacancy may be posted. Note: If you are seeking temporary staffing services from a vendor, please use the [Temporary Staffing Services Vendor Request Form](#) (552-0647).

Please answer all of the questions listed below. Attach pages if additional space is needed.

Position Type:
<input checked="" type="checkbox"/> Permanent
<input type="checkbox"/> Temporary
<input type="checkbox"/> Seasonal
<input type="checkbox"/> Paid Internship

Department Requesting Waiver:	Iowa Workforce Development	Division/Bureau/Section:	Region 13
Classification of Position:	Workforce Advisor	Working Title:	PROMISE JOBS Case Manager
18-Digit Payroll Number:	309-953-72PH-00807-002	Pay Grade:	24
Annual Salary (Minimum/Maximum):	\$39,561.60 - \$58,156.80		
Funding Source:	<input checked="" type="checkbox"/> General: 3%	<input checked="" type="checkbox"/> Federal: 97%	<input type="checkbox"/> Other: %
If Other, specify:			
If other than general funds, is there a general fund match? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide specifics:			

Is the funding currently available for this position? Yes No

Has the classification of the position been reviewed to determine if the duties are classified at the appropriate level? <input type="checkbox"/> Yes <input type="checkbox"/> No
Date of last review:
Is this position supervisory? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, what is the proposed span of control for this position: If less than 1:15, provide rationale:
When did the position become vacant: March 28, 2014
Why is the Department requesting a waiver at this time? This is a case management position for the PROMISE JOBS program that serves mandated customers who are also working with DHS as part of the TANF - Welfare to Work program. The absence of a case worker will increase work load on existing staff and decrease quality of case management services.
Please describe the impact of not filling the position for three months, six months, one year. This position currently carries a caseload of approximately 100 cases per month. Not filling the position will adversely impact the quality of service to those individual customers who most desperately need the services offered through the PROMISE JOBS program. Not filling the position creates an undue hardship on the other caseworkers in the Region by asking them to carry extra cases and impacts all the PROMISE JOBS participants in the Region by lowering the amount of quality service they can receive from our staff. Over time, this in turn would impact our ability to meet federal participation rate guidelines for this program and could jeopardize funding levels from the federal government.

Are there any health or safety impacts that would result by not filling this position? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Explain: There will be added stress on existing case managers who are required to take on additional duties. This in turn will most likely generate a greater use of personal time off.
Will the filling of the vacancy result in any cost savings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Explain:

Describe the alternatives the Department has considered in lieu of filling this vacancy:					
1. Not filling the position. This creates extra workload for existing staff. It is almost a 25% increase in case load for existing case managers in the Council Bluffs office.					
2. Utilizing a Workforce Associate to fill the position. This would be out of class for an Associate as it is direct case management service.					
Submitted by:	Todd Spencer	Date:	04/04/2014	Title:	District Manager
Department Director Signature				Date:	

This form must be submitted to your Personnel Officer in the Department of Administrative Services (DAS), who will forward to the State Chief Information Officer (CIO), if applicable, and subsequently to the Department of Management.

REVIEW AND APPROVAL

CIO Comments:						
Reviewed by:					Date:	
	State Chief Information Officer					
	<i>(Required only for Information Technology and related positions.)</i>					
DAS Comments:						
Reviewed by:					Date:	
	DAS Representative					
Approved by:					Date:	
	Director, Department of Management					

- [\[Heading 1\]](#)
 - [\[Supervisor Comments and Signature\]](#)
 - [\[Appointing Authority Comments and Signature\]](#)

**(PLEASE READ THE TECHNICAL INFORMATION BELOW
BEFORE STARTING THIS TEMPLATE.)**

Do not complete the form online. It must be downloaded to your hard drive. The form works best when downloaded using Microsoft Internet Explorer. It may not retain the appropriate coding if downloaded using Netscape or other browsers. To function properly as a template, it should be saved to the user's MS Word template folder.

The form uses the protection feature in MS Word to prevent users from inadvertently changing the static contents and to facilitate data entry as a MS Word form.

Since this form contains macros, Word may warn you that the form contains macros when you open it. Click on "Enable Macros," if the warning message appears. Users need to ensure that their Tools/Macro/Security is set to "Medium." If the setting is higher than medium, macros will not run. The nature of a MS Word form is that information is entered into fields represented by the gray shaded boxes in the document. Pressing the Tab key moves the user forward from entry field to entry field across, then down the page. To move back one field at a time, press Shift-Tab or click in any desired field with the mouse.

Text entry fields will accept any characters, although the number of characters is limited in a few fields. Date entry fields accept date entries. Checkmarks are inserted and removed from checkboxes by pressing the spacebar with the cursor on the checkbox or by clicking on them with the mouse.

By default, MS Word disables spell checking in a protected document, therefore a special macro is included to permit spell checking. When the form is open, the "Spell Check PDQ" toolbar appears. Click the "Spell Check PDQ" button to spell check your form.

Before entering text in this template, it is recommended that the "Print Layout View" be selected and the "Vertical Scroll Bar" option be visible on your screen. To proceed through text entry areas, use your Tab key, or "point and click" to each text entry area, and scroll through the document using the Vertical Scroll Bar.

DEPARTMENT OF ADMINISTRATIVE SERVICES – HUMAN RESOURCES ENTERPRISE (DAS–HRE) INSTRUCTIONS FOR COMPLETING THE POSITION DESCRIPTION QUESTIONNAIRE (PDQ) FORM
<i>IMPORTANT</i> <i>In order to be considered for review, a position must have undergone substantial change since the last time it was reviewed. A request for review may be made by an employee or agency management. Requestors must document and explain how the job has changed in order for the request to be processed for review. Falsification or misrepresentation made in regard to any information submitted may lead to discipline up to and including discharge.</i> ALL REQUESTS FOR POSITION REVIEW MUST INCLUDE: <ul style="list-style-type: none"> • NEW POSITION DESCRIPTION QUESTIONNAIRE (CFN 552-0094) • PREVIOUS POSITION DESCRIPTION QUESTIONNAIRE, IF RECLASSIFICATION IS REQUESTED • CURRENT ORGANIZATION CHART <i>If all sections are not completed, the request will be returned.</i>

DO NOT COMPLETE THE BOXES MARKED "FOR AGENCY USE ONLY" OR "FOR DAS-HRE USE ONLY."

Items 1-4 Enter employee name (or "Vacant"), 18-digit position #, current class title, department, division, bureau, section and work address.

Items 5-6 Indicate the hours and days normally worked. If 40 hours a week, check the "Full-time" box. If less than 40 hours a week, check the "Part-time" box and enter the number of hours usually worked each week.

Item 7 If new duties have been assigned (not just more of the same) since the position was last reviewed, mark the "Yes" box. In addition, mark each NEW duty with an "X" in the "Work Performed" section of the PDQ.

Item 8 Enter the title of the job classification you believe is correct for the position.

Item 9 Enter the name and job classification of the supervisor (the person who gives work assignments and evaluates performance).

Item 10 Provide a clear and complete description of WHAT duties are performed and HOW they are performed. In your own words, describe the duties that are permanently assigned to you. **If you simply copy statements from the class descriptions or classification guidelines, the request will be returned.**

- Outline the various tasks involved in the job.
- Enter the percent of time spent on each task during an average work week, not to exceed 100%. List tasks in descending order of time spent.
- Avoid vague words such as "assist," "direct," "assign," etc. Always explain WHAT duties are performed and HOW they are performed. Use examples.
- Attach forms used in the performance of your work if they help explain the task.
- Describe what this position does, not the work done in the entire work unit.

- Use Additional Sheets If Necessary.

Items 11-12 Answer or comment as directed on the PDQ.

If the employee has completed Items 1-12, the employee checks the first box, signs and dates the document. (Although a text field has been provided for an electronic signature, the PDQ may also be converted to hard copy and the signature written in the appropriate section.) If the supervisor or department management is completing the whole document, the employee checks the second box, signs and dates the document.

Item 13-15 Answer or comment as directed on the PDQ.

Item 16 The Americans with Disabilities Act (ADA) prohibits discrimination on the basis of disability against qualified (meeting the qualifications of a job class) individuals with disabilities. Therefore, supervisors must determine the essential functions of the position. An essential function is defined as one that an individual must be able to perform, with or without reasonable accommodations, in order to hold the position. Refer to the Managers and Supervisors Manual, Section 3.15, for more detailed information on essential functions.

Item 17 More on competencies can be found in Chapter 5 of the Applicant Screening Manual or in the State of Iowa Competency Guide.

Item 18 Answer or comment as indicated on the PDQ.

Item 19 The supervisor and Appointing Authority should sign and date the PDQ. (Although a text field has been provided for an electronic signature, the PDQ may also be converted to hard copy and the signature written in the appropriate section.) If a position review has been requested, both the supervisor and the Appointing Authority should indicate whether he or she supports the classification requested and, if applicable, comment.

DEPARTMENT OF ADMINISTRATIVE SERVICES – HUMAN RESOURCES ENTERPRISE (DAS-HRE)
POSITION DESCRIPTION QUESTIONNAIRE (PDQ)

Please read instructions before completing this form.

FOR AGENCY USE ONLY		FOR DAS-HRE USE ONLY	
M-5 #:		PDQ #:	
<input type="checkbox"/> New Position		Class Title:	
<input type="checkbox"/> Position review requested		18-Digit Position #:	
<input type="checkbox"/> Update only		Personnel Officer:	
<input type="checkbox"/> Response to DAS-HRE request		Date:	

1. Name of employee (if none, write VACANT) Vacant	2. Current 18-digit position # 309-953-72PH-00807-002	3. Current Class Title Workforce Advisor
4. Department, Division, Bureau, Section and Work Address Iowa Workforce Development, 300 W. Broadway, Suite 13, Council Bluffs, IA 51503		
5. Hours worked (shifts, rotations, travel) 8:00 AM to 4:30 PM, Monday through Friday. Travel required.	6. <input checked="" type="checkbox"/> Full-time (40 hours per week) <input type="checkbox"/> Part-time (list number of hours per week):	
7. Have the assigned duties changed since this position was last reviewed for a classification decision? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, place an "X" beside each NEW task written below. Also, describe in detail how those tasks are different from those previously assigned.		
8. Classification requested Workforce Advisor	9. Name and job classification of the immediate supervisor Todd Spencer, District Manager	
10. Description of Work: Describe the work in detail. Make the description so clear that the reader can understand each task exactly. In the % column, enter the percent of time spent on each task during an average work week, not to exceed 100%. List tasks in descending order of time spent. If this is a reclassification request, the previous PDQ must be attached. This PDQ will be returned if any section is incomplete.		
%	WORK PERFORMED	
50	Case management of PROMISE JOBS participants including assessment and intensive services in order to help them reach self-sufficiency. Specifically: Determine the participant's employability, motivation to become employed, the extent of the participant's barriers to employment and current workplace skills. Ensure that participants are meeting their appropriate Work Participation Rates. Monitor data entry and coding, FIA expiration dates, 6-month FIA Reviews and other valuable data to ensure participants are properly coded, engaged in countable activities and making progress towards self-sufficiency. Provide directed, supported pre-employment and employment activities, including but not limited to: Job development for unsubsidized employment, developing Work Experience sites and sponsors, marketing participants to sponsors, developing Unpaid Community Service opportunities. Monitor participant's job training and job search activities. Refer to Apprenticeships and other employment resources, address workplace issues before becoming employed such as performance, attendance or attitudinal issues. Assist participants in locating child care, authorizing child care and transportation payments, assisting work ready participants completing Family Self-sufficiency Grant (FSSG) applications including but not limited to helping secure cost estimates. Use assessment tools to help determine suitable educational and training and employment plans. Keep in regular contact with participants and keep files up to date with all necessary documentation. Maintain positive attitude to	
25		
10		
5		

<p>promote success.</p> <p>Facilitate group activities including but not limited to Workplace Essentials, Job Club job seekings skills workshop and Group Job Search.</p> <p>Develop Family Investment Agreements (FIA's) for PROMISE JOBS participants and provide case management of the FIA action steps to assist the participants in becoming economically self-sufficient from the Family Investment Program (FIP). Specifically: Consider participant strengths and limitations when selecting services and FIA activities, including but not limited to Workplace Essentials, Job Club, Group Job Search, Individual Job Search, Work Experience, Unpaid Community Service, GED Study or High School Completion, Educational Assessment, Post-secondary Education, Family Development and Self-sufficiency Program (FaDSS) and Monitored Employment.</p> <p>Develop and maintain collaborative relationships with local staff from IVRS, FaDSS, DHS, WIA, community college and other Workforce Center and partner agencies including ES/UI core staff and DVOP. Be knowledgeable of available area resources and services.</p>

(To insert additional "Description of Work" items, [Click Here.](#)) Otherwise, proceed to Item 11.

11. Is this position considered to be supervisory? Yes No (If Yes, complete the *Supervisory Analysis Questionnaire* form [CFN 552-0193] and attach it with this PDQ.)

12. For what reasons are you requesting that this position be reviewed? Include, if applicable, significant changes or additions to duties, comparison(s) with other positions, etc. Be specific. Attach additional sheets, if necessary.

N/A

Employee Signature

I certify that I have read the instructions for the completion of this questionnaire, that the answers are my own, and that they are accurate and complete.

OR

The questionnaire was completed by department management. I have read and been provided a copy of this questionnaire.

Signed		
	(Incumbent Employee)	(Date)

For position review requests, if you have not been notified by your department's management of their decision to either support or not support this request within 30 days, you may send this request directly to DAS-HRE for review. Address it to: Administrator, Program Delivery Services, Iowa Department of Administrative Services – Human Resources Enterprise, Hoover Building, Level A, 1305 East Walnut, Des Moines, Iowa 50319.

Supervisor Review of PDQ

This section must be completed within 30 days after the PDQ is received from the employee. The employee must be notified of the decision to either support or not support the request. Regardless, the request must be forwarded to DAS-HRE. This PDQ will be returned if any section is incomplete. Attach additional sheets, if necessary.

13. Indicate to what extent, if any, the statements on this form are, in your opinion, not correct or need clarification.

Statements are correct.

14. Describe the origin of any new duties, i.e., those marked with an "X" in item 10. If new duties have been added, where were they performed prior to being assigned to this position? Are these duties performed by anyone else? If so, identify the person(s) and the position classification of their positions. How long have the new duties been performed?

N/A

15. What is the basic purpose of this position?

To engage PROMISE JOBS participants in activities designed to lead to self-sufficiency from Family Investment Program benefits.

16. Identify the essential functions that must be performed by the incumbent, with or without reasonable accommodations for disabilities. Identify any certifications or licenses that are required. Refer to the instruction sheet, Section 3.15 of the *Managers and Supervisors Manual*, or Chapter 5 of the *Applicant Screening Manual* for more information on essential functions.

See attached list of Essentials Functions/Competencies of PROMISE JOBS Workforce Advisors. In addition, the Advisor is not substantially exposed to adverse environmental conditions. Essential functions include talking with and listening to others in person or over the telephone, entering case notes, writing correspondence and notices, sitting, bending, moving about from one location to another in the office, operating a computer and data entry, Reading, understanding material including PROMISE JOBS policies and changes in policies and following directions, multi-tasking and lifting up to 15-20 lbs on occasion. Working 8:AM to 4:30 PM, Monday through Friday. Travel required.

17. Identify the most critical competencies required to perform the job duties of this position as described in Item 10. Competencies are observable and measurable knowledge, abilities, skills and behavior that must be applied to achieve results aligned with the goals of the organization. Refer to Chapter 5 of the *Applicant Screening Manual* or the *State of Iowa Competency Guide* for more information about competencies.

A thorough understanding of PROMISE JOBS policies and procedures, ability to perform intake, assessment and case management.

18. If this position is non-supervisory, is it considered to be confidentially or managerially exempt from collective bargaining?

Yes No (If Yes, complete the Bargaining Exemption Questionnaire form (CFN 552-0631) and attach it with this PDQ.)

Supervisor Comments and Signature

19. Support Request Do Not Support Request

Comments (if applicable):

Signed		
	(Supervisor)	(Date)

Appointing Authority Comments and Signature

Support Request Do Not Support Request

Comments (if applicable):

Signed		
	(Appointing Authority)	(Date)

10. Description of Work: Describe the work in detail. Make the description so clear that the reader can understand each task exactly. In the % column, enter the percent of time spent on each task during an average work week, not to exceed 100%. List tasks in descending order of time spent. If this is a reclassification request, the previous PDQ must be attached. his PDQ will be returned if any section is incomplete.

%	WORK PERFORMED
10	<p>Follow all policies and procedures in the PROMISE JOBS Provider Manual, established by IWD under its contract with DHS. Complete all necessary forms and when the client's concurrence is needed, secure the client's signature to acknowledge agreement and understanding. Timely maintain, monitor and manage PROMISE JOBS case files, including the completion of case notes and system entries to ensure that case management actions are documented and that the FIA is being carried out. Authorize transportation and child care allowances and initiate overpayment recovery when appropriate due to non-compliance or other circumstances. Timely answer phones, return phone calls and answer questions from PROMISE JOBS participants as necessary or refer to the PROMISE JOBS supervisor or other staff such as the Subject Matter Expert (SME). Make every effort to resolve participation issues as they occur. Display good customer service and communication skills with participants, treating them with courtesy and respect whether in person or over the telephone. For participants who fail to resolve participation issues and resume FIA activities, submit the case for approval and impose a Limited Benefit Plan (LBP) if approved. Represent the department in all PROMISE JOBS appeals related to your caseload.</p> <p style="text-align: center;">Perform other duties as assigned.</p>

[Click Here](#) to continue with Item #11

Message: RE: Clarke County Electric Cooperative

Case Information:

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:41 PM
 Item ID: 40861958
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

RE: Clarke County Electric Cooperative

From Spencer, Todd [IWD] **Date** Tuesday, April 08, 2014 12:39 PM
To Adams, Lori [IWD]; Jones, Marlys [IWD]; Rouse, Linda [IWD]
Cc Gotta, Antonina [IWD]; Wahlert, Teresa [IWD]; Wilkinson, Michael [IWD]

image001.jpg (3 Kb HTML)

The Region 14 team is ready to start calling people from the UI list but we would to make sure no one else has done so already. Has anyone made any calls?

Todd Spencer
 District Manager
 Iowa Workforce Development
 Creston Office: 641.782.2119 Ext 33
 Carroll Office: 712.792.2685 Ext. 33
 Cell: 641.344.3665

From: Adams, Lori [IWD]
Sent: Monday, April 07, 2014 6:39 PM
To: Spencer, Todd [IWD]; Jones, Marlys [IWD]; Rouse, Linda [IWD]
Cc: Gotta, Antonina [IWD]; Wahlert, Teresa [IWD]; Wilkinson, Michael [IWD]
Subject: Clarke County Electric Cooperative

Everyone – Teresa met with me today regarding conversations she has had with Bill Freeman at the Clarke County Electric Cooperative in Osceola. They are looking for someone with IT, budgeting and leadership skills for a mid-management position. Mike Wilkinson has run a request for UI claimants in Clarke, Dallas, Warren, Polk and other counties, which can be found on the S drive. Please access that document, and use the one dated 3-28-14 run at 11:54. There are two – use the 11:54 version. Get staff calling to tell people about this job opportunity. The name of the document is just all of the counties run together in one big word. Applicants should contact Jodee Eckels at 641.342.2173. Her email is jeckels@cecnet.net Ms. Eckels is the HR/Communications manager for the Coop.

Please keep track of how many claimants/applicants you send their way, and report that to me on an on-going basis. You know what to do if you have people refuse.

Here is the company's website: <http://www.cecnet.net/>
 There are no jobs on here, so I have nothing to submit for indexing. I also didn't find any open jobs for them on our job bank.

Lori Adams, CPM
 Division Administrator - Workforce Services
 Iowa Workforce Development | 1000 E. Grand Ave. Des Moines IA 50319
 Phone: (515) 281-9322 | Cell: (515) 418-5058 | Email: lori.adams@iwd.iowa.gov



[Preview is not available (conversion excluded for this file type).]

Message: RE: Clarke County Electric Cooperative

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:42 PM
Item ID: 40861965
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

RE: Clarke County Electric Cooperative

From: Spencer, Todd [IWD] Date: Tuesday, April 08, 2014 2:07 PM
To: Adams, Lori [IWD]; Jones, Marlys [IWD]; Rouse, Linda [IWD]
Cc: Gotta, Antonina [IWD]; Wahlert, Teresa [IWD]; Wilkinson, Michael [IWD]

image001.jpg (3 Kb HTML)

Ok. Looks like each region will be sorting the list to work on those who reside in their area. We will get started on ours.

Todd Spencer
District Manager
Iowa Workforce Development
Creston Office: 641.782.2119 Ext 33
Carroll Office: 712.792.2685 Ext. 33
Cell: 641.344.3665

From: Adams, Lori [IWD]
Sent: Tuesday, April 08, 2014 1:01 PM
To: Spencer, Todd [IWD]; Jones, Marlys [IWD]; Rouse, Linda [IWD]
Cc: Gotta, Antonina [IWD]; Wahlert, Teresa [IWD]; Wilkinson, Michael [IWD]
Subject: RE: Clarke County Electric Cooperative

I'm not aware of any, which is why the request went out last night.

Lori Adams, CPM

Division Administrator - Workforce Services
Iowa Workforce Development | 1000 E. Grand Ave. Des Moines IA 50319
Phone: (515) 281-9322 | Cell: (515) 418-5058 | Email: lori.adams@iwd.iowa.gov



Please consider the environment before printing this e-mail.

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Sent: Tuesday, April 08, 2014 12:39 PM
To: Adams, Lori [IWD]; Jones, Marlys [IWD]; Rouse, Linda [IWD]
Cc: Gotta, Antonina [IWD]; Wahlert, Teresa [IWD]; Wilkinson, Michael [IWD]
Subject: RE: Clarke County Electric Cooperative

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Sent: Monday, April 07, 2014 6:39 PM
To: Spencer, Todd [IWD]; Jones, Marlys [IWD]; Rouse, Linda [IWD]
Cc: Gotta, Antonina [IWD]; Wahlert, Teresa [IWD]; Wilkinson, Michael [IWD]
Subject: Clarke County Electric Cooperative

Everyone - Teresa met with me today regarding conversations she has had with Bill Freeman at the Clarke County Electric Cooperative in Osceola. They are looking for someone with IT, budgeting and leadership skills for a mid-management position. Mike Wilkinson has run a request for UI claimants in Clarke, Dallas, Warren, Polk and other counties, which can be found on the S drive. Please access that document, and use the one dated 3-28-14 run at 11:54. There are two - use the 11:54 version. Get staff calling to tell people about this job opportunity. The name of the document is just all of the counties run together in one big word. Applicants should contact Jodee Eckels at 641.342.2173. Her email is jeckels@cecnet.net Ms. Eckels is the HR/Communications manager for the Coop.

Please keep track of how many claimants/applicants you send their way, and report that to me on an on-going basis. You know what to do if you have people refuse.

Here is the company's website: <http://www.cccnet.net/>
There are no jobs on here, so I have nothing to submit for indexing. I also didn't find any open jobs for them on our job bank.

Lori Adams, CPM

Division Administrator - Workforce Services
Iowa Workforce Development | 1000 E. Grand Ave. Des Moines IA 50319
Phone: (515) 281-9322 | Cell: (515) 418-5058 | Email: lori.adams@iwd.iowa.gov

Description:
Description:
Description:

 Please consider the environment before printing this e-mail.

Message: Region 14 metrics

Case Information:


Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:43 PM
Item ID: 40862000
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **Region 14 metrics**

From Spencer, Todd [IWD] **Date** Sunday, March 02, 2014 8:48 PM
To Adams, Lori [IWD]
Cc

 [Region 14 Monthly Metrics February 2014.xlsx](#) (96 Kb HTML)

Todd Spencer
District Manager
Iowa Workforce Development
Creston Office: 641-782-2119 Ext. 33
Carroll Office: 712-792-2685 Ext. 33
Cell: 641-344-3665

MONTHLY BUSINESS CONTACT REPORT

Grow and retain jobs by increasing business outreach services in each IWD one stop by 20 new contacts per month
 Supports Governor's goal: Create 200,000 new jobs
 Target Goal: 20 new contacts per one-stop office per month
 This report is due by the third business day of each month
 Submit electronically to Lori Adams

Mon/Yr:

February 2014

Contacts

Business Name

Business Location

Date New Contact Made

Method of Contact

Was NCRC Promoted?

Outcome/Comments - Include NCRC

Adams County Free Press

Corning, IA

In Person

Yes

New Business Contact. Talked about Skilled Iowa, NCRC, Internships. Discussed their hiring needs and in terms of education, skills, etc.

Red Star Feeds LLC

Corning, IA

In Person

Yes

New Business Contact. Talked about Skilled Iowa, NCRC, Internships. Discussed their hiring needs and in terms of education, skills, etc.

State Bank of Brooks

Corning, IA

In Person

Yes

New Business Contact. Talked about Skilled Iowa, NCRC, Internships. Discussed their hiring needs and in terms of education, skills, etc.

Okey Vernon-First National Bank

Corning, IA

In Person

Yes

New Business Contact. Talked about Skilled Iowa, NCRC, Internships. Discussed their hiring needs and in terms of education, skills, etc.

Hy-Vee Pharmacy

Corning, IA

In Person

Yes

New Business Contact. Talked about Skilled Iowa, NCRC, Internships. Discussed their hiring needs and in terms of education, skills, etc.

Dollar General

Corning, IA

In Person

Yes

New Business Contact. Talked about Skilled Iowa, NCRC, Internships. Discussed their hiring needs and in terms of education, skills, etc.

Iowa State Savings Bank

Corning, IA

In Person

Yes

New Business Contact. Talked about Skilled Iowa, NCRC, Internships. Discussed their hiring needs and in terms of education, skills, etc.

Astoria Altech

Osceola, IA

Email

Yes

Discussed their company's buy out and the future of the job positions they will need filled in the near future.

Clarke Community High School

Osceola, IA

In Person

Yes

Signed LOC and commitment to test in the future.

Vanmark

Creston, IA

phone

Yes

Signed LOC's already. Thanked again for signing already and reminded them about asking for the NCRC from applicants. Posted job order.

Stalker Chevrolet

Creston, IA

phone

Yes

Signed LOC's already. Thanked again for signing already and reminded them about asking for the NCRC from applicants. Posted job order.

Southwest Iowa Rural Electric Cooperative

Corning, IA

email

Yes

Signed LOC after previous discussion. Posted job orders and also did personal recruitment as well.

Paulus Concrete

Afton, IA

in person

Yes

New Business Contact. Talked about Skilled Iowa, NCRC, Internships. Discussed their hiring needs and in terms of education, skills, etc.

Minsa Corporation

Red Oak, IA

email

Yes

Discussed job orders, middle skills gap. LOC already signed.

Unity Point at Home

Creston/Osceola, IA

email

Yes

New business contact. Discussed job orders, middle skills gap, sent NCRC/LOC info, personal recruiter assigned.

Built to Last
 Corning, IA
 email

Yes

New business contact. Discussed job orders, middle skills gap, sent NCRC/LOC info.

Check Into Cash
 Creston, IA
 phone

Yes

New business contact. Discussed job orders, middle skills gap, sent NCRC/LOC info.

Pursuit of Independence, Inc.
 Lenox, IA
 Phone Call / Email

Yes

Discussed job orders and middle skills gap, personal recruiter assigned

Caseys
 Murray, IA
 Phone call / Email

Yes

Discussed opening business, LMI, job orders, middle skills gap, personal recruiter assigned.

P & L Recycling
 Weldon, IA
 Phone Call

Yes

Discussed job openings and services, middle skills gap, NCRC

MONTHLY JOB TRAINING ENROLLMENT REPORT

Increase the percentage of people enrolled in job training activities

Supports Governor's goal: Increasing Iowans family income by 25%

This report is due by the third business day of each month

Submit electronically to Lori Adams

Mon/Yr:

February 2014

Total

Comments

new enrollments in job training activities*

Report only enrollments that occurred in the reporting month. This total should include enrollment in all workshops offered in your center,

Do not alter or amend this document's format

Burlington

Carroll

Cedar Rapids

Council Bluffs

Creston

Davenport

Des Moines

Dubuque

Fort Dodge

Marshalltown

Mason City

Ottumwa

Sioux City

Spencer

Waterloo

total

goal

MONTHLY HIGH SCHOOL COMPLETION REFERRAL REPORT

Increase the percentage of people referred to high school completion activities

Supports Governor's goal: Creating the best education in the nation

This report is due by the third business day of each month

Submit electronically to Lori Adams

Month/Year

February 2014

Total

Comments

new referrals to high school completion activities

Report only referrals that occurred in the reporting month; any referrals that resulted in enrollments should also be included in the job tr

Do not alter or amend this document's format

Burlington

Carroll

Cedar Rapids

Council Bluffs

Creston

Davenport

Des Moines

Dubuque

Fort Dodge

Marshalltown

Mason City

Ottumwa

Sioux City

Spencer

Waterloo

total

goal

MONTHLY DIGITAL LITERACY INSTRUCTION REFERRAL REPORT

Increase the percentage of referrals to digital training activities

Supports governor's goal: Increasing Iowan's income by 25% and creating 200,000 new jobs

This report is due by the third business day of each month

Submit electronically to Lori Adams

Mon/Yr:

February 2014

Total

Comments

new referrals to digital literacy instruction

Report only referrals that occurred in the reporting month; any referrals that resulted in enrollments should also be included in the job tr

Burlington

Carroll

Cedar Rapids
 Council Bluffs
 Creston
 Davenport
 Des Moines
 Dubuque
 Fort Dodge
 Marshalltown
 Mason City
 Ottumwa
 Sioux City
 Spencer
 Waterloo
 total
 goal

MONTHLY INDEXING REPORT

Grow and retain jobs by increasing number of job postings on www.iowajobs.org using indexing
 Supports Governor's goal: Create 200,000 new jobs
 Target Goal: Increase number of employer job listings added to iowajobs using indexing
 This report is due by the third business day of each month
 Submit names & URLs of prospective indexing customers electronically to Lori Adams

Mon/Yr:

February 2014

Contacts

Business Name

Address

City, State, Zipcode

URL

FEIN

Altec Astoria

1001 Furnas Drive

Osceola, IA 50213

www.altec.com/careers

46-3663459

MONTHLY VIRTUAL ACCESS POINT MONTHLY FOLLOWUP LOG

This report is due by the third business day of each month
 Submit electronically to Lori Adams

Region

Site Visited

Date Visited?

Visited by

Supplies Needed? Y/N

Equipment working properly? Y/N. If No, explain and outline repair/replacement plan

Signage still in place? Y/N

Other observations

Date last visited?

SouthWestern Community College (SWCC) campuses in Osceola

Jennifer Green

N

Y

Y

N/A

SouthWestern Community College (SWCC) campuses in Red Oak

Jennifer Green

N

Y

Y

N/A

Southwestern Community College (Creston Campus)

Jennifer Green

N

Y

Y

N/A

Adair County Neighborhood Center

Jennifer Green

N

Y

Y

N/A

MATURA Community Action Corporation-Ringold County Neighborhood Center

Jennifer Green

N

Y

Y

N/A

MATURA Community Action Corporation-Taylor County Neighborhood Center

Jennifer Green

N

Y, Took them new computer

Y

N/A

MATURA Community Action Corporation-Adams County Neighborhood Center

Jennifer Green

N

Y

Y

Still working on internet issues. Let the new website for them to be bale to use on their laptops.

Montgomery County Courthouse

Jennifer Green

N

Y

Y

N/A

Union County

Jennifer Green

N

Y

Y
N/A
Lorimor City Hall
Jennifer Green
N
Y
Y
Had to replace the tower. Working fine now.
Iowa Vocational Rehabilitation
Jennifer Green
N
Y
Y
N/A
Greenfield Public Library
Jennifer Green
N
Gave them the the URL for the new web based site.
Y
Scheduled NCRC testing event.
Corning Public Library
Jennifer Green
N
Y
Y
N/A
Osceola Public Library
Jennifer Green
N
Y
Y
N/A
Leon Public Library
Jennifer Green
N
Y
Y
N/A
Red Oak public library
Jennifer Green
N
Y
Y
N/A
Stanton Public Library
Jennifer Green
N
Y
Y
N/A
Villisca Public Library
Jennifer Green
N
Y
Installed new web link on all public computers and took the IWD VAP computer since it was acting up.
Gibson Memorial Library
Jennifer Green
N
Y
Y
N/A
Experience Works
Jennifer Green
N
Y
Y
N/A
Adams Co Armory
Jennifer Green
N
Y
Y
N/A
Clarke County vet office
Jennifer Green
N
Y
Y
N/A
Decatur County Veterans Affairs Office
Jennifer Green
N
N/A
Y
N/A
Montgomery County Veteran Affairs Office
Jennifer Green
N
Y
Y
N/A
Montgomery Co Armory
Jennifer Green
N
Y
Y
N/A
Taylor County Vet Officer
Jennifer Green

N
Y
Y
N/A

HIGH SCHOOL VIRTUAL ACCESS POINT MONTHLY FOLLOWUP LOG

This report is due by the third business day of each month

Submit electronically to Lori Adams

Please List ALL High Schools and use this tab as a Running Report on High School Activity in your Region

Region

Site Visited

Date Visited?

Visited by

Is Equipment and or URL working properly? If no, share plan to correct.

In-Service Training Y/N

Signed Skilled Iowa LOC? Y/N

Have they done NCRC Testing? Y/N If Yes, what Date?

Share Training Information: How many present, topics covered, Best Practices, How the VAP is used, etc.

Date last visited?

Nodaway Valley High School

Elizabeth Waigand & Barb DeVore

Y

N

Y

Discussed NCRC and VAP usage. Tested all seniors on NCRC on 10/15/13.

Orient-Macksburg Schools

Cabrielle Pettegrew

Y

N

Y

Discussed NCRC and VAP usage. Will test all seniors on NCRC on February 17-21. Tested 9 seniors on NCRC.

Corning Community Schools

Cabrielle Pettegrew

Y

N

Y

N

Discussed NCRC and VAP usage. Will test all seniors on NCRC in December and April. Contacted Amy Abler to get testing dates.

Murray Schools

Elizabeth Waigand & Barb DeVore

Y

N

Y

Discussed NCRC and VAP usage. Tested all seniors on October 21st and 22nd. Asked for them to sign LOC.

Clarke Learning Center

Denise Riley

Y

N

Y

Tested 7 alternative school students. Finished on 2/24/14.

Clarke High School

Elizabeth Waigand & Barb DeVore

Y

N

Y

Discussed NCRC and VAP usage. Tested 40 teachers for Reading for Information on 10/16/2013. Spoke to senior class about testing and career

Central Decatur Schools

Wendy Greenman

Y

N

Y

Tested 18 seniors 2/25-2/27

Lamoni Schools

Elizabeth Waigand & Barb DeVore

Y

N

Y

N

Discussed NCRC and VAP usage. Will possibly test seniors this spring, no date set.

Morman Trail Jr/Sr High School

Wendy Greenman

Y

N

Y

N

Signed LOC discussed NCRC and VAP. Will test 21 seniors 4/9/14.

Red Oak Schools

Jennifer Green

Y

N

Y

N

Discussed NCRC and VAP usage. Set up a date to test Thursday February 6th at 9:00 am for the principal to test.

Stanton Schools

Elizabeth Waigand & Barb DeVore

Y

N

Y

Discussed NCRC and VAP usage with Sheila Mainquist. Signed LOC.

Diagonal Schools

Denise Riley

Y

N

Y

Tested all seniors on 2/10 & 2/11.

Mt. Ayr Schools

Elizabeth Waigand & Barb DeVore

Y

N

Y
Discussed NCRC and VAP usage. Finished testing all seniors.
Bedford Schools
Cabrielle Pettegrew
Y
N
Y
Discussed NCRC and VAP usage. Tested 20 seniors on NCRC 2/25/14
Lenox Schools
Denise Riley
Y
N
Y
Seniors tested January 8th-10th. Make up day on 15th. Will schedule one more makeup day. 21 have completed all 3 tests.
East Union Schools
Denise Riley
Y
N
Y
Tested seniors on 9/20/13. Freshman tested 2/21/14.
Creston Community Schools
Elizabeth Waigand & Barb DeVore
Y
N
Y
Discussed NCRC and VAP usage. Tested all seniors in IJAG program.
High Lakes Country Academy
Elizabeth Waigand & Barb DeVore
Y
N
Y
Discussed NCRC and VAP usage. Tested all seniors on 8/27/13 & 8/30/13.

Message: FW: New Skilled Iowa Goals**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:52 PM
 Item ID: 40862281
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ **FW: New Skilled Iowa Goals**

From Spencer, Todd [IWD] **Date** Sunday, March 16, 2014 8:25 PM
To Schippers, Denise [IWD]
Cc Waigand, Elizabeth [IWD]

For Region 14:

Todd Spencer
 District Manager
 Iowa Workforce Development
 Creston Office: 641-782-2119 Ext. 33
 Carroll Office: 712-792-2685 Ext. 33
 Cell: 641-344-3665

From: Waigand, Elizabeth [IWD]
Sent: Thursday, March 13, 2014 4:13 PM
To: Spencer, Todd [IWD]
Subject: RE: New Skilled Iowa Goals

1. Number of new Skilled Iowa member businesses
 5 (Region 14 has already doubled the business metric goals)
2. Number of new internships
 2 internships
3. Skilled Iowa regional and community metrics
 Work on Clarke County Skilled Iowa proposal #1&2
 (1) offer a challenge to 10 local businesses to send 5 people each, with the agreement that they would be recognized in the local paper as "skilled Iowa supporters"
 (2) Partner with Clarke county supervisors to have them encourage the actual county employees to take the assessment.

Elizabeth Waigand
 Operations Lead
 Business Services Specialist
 215 N. Elm
 Creston, IA 50801
 (641)782-2119x41 - phone
 (641)782-7060 - fax
Elizabeth.waigand@iwd.iowa.gov

From: Spencer, Todd [IWD]
Sent: Thursday, March 13, 2014 12:42 PM
To: Waigand, Elizabeth [IWD]
Subject: FW: New Skilled Iowa Goals

What would you like to see for your region?

Todd Spencer
 District Manager
 Iowa Workforce Development
 Creston Office: 641-782-2119 Ext. 33
 Carroll Office: 712-792-2685 Ext. 33
 Cell: 641-344-3665

From: Schippers, Denise [IWD]
Sent: Thursday, March 13, 2014 8:04 AM
To: Jones, Marlys [IWD]; Slagle, Ronee [IWD]; Spencer, Todd [IWD]; Witt, Michael [IWD]
Cc: Wahlert, Teresa [IWD]; Adams, Lori [IWD]; Olivencia, Nicholas [IWD]
Subject: New Skilled Iowa Goals

We are once again asking you to set your regions' Skilled Iowa goals. The goals will be for March 15th to May 15th.

Please use the same three goal categories:

Send your district's goals to me no later than Wednesday, March 19.

Thank you,
Denise Schippers
Business Services Manager | Foreign Labor Certification | OFCCP
Iowa Workforce Development | Workforce Services Division
1000 East Grand Avenue – 1st floor West
Des Moines, IA 50319
Phone: 515-281-7538
Cell: 515-360-9542
Fax: 515-725-2999

Message: RE: New Skilled Iowa Goals**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:53 PM
 Item ID: 40862288
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

RE: New Skilled Iowa Goals

From Spencer, Todd [IWD] **Date** Monday, March 17, 2014 9:00 AM
To Schippers, Denise [IWD]
Cc

Yes

Sent from my U.S. Cellular® Smartphone

"Schippers, Denise [IWD]" <Denise.Schippers@iwd.iowa.gov> wrote:
 Are you still working on Region 13s goals?

From: Spencer, Todd [IWD]
Sent: Sunday, March 16, 2014 8:25 PM
To: Schippers, Denise [IWD]
Cc: Waigand, Elizabeth [IWD]
Subject: FW: New Skilled Iowa Goals

For Region 14:

Todd Spencer
 District Manager
 Iowa Workforce Development
 Creston Office: 641-782-2119 Ext. 33
 Carroll Office: 712-792-2685 Ext. 33
 Cell: 641-344-3665

From: Waigand, Elizabeth [IWD]
Sent: Thursday, March 13, 2014 4:13 PM
To: Spencer, Todd [IWD]
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 (641)782-7060 - fax
Elizabeth.waigand@iwd.iowa.gov

From: Spencer, Todd [IWD]
Sent: Thursday, March 13, 2014 12:42 PM
To: Waigand, Elizabeth [IWD]
Subject: FW: New Skilled Iowa Goals

What would you like to see for your region?

Todd Spencer
 District Manager
 Iowa Workforce Development

Creston Office: 641-782-2119 Ext. 33
Carroll Office: 712-792-2685 Ext. 33
Cell: 641-344-3665

From: Schippers, Denise [IWD]
Sent: Thursday, March 13, 2014 8:04 AM
To: Jones, Marlys [IWD]; Slagle, Ronee [IWD]; Spencer, Todd [IWD]; Witt, Michael [IWD]
Cc: Wahler, Teresa [IWD]; Adams, Lori [IWD]; Olivencia, Nicholas [IWD]
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Thank you,
Denise Schippers
Business Services Manager | Foreign Labor Certification | OFCCP
Iowa Workforce Development | Workforce Services Division
1000 East Grand Avenue – 1st floor West
Des Moines, IA 50319
Phone: 515-281-7538
Cell: 515-360-9542
Fax: 515-725-2999

Message: The DOL Newsletter - September 26, 2013: Counting Down for Health Care; Creating Opportunity for Students; Protecting Children From Forced Labor

Case Information:

Message Type: Exchange
 Message Direction: External, Inbound
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:17 PM
 Item ID: 40861555
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ The DOL Newsletter - September 26, 2013: Counting Down for Health Care; Creating Opportunity for Students; Protecting Children From Forced Labor

From United States Department of Labor **Date** Thursday, September 26, 2013 8:50 PM
To Wilkinson, Michael [IWD]
Cc

If you are having trouble viewing this newsletter, please go to <http://www.dol.gov/sec/newsletter/>.



**UNITED STATES
DEPARTMENT OF LABOR**

Promoting and Protecting Opportunity

DOL News Brief

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September 26, 2013

SHARE

WINNER OF 2013 AVA DIGITAL GOLD AWARD & NAGC AWARD OF EXCELLENCE

**Protecting Children, Victims
Of Forced Labor**



During this centennial year, the Bureau of International Labor Affairs is celebrating several milestones of its own. Now in its 65th year, ILAB was founded on Oct. 10, 1947, by President Harry S. Truman to foster U.S.

international labor relations. ILAB gained a host of new tools for combating child labor when the bureau's Office of Child Labor, Forced Labor and Human Trafficking was established in 1993. At first, the office was solely responsible for research

What's New

Counting Down to Health Care Enrollment

As the days count down to the opening of the Health Insurance Marketplace on Oct. 1, Secretary Thomas E. Perez issued a reminder that, with the passage of the Affordable Care Act uninsured Americans will be able to sign up for previously unavailable low-cost health benefits. On Sept. 23, Perez visited San Antonio College to address approximately 200 students and residents of the community. Joined by San Antonio Mayor Julian Castro, Rep. Lloyd Doggett, health care experts and college officials,



on international child labor, but soon grew to provide technical assistance to governments and organizations around the world. The international community gained a major lever in the fight against child labor with the adoption in 1999 of the International Labor Organization's Convention 182 on the Worst Forms of Child Labor. It was ratified by the United States that December, in large part because of the passion and leadership of then-Secretary of Labor Alexis Herman. The following year, Congress passed the Trade and Development Act,

giving OCFT a new function: issuing the annual *Findings on the Worst Forms of Child Labor* report, which analyzes progress by 143 countries. Senator Tom Harkin of Iowa was a driving force behind the TDA, and he remains a staunch supporter of ILAB's mission. To mark the release of the 12th edition of the TDA report, Secretary Perez will be joined by Sen. Harkin and Secretary Herman at a department event on Sept. 30, where these three pivotal figures in the fight against child labor will look back on how far we've come and where we go from here.

- [RSVP for the Sept. 30 Event](#)
- [Learn More About OCFT](#)
- [View the Centennial Timeline](#)
- [View the Centennial Video](#)



AFFORDABLE CARE ACT MYTH BUSTER

Myth: The Affordable Care Act will cause people to lose their jobs.

Not true: Although the Great Recession ended in June 2009, the U.S. workforce continued to lose an average of 147,000 jobs a month until March 2010, the same month in which the ACA was signed into law, and the month in which the nation started adding jobs. Between February 2010 and August 2013, the economy added an average of 177,000 private sector jobs per month. Major provisions of the ACA have been phased in gradually over the past two years, and economic recovery has continued throughout that time.

- [Learn More About the ACA](#)
- [Read the Jobs Report](#)

(Work in Progress) The Best of Our Blog

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

- [Five Years Later, a Nation in Recovery with Challenges Still Ahead:](#) Five years ago, in September 2008, our economy suffered the worst financial crisis in decades, hitting Wall Street and Main Street alike and affecting the jobs, homes, savings and economic security of millions. Looking back on the half-decade since, Secretary Perez reflects on how President Obama's leadership and the resilience of the American people helped us clear away the rubble and begin laying a stronger foundation for economic growth and widely-shared prosperity. He also lays out the case for urgent action and common purpose, calling for investments in manufacturing, infrastructure and training that will help people gain the skills they

Perez talked about available online assistance that compares the costs of various health care plans. For the more than 10 million Latinos currently uninsured, he announced that the information will be available in Spanish beginning on Oct. 15 at [CuidadoDeSalud.gov](#). Afterward, Perez met with students from Project QUEST, a job training program recognized for its workforce development efforts and the recipient of a \$5 million H-1B Technical Skills Training grant. Some of the students shared how the program has helped them develop skills they need to work in nursing and allied health occupations.

- [Visit \[healthcare.gov\]\(#\)](#)
- [View the Slideshow](#)

Creating Opportunity for Students

During a second stop in San Antonio, Secretary Perez delivered the keynote address at the Dean's Distinguished Lecture Series at the University of Texas. Perez touched on his life experiences as a child of immigrants and the need for comprehensive immigration reform. He also discussed how the Department of Labor is the Department of Opportunity.



"Today, I met a 37-year-old mother of three wanting to create a better life for herself," said Perez. "She wanted to become a nurse, and Project QUEST is helping her do that." With Texas having the highest rate of people without health insurance, Perez emphasized the importance of the Affordable Care Act. He was joined by Dean of the UTSA College of Public Policy Rogelio Saenz and former Rep. Charlie Gonzalez.

- [View the Slideshow](#)
- [Follow Secretary Perez on Twitter](#)
- [Like Secretary Perez on Facebook](#)

National News

Bank of America Ordered to Pay Nearly \$2.2 Million in Back Wages

An administrative law judge has ordered Bank of America Corp. to pay 1,147 African-American job applicants nearly \$2.2 million in back wages and interest for race-based hiring discrimination at the company's Charlotte, N.C., facility. The case's roots extend to November 1993, when the Office of Federal Contract Compliance Programs initiated a routine compliance review that revealed indications of systemic hiring discrimination. After conciliation efforts failed, the Solicitor of Labor in 1997 filed an administrative complaint against the company. In an earlier ruling, the judge determined that unfair selection criteria resulted in the rejection of qualified African-American applicants. In addition to paying back wages and interest, the ruling orders Bank of America to extend job offers to 10 class members as positions become available.

- [Read the News Release](#)

Improving Employment for People With Disabilities and Veterans

Two final rules to improve hiring and employment of veterans and people with disabilities were published in the Federal Register on Sept. 24. First announced by Vice President Biden in August, the department's rules will become effective on March 24, 2014. Federal contractors will be required to comply with most of the requirements by that date. However, some contractors may have additional time to comply with requirements that relate to affirmative action plans. Contractors with affirmative action plans in place on March 24 may maintain them until the end of their plan year and delay their compliance with the final rule's affirmative action plan requirements until the start of their next plan cycle.

- [Read the News Release](#)
- [Read Section 503 Final Rule](#)
- [Read VEVRAA Final Rule](#)

New Funding Model Launched — Pay for Success

Grants totaling \$24 million were awarded to New York and Massachusetts on Sept. 23 under a new funding model called Pay for Success. The goal of this innovative model is to ensure that public funds are awarded to programs that have achieved positive, measurable outcomes. Under Pay for Success, private investors provide the financial capital to cover the operating costs for

need to succeed in 21st-century jobs. "It's been a long road back," he writes. "But it's not over yet. The economy is still not performing at its potential. We need more rapid growth, more job creation, more pathways to success, more ladders of opportunity with sturdy rungs that give people a foothold in the middle class."

• [Job Corps and the Power of Soft Skills](#): Grace Kilbane, the national director of Job Corps, writes about the importance of "soft skills" such as communication, networking, enthusiasm, teamwork, problem-solving, critical thinking and professionalism, to the career success of all workers. These skills are important parts of the Job Corps experience, as exemplified by the experience of a Maine Job Corps student who succeeded in large part because of her focus on teamwork, mentoring and joining a community.

• [How Can We Make Our New Rules Work for You?](#): On the 40th anniversary of the Rehabilitation Act, which prohibited discrimination against qualified workers with disabilities in programs supported by federal tax dollars, Debra Carr — director of the Office of Federal Contract Compliance Programs' Policy Division — highlights the tools that are available to help ensure contractors comply with new rules that promote hiring of veterans and people with disabilities.

Focus on Data and Evidence

Deputy Secretary Seth D. Harris spent Sept. 26 talking to different groups regarding two of the Obama administration's priorities: evidence-based decision making and STEM training, which focuses on careers in science, technology, engineering and mathematics. Beginning the day at an event hosted by Results for America, Harris led a five-person panel in discussions on whether "The Federal Government Can Play Moneyball" — leaning on the same data and evidence-intensive strategies pioneered by Billy Beane and the Oakland A's — to make government more efficient and effective. In the afternoon, Harris addressed the STEMConnector "100 CEOs" event in Arlington, Va., and stressed the importance of collaboration and corporate leadership in training the next generation of STEM workers. "Those of you in this room have demonstrated your commitment to living up to that responsibility," Harris said. "But commitment is not enough. You must become evangelists for the cause. Organize employers in your industry or in your region so that they will understand the importance of workforce development, and engage with the public institutions that stand ready to work with them. If we are going to transform the workforce investment system, we need the partnership of corporate leadership."



La Raza Alliance Renewed



An alliance between the National Council of La Raza and the Occupational Safety and Health Administration was renewed on Sept. 20 in Washington, D.C.

Forged in 2011, the alliance connects access to

the programs, and the department disburses the awarded funds if and when those programs demonstrate that they have achieved the targeted outcomes. The programs supported by the grants are aimed at increasing employment and reducing recidivism among formerly incarcerated individuals.

• [Read the News Release](#)

18 States Awarded Grants for Disability Employment Initiative

The fourth round of Disability Employment Initiative grants was awarded on Sept. 26. Eight states received a total of \$18,597,758 to provide education, training and employment opportunities for youth and adults with disabilities. The DEI program is designed to improve coordination and collaboration among employment and training programs implemented at state and local levels. It also builds effective community partnerships that leverage public and private resources to better serve individuals with disabilities and improve their employment outcomes with career pathway jobs that lead to economic self-sufficiency.

• [Learn About the Disability Employment Initiative](#)

• [Read the News Release](#)

Grants to Improve State Unemployment Insurance Programs

The department announced awards to 40 state workforce agencies on Sept. 26 to improve the performance of and reduce improper payments within the Unemployment Insurance program. The grants are intended to support the prevention and detection of improper UI benefit payments, improve state performance and address outdated information technology system infrastructures necessary to improve UI program integrity. These integrity investments will supplement strategies already employed by states to improve prevention, detection and recovery of improper payments.

• [Read the News Release](#)

• [Learn About DOL Efforts to Prevent UI Improper Payments](#)

Enhancing Job Opportunities for People with Disabilities

The Office of Disability Employment Policy has announced \$9.7 million in continued funding for organizations managing consortia that develop models, provide technical assistance and share best practices to improve employment opportunities for people with disabilities. "We must provide every opportunity for people with disabilities — and more fully integrate them into the workforce and into the economic life of the nation," said Secretary Perez. "These grants will help better connect people with disabilities with employers who can greatly benefit from their skills and experience."

• [Read the News Release](#)

News You Can Use

Guidance for Colorado Cleanup Efforts

Colorado workers, residents and businesses engaged in post-flood activities are urged to protect themselves against hazards as cleanup efforts continue and rebuilding activities begin. The Occupational Safety and Health Administration is providing informational resources about protective measures that should be employed during cleanup work. Fact sheets, quick cards and other educational materials on safe work practices and personal protective equipment are currently available at many Disaster Assistance and Recovery Centers along the Front Range. Workers and residents can be exposed to many safety and health hazards while restoring electricity, communications, water and sewer services; and engaging in demolition activities and tree trimming.

• [Read the News Release](#)

• [Read About Flood Response and Recovery](#)

International Scene

Bilateral Talks on Jobs, Workplace Safety

Secretary Perez sat down with Italian Minister of Labor and Social Policies Enrico Giovannini at department headquarters on Sept. 24 to exchange views on the challenges facing workers in the United States and Italy. The two discussed the approaches of both governments in addressing

safety and health training resources with vulnerable worker populations — including those who are low-wage and have limited English proficiency — in the construction, health care, service and "green" industries. At the signing ceremony, Dr. David Michaels, assistant secretary of labor for occupational safety and health, was joined by Janet Murguía, president and CEO of the National Council of La Raza.

• [Learn About the Alliance](#)

Advice for Student Veterans

Once again, Twitter is being used by the Veterans' Employment and Training Service as a vehicle to deliver helpful information to veterans trying to



make the next step in their careers. In its fourth #VetsJobsChat, which took place on Sept. 25, VETS partnered with representatives from Student Veterans of America, Department of Veterans Affairs, the Consumer Financial Protection Bureau, other agencies and veterans service organizations. The forum was organized to help veterans make informed decisions about how to use their benefits for education services and what tools are available to help them find good training opportunities. The hour-long chat was divided into sections covering three main topics: how to outline career goals and file for educational benefits, strategies for success while enrolled in an educational program, and what career resources and tools are available and how to access them.

• [Read a Recap of the #VetsJobsChat](#)

Guidance for Oil and Gas Ops

The Occupational Safety and Health Administration has teamed up with groups in Ohio and Texas to promote safety in the oil and gas industry. In Ohio, OSHA is working with the Buckeye Service Transmission, Exploration and Production Safety Network. The voluntary alliance will provide participating Ohio companies with guidance and access to training resources to address hazards associated with oil and gas operations. In Texas, a region-wide alliance with the Association of Energy Service Companies was signed this week by OSHA's Dallas regional office. The goal of the alliance is to promote understanding of workplace safety and health and the rights and responsibilities of workers and employers.

• [Read the Ohio News Release](#)

• [Read the Texas News Release](#)

Employment First Strategies



In an effort to promote federal support for a National Employment First Strategic Policy Framework, Assistant Secretary for Disability Employment Policy Kathy Martinez

spearheaded an Employment First Policy Education Series Sept. 18-20 in Washington, D.C. Employment First is a framework for systems change centered on the premise that all citizens, including individuals with the most significant disabilities, are capable of full participation in

unemployed youth and long-term unemployed workers, as well as the misclassification of workers. Both agreed on the need for governments to work closely with the business community, workers and educators, as well as share information between countries, to create new jobs and help workers access employment opportunities. Perez and Giovannini also agreed to work more closely together within the G20, particularly with respect to youth employment, building safer workplaces and developing closer and more effective relationships between ministries of labor and finance. Four days earlier, Perez hosted a bilateral meeting with State Secretary for Work and Pensions for the United Kingdom Iain Duncan Smith. Their discussion focused on G20 initiatives, efforts to promote jobs and connect welfare recipients with the labor market, and the long-term unemployed.

• [View the Slideshow](#)



DOL Working for You

Atterbury Job Corps Student Aims for Medical Degree

Weyni Hailemariam hopes to turn the health-care training she earned at Indiana's Atterbury Job Corps Center into a medical degree she can take back to her country of Eritrea in Northeast Africa. When she came to Atterbury in 2011, Hailemariam admits she was a little "confused by the new country and language." But she soon adapted and graduated from Atterbury with her high school diploma and a certified nursing assistant certificate. Currently, Hailemariam takes nursing courses at the local Ivy Tech Community College, with a projected graduation date in 2015. Grants and financial aid subsidize her tuition, while her living expenses and transportation are covered by the center. Hailemariam receives program guidance through the Atterbury Advanced Career training program and through a partnership with the college, according to the center's Business and Community Director Jeff Byrd. Eventually, she hopes to become a doctor. "There is a shortage of doctors in my country, and I want to help my people," Hailemariam said.

• [Learn About Job Corps Enrollment](#)



DOL in Action

Nebraska Food Storage Facility Cited for Ammonia Exposure

Nebraska Cold Storage Inc. has been cited for 14 safety violations and fined \$132,800 by the Occupational Safety and Health Administration for exposing workers to anhydrous ammonia at its Hastings, Neb., facility. The company has been placed in OSHA's Severe Violator Enforcement Program. The March inspection, which was initially conducted under OSHA's high-hazard local emphasis program, expanded to include all items within the agency's national emphasis program for process safety management for covered chemical facilities. The company provides basic storage and shipping services for the frozen, refrigerated and perishable food industries.

• [Read the News Release](#)

California Car Detailer to Pay \$292,000 in Back Wages, Damages

Automotive detailer Interior Magic of California LLC, and officers Frank and Tammy Hallberg, have agreed to pay \$292,000 in back wages and liquidated damages to 205 current and former employees, plus pay \$34,408 in civil money penalties. An investigation by the Wage and Hour Division found the Torrance-based company willfully violated the Fair Labor Standards Act's overtime, minimum wage and record-keeping provisions. The employer made illegal deductions from employees' wages, did not pay workers an overtime premium for hours worked beyond 40 in a week, and improperly classified some nonexempt employees as exempt from overtime pay. Interior Magic services 17 major car dealerships throughout Southern California.

integrated employment and community life. National experts and state officials leading Employment First systems change initiatives briefed leaders from multiple federal agencies on innovative state strategies to increase integrated employment opportunities for citizens with significant disabilities. "The Department of Labor is committed to ensuring that youth and adults living with significant disabilities have a plethora of chances to seek and gain meaningful integrated employment opportunities, and receive real wages for real jobs," said Martinez.

Steelworkers' Safety Conference

Approximately 2,000 United Steelworkers safety representatives and managers welcomed the heads of the Occupational Safety and Health Administration and



Mine Safety and Health Administration during USW's 2013 Health, Safety and Environment Conference in Pittsburgh on Sept. 25. Assistant Secretary of Labor Dr. David Michaels, who heads OSHA, kicked off the conference with a plenary presentation highlighting the agency's proposed rule to protect workers exposed to crystalline silica. Michaels was joined on stage by USW member Alan White, who contracted silicosis while working in a foundry.



Later that day, Assistant Secretary of Labor Joseph A. Main, who heads MSHA, discussed the numerous challenges that have confronted

his agency over the past several years, including the backlog of contested violations, consistency in enforcement and shortcomings in mine emergency response. Main contrasted the list of challenges with a number of achievements, such as improvements in compliance, record low fatality and injury rates, and significant reductions in coal mine dust levels.

Affordable Care Act Outreach

Outreach to employers on Affordable Care Act implementation continued with staff from the Employee Benefits Security Administration's L.A. Regional Office conducting a presentation for small business owners in Studio City, Calif. The Sept. 24 event was sponsored by the Universal City North Hollywood Chamber of Commerce. Similar presentations will be held in New York and Georgia. These events follow two webcasts that one week earlier attracted nearly 6,800 participants.

• [Listen to Webcasts](#)

Final Rule for Black Lung Program

Two entitlement benefit amendments to the Black Lung Benefits Act were implemented in a final rule announced on Sept. 25 by the Office of Workers' Compensation Programs. Commonly called the Byrd Amendments, after their sponsor, the late West Virginia Sen. Robert C. Byrd, these provisions were eliminated in 1981 and then enacted in the Patient Protection and Affordable Care Act passed in 2010. The first amendment

• [Read the News Release](#)

Ohio Whistleblower Who Reported Bedbugs Awarded Back Wages

A federal court in Cincinnati has ordered S.E.M. Villa II Inc., a nonprofit corporation that operates retirement facility S.E.M. Terrace in Milford, Ohio, to pay a former resident manager \$20,000 in back wages. The case involves violations of the whistleblower provisions of the Occupational Safety and Health Act of 1970. The complaint alleged that the employer terminated the resident manager for filing a complaint with the Clermont County General Health District stating that S.E.M. Villa II had been ineffective in handling a bedbug infestation at the retirement home.

• [Read the News Release](#)

Inadequate Worker Safeguards Found at New York Facility

A Smithtown, N.Y. health-care center faces \$41,000 in Occupational Safety and Health Administration fines following an inspection by OSHA's Long Island Area Office. The inspection found that Avalon Gardens Rehabilitation & Health Care Center Inc. failed to research and document the use of safer medical devices to reduce occupational exposure to bloodborne pathogens arising from needlestick injuries, a requirement under OSHA's bloodborne pathogen standard. The facility also failed to provide eye protection for nurses, properly store and dispose of contaminated clothing and gloves and provide training to workers on proper disposal procedures. Additional violations included a wet floor due to an unconnected drain, an obstructed exit route, unmarked exit doors, lack of an eyewash station for workers using sanitizers, an exposed electrical panel, and improper storage of compressed gas cylinders.

• [Read the News Release](#)

• [Learn About Safeguards in Health Care](#)

Former Madoff Accountant Arrested

The U.S. Attorney for the Southern District of New York has announced the arrest of former Bernard Madoff accountant Paul J. Konigsberg on two counts of conspiracy, one count of falsifying the books and records of a broker-dealer, one count of falsifying the books and records of an investment advisor, and one count of making false statements in a document required to be kept by the Employee Retirement Income Security Act. Konigsberg faces a maximum sentence of 40 years in prison. The arrest follows a multi-agency investigation that included investigators with the Employee Benefits Security Administration's New York Regional Office and the department's Office of the Inspector General.

• [Read the News Release](#)

Texas Tank Cleaner Exposed Workers to Chemical Hazards

Rucker Environmental Services LLC, doing business as All Type Environmental Cleaning & Repair, was cited by the Occupational Safety and Health Administration for 33 safety and health violations for failing to protect workers from chemical hazards. A complaint inspection began in March at the Pasadena, Texas, facility, where tanks are cleaned with a variety of chemicals. Violations cited included failing to properly contain, segregate and store chemicals; test confined spaces and provide a rescue plan; train workers and provide information on hazard communications; train and certify powered industrial trucks; correct various electrical hazards; provide emergency eyewash and shower stations; provide personal protective equipment, such as respirators; properly test air quality and provide fall protection. The company faces a penalty of \$83,300.

• [Read the News Release](#)

Former New Jersey Union Officer Sentenced to Prison

Gregory Taylor, former secretary-treasurer of International Longshoremen's Association Local 1233 in Newark, N.J., has been sentenced to six months in prison and six months of home confinement after pleading guilty to embezzling funds from the union. He also was ordered to pay \$71,000 in restitution. In February, Taylor pleaded guilty in U.S. District Court for the District of New Jersey to embezzling union funds. An Office of Labor-Management Standards investigation revealed that, from 2005 to 2010, Taylor issued himself extra paychecks and bought gift cards and airline tickets with union money.

New York Contractors Faulted for Hazards at Midtown Manhattan Hotel

Four New York contractors were cited by the Occupational Safety and Health Administration for safety hazards found at the construction site of a midtown Manhattan hotel on March 21. OSHA inspectors were called to the site after complaints regarding fall hazards at the W. 33rd St. work site. Inspectors found that workers were exposed to potentially fatal falls of up to 26 feet

mandates a presumption of total disability or death caused by pneumoconiosis for coal miners who worked at least 15 years in underground (or comparable surface) mining and who suffer or suffered from a totally disabling respiratory impairment. The second provides automatic entitlement for eligible survivors of miners who were themselves entitled to receive benefits as a result of a lifetime claim.

- [Read the News Release](#)
- [Read the Final Rule](#)

Workforce Development

The Southeastern Employment and Training Association held its 2013 Fall Conference the week of Sept. 23 in Lexington, Ky. Eric Seleznow, acting



assistant secretary of labor for employment and training, delivered the keynote address. In his remarks, Seleznow shared the department's vision for improving the workforce development system and how his experience at the local, state and federal levels shaped his approach to building a more integrated system. On Sept. 24, Seleznow visited Simpsonville, Ky., where he met with students and administrators at the Whitney Job Corps Center.

Guide for Miners' Reps



Miners' representatives play an important role in helping ensure healthy and safe working conditions and practices. Their knowledge of the work site can provide

federal inspectors with a great deal of useful information. Consequently, the Mine Safety and Health Administration has published a comprehensive tool for these designated individuals. The "Miners' Representative Guide," available both as a handbook and online tool, provides detailed information about reporting hazardous conditions and imminent dangers, accident investigations, petitions for modification of a safety standard, rights to information and records, civil penalties and requests under the Freedom of Information Act.

- [Read the News Release](#)
- [Read the Guide](#)

Unemployment Challenges

Despite the steadily improving economy, the plight of the long-term unemployed — those jobless for more than 26 weeks — remains a concern among labor market experts. On Sept. 23, the Urban Institute hosted a roundtable discussion in Washington D.C. to address the long-term unemployment issue. Dr. Jennifer Hunt, the department's chief economist, was on hand to discuss the Obama administration's efforts to expedite the employment of individuals who have experienced joblessness for more than 26 weeks, including greater funding for job training programs that specifically target the long-term unemployed. The roundtable also covered whether economic growth alone can be a solution to long-term unemployment and efforts to keep these

while working on scaffolding without proper fall protection, such as guardrails and personal fall-arrest systems. Flintlock Construction Services LLC, V&P Altitude Corp., SMK Associates and Maspeth Steel Fabricators Inc. face fines totaling \$272,720.

- [Read the News Release](#)

Manufacturer Reaches Settlement in Wage Discrimination Lawsuit

Medtronic Interventional Vascular Inc. of Danvers, Mass., has reached an agreement with the Office of Federal Contract Compliance Programs to pay 78 Hispanic employees \$290,000 in back wages and interest for pay disparities dating back to April 2008. Under the terms of the consent decree, Medtronic also will conduct training on its equal employment opportunity programs for those involved in making decisions about compensation and to ensure that all of the company's pay practices fully comply with the law. Medtronic, a federal contractor, had discriminated against the Hispanic production associates by paying them less than their white counterparts, in violation of Executive Order 11246.

- [Read the News Release](#)

Collapsed Decking Injures Worker, Contractor Cited

RNC Industries LLC of Holtsville, N.Y. was cited by the Occupational Safety and Health Administration for repeat and serious violations after a worker was injured when decking collapsed at a Manhattan construction site. Employees were constructing a deck on the second-floor level when one of the workers stepped on a support beam that collapsed, causing the worker to fall 15 feet to the ground. Inspectors found that the support system had not been inspected for defects and that there was no fall protection. The contractor faces a \$58,410 fine.

- [Read the News Release](#)

Mine Inspectors Discovered Almost 240 Violations in August

Federal mine inspectors unearthed nearly 240 violations at 14 mining operations around the country in August. In its monthly wrap-up of specially targeted impact inspections, the Mine Safety and Health Administration announced on Sept. 26 that JJ&E Coal Corp.'s Horse Creek Mine No. 2 in McDowell County, W.Va., was issued 36 citations and 10 orders for a number of serious violations. Mine inspectors found excessive accumulations of loose coal and coal fines on the entire length of two of the mine's conveyer belts. They also cited the mine operator for violating roof support, ventilation, electrical and surface regulations, and observed roof bolting machine operators installing roof bolts with no ventilation curtain. Operating mining machinery without adequate ventilation exposes miners to respirable dust that can lead to black lung, and it can result in accumulations of gas and coal dust that increase the chance of a fire or explosion.

- [Read the News Release](#)

Detroit Company Failed to Pay Federal Prevailing Wage

The Wage and Hour Division has recovered \$132,551 in back wages for 27 laborers and mechanics of Detroit-based Tri-County Building LLC, who were not paid federal prevailing wage rates, and one manager who was misclassified as exempt from overtime. These employees had been working on four Housing and Urban Development projects in Detroit. The investigation found violations of the Davis-Bacon and Related Acts and the Fair Labor Standards Act, including failure to pay mandatory fringe benefits and maintain accurate records of all employees performing work at various job sites, as well as omitting some workers from certified payroll records.

- [Read the News Release](#)

Workers at Massachusetts Site Lacked Cave-in Protection

Potentially fatal cave-in hazards at a Chelsea, Mass., work site have resulted in \$34,400 in proposed fines for Tufts Inc., a Medford, Mass., contractor. Responding to a complaint about unsafe conditions, Occupational Safety and Health Administration inspectors observed workers installing a sewer pipe in an unprotected, 7-foot-deep excavation. The workers in the excavation not only lacked protection against a potential wall collapse, they were also without a ladder or other safe means of entry or exit. Additionally, water had begun to accumulate and potentially undermine the bottom of the excavation, while asphalt at the top of the excavation was not supported and threatened the workers below. OSHA standards require that excavations 5 feet or deeper be protected against collapse.

- [Read the News Release](#)

Inspection Finds Safety Violations at New Jersey Shirtmaker

Individualized Shirt Co. of Perth Amboy, N.J., has been cited by the Occupational Safety and Health Administration for 13 health and safety

individuals from becoming discouraged about their job prospects.

YouthBuild Grantees Orientation

The department hosted new and current YouthBuild grantees for the annual YouthBuild New Grantee Orientation on Sept. 24 and 25. The two-day orientation introduced new grantees to the fundamentals of developing a successful program, while past grantees were on hand to share best practices and facilitate a discussion on how to improve student performance. Topics of discussion included effective financial management, hiring staff and recruiting students. Eric Seleznow, acting assistant secretary of labor for the Employment and Training Administration, joined the grantees on the second day and offered department support in their goal to prepare at-risk youth for good jobs in growing industries.

Weekly UI Claims

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 305,000 for the week ending Sept. 21, a decrease of 5,000 from the previous week. The four-week moving average was 308,000, down 7,000 from the previous week's revised average.

• [Read the News Release](#)

Upcoming Deadlines & Events

[Open Funding Opportunities](#)

ILAB — DOL's Enduring Commitment to Ending the Worst Forms of Child Labor

• [September 30 — Washington, DC](#)

OASAM — Vendor Outreach Session

• [October 16 — Washington, DC](#)

OFCCP — Employment 411 Seminar

• [October 30 — Columbus, OH](#)

WHD — Home Care Final Rule Webinar: Northeast Region

• [October 3 — Washington, DC](#)

WHD — Home Care Final Rule Webinar: Western Region

• [October 8 — Washington, DC](#)

WHD — Home Care Final Rule Webinar: Midwest Region

• [October 10 — Washington, DC](#)

WHD — Home Care Final Rule Webinar: Southeast Region

• [October 15 — Washington, DC](#)

WHD — Home Care Final Rule Webinar: Southwest/Mountain Region

• [October 17 — Washington, DC](#)

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violations. OSHA proposed \$50,400 in penalties following its April inspection that was opened in response to a complaint. Violations included the company's failure to ensure unobstructed emergency exit routes, develop a written emergency action plan, prevent exposure to electrical hazards, and develop a hazard communication program for those workers exposed to hazardous chemicals.

• [Read the News Release](#)

Blocked Exit Routes Found at New Jersey UPS Center

United Parcel Service Inc. faces \$45,000 in proposed penalties from the Occupational Safety and Health Administration for safety hazards found at the company's processing and distribution center in Secaucus, N.J. OSHA conducted an investigation in March that found one repeat violation involving blocked exit routes. The company was cited for a similar violation in 2009 and entered into a corporate-wide settlement agreeing to abate the hazard. The March investigation also found one serious violation for lack of guarding on extendable conveyors.

• [Read the News Release](#)

Educating Workers on 'Struck-by' Vehicle Incidents

In the past five years, 15 percent of all workplace fatalities investigated by the Occupational Safety and Health Administration's Kansas City, Mo., regional office have involved struck-by vehicle accidents. Struck-by injuries and fatalities are caused by conventional traffic/passenger vehicles, forklifts and other moving, powered industrial equipment, such as cranes and yard trucks. Consequently, OSHA is continuing its regional outreach initiative in Missouri, Iowa, Kansas and Nebraska to educate workers and their employers about preventing such accidents. Educational materials are available in both English and Spanish through local OSHA offices.

• [Read the News Release](#)

Florida Pallet Repairer Faces Fines for Unsafe Work Conditions

Pallet Companies Inc., doing business as IFCO Systems North America Inc., has been cited by the Occupational Safety and Health Administration with four safety and health violations following a July inspection at the company's Jacksonville, Fla., facility. The violations included failing to develop, document and use procedures to control potentially hazardous energy while servicing or maintaining equipment; ensure conductors were protected from abrasion when entering cutout boxes, cabinets or fittings; and verify whether the required workplace hazard assessment had been conducted through a written certification process. OSHA initiated the inspection in response to a complaint it received. Penalties of \$61,600 have been proposed.

• [Read the News Release](#)

Metal Workers Exposed to Uncontrolled Energy Sources

Extruders Inc., a division of Atrium Companies Inc. in Wylie, Texas, was cited by the Occupational Safety and Health Administration for 15 safety violations for failing to protect workers from the inadvertent start-up of machinery during maintenance. OSHA's Dallas Area Office began its March inspection of the company's Hensley Lane location following complaints about safety hazards. A willful safety violation was issued for failing to develop written procedures and make them available to workers. Some of the 14 serious violations cited included failing to ensure and verify a workplace hazard assessment; provide eye protection to workers with prescription eyeglasses; conduct periodic inspection of lockout/tagout operations; provide lockout/tagout training for affected workers; and ensure the use of specific shift change procedures to prevent serious injuries or fatalities. The company faces \$166,000 in proposed penalties.

• [Read the News Release](#)

South Carolina Marina Faces Penalties for 32 Safety Violations

Hazzard Marine LLC has been cited by the Occupational Safety and Health Administration for 28 serious and four other-than-serious safety and health violations. The citations followed a May inspection prompted by a complaint at the marina in Georgetown, S.C. The violations included the employer's failure to develop and implement a written respiratory protection program; identify and evaluate respiratory hazards in the workplace; designate a competent person to perform inspections and tests, such as air sampling in a confined space; and ensure visual inspection of spaces containing combustible or flammable liquids before workers' initial entry. Proposed penalties total \$59,200. Hazzard Marine provides services for boat repair, cleaning, storage, dock rental and refitting.

• [Read the News Release](#)

Safety Fines Proposed for 7 Stores in New York Grocery Chain

The Occupational Safety and Health Administration has cited seven Trade Fair Supermarkets stores in Queens, N.Y., for 40 violations of workplace safety standards. The local grocery store chain faces \$128,000 in proposed fines. "Our inspections found a disturbing and unacceptable pattern of similar hazards in several stores," said Kay Gee, OSHA's area director for Queens, Manhattan and Brooklyn. At all seven stores, OSHA found butchers operating band saws with unguarded blades and other workers using cleaning products without protective eye gear, exposing them to lacerations, amputations and eye injuries. Four of the stores had locked or blocked exits, obstructed exit access and unlit or missing exit signs that would compromise a swift and safe exit of the stores in the event of a fire or other emergency.

• [Read the News Release](#)

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Message: The DOL Newsletter - September 26, 2013: Counting Down for Health Care; Creating Opportunity for Students; Protecting Children From Forced Labor

Case Information:

Message Type: Exchange
Message Direction: External, Inbound
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:17 PM
Item ID: 40861556
Policy Action: Not Specified

Mark History:

No reviewing has been done


Policies:

No Policies attached

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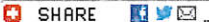
From United States Department of Labor **Date** Thursday, September 26, 2013 8:51 PM
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UNITED STATES DEPARTMENT OF LABOR Promoting and Protecting Opportunity

DOL News Brief September 26, 2013

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WINNER OF 2013 AVA DIGITAL GOLD AWARD & NAGC AWARD OF EXCELLENCE

Protecting Children, Victims Of Forced Labor



During this centennial year, the Bureau of International Labor Affairs is celebrating several milestones of its own. Now in its 65th year, ILAB was founded on Oct. 10, 1947, by President Harry S. Truman to foster U.S.

international labor relations. ILAB gained a host of new tools for combating child labor when the bureau's Office of Child Labor, Forced Labor and Human Trafficking was established in 1993. At first, the office was solely responsible for research

What's New

Counting Down to Health Care Enrollment

As the days count down to the opening of the Health Insurance Marketplace on Oct. 1, Secretary Thomas E. Perez issued a reminder that, with the passage of the Affordable Care Act uninsured Americans will be able to sign up for previously unavailable low-cost health benefits. On Sept. 23, Perez visited San Antonio College to address approximately 200 students and residents of the community. Joined by San Antonio Mayor Julian Castro, Rep. Lloyd Doggett, health care experts and college officials,



on international child labor, but soon grew to provide technical assistance to governments and organizations around the world. The international community gained a major lever in the fight against child labor with the adoption in 1999 of the International Labor Organization's Convention 182 on the Worst Forms of Child Labor. It was ratified by the United States that December, in large part because of the passion and leadership of then-Secretary of Labor Alexis Herman. The following year, Congress passed the Trade and

Development Act, giving OCFT a new function: issuing the annual *Findings on the Worst Forms of Child Labor* report, which analyzes progress by 143 countries. Senator Tom Harkin of Iowa was a driving force behind the TDA, and he remains a staunch supporter of ILAB's mission. To mark the release of the 12th edition of the TDA report, Secretary Perez will be joined by Sen. Harkin and Secretary Herman at a department event on Sept. 30, where these three pivotal figures in the fight against child labor will look back on how far we've come and where we go from here.

- [RSVP for the Sept. 30 Event](#)
- [Learn More About OCFT](#)
- [View the Centennial Timeline](#)
- [View the Centennial Video](#)



AFFORDABLE CARE ACT MYTH BUSTER

Myth: The Affordable Care Act will cause people to lose their jobs.

Not true: Although the Great Recession ended in June 2009, the U.S. workforce continued to lose an average of 147,000 jobs a month until March 2010, the same month in which the ACA was signed into law, and the month in which the nation started adding jobs. Between February 2010 and August 2013, the economy added an average of 177,000 private sector jobs per month. Major provisions of the ACA have been phased in gradually over the past two years, and economic recovery has continued throughout that time.

- [Learn More About the ACA](#)
- [Read the Jobs Report](#)

(Work in Progress) The Best of Our Blog

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

• [Five Years Later, a Nation in Recovery with Challenges Still Ahead:](#) Five years ago, in September 2008, our economy suffered the worst financial crisis in decades, hitting Wall Street and Main Street alike and affecting the jobs, homes, savings and economic security of millions. Looking back on the half-decade since, Secretary Perez reflects on how President Obama's leadership and the resilience of the American people helped us clear away the rubble and begin laying a stronger foundation for economic growth and widely-shared prosperity. He also lays out the case for urgent action and common purpose, calling for investments in manufacturing, infrastructure and training that will help people gain the skills they

Perez talked about available online assistance that compares the costs of various health care plans. For the more than 10 million Latinos currently uninsured, he announced that the information will be available in Spanish beginning on Oct. 15 at [CuidadoDeSalud.gov](#). Afterward, Perez met with students from Project QUEST, a job training program recognized for its workforce development efforts and the recipient of a \$5 million H-1B Technical Skills Training grant. Some of the students shared how the program has helped them develop skills they need to work in nursing and allied health occupations.

- [Visit \[healthcare.gov\]\(#\)](#)
- [View the Slideshow](#)

Creating Opportunity for Students

During a second stop in San Antonio, Secretary Perez delivered the keynote address at the Dean's Distinguished Lecture Series at the University of Texas. Perez touched on his life experiences as a child of immigrants and the need for comprehensive immigration reform. He also discussed how the Department of Labor is the Department of Opportunity.



"Today, I met a 37-year-old mother of three wanting to create a better life for herself," said Perez. "She wanted to become a nurse, and Project QUEST is helping her do that." With Texas having the highest rate of people without health insurance, Perez emphasized the importance of the Affordable Care Act. He was joined by Dean of the UTSA College of Public Policy Rogelio Saenz and former Rep. Charlie Gonzalez.

- [View the Slideshow](#)
- [Follow Secretary Perez on Twitter](#)
- [Like Secretary Perez on Facebook](#)

National News

Bank of America Ordered to Pay Nearly \$2.2 Million in Back Wages

An administrative law judge has ordered Bank of America Corp. to pay 1,147 African-American job applicants nearly \$2.2 million in back wages and interest for race-based hiring discrimination at the company's Charlotte, N.C., facility. The case's roots extend to November 1993, when the Office of Federal Contract Compliance Programs initiated a routine compliance review that revealed indications of systemic hiring discrimination. After conciliation efforts failed, the Solicitor of Labor in 1997 filed an administrative complaint against the company. In an earlier ruling, the judge determined that unfair selection criteria resulted in the rejection of qualified African-American applicants. In addition to paying back wages and interest, the ruling orders Bank of America to extend job offers to 10 class members as positions become available.

- [Read the News Release](#)

Improving Employment for People With Disabilities and Veterans

Two final rules to improve hiring and employment of veterans and people with disabilities were published in the Federal Register on Sept. 24. First announced by Vice President Biden in August, the department's rules will become effective on March 24, 2014. Federal contractors will be required to comply with most of the requirements by that date. However, some contractors may have additional time to comply with requirements that relate to affirmative action plans. Contractors with affirmative action plans in place on March 24 may maintain them until the end of their plan year and delay their compliance with the final rule's affirmative action plan requirements until the start of their next plan cycle.

- [Read the News Release](#)
- [Read Section 503 Final Rule](#)
- [Read VEVRAA Final Rule](#)

New Funding Model Launched — Pay for Success

Grants totaling \$24 million were awarded to New York and Massachusetts on Sept. 23 under a new funding model called Pay for Success. The goal of this innovative model is to ensure that public funds are awarded to programs that have achieved positive, measurable outcomes. Under Pay for Success, private investors provide the financial capital to cover the operating costs for

need to succeed in 21st-century jobs. "It's been a long road back," he writes. "But it's not over yet. The economy is still not performing at its potential. We need more rapid growth, more job creation, more pathways to success, more ladders of opportunity with sturdy rungs that give people a foothold in the middle class."

- [Job Corps and the Power of Soft Skills](#): Grace Kilbane, the national director of Job Corps, writes about the importance of "soft skills" such as communication, networking, enthusiasm, teamwork, problem-solving, critical thinking and professionalism, to the career success of all workers. These skills are important parts of the Job Corps experience, as exemplified by the experience of a Maine Job Corps student who succeeded in large part because of her focus on teamwork, mentoring and joining a community.
- [How Can We Make Our New Rules Work for You?](#): On the 40th anniversary of the Rehabilitation Act, which prohibited discrimination against qualified workers with disabilities in programs supported by federal tax dollars, Debra Carr — director of the Office of Federal Contract Compliance Programs' Policy Division — highlights the tools that are available to help ensure contractors comply with new rules that promote hiring of veterans and people with disabilities.

Focus on Data and Evidence

Deputy Secretary Seth D. Harris spent Sept. 26 talking to different groups regarding two of the Obama administration's priorities: evidence-based decision making and STEM training, which focuses on careers in science, technology, engineering and mathematics. Beginning the day at an event hosted by Results for America, Harris led a five-person panel in discussions on whether "The Federal Government Can Play Moneyball" — leaning on the same data and evidence-intensive strategies pioneered by Billy Beane and the Oakland A's — to make government more efficient and effective. In the afternoon, Harris addressed the STEMConnector "100 CEOs" event in Arlington, Va., and stressed the importance of collaboration and corporate leadership in training the next generation of STEM workers. "Those of you in this room have demonstrated your commitment to living up to that responsibility," Harris said. "But commitment is not enough. You must become evangelists for the cause. Organize employers in your industry or in your region so that they will understand the importance of workforce development, and engage with the public institutions that stand ready to work with them. If we are going to transform the workforce investment system, we need the partnership of corporate leadership."



La Raza Alliance Renewed



Forged in 2011, the alliance connects access to

An alliance between the National Council of La Raza and the Occupational Safety and Health Administration was renewed on Sept. 20 in Washington, D.C.

the programs, and the department disburses the awarded funds if and when those programs demonstrate that they have achieved the targeted outcomes. The programs supported by the grants are aimed at increasing employment and reducing recidivism among formerly incarcerated individuals.

- [Read the News Release](#)

18 States Awarded Grants for Disability Employment Initiative

The fourth round of Disability Employment Initiative grants was awarded on Sept. 26. Eight states received a total of \$18,597,758 to provide education, training and employment opportunities for youth and adults with disabilities. The DEI program is designed to improve coordination and collaboration among employment and training programs implemented at state and local levels. It also builds effective community partnerships that leverage public and private resources to better serve individuals with disabilities and improve their employment outcomes with career pathway jobs that lead to economic self-sufficiency.

- [Learn About the Disability Employment Initiative](#)
- [Read the News Release](#)

Grants to Improve State Unemployment Insurance Programs

The department announced awards to 40 state workforce agencies on Sept. 26 to improve the performance of and reduce improper payments within the Unemployment Insurance program. The grants are intended to support the prevention and detection of improper UI benefit payments, improve state performance and address outdated information technology system infrastructures necessary to improve UI program integrity. These integrity investments will supplement strategies already employed by states to improve prevention, detection and recovery of improper payments.

- [Read the News Release](#)
- [Learn About DOL Efforts to Prevent UI Improper Payments](#)

Enhancing Job Opportunities for People with Disabilities

The Office of Disability Employment Policy has announced \$9.7 million in continued funding for organizations managing consortia that develop models, provide technical assistance and share best practices to improve employment opportunities for people with disabilities. "We must provide every opportunity for people with disabilities — and more fully integrate them into the workforce and into the economic life of the nation," said Secretary Perez. "These grants will help better connect people with disabilities with employers who can greatly benefit from their skills and experience."

- [Read the News Release](#)

News You Can Use

Guidance for Colorado Cleanup Efforts

Colorado workers, residents and businesses engaged in post-flood activities are urged to protect themselves and businesses as cleanup efforts continue and rebuilding activities begin. The Occupational Safety and Health Administration is providing informational resources about protective measures that should be employed during cleanup work. Fact sheets, quick cards and other educational materials on safe work practices and personal protective equipment are currently available at many Disaster Assistance and Recovery Centers along the Front Range. Workers and residents can be exposed to many safety and health hazards while restoring electricity, communications, water and sewer services; and engaging in demolition activities and tree trimming.

- [Read the News Release](#)
- [Read About Flood Response and Recovery](#)

International Scene

Bilateral Talks on Jobs, Workplace Safety

Secretary Perez sat down with Italian Minister of Labor and Social Policies Enrico Giovannini at department headquarters on Sept. 24 to exchange views on the challenges facing workers in the United States and Italy. The two discussed the approaches of both governments in addressing

safety and health training resources with vulnerable worker populations — including those who are low-wage and have limited English proficiency — in the construction, health care, service and "green" industries. At the signing ceremony, Dr. David Michaels, assistant secretary of labor for occupational safety and health, was joined by Janet Murguía, president and CEO of the National Council of La Raza.

• [Learn About the Alliance](#)

Advice for Student Veterans

Once again, Twitter is being used by the Veterans' Employment and Training Service as a vehicle to deliver helpful information to veterans trying to make the next step in their careers.



In its fourth #VetsJobsChat, which took place on Sept. 25, VETS partnered with representatives from Student Veterans of America, Department of Veterans Affairs, the Consumer Financial Protection Bureau, other agencies and veterans service organizations. The forum was organized to help veterans make informed decisions about how to use their benefits for education services and what tools are available to help them find good training opportunities. The hour-long chat was divided into sections covering three main topics: how to outline career goals and file for educational benefits, strategies for success while enrolled in an educational program, and what career resources and tools are available and how to access them.

• [Read a Recap of the #VetsJobsChat](#)

Guidance for Oil and Gas Ops

The Occupational Safety and Health Administration has teamed up with groups in Ohio and Texas to promote safety in the oil and gas industry. In Ohio, OSHA is working with the Buckeye Service Transmission, Exploration and Production Safety Network. The voluntary alliance will provide participating Ohio companies with guidance and access to training resources to address hazards associated with oil and gas operations. In Texas, a region-wide alliance with the Association of Energy Service Companies was signed this week by OSHA's Dallas regional office. The goal of the alliance is to promote understanding of workplace safety and health and the rights and responsibilities of workers and employers.

• [Read the Ohio News Release](#)

• [Read the Texas News Release](#)

Employment First Strategies



In an effort to promote federal support for a National Employment First Strategic Policy Framework, Assistant Secretary for Disability Employment Policy Kathy Martinez

spearheaded an Employment First Policy Education Series Sept. 18-20 in Washington, D.C. Employment First is a framework for systems change centered on the premise that all citizens, including individuals with the most significant disabilities, are capable of full participation in

unemployed youth and long-term unemployed workers, as well as the misclassification of workers. Both agreed on the need for governments to work closely with the business community, workers and educators, as well as share information between countries, to create new jobs and help workers access employment opportunities. Perez and



Giovannini also agreed to work more closely together within the G20, particularly with respect to youth employment, building safer workplaces and developing closer and more effective relationships between ministries of labor and finance. Four days earlier, Perez hosted a bilateral meeting with State Secretary for Work and Pensions for the United Kingdom Iain Duncan Smith. Their discussion focused on G20 initiatives, efforts to promote jobs and connect welfare recipients with the labor market, and the long-term unemployed.

• [View the Slideshow](#)

DOL Working for You

Atterbury Job Corps Student Aims for Medical Degree

Weyni Hailemariam hopes to turn the health-care training she earned at Indiana's Atterbury Job Corps Center into a medical degree she can take back to her country of Eritrea in Northeast Africa. When she came to Atterbury in 2011, Hailemariam admits she was a little "confused by the new country and language."

But she soon adapted and graduated from Atterbury with her high school diploma and a certified nursing assistant certificate. Currently, Hailemariam takes nursing courses at the local Ivy Tech Community College, with a projected graduation date in 2015. Grants and financial aid subsidize her tuition, while her living expenses and transportation are covered by the center.

Hailemariam receives program guidance through the Atterbury Advanced Career training program and through a partnership with the college, according to the center's Business and Community Director Jeff Byrd. Eventually, she hopes to become a doctor. "There is a shortage of doctors in my country, and I want to help my people," Hailemariam said.

• [Learn About Job Corps Enrollment](#)



DOL in Action

Nebraska Food Storage Facility Cited for Ammonia Exposure

Nebraska Cold Storage Inc. has been cited for 14 safety violations and fined \$132,800 by the Occupational Safety and Health Administration for exposing workers to anhydrous ammonia at its Hastings, Neb., facility. The company has been placed in OSHA's Severe Violator Enforcement Program. The March inspection, which was initially conducted under OSHA's high-hazard local emphasis program, expanded to include all items within the agency's national emphasis program for process safety management for covered chemical facilities. The company provides basic storage and shipping services for the frozen, refrigerated and perishable food industries.

• [Read the News Release](#)

California Car Detailer to Pay \$292,000 in Back Wages, Damages

Automotive detailer Interior Magic of California LLC, and officers Frank and Tammy Hallberg, have agreed to pay \$292,000 in back wages and liquidated damages to 205 current and former employees, plus pay \$34,408 in civil money penalties. An investigation by the Wage and Hour Division found the Torrance-based company willfully violated the Fair Labor Standards Act's overtime, minimum wage and record-keeping provisions. The employer made illegal deductions from employees' wages, did not pay workers an overtime premium for hours worked beyond 40 in a week, and improperly classified some nonexempt employees as exempt from overtime pay. Interior Magic services 17 major car dealerships throughout Southern California.

integrated employment and community life. National experts and state officials leading Employment First systems change initiatives briefed leaders from multiple federal agencies on innovative state strategies to increase integrated employment opportunities for citizens with significant disabilities. "The Department of Labor is committed to ensuring that youth and adults living with significant disabilities have a plethora of chances to seek and gain meaningful integrated employment opportunities, and receive real wages for real jobs," said Martinez.

Steelworkers' Safety Conference

Approximately 2,000 United Steelworkers safety representatives and managers welcomed the heads of the Occupational Safety and Health Administration and



Mine Safety and Health Administration during USW's 2013 Health, Safety and Environment Conference in Pittsburgh on Sept. 25. Assistant Secretary of Labor Dr. David Michaels, who heads OSHA, kicked off the conference with a plenary presentation highlighting the agency's proposed rule to protect workers exposed to crystalline silica. Michaels was joined on stage by USW member Alan White, who contracted silicosis while working in a foundry.



Later that day, Assistant Secretary of Labor Joseph A. Main, who heads MSHA, discussed the numerous challenges that have confronted

his agency over the past several years, including the backlog of contested violations, consistency in enforcement and shortcomings in mine emergency response. Main contrasted the list of challenges with a number of achievements, such as improvements in compliance, record low fatality and injury rates, and significant reductions in coal mine dust levels.

Affordable Care Act Outreach

Outreach to employers on Affordable Care Act implementation continued with staff from the Employee Benefits Security Administration's L.A. Regional Office conducting a presentation for small business owners in Studio City, Calif. The Sept. 24 event was sponsored by the Universal City North Hollywood Chamber of Commerce. Similar presentations will be held in New York and Georgia. These events follow two webcasts that one week earlier attracted nearly 6,800 participants.

• [Listen to Webcasts](#)

Final Rule for Black Lung Program

Two entitlement benefit amendments to the Black Lung Benefits Act were implemented in a final rule announced on Sept. 25 by the Office of Workers' Compensation Programs. Commonly called the Byrd Amendments, after their sponsor, the late West Virginia Sen. Robert C. Byrd, these provisions were eliminated in 1981 and then enacted in the Patient Protection and Affordable Care Act passed in 2010. The first amendment

• [Read the News Release](#)

Ohio Whistleblower Who Reported Bedbugs Awarded Back Wages

A federal court in Cincinnati has ordered S.E.M. Villa II Inc., a nonprofit corporation that operates retirement facility S.E.M. Terrace in Milford, Ohio, to pay a former resident manager \$20,000 in back wages. The case involves violations of the whistleblower provisions of the Occupational Safety and Health Act of 1970. The complaint alleged that the employer terminated the resident manager for filing a complaint with the Clermont County General Health District stating that S.E.M. Villa II had been ineffective in handling a bedbug infestation at the retirement home.

• [Read the News Release](#)

Inadequate Worker Safeguards Found at New York Facility

A Smithtown, N.Y. health-care center faces \$41,000 in Occupational Safety and Health Administration fines following an inspection by OSHA's Long Island Area Office. The inspection found that Avalon Gardens Rehabilitation & Health Care Center Inc. failed to research and document the use of safer medical devices to reduce occupational exposure to bloodborne pathogens arising from needlestick injuries, a requirement under OSHA's bloodborne pathogen standard. The facility also failed to provide eye protection for nurses, properly store and dispose of contaminated clothing and gloves and provide training to workers on proper disposal procedures. Additional violations included a wet floor due to an unconnected drain, an obstructed exit route, unmarked exit doors, lack of an eyewash station for workers using sanitizers, an exposed electrical panel, and improper storage of compressed gas cylinders.

• [Read the News Release](#)

• [Learn About Safeguards in Health Care](#)

Former Madoff Accountant Arrested

The U.S. Attorney for the Southern District of New York has announced the arrest of former Bernard Madoff accountant Paul J. Konigsberg on two counts of conspiracy, one count of falsifying the books and records of a broker-dealer, one count of falsifying the books and records of an investment advisor, and one count of making false statements in a document required to be kept by the Employee Retirement Income Security Act. Konigsberg faces a maximum sentence of 40 years in prison. The arrest follows a multi-agency investigation that included investigators with the Employee Benefits Security Administration's New York Regional Office and the department's Office of the Inspector General.

• [Read the News Release](#)

Texas Tank Cleaner Exposed Workers to Chemical Hazards

Rucker Environmental Services LLC, doing business as All Type Environmental Cleaning & Repair, was cited by the Occupational Safety and Health Administration for 33 safety and health violations for failing to protect workers from chemical hazards. A complaint inspection began in March at the Pasadena, Texas, facility, where tanks are cleaned with a variety of chemicals. Violations cited included failing to properly contain, segregate and store chemicals; test confined spaces and provide a rescue plan; train workers and provide information on hazard communications; train and certify powered industrial trucks; correct various electrical hazards; provide emergency eyewash and shower stations; provide personal protective equipment, such as respirators; properly test air quality and provide fall protection. The company faces a penalty of \$83,300.

• [Read the News Release](#)

Former New Jersey Union Officer Sentenced to Prison

Gregory Taylor, former secretary-treasurer of International Longshoremen's Association Local 1233 in Newark, N.J., has been sentenced to six months in prison and six months of home confinement after pleading guilty to embezzling funds from the union. He also was ordered to pay \$71,000 in restitution. In February, Taylor pleaded guilty in U.S. District Court for the District of New Jersey to embezzling union funds. An Office of Labor-Management Standards investigation revealed that, from 2005 to 2010, Taylor issued himself extra paychecks and bought gift cards and airline tickets with union money.

New York Contractors Faulted for Hazards at Midtown Manhattan Hotel

Four New York contractors were cited by the Occupational Safety and Health Administration for safety hazards found at the construction site of a midtown Manhattan hotel on March 21. OSHA inspectors were called to the site after complaints regarding fall hazards at the W. 33rd St. work site. Inspectors found that workers were exposed to potentially fatal falls of up to 26 feet

mandates a presumption of total disability or death caused by pneumoconiosis for coal miners who worked at least 15 years in underground (or comparable surface) mining and who suffer or suffered from a totally disabling respiratory impairment. The second provides automatic entitlement for eligible survivors of miners who were themselves entitled to receive benefits as a result of a lifetime claim.

- [Read the News Release](#)
- [Read the Final Rule](#)

Workforce Development

The Southeastern Employment and Training Association held its 2013 Fall Conference the week of Sept. 23 in Lexington, Ky. Eric Seleznow, acting assistant secretary of labor for employment and training, delivered the keynote address. In his remarks, Seleznow shared the department's vision for improving the workforce development system and how his experience at the local, state and federal levels shaped his approach to building a more integrated system. On Sept. 24, Seleznow visited Simpsonville, Ky., where he met with students and administrators at the Whitney Job Corps Center.



Guide for Miners' Reps



Miners' representatives play an important role in helping ensure healthy and safe working conditions and practices. Their knowledge of the work site can provide

federal inspectors with a great deal of useful information. Consequently, the Mine Safety and Health Administration has published a comprehensive tool for these designated individuals. The "Miners' Representative Guide," available both as a handbook and online tool, provides detailed information about reporting hazardous conditions and imminent dangers, accident investigations, petitions for modification of a safety standard, rights to information and records, civil penalties and requests under the Freedom of Information Act.

- [Read the News Release](#)
- [Read the Guide](#)

Unemployment Challenges

Despite the steadily improving economy, the plight of the long-term unemployed — those jobless for more than 26 weeks — remains a concern among labor market experts. On Sept. 23, the Urban Institute hosted a roundtable discussion in Washington D.C. to address the long-term unemployment issue. Dr. Jennifer Hunt, the department's chief economist, was on hand to discuss the Obama administration's efforts to expedite the employment of individuals who have experienced joblessness for more than 26 weeks, including greater funding for job training programs that specifically target the long-term unemployed. The roundtable also covered whether economic growth alone can be a solution to long-term unemployment and efforts to keep these

while working on scaffolding without proper fall protection, such as guardrails and personal fall-arrest systems. Flintlock Construction Services LLC, V&P Altitude Corp., SMK Associates and Maspeth Steel Fabricators Inc. face fines totaling \$272,720.

- [Read the News Release](#)

Manufacturer Reaches Settlement in Wage Discrimination Lawsuit

Medtronic Interventional Vascular Inc. of Danvers, Mass., has reached an agreement with the Office of Federal Contract Compliance Programs to pay 78 Hispanic employees \$290,000 in back wages and interest for pay disparities dating back to April 2008. Under the terms of the consent decree, Medtronic also will conduct training on its equal employment opportunity programs for those involved in making decisions about compensation and to ensure that all of the company's pay practices fully comply with the law. Medtronic, a federal contractor, had discriminated against the Hispanic production associates by paying them less than their white counterparts, in violation of Executive Order 11246.

- [Read the News Release](#)

Collapsed Decking Injures Worker, Contractor Cited

RNC Industries LLC of Holtsville, N.Y. was cited by the Occupational Safety and Health Administration for repeat and serious violations after a worker was injured when decking collapsed at a Manhattan construction site. Employees were constructing a deck on the second-floor level when one of the workers stepped on a support beam that collapsed, causing the worker to fall 15 feet to the ground. Inspectors found that the support system had not been inspected for defects and that there was no fall protection. The contractor faces a \$58,410 fine.

- [Read the News Release](#)

Mine Inspectors Discovered Almost 240 Violations in August

Federal mine inspectors unearthed nearly 240 violations at 14 mining operations around the country in August. In its monthly wrap-up of specially targeted impact inspections, the Mine Safety and Health Administration announced on Sept. 26 that JJ&E Coal Corp.'s Horse Creek Mine No. 2 in McDowell County, W.Va., was issued 36 citations and 10 orders for a number of serious violations. Mine inspectors found excessive accumulations of loose coal and coal fines on the entire length of two of the mine's conveyer belts. They also cited the mine operator for violating roof support, ventilation, electrical and surface regulations, and observed roof bolting machine operators installing roof bolts with no ventilation curtain. Operating mining machinery without adequate ventilation exposes miners to respirable dust that can lead to black lung, and it can result in accumulations of gas and coal dust that increase the chance of a fire or explosion.

- [Read the News Release](#)

Detroit Company Failed to Pay Federal Prevailing Wage

The Wage and Hour Division has recovered \$132,551 in back wages for 27 laborers and mechanics of Detroit-based Tri-County Building LLC, who were not paid federal prevailing wage rates, and one manager who was misclassified as exempt from overtime. These employees had been working on four Housing and Urban Development projects in Detroit. The investigation found violations of the Davis-Bacon and Related Acts and the Fair Labor Standards Act, including failure to pay mandatory fringe benefits and maintain accurate records of all employees performing work at various job sites, as well as omitting some workers from certified payroll records.

- [Read the News Release](#)

Workers at Massachusetts Site Lacked Cave-in Protection

Potentially fatal cave-in hazards at a Chelsea, Mass., work site have resulted in \$34,400 in proposed fines for Tufts Inc., a Medford, Mass., contractor. Responding to a complaint about unsafe conditions, Occupational Safety and Health Administration inspectors observed workers installing a sewer pipe in an unprotected, 7-foot-deep excavation. The workers in the excavation not only lacked protection against a potential wall collapse, they were also without a ladder or other safe means of entry or exit. Additionally, water had begun to accumulate and potentially undermine the bottom of the excavation, while asphalt at the top of the excavation was not supported and threatened the workers below. OSHA standards require that excavations 5 feet or deeper be protected against collapse.

- [Read the News Release](#)

Inspection Finds Safety Violations at New Jersey Shirtmaker

Individualized Shirt Co. of Perth Amboy, N.J., has been cited by the Occupational Safety and Health Administration for 13 health and safety

individuals from becoming discouraged about their job prospects.

YouthBuild Grantees Orientation

The department hosted new and current YouthBuild grantees for the annual YouthBuild New Grantee Orientation on Sept. 24 and 25. The two-day orientation introduced new grantees to the fundamentals of developing a successful program, while past grantees were on hand to share best practices and facilitate a discussion on how to improve student performance. Topics of discussion included effective financial management, hiring staff and recruiting students. Eric Seleznow, acting assistant secretary of labor for the Employment and Training Administration, joined the grantees on the second day and offered department support in their goal to prepare at-risk youth for good jobs in growing industries.

Weekly UI Claims

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 305,000 for the week ending Sept. 21, a decrease of 5,000 from the previous week. The four-week moving average was 308,000, down 7,000 from the previous week's revised average.

• [Read the News Release](#)

Upcoming Deadlines & Events

Open Funding Opportunities

ILAB — DOL's Enduring Commitment to Ending the Worst Forms of Child Labor

• [September 30 — Washington, DC](#)

OASAM — Vendor Outreach Session

• [October 16 — Washington, DC](#)

OFCCP — Employment 411 Seminar

• [October 30 — Columbus, OH](#)

WHD — Home Care Final Rule Webinar: Northeast Region

• [October 3 — Washington, DC](#)

WHD — Home Care Final Rule Webinar: Western Region

• [October 8 — Washington, DC](#)

WHD — Home Care Final Rule Webinar: Midwest Region

• [October 10 — Washington, DC](#)

WHD — Home Care Final Rule Webinar: Southeast Region

• [October 15 — Washington, DC](#)

WHD — Home Care Final Rule Webinar: Southwest/Mountain Region

• [October 17 — Washington, DC](#)

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violations. OSHA proposed \$50,400 in penalties following its April inspection that was opened in response to a complaint. Violations included the company's failure to ensure unobstructed emergency exit routes, develop a written emergency action plan, prevent exposure to electrical hazards, and develop a hazard communication program for those workers exposed to hazardous chemicals.

• [Read the News Release](#)

Blocked Exit Routes Found at New Jersey UPS Center

United Parcel Service Inc. faces \$45,000 in proposed penalties from the Occupational Safety and Health Administration for safety hazards found at the company's processing and distribution center in Secaucus, N.J. OSHA conducted an investigation in March that found one repeat violation involving blocked exit routes. The company was cited for a similar violation in 2009 and entered into a corporate-wide settlement agreeing to abate the hazard. The March investigation also found one serious violation for lack of guarding on extendable conveyors.

• [Read the News Release](#)

Educating Workers on 'Struck-by' Vehicle Incidents

In the past five years, 15 percent of all workplace fatalities investigated by the Occupational Safety and Health Administration's Kansas City, Mo., regional office have involved struck-by vehicle accidents. Struck-by injuries and fatalities are caused by conventional traffic/passenger vehicles, forklifts and other moving, powered industrial equipment, such as cranes and yard trucks. Consequently, OSHA is continuing its regional outreach initiative in Missouri, Iowa, Kansas and Nebraska to educate workers and their employers about preventing such accidents. Educational materials are available in both English and Spanish through local OSHA offices.

• [Read the News Release](#)

Florida Pallet Repairer Faces Fines for Unsafe Work Conditions

Pallet Companies Inc., doing business as IFCO Systems North America Inc., has been cited by the Occupational Safety and Health Administration with four safety and health violations following a July inspection at the company's Jacksonville, Fla., facility. The violations included failing to develop, document and use procedures to control potentially hazardous energy while servicing or maintaining equipment; ensure conductors were protected from abrasion when entering cutout boxes, cabinets or fittings; and verify whether the required workplace hazard assessment had been conducted through a written certification process. OSHA initiated the inspection in response to a complaint it received. Penalties of \$61,600 have been proposed.

• [Read the News Release](#)

Metal Workers Exposed to Uncontrolled Energy Sources

Extruders Inc., a division of Atrium Companies Inc. in Wylie, Texas, was cited by the Occupational Safety and Health Administration for 15 safety violations for failing to protect workers from the inadvertent start-up of machinery during maintenance. OSHA's Dallas Area Office began its March inspection of the company's Hensley Lane location following complaints about safety hazards. A willful safety violation was issued for failing to develop written procedures and make them available to workers. Some of the 14 serious violations cited included failing to ensure and verify a workplace hazard assessment; provide eye protection to workers with prescription eyeglasses; conduct periodic inspection of lockout/tagout operations; provide lockout/tagout training for affected workers; and ensure the use of specific shift change procedures to prevent serious injuries or fatalities. The company faces \$166,000 in proposed penalties.

• [Read the News Release](#)

South Carolina Marina Faces Penalties for 32 Safety Violations

Hazzard Marine LLC has been cited by the Occupational Safety and Health Administration for 28 serious and four other-than-serious safety and health violations. The citations followed a May inspection prompted by a complaint at the marina in Georgetown, S.C. The violations included the employer's failure to develop and implement a written respiratory protection program; identify and evaluate respiratory hazards in the workplace; designate a competent person to perform inspections and tests, such as air sampling in a confined space; and ensure visual inspection of spaces containing combustible or flammable liquids before workers' initial entry. Proposed penalties total \$59,200. Hazzard Marine provides services for boat repair, cleaning, storage, dock rental and refitting.

• [Read the News Release](#)

Safety Fines Proposed for 7 Stores in New York Grocery Chain

The Occupational Safety and Health Administration has cited seven Trade Fair Supermarkets stores in Queens, N.Y., for 40 violations of workplace safety standards. The local grocery store chain faces \$128,000 in proposed fines. "Our inspections found a disturbing and unacceptable pattern of similar hazards in several stores," said Kay Gee, OSHA's area director for Queens, Manhattan and Brooklyn. At all seven stores, OSHA found butchers operating band saws with unguarded blades and other workers using cleaning products without protective eye gear, exposing them to lacerations, amputations and eye injuries. Four of the stores had locked or blocked exits, obstructed exit access and unlit or missing exit signs that would compromise a swift and safe exit of the stores in the event of a fire or other emergency.

• [Read the News Release](#)

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Message: The DOL Newsletter - October 24, 2013: Back at Work; the 'Make it in America' Winners; a Step Forward for Women

Case Information:

Message Type: Exchange
 Message Direction: External, Inbound
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:18 PM
 Item ID: 40861565
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

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From United States Department of Labor **Date** Thursday, October 24, 2013 9:27 PM
To Wahlert, Teresa [IWD]
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DOL News Brief

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October 24, 2013



American Women



Status of Women, the body that produced the report, was established by executive order of President John F. Kennedy. The woman behind the scenes, whose energy and determination convinced Kennedy to sign the executive order (the text of which she wrote herself), was Esther Peterson, assistant secretary of labor and director of the Women's Bureau. It was Peterson who urged President Kennedy to appoint Eleanor

That was the title of the groundbreaking report issued 50 years ago this month that represented the deepest study of women in the workplace conducted to that date. The President's Commission on the

We're Back!

Returning to Work at the Department of Labor

Secretary of Labor Thomas E. Perez and other department leaders made it a top priority to welcome back employees who were impacted by the government shutdown. Perez heard from a number of employees who were eager to get back to business and continue serving working families across the country. In an email to employees, Perez stated, "All of us at the Department serve the public and help fulfill the Department's mission, and I am excited that we will again be able to carry out our critical mission of protecting and empowering people, and expanding access to opportunity." On Oct. 17, Perez met with employees from the



Roosevelt (whose husband appointed the very first woman to the U.S. Cabinet, our own Frances Perkins) as the chair of the commission. Sadly, Eleanor Roosevelt did not live to see the fruits of her work when the commission sent its final report to President Kennedy on Oct. 11, 1963, but she was optimistic that it signaled a major step forward in promoting opportunity for women. "Because I anticipate success in achieving full employment and full use of America's magnificent potential," she said before her death, "I feel confident that in the years ahead many of the remaining outmoded barriers to women's aspirations will disappear." The report was conceived as an "invitation to action," and it outlined many



recommendations for achieving equal opportunity in the workplace in areas such as education, employment and legal protections. Today, the department's Women's Bureau keeps the spirit of the commission alive, working to ensure that, as Kennedy put it, "women everywhere will have it within their power to develop their potential capacities to the maximum."

- [Read "American Women"](#)
- [Listen to an NBC Special Report](#)
- [Read the Blog Post on Peterson](#)
- [View the Centennial Timeline](#)
- [View the Centennial Video](#)

(Work in Progress) The Best of Our Blog

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

- [Continuing on the Road to Recovery](#): Soon after the government reopened on Oct. 17, the department announced that the September employment situation report — canceled on Friday, Oct. 4 — would be released on Tuesday, Oct. 22. When the report was finally issued, it revealed that the economy added 148,000 total nonfarm jobs in September, a sign that the economy continues on the road to recovery, but at a more modest pace than the American people need or expect. Here, Secretary Perez identifies ways that the government shutdown strained that recovery. "The economy can't live up to its potential if it's hijacked every few months," he writes.

- [NDEAM 2013: Because We Are EQUAL to the Task](#): October is National Disability Employment Awareness Month and Kathy Martinez, assistant secretary for disability employment policy, takes this opportunity to call for everyone to celebrate the contributions of America's workers with disabilities and assess our progress toward building a workforce that welcomes the skills and talents of *all* qualified individuals.

- [The 1940s: The "Greatest Generation" Workforce Mobilizes for War](#): Carl Fillichio, head of the Office of Public Affairs and chair of the department's centennial program, continues his series of posts covering each decade of the department's 100 years with a look at the 1940s, a period that began with the sudden shock of the Japanese attack on Pearl Harbor in 1941 and ended with America's working men and women ushering in an era of peace and prosperity and securing America's position as a world superpower.

Office of Workers' Compensation Programs, Office of Labor Management Standards, Occupational Safety and Health Administration, and Employment and Training Administration. The following day, he greeted employees outside department headquarters, attended a staff meeting at the Bureau of Labor Statistics, and later headed to Arlington, Va., to visit Mine Safety and Health Administration employees, saying, "We are a far safer nation when you are here on the job."

- [View the Slideshow](#)

Perez Talks Employment Situation for September... Finally

The recent government shutdown put an unfortunate stop to the work of the department's Bureau of Labor Statistics, delaying the release of the monthly employment report from its usual "job numbers Friday" to Tuesday, Oct. 22. However, just three days after the resumption of work, BLS was able to report that nonfarm payroll increased by 148,000 and the unemployment rate dipped to 7.2 percent in September, the lowest rate since November 2008. To help provide context for the numbers, Secretary Perez took part in 20 media interviews throughout the day, including television appearances on Bloomberg, CNN, Telemundo and Univision. "The shutdown cost a lot more than money in the economy. It also cost the confidence and respect of people both at home and abroad, and all it created was uncertainty for businesses looking to hire," Perez told journalists. The next employment report for October will be issued on Nov. 8, a one-week delay from the originally scheduled date of Nov. 1.



- [Read the Secretary's Blog](#)
- [View the Calendar of BLS Releases](#)
- [View the Slideshow](#)

National News

\$20.5 Million Awarded to 'Make it in America'

Ten winners were awarded a total of \$20.5 million in the "Make it in America" challenge. Sponsored by the Departments of Labor and Commerce, along with the Delta Regional Authority, the program is part of an Obama administration initiative to accelerate job creation and encourage businesses to keep, expand or re-shore their manufacturing operations and jobs in the United States as well as to entice foreign companies to set up operations here. The challenge builds on and promotes the factors that make America a good place to do business, namely its strong business climate and highly-skilled and productive workforce. The initiative also encourages collaboration among federal agencies to make smarter, more effective investments that provide stakeholders with a seamless process for applying for federal resources.

- [Read the News Release](#)
- [Learn About the Winners](#)

Mine Safety Agency Wields Toughest Enforcement Tool

Three underground coal mines have become the first recipients of a pattern of violations notification under a Mine Safety and Health Administration final rule that went into effect in March. A POV notice, one of the agency's toughest enforcement actions, is reserved for the mines that pose the greatest risk to the safety of miners. The three mines that received POV notices are Tram Energy LLC's Mine No. 1 in Floyd County, Ky.; Brody Mining LLC's Brody Mine No. 1 in Boone County, W.Va.; and Pocahontas Coal Company LLC's Affinity Mine in Raleigh County, W.Va. MSHA's review for POV covered all 14,600 of the nation's mines.

- [Read the News Release](#)
- [Visit the POV Single Source Page](#)

Expanding Training and Opportunity in Los Angeles

When Melinda Salwet lost her job as a cost analyst in construction project management during the recent recession, she turned to Los Angeles Trade-Technical



In keeping with his belief that, "If you want to create jobs, you've got to talk to the job creators," Secretary Perez sat down on Oct. 21 with Business Leaders United for

Workforce Partnerships, a group of employers dedicated to working with government to build a stronger skills infrastructure. Joined by Commerce Secretary Penny Pritzker and National Economic Council Chair Gene Sperling at the Capital Hilton in Washington, D.C., Perez discussed the need to empower America's workers with the skills and certifications they need to succeed in middle-class jobs. He emphasized his belief in a demand-driven system that prepares people for positions that are currently available, aligning training programs with the workforce needs of businesses.

• [View the Slideshow](#)

Public Perceptions on Equality

Secretary Perez addressed an enthusiastic crowd of 300 union leaders at the SAG-AFTRA National Convention in Los Angeles on Sept. 28. Giving credit to



members for helping change public perception on marriage equality through their work in the industry, he stated, "Vice President Joe Biden was right when he pointed out that we wouldn't have gotten so far without 'Will & Grace.'" With the implementation of the Affordable Care Act being a top priority for the administration, Perez emphasized the need to get the word out about the law that has and will continue to help millions of working families across the country receive quality, affordable health-care coverage and, in some cases, for less than \$100 per month. Perez was joined by members of SAG-AFTRA's leadership, including President Ken Howard, Executive Vice President Gabrielle Carteris, Executive Director David White and Associate Executive Director Mathis Dunne.

• [View the Slideshow](#)

Grants for Five States

Five states — California, Illinois, Iowa, Kansas and Kentucky — were awarded \$400,000 in grants on Sept. 30 to develop a more integrated workforce system. The grants are part of the Reemployment Connections initiative, whose goal is to better align a state's Unemployment Insurance program with the state's workforce development system. The funding will be used to develop a single registration protocol for all UI claimants and job seekers so that all workforce system resources are available to everyone. "The Reemployment Connections program will enhance states' ability to provide a full range of resources to the unemployed to help them quickly get back into the workforce," said Eric M. Seleznow, acting assistant secretary of labor for employment and training.

• [Read the News Release](#)

• [Learn About Reemployment Connections](#)

Disability Employment Month



College for help discovering a new career path. Now a second-semester student focused on a career in the growing health-care industry, Salwet had a chance to tell her story to Secretary Perez during his visit on Sept. 27 to highlight the department's ongoing efforts to link employers with the community college system.

Thanks to a \$19.2 million grant

as part of the Trade Adjustment Assistance Community College Career Training grant program, the nine colleges that make up the Los Angeles County Community College District will be able to expand health-care career training and ensure that more people like Salwet have access to these programs. Los Angeles Mayor Eric Garcetti, Los Angeles Community College District Chancellor Dr. Adriana Barrera, LATTCC President Lawrence Frank, and Los Angeles Children's Hospital Manager Rolando Gomez also spoke at the event, which brought more than 100 employers, faculty, and community partners to Magnolia Hall on the LATTCC campus. Perez also toured the nursing classrooms to talk with students about their experience in the program and hear from those earning class credit and a paid stipend to raise awareness of CoveredCA, the state health-care exchange made possible through the Affordable Care Act.

• [View the Slideshow](#)

Take Three: Economic Data Back on Track

Because of a lapse in appropriations, Bureau of Labor Statistics data collection, analysis, and dissemination activities were suspended from Oct. 1 through Oct. 16. Over this period, only three of the approximately 2,400 BLS employees worked full time. Erica Groshen, the BLS commissioner, answers three questions about the shutdown.

Which BLS data releases were delayed by the shutdown? *Just like every month, the BLS Employment Situation and Consumer Price Index reports are among the most eagerly anticipated economic releases in the country. The release of these reports for September were delayed during the shutdown. Since the Social Security Administration uses CPI data from July to September to calculate cost-of-living increases for the coming year, their delay has caused particular anxiety for Social Security recipients. Other BLS releases that were originally scheduled during the shutdown period and also delayed include measures of job openings and labor turnover, changes in producer prices, changes in import and export prices, metropolitan area employment and unemployment, and real earnings.*

Is it true that data in upcoming reports may not be as reliable as usual? *The shutdown created challenges for collecting and releasing BLS economic data. Because of the shutdown, some data collection was missed entirely and some started late. As soon as the government reopened, however, the BLS staff got back to work to ensure that estimates continue to be as accurate and timely as possible. BLS releases always provides users the information needed to understand the limitations, if any, of the estimates. Going forward, BLS will document and explain, on a case-by-case basis, any impact the shutdown may have had on particular data sets.*

Is there a revised schedule for BLS data releases? Yes.

• [View the Revised Schedule](#)

News You Can Use

Online Resources to Protect Against Hazardous Chemicals

Each year in the United States, tens of thousands of workers are sickened or die from occupational exposures to hazardous chemicals that are used in workplaces every day. The Occupational Safety and Health Administration launched two new web resources on Oct. 24 to assist companies with keeping their workers safe. The first resource is a toolkit to identify safer chemicals that can be used in place of more hazardous ones. OSHA also has created the Annotated Permissible Exposure Limits, or annotated PEL tables, which enables employers to voluntarily adopt newer, more protective workplace exposure limits.

• [Read the News Release](#)

- [Use the Toolkit for Safer Chemicals](#)
- [Visit the Annotated PEL Tables Resource](#)

Every October, the Office of Disability Employment Policy engages with employers, schools, community organizations and others to recognize National Disability Employment Awareness Month. This year, ODEP is providing tips for highlighting the contributions of America's workers with disabilities. The agency also has issued a poster highlighting this year's theme, "Because We Are EQUAL to the Task," and a blog emphasizing the benefits of inexpensive accommodations for all employees. "The key to making the American workforce more inclusive of people with disabilities is making the conversation about disability and employment more inclusive," said Kathy Martinez, assistant secretary of labor for disability employment policy. "That's the essence of NDEAM."

- [Read the News Release](#)
- [Read the NDEAM Tips](#)
- [Learn More About NDEAM](#)
- [Read the Presidential Proclamation](#)

Older Women Roundtable

In an effort to bring attention to the unique challenges facing older women in the workforce, the Women's Bureau held a roundtable on Sept. 27 at department



headquarters in Washington, D.C. Acting Director Latifa Lyles pointed out that, although workers 55 and older are less likely to become unemployed than younger workers, those who do are likely to remain so for a longer period. "Older workers tend to... see their financial circumstances decline, [and] many go without medical care," said Lyles. The roundtable united subject experts from research institutions, advocacy organizations, universities and federal departments, and covered topics including retirement, financial needs specific to older women, and age and gender discrimination.

- [View the Slideshow](#)

Hiring Persons With Disabilities



The department's regulatory updates to Section 503 of the Rehabilitation Act were the focus of Office of Federal Contract Compliance Programs Director Patricia A.

Shiu's keynote address at an Oct. 22 conference on disability employment research in Arlington, Va. Organized by the Employment and Disability Institute at Cornell University's School of Industrial Relations, the event focused on how employer practices can improve opportunities for people with disabilities in the workplace. "Good data is the cornerstone of good public policy," Shiu told 150 researchers, scholars, advocates, employers and government officials. "How can we expand the field of understanding about what it will take to improve a worker's willingness to self-identify as a

International Scene

Annual Report Puts Spotlight on Fight Against Child Labor

"Findings on the Worst Forms of Child Labor" is an annual report from the Bureau of International Labor Affairs that provides assessments of efforts to address the global problem in 143 countries. On Sept. 30, Secretary Perez hosted an event to unveil the 2012 edition of the report for a standing-room only audience at the department headquarters in Washington,



D.C. He was joined by two towering figures of the movement to eliminate the worst forms of child labor — former Secretary of Labor Alexis Herman and Sen. Tom Harkin of Iowa. The panel, moderated by acting Deputy Undersecretary for the Bureau of International Labor Affairs Carol Pier, featured a video depicting children rescued from child labor through ILAB's grants abroad, with remarks by Dr. Maya Soetoro-Ng, University of Hawaii professor and sister of President Obama. In this year's report, 10 countries received an assessment of "significant advancement" in efforts to reduce child labor, a major improvement over last year, when only two countries received this assessment. During the event, Perez also announced \$26 million in awards for projects to combat the worst forms of child labor in four countries.

- [Explore the 2012 Findings on the Worst Forms of Child Labor Report](#)
- [View the Slideshow](#)

Labor Concerns in Dominican Sugar Sector

In response to a public submission filed under the Labor Chapter of the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR), the department released a report on Sept. 27 regarding labor concerns in the Dominican sugar sector. The department offers 11 recommendations to the government of the Dominican Republic to address the report's findings and improve enforcement of Dominican labor laws in the sugar sector. The department also announced a \$10 million, four-year project to reduce child labor and improve labor rights and working conditions in the Dominican agriculture sector.

- [Read the News Release](#)

Of Note

There From the Start: EBSA's Alan Lebowitz Bids Farewell

Alan Lebowitz was in the right place at the right time — and with the right skills — when he took a position with the fledgling Pension and Welfare Benefits Administration (precursor to today's Employee Benefits Security Administration) in 1979. He was working at the Internal Revenue Service and was a Suffolk University Law School graduate. Lebowitz soon rose to become director of program operations, a position that was elevated to deputy assistant secretary in the mid-1980s. He is the only person to serve in the position since its creation. Although he has seen



dramatic improvement in enforcement, consumer education and assistance during his career, Lebowitz says more needs to be done, in particular, with legislation that improves oversight of benefit plan audits and the accountants who conduct them. "People think that audits are a protective mechanism, but the rules are so weak and our ability to police the accounting profession is non-existent." After he leaves EBSA, the Boston native plans to spend time with his family in Cape Cod, travel and remain involved in the employee benefits legal community.

person with a disability? I believe the answers could provide the key to the success of our new rule."

- [Read the Remarks](#)

EMPLEO 10-Year Anniversary

The department joined the Mexican Consulate in Las Vegas on Sept. 30 to mark the 10-year anniversary of the Las Vegas EMPLEO (EMPLOYment Education and Outreach) program. Partners from other federal and state agencies also attended the event. EMPLEO is an alliance of employers, labor, community organizations, consulates and government agencies in Southern Nevada that provides information on workplace rights and responsibilities. Representatives from the offices of Senators Harry Reid and Dean Heller extended the Wage and Hour Division's Las Vegas District Office senatorial recognitions in praise of the program's efforts. Since 2003, Las Vegas EMPLEO has helped recover nearly \$6 million in back wages for approximately 6,000 workers.

- [View the Slideshow](#)
- [Read the Recognition from Sen. Reid](#)
- [Read the Recognition from Sen. Heller](#)



Honor for Barry-Perez



Naomi Barry-Perez, the director of the department's Civil Rights Center, received the Distinguished Alumnus Award from the Congressional Hispanic Caucus Institute on Oct. 1. The award recognizes Barry-Perez's efforts in

founding the CHCI's Alumni Association in 1998 and honors her "exceptional vision, leadership and commitment to develop the next generation of Latino leaders through civic engagement and giving back to the CHCI." This year, the CHCI Alumni Association celebrates its 15th anniversary, boasting more than 2,600 members and eight regional chapters. Barry-Perez served as a CHCI intern in Congress in 1994 and a fellow at the Department of Education, Office for Civil Rights in 1996-1997. She also received a CHCI scholarship to attend the Georgetown University Law Center.

Ecuadorian Community Outreach

George Ference, administrator of the Wage and Hour Division Northeast Region, participated in a small business event on Sept. 27 in an effort to reach members of the Ecuadorian community. Joining Jessica Escala Maccaferri, consul general of Ecuador, the two agencies signed an agreement of understanding focused on protecting Ecuadorian workers and educating Ecuadorian small businesses throughout New Jersey and Pennsylvania about



DOL Working for You

Indiana Student Buckles Down and Earns Her Degree

When she was pregnant with her second child, single mom Geneva Brown was determined to get her GED and find a career. Brown came to Indiana's YouthWorks Indy, a Workforce Investment Act funded program, for help and enrolled in its program for out-of-school youth. Working to improve her English and math skills for her GED test, she determinedly attended practice classes before and after delivering a healthy baby. Brown's first GED test scores were insufficient, so she buckled down and studied harder. She cried when she learned her second score was just two points short of a passing grade. "My parents and teachers encouraged me, and I knew I would eventually pass," she said. After some more practice, Brown finally passed and earned her GED. She will be "proudly marching in commencement in November," said Victoria Britton, a program case manager. But Brown isn't stopping there — she is working toward a cosmetology license and hopes to open her own hair salon someday.



DOL in Action

CFO Fired by Technology Company to be Awarded \$1.9 Million

Clean Diesel Technologies Inc. has been ordered to pay \$1.9 million to its former chief financial officer who was fired for reporting conduct he believed was detrimental to the company's shareholders. An investigation by the Occupational Safety and Health Administration found that the company violated the whistleblower provisions of the Sarbanes-Oxley Act when it wrongfully terminated the former CFO for warning the board of directors about ethical and financial concerns raised by a proposed merger. OSHA ordered the manufacturer and distributor of emission control systems — based in Ventura, Calif., and formerly headquartered in Stamford, Conn., — to pay the complainant more than \$486,000 in lost wages, bonuses, stock options and severance pay. In addition, the company must pay the complainant more than \$1.4 million in compensatory damages for pain and suffering, damage to career and professional reputation, and lost 401(k) employer matches and expenses.

- [Read the News Release](#)
- [Learn About Whistleblower Protection](#)

Millions Recovered for Employee Stock Ownership Plan

Fiduciaries of the California-based Parrot Cellular Employee Stock Ownership Plan must pay nearly \$4.2 million to the plan, according to a consent order obtained by the department on Oct. 17. The settlement resolves allegations that plan fiduciaries caused or permitted the ESOP to purchase Parrot Cellular stock for more than fair market value. Defendants Dennis Webb, Matthew Fidiham, J. Robert Gallucci and Consulting Fiduciaries Inc. have agreed to pay \$4,181,818 to the plan under the terms of the settlement agreement.

- [Read the News Release](#)

OSHA Cites 4 Employers in Deadly Arkansas Crane Collapse

Four employers were cited by the Occupational Safety and Health Administration after one Precision Surveillance worker was fatally injured in March when a crane collapsed at the Arkansas Nuclear One Power Plant. Eight other workers were injured in the collapse. Precision Surveillance Corp., Bigge Crane and Rigging Co., Siemens Power Generation Inc. and Entergy Operations Inc. were cited for 26 safety violations. "This tragedy could have been prevented had the employer ensured vital safeguards to protect workers from potential hazards and proper planning for a project of this magnitude," said Carlos Reynolds, OSHA's area director in Little Rock.

- [Read the News Release](#)

Fort Worth Workers Exposed to Struck-by, Amputation Hazards

Fort Worth F&D Head Co. was cited by the Occupational Safety and Health Administration for 18 serious safety violations for exposing its workers to struck-by and amputation hazards. The April 17 inspection began under the agency's Site-Specific Targeting Program, which focuses on workplaces with

the laws enforced by the Wage and Hour Division. The event, held as part of Hispanic Heritage Month, was attended by New Jersey Lt. Gov. Kim Guadagno and representatives of the U.S. Equal Employment Opportunity Commission.

Listening Mode on Rules

Office of Federal Contract Compliance Programs Director Patricia A. Shiu and Policy Branch Chief Naomi Levin were in "listening mode" when they met with 160 employers in Arlington, Va. on Oct. 18 for the National Employment Law Institute's annual Affirmative Action Briefing. Shiu spoke about two new rules aimed at improving employment opportunities for protected veterans and qualified workers with disabilities. Published in the Federal Register last month, the rules become effective on March 24, 2014. Shiu explained that OFCCP senior staff will engage federal contractors in coming months to hear their questions about how to implement the new requirements. Based on those conversations, OFCCP will enhance training for compliance officers and stakeholders, and update information on the agency's website.

- [Learn About the Veterans Rule](#)
- [Learn About the Disability Rule](#)

Severe Weather Clean-up Grants

Tornadoes, storms, floods and high winds have caused millions of dollars of damage in Arkansas, Missouri and Florida, and emergency assistance for recovery efforts is urgently needed. On Sept. 30, the department announced three grants totaling nearly \$5 million to these states to create temporary jobs for eligible individuals to assist with clean-up and recovery efforts. The largest of the grants was awarded to the Missouri Division of Workforce Development, with an emergency grant approved for up to \$3,470,527 with \$2,872,696 released initially. In Florida, \$409,494 was awarded to the Florida Department of Economic Opportunity for temporary employment on projects that will repair considerable damage to roads and bridges in affected counties. To clean up damage from severe storms and flooding in Arkansas, \$893,200 was awarded to the Arkansas Department of Workforce Services.

Florida Whistleblower Case

An eight-member jury found that Renaissance Arts and Education Inc., doing business as Manatee School for the Arts in Palmetto, Fla., and its principal, Dr. Bill Jones, violated the whistleblower protection provisions of Section 11(c) of the Occupational Safety and Health Act, when they unlawfully and intentionally terminated an employee for voicing and reporting work-related safety hazards. The jury verdict was reached on Sept. 12 and adopted by the U.S. District Court for the Middle District of Florida on Sept. 30. The court order includes monetary relief for the employee in the amount of \$55,000 in back wages and \$120,000 in punitive damages.

- [Read the News Release](#)

BG&E Settles Bias Charges

Federal contractor Baltimore Gas and Electric has entered into a conciliation agreement with the Office of Federal Contract Compliance Programs

the highest rates of injuries and illnesses. The inspection found that workers were exposed to struck-by hazards associated with rigging and moving of heavy metal with overhead cranes, and to amputation hazards from a lack of guarding and lockout/tagout procedures. The company faces \$88,200 in proposed penalties.

- [Read the News Release](#)

Back Wages, Damages Recovered for Animal Hide Employees

The department has secured a court judgment ordering Boston Hides & Furs Ltd., and its owner to pay \$825,000 in back wages and liquidated damages to 14 underpaid employees of the Chelsea, Mass., wholesale animal hide business. The defendants must also pay \$100,000 in compensatory and punitive damages to 10 workers, who were unlawfully fired for cooperating with the investigation by the Wage and Hour Division. Civil penalties total \$50,000.

- [Read the News Release](#)

Safety Violations Found at New Jersey Demolition Site

Waterside Construction LLC was cited by the Occupational Safety and Health Administration for safety and health violations at a demolition site in Edgewater, N.J. Thirteen serious and two other-than-serious violations were found following OSHA's April inspection prompted in response to a complaint alleging demolition hazards. Penalties of \$70,980 have been proposed.

Georgia Power Plant Explosion Results in \$119,000 in Proposed Fines

Georgia Power Co., a subsidiary of Southern Co., has been cited by the Occupational Safety and Health Administration with 17 safety violations following an April explosion. The explosion occurred during a maintenance shutdown at the company's Plant Bowen facility in Cartersville, Ga. The violations included failing to perform an annual inspection of all energy control procedures, prohibit ignition sources near hydrogen or hydrogen sealing systems, assign a worker the responsibility for overall tagout control, and not verifying the isolation and de-energization of the machine or equipment. Penalties of \$119,000 have been proposed.

- [Read the News Release](#)

Wisconsin Workers Exposed to Airborne Hazards

Fiberdome Inc. has been cited by the Occupational Safety and Health Administration for 10 health violations and issued \$49,500 in penalties following a March investigation of the Lake Mills, Wis., fiberglass manufacturing plant. Workers were exposed to styrene — a chemical used extensively in the manufacture of plastics, rubber and resins — in excess of permissible limits. OSHA initiated the inspection after receiving a referral alleging workers were experiencing respiratory irritation due to exposure.

- [Read the News Release](#)

New York Rail Car Interior Manufacturer Cited

Testori Interiors Inc. of Champlain, N.Y., has been cited by the Occupational Safety and Health Administration for 24 violations of workplace safety and health standards. The manufacturer of rail car interiors faces \$170,100 in fines following an OSHA inspection by the Albany Area Office that began in March. The company was cited for one willful violation for failure to develop, document and use lockout and tagout procedures for controlling potentially hazardous energy during maintenance and servicing of equipment. Testori also received 22 serious violations and one other-than-serious violation.

- [Read the News Release](#)

Pipe Manufacturer Cited After Fatal Forklift Accident

National Pipe and Plastics Inc. of Vestal, N.Y., was cited by the Occupational Safety and Health Administration for 16 serious violations of workplace health and safety standards after a truck driver working for a separate company was fatally struck by a forklift driven by an employee of the pipe manufacturer. In response to the March incident, inspectors found that the forklift had an inoperative backup alarm and the forklift driver did not have a clear view of the path traveled. OSHA inspectors found additional serious health and safety violations, including failure to maintain surfaces free of combustible dust.

- [Read the News Release](#)

Texas Company Convicted of Felony, Fined

Belton, Texas-based High Performance Ropes of America was convicted of one felony count of making false statements and ordered to pay \$165,356 in overtime back wages and liquidated damages to 31 employees. Other fines included \$12,100 in civil penalties for repeat and willful violations of the Fair Labor Standards Act. The two-year investigation by the Wage and Hour Division found that the employer failed to pay its workers time and one-half

to resolve allegations of discrimination. OFCCP determined the company's hiring process led to systematic discrimination against 58 male African-Americans who applied for cable splicer trainee and distribution construction trainee positions at its Baltimore facility from December 2007 through November 2008. Under the agreement, BG&E will pay the rejected applicants \$350,000 in back wages and interest and make job offers as opportunities become available.

Home Care Rule Webinars

The Wage and Hour Division has scheduled five free informational webinars to help families, employers and workers learn more about the changes associated with its recently issued Home Care Final Rule. The rule extended the Fair Labor Standards Act's minimum wage and overtime protections to most direct care workers.

- [Visit the Home Care Website](#)
- [Read the News Release](#)

Mine Safety Grants

Five organizations that provide education and training within the mining industry have been awarded \$582,804 in grants through the Mine Safety and Health Administration's Brookwood-Sago program. The funding will be used to develop and implement training and related materials for mine emergency preparedness, as well as for the prevention of accidents in underground mines. The five recipients are the United Mine Workers of America Career Centers Inc., based in Washington, Pa.; Center for Strategic Management Public Leadership Institute Inc. in Severna Park, Md.; Colorado School of Mines in Golden, Colo.; Colorado Division of Reclamation Mining and Safety in Denver; and Virginia Department of Mines, Minerals and Energy, in Richmond, Va.

- [Read the News Release](#)

Promoting Worker Safety in El Paso

In an effort to increase access to material and knowledge of workplace safety and health rights in the general and construction industries, the Occupational Safety and Health Administration has renewed its alliance with T&T Staff Management Inc. in El Paso, Texas. As part of the alliance, T&T will develop training and education programs for workers employed throughout El Paso on issues such as falls from elevated work surfaces, electrocution, heat illness, exposure to hazardous chemicals, and struck-by and caught-in or between hazards. Through the alliance program, OSHA works with unions, consulates, trade and professional organizations, faith- and community-based organizations, businesses and educational institutions to prevent workplace fatalities, injuries and illnesses.

- [Read the News Release](#)

Weekly UI Claims

The department reported that the advance figure for seasonally adjusted initial Unemployment Insurance claims was 350,000 for the week ending Oct. 19, a decrease of 12,000 from the previous week. The four-week moving average was 348,250, up 10,750 from the previous week's revised average.

for hours worked over 40 in each workweek. A second investigation revealed that the employer submitted false payment evidence to the department and demanded kickbacks from the workers while continuing to avoid overtime obligations. The employer also kept a second set of time records hidden from investigators. The owner, plant manager and office manager were convicted on separate felony counts.

- [Read the News Release](#)

Montana Company Faulted on Lead Exposure, Safeguards

USA Brass Company Inc. in Bozeman, Mont., has been cited by the Occupational Safety and Health Administration with multiple violations following an inspection under the national emphasis program for lead. The company faces \$45,000 in proposed fines. Violations included failure to conduct initial determinations of worker overexposure to lead, implement engineering and work practice controls to reduce lead exposure, provide workers with adequate respiratory protection and personal protective clothing, prohibit food and beverages from areas with excessive accumulations of lead, and train workers on lead hazards. The company also failed to implement respiratory protection, hearing conservation and hazard communication programs.

- [Read the News Release](#)

Concrete Company Faces Fines for Willful, Serious Hazards

County Concrete Corp. has been cited by the Occupational Safety and Health Administration for 18 alleged safety and health violations at the company's East Orange, N.J., site. The violations included the lack of an established lockout/tagout program and equipment-specific procedures, and the company's failure to evaluate the workplace for permit-required confined spaces, develop and implement a permit-required space program or written hazard communication program, and provide Appendix D of the respiratory protection standard to workers wearing respirator protection. Proposed penalties total \$153,000.

- [Read the News Release](#)

Tennessee Employer Pays Back Wages, Penalties

Sitel Operating Corp. has paid \$68,901 in back wages to 486 workers after an investigation by the Wage and Hour Division found violations of the Fair Labor Standards Act's overtime and record-keeping provisions at the company's facility in Oak Ridge, Tenn. The investigation found employees working on the United Services Automobile Association client account were not paid for preparatory work before they could access the time clock to start their shift, which resulted in workers being denied overtime compensation. Additionally, the employer failed to keep accurate records of the time employees spent conducting preparatory work. Sitel was assessed civil penalties totaling \$74,900, due to repeat violations.

- [Read the News Release](#)

Workplace Hazards Lead to Citations, Proposed Fines for Manufacturer

A cross section of hazards has led to \$56,000 in proposed Occupational Safety and Health Administration fines for a Cicero, N.Y., manufacturer. EJ USA Inc. was cited for 13 serious violations of workplace safety standards following an inspection by OSHA's Syracuse Area Office. OSHA found that the company failed to prevent overexposure to metal fume, including hexavalent chromium; adequately clean combustible residue; lock out machinery while performing maintenance; and adequately guard moving machine parts and live electrical parts.

- [Read the News Release](#)

Coffee Grower in Puerto Rico Faces Lawsuit for FLSA Violations

Beneficiado de Café Las Indieras, doing business as Hacienda Remanso de Paz, and its president, Wilfredo Ruiz Vargas, face a lawsuit in federal court for violations of the Fair Labor Standards Act's minimum wage and record-keeping provisions. An investigation by the Wage and Hour Division found the Yauco coffee grower employed farm workers and coffee harvesters, but failed to pay them the legally required minimum wage for all hours worked. Several coffee pickers were paid by the pound, amounting to hourly wages between \$1.25 and \$6.54, and some seasonal hourly workers were paid \$5.25 per hour instead of the legally required minimum wage of \$7.25 per hour. Investigators also found that the defendants failed to create and maintain accurate records of their employees' wages, hours and other conditions of employment, in violation of the FLSA.

- [Read the News Release](#)

Safety Violations Found at New Jersey Manufacturer's Facility

The Occupational Safety and Health Administration has cited AFE Victory

- [Read the News Release](#)

Calendar Highlight

A meeting of the Advisory Council on Employee Welfare and Pension Benefit Plans, known as the ERISA Advisory Council, will take place on Nov. 4 and 5. Issues under consideration include retirement plan communications, locating missing and lost plan participants, and private sector pension de-risking and participant protections.

- [Read the News Release](#)

Upcoming Deadlines & Events

Open Funding Opportunities

EBSA — ERISA Advisory Council Open Meeting

- [November 4 — Washington, DC](#)
- [November 5 — Washington, DC](#)

OFCCP — Employment 411 Seminar

- [October 30 — Columbus, OH](#)

OFCCP — Let's Talk Talent! Reaching Individuals with Disabilities

- [October 29 — San Francisco, CA](#)

WHD — Home Care Webinar: Minimum Wage and Overtime Pay for Direct Care Workers (Northeast Region)

- [October 31 — Washington, DC](#)

WHD — Home Care Webinar: Minimum Wage and Overtime Pay for Direct Care Workers (Western Region)

- [November 5 — Washington, DC](#)

WHD — Home Care Webinar: Minimum Wage and Overtime Pay for Direct Care Workers (Midwest Region)

- [November 7 — Washington, DC](#)

WHD — Home Care Webinar: Minimum Wage and Overtime Pay for Direct Care Workers (Southeast Region)

- [November 12 — Washington, DC](#)

WHD — Home Care Webinar: Minimum Wage and Overtime Pay for Direct Care Workers (Southwest Region)

- [November 14 — Washington, DC](#)

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Inc. for 20 alleged serious and three other-than-serious violations of workplace safety standards. The citations followed an April investigation at the Cherry Hill, N.J., facility as part of OSHA's Site-Specific Targeting Program for industries with high injury and illness rates. The violations included failure to address electrical hazards, establish written bloodborne pathogen procedures for workers designated as first aiders, provide shaded eye protection, and train employees on the hazards of chemicals. OSHA proposed \$83,900 in penalties.

Energy Storage and Handling Facility in Omaha Cited for Hazards

Kinder Morgan has been cited by the Occupational Safety and Health Administration for 17 serious safety and health violations, carrying proposed penalties of \$84,000, at its Omaha, Neb., energy storage and handling facility. OSHA initiated the July inspection under its High Hazard Workplaces Safety Inspection Local Emphasis Program. Kinder Morgan owns an interest in or operates about 80,000 miles of pipelines and 180 terminals that store or handle gasoline, jet fuel, ethanol, coal and steel.

Workers Exposed to Lead, Cadmium at Missouri Battery Plant

Exide Technologies has been cited by the Occupational Safety and Health Administration for eight safety and health violations for overexposing workers to lead and cadmium at its Forest City battery recycling and lead smelting plant. OSHA, which has proposed fines of \$63,000, initiated its inspection in March under the Site Specific Targeting Program, which targets workplaces with the highest rates of injuries and illnesses. One repeat violation was cited for allowing workers to be exposed to lead at concentrations greater than the permissible limit and failing to implement engineering and work-practice controls to reduce lead exposure.

Trucking Company Ordered to Withdraw Lawsuit Against Workers

Palumbo Trucking Inc. of North Branford, Conn., and owner David Palumbo have been ordered to withdraw a retaliatory lawsuit filed against two former workers who raised safety concerns, pay them \$60,000 in damages and take other corrective actions. An investigation by the Occupational Safety and Health Administration found that the company and Palumbo violated the whistleblower protection provisions of the Surface Transportation Assistance Act when they filed the lawsuit against two former workers, a mechanic and a driver who had registered complaints about a potentially unsafe truck with the North Branford Police Department and the Connecticut Department of Motor Vehicles. "Filing a baseless, retaliatory lawsuit against workers who engaged in protected activity has a profound chilling effect. It can intimidate workers into remaining silent about safety and health concerns that could have consequences for them and others on the road," said Marthe Kent, OSHA's New England regional administrator.

- [Read the News Release](#)
- [Learn about STAA Whistleblower Protections](#)

New Jersey Steel Company Cited For Failing to Abate Hazards

Jersey Shore Steel was cited by the Occupational Safety and Health Administration for four alleged safety violations — including three failure-to-abate citations — found at its facility in Jackson, N.J. The failure-to-abate citations involved the company's failure to develop and implement a written lockout/tagout program that prevents inadvertent machine start-up, require fork truck operators to have their performance evaluated at least once every three years, and train workers to use portable fire extinguishers. One repeat violation was due to lack of machine guarding on a press brake. The company faces \$172,400 in proposed penalties.

- [Read the News Release](#)

Publisher Ordered to Restore \$360,000 to Employee Pension Plan

Richard Housman, president of former Santa Monica, Calif., magazine publisher Twelve Signs Inc., has been ordered to restore \$363,913 in losses to the company's employee pension plan. An investigation by the Employee Benefit Security Administration found Housman violated the Employee Retirement Income Security Act by mismanaging plan assets that resulted in losses of \$617,839 to the plan. Housman authorized 41 loans from the company's money purchase pension plan over a three-year period to cover operational expenses, including payroll, which were never repaid. In breaching his fiduciary responsibilities, Housman will no longer serve as the plan's fiduciary and is enjoined from serving in similar capacities in the future.

- [Read the News Release](#)

Manhattan Fashion Retailer Cited for Exit Hazards

Rebecca Minkoff LLC was cited by the Occupational Safety and Health

Administration for willful and serious violations of workplace safety standards at the fashion retailer's corporate office and showroom in downtown Manhattan. The company, which manufactures handbags, accessories and apparel for women, faces \$77,000 in fines for hazardous conditions that included impeding a swift and safe exit in case of an emergency within the company's office and showroom. The citations and fines followed an inspection by OSHA's Manhattan Area Office that was prompted by worker complaints.

• [Read the News Release](#)

Multiple Hazards Found at New Hampshire Construction Site

A variety of hazards have resulted in \$280,880 in proposed fines for the general contractor and several subcontractors constructing a power plant in Berlin, N.H. The largest fines, \$116,280, were proposed for general contractor Babcock & Wilcox Construction Co. Inc., of Barberton, Ohio, for assembling and using cranes on unstable ground, creating a 100-foot fall hazard through an unguarded wall opening, failing to train workers adequately to install fall protection systems, respirator hazards, and exposing workers to arc flash and blast hazards. The subcontractors' violations included electrical, scaffold and cave-in hazards.

• [Read the News Release](#)

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Message: RE: tip sheets

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:13 PM
Item ID: 40861389
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **RE: tip sheets**

From Lewis, Devon [IWD] **Date** Monday, August 19, 2013
12:10 PM
To Hillary, Teresa [IWD]; Wise, Steve
[IWD]
Cc

Yes, I think everyone understands that. Vicki and I are working on revisions.

From: Hillary, Teresa [IWD]
Sent: Monday, August 19, 2013 11:02 AM
To: Lewis, Devon [IWD]; Wise, Steve [IWD]
Subject: tip sheets

Just had meeting with Director. She wants us to understand that she will be taking 'tip sheets' to joe six pack and seeing if he understands them. I think some of our colleague do not understand that tip sheet is for public consumption, not internal.

Fyi

Teresa K. Hillary

Iowa Workforce Development
1000 E Grand Avenue
Des Moines IA 50319

Phone: 515.725.2683
FAX: 515.242.5144

Message: RE: tip sheets

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:13 PM
Item ID: 40861390
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **RE: tip sheets**

From Lewis, Devon [IWD] **Date** Monday, August 19, 2013 1:33 PM
To Hillary, Teresa [IWD]
Cc

I'll ask Deb to call hers a "process" outline or sheet then. Wow – misconduct tip sheet. That would be half of our desk manual. I'll ask for volunteers since I'll be on vacation next week. We'll try to come up with some general guidelines.

From: Hillary, Teresa [IWD]
Sent: Monday, August 19, 2013 1:29 PM
To: Lewis, Devon [IWD]
Subject: RE: tip sheets

No, they don't. Deb is calling her instructions for docketing OP Appeals a "tip sheet." I spoke to her about it and thought I would let you two know. The other ALJs have not been at the meetings we have to hear the director say she wants tip sheets to go to the public. She wants anything called a tip sheet to be available for public and understandable by "joe six-pack."

On that topic, this am she had me go over some of our reversal stats and since it shows that misconduct is the biggest area, she wants a tip sheet for Employers/public on what is misconduct.

Teresa K. Hillary

Iowa Workforce Development
1000 E Grand Avenue
Des Moines IA 50319

Phone: 515.725.2683

FAX: 515.242.5144

From: Lewis, Devon [IWD]
Sent: Monday, August 19, 2013 12:10 PM
To: Hillary, Teresa [IWD]; Wise, Steve [IWD]
Subject: RE: tip sheets

Yes, I think everyone understands that. Vicki and I are working on revisions.

From: Hillary, Teresa [IWD]
Sent: Monday, August 19, 2013 11:02 AM
To: Lewis, Devon [IWD]; Wise, Steve [IWD]
Subject: tip sheets

Just had meeting with Director. She wants us to understand that she will be taking 'tip sheets' to joe six pack and seeing if he understands them. I think some of our colleague do not understand that tip sheet is for public consumption, not internal.

Fyi

Teresa K. Hillary

Iowa Workforce Development
1000 E Grand Avenue
Des Moines IA 50319

Phone: 515.725.2683
FAX: 515.242.5144

Message: FW: Policy for Part Time quits

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:04 PM
Item ID: 40861124
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ FW: Policy for Part Time quits**From** Hillary, Teresa [IWD]**Date**
Tuesday,
July 16, 2013
4:33 PM**To** Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Walsh, Joseph [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]**Cc**

 [image001.jpg](#) (3 Kb HTML)  [ATT00001.htm](#) (2 Kb HTML)  [Part time quit.docx](#) (71 Kb HTML)
 [ATT00002.htm](#) (1 Kb HTML)

The Director asked that I forward this to all of you.

Thanks much
Teresa Hillary

From: Wahlert, Teresa [IWD]
Sent: Tuesday, July 16, 2013 3:50 PM
To: Hillary, Teresa [IWD]
Subject: Fwd: Policy for Part Time quits

- Teresa Wahlert

Begin forwarded message:

From: "Wilkinson, Michael [IWD]" <Michael.Wilkinson@iwd.iowa.gov>
Date: July 16, 2013, 3:10:10 PM CDT
To: "West, Ryan [IWD]" <Ryan.West@iwd.iowa.gov>
Cc: "Eklund, David [IWD]" <David.Eklund@iwd.iowa.gov>, "Olivencia, Nicholas [IWD]" <Nicholas.Olivencia@iwd.iowa.gov>, "Wahlert, Teresa [IWD]" <Teresa.Wahlert@iwd.iowa.gov>
Subject: RE: Policy for Part Time quits

Sorry about that.....

From: West, Ryan [IWD]
Sent: Tuesday, July 16, 2013 3:08 PM
To: Wilkinson, Michael [IWD]
Subject: RE: Policy for Part Time quits

Mike did you have the attachment?

Ryan West
Regional Operations Manager
Iowa Workforce Development
(515) 242-0413 P
(515) 281-9321 F

[Preview is not available (conversion excluded for this file type).]

From: Wilkinson, Michael [IWD]
Sent: Tuesday, July 16, 2013 2:19 PM
To: Eklund, David [IWD]; West, Ryan [IWD]
Cc: Wahlert, Teresa [IWD]; Olivencia, Nicholas [IWD]
Subject: Policy for Part Time quits

Please share with staff immediately. I will have JoAnn distribute it to UI Division and Appeals Bureau staff.

Terry E. Branstad, Governor

Kim Reynolds, Lt. Governor

Teresa Wahlert, Director

To: All Unemployment Insurance Division Staff

All Unemployment Insurance Appeals Bureau Staff

From: Teresa Wahlert, Director

Subject: Policy for Part-time Quits

It is the policy of the Department to thoroughly investigate the reason for any employment separation and adjudicate accordingly. This includes part-time and supplemental employment. If it is determined through an investigation that the part-time worker quit their job without good cause, then IAC 871-24.27 will be applied. If it is determined through an investigation that the claimant was employed full time, IAC 871-24.27 does not apply regardless of the duration of that full time employment. Allowance or denial of benefits will be based on the facts surrounding the reasons for separation.

This policy is effective July 16, 2013.

Message: RE: PDQ for ALJ 2**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:04 PM
 Item ID: 40861123
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

RE: PDQ for ALJ 2

From: Hillary, Teresa [IWD] **Date:** Tuesday, July 16, 2013 11:29 AM
To: Lewis, Devon [IWD]
Cc:

I ordered out from sambettis with clerical....let do that one asap...c'mon down whenever..i have a 1 2 and 3

From: Lewis, Devon [IWD]
Sent: Tuesday, July 16, 2013 11:18 AM
To: Hillary, Teresa [IWD]
Subject: RE: PDQ for ALJ 2

Sounds good. Maybe we can go over it at lunch. I'm done with my 11. Want me to grab us some lunch and do that now? Or later?

From: Hillary, Teresa [IWD]
Sent: Tuesday, July 16, 2013 11:07 AM
To: Lewis, Devon [IWD]
Subject: RE: PDQ for ALJ 2

Thanks. I stink at grammar, I'll take all the help you can give.

When I look at the way he has the numbers divided up makes no sense. 5% of time spent writing the decn. Let's come up with a pdq that is accurate to give to Jon Nelson by end of week? What do you think?

From: Lewis, Devon [IWD]
Sent: Tuesday, July 16, 2013 11:04 AM
To: Hillary, Teresa [IWD]
Subject: RE: PDQ for ALJ 2

Just fyi – don't put an apostrophe in alj's – use ALJs instead ;-)

From: Hillary, Teresa [IWD]
Sent: Tuesday, July 16, 2013 10:59 AM
To: Nelson, Jon [IWD]
Cc: Lewis, Devon [IWD]; Wahlert, Teresa [IWD]
Subject: PDQ for ALJ 2

Jon,

I do not think Joe had finished revising the alj's pdq. I have Joni looking to see what she can find. This is what I got from him. What can I do to finish the alj pdq so the director can sign it and get it sent out to the alj's this week?

Thanks much
 Teresa Hillary

From: Walsh, Joseph [IWD]
Sent: Tuesday, July 09, 2013 12:24 PM
To: Hillary, Teresa [IWD]; Lewis, Devon [IWD]
Subject: Thoughts?

Teresa and Devon

The Director asked me to revise PDQs for ALJs to reflect participation in the agency (really it is bigger than this, all of the process improvement, committee work and projects). I have tried to be creative but I am not coming up with much. Please let me know if you have any additional thoughts which may be helpful.

- 60 Conduct high-volume trial level contested case proceedings involving unemployment insurance benefits. Rule on admissibility of evidence and other objections raised in hearings. Assist the parties in the development of the record. Conduct pre-trial conferences as needed on issues of discovery and sanctions for failing to complete discovery. Ensure all parties are afforded due process of law whether or not represented by legal counsel.
- 5 Study Iowa Code of Administrative Judicial Conduct and ensure that personal conduct on and off duty is consistent with the Code.
- 5 Timely prepare and submit legally correct decisions awarding or denying UI benefits. Maintain compliance with U.S. DOL time lapse and quality standards on issuing

decisions.

- 5 Review case files prior to hearing to become familiar with factual and legal issues. Study applicable principles of law from Code of Iowa, Iowa Administrative Code, published decisions of the Supreme Court of Iowa and Court of Appeals, as well as appropriate federal law to ensure that decisions are legally correct.
- 5 Respond to public inquires and requests for postponements.
- 20 Participate in projects and teams to promote Bureau and agency goals.

Joseph L. Walsh

Chief Administrative Law Judge
Unemployment Insurance Appeals
1000 East Grand Avenue
Des Moines, Iowa 50319
Phone: (515) 281-8119
joseph.walsh@iwd.iowa.gov

Message: RE: PDQ for ALJ 2**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:04 PM
 Item ID: 40861121
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **RE: PDQ for ALJ 2**

From Hillary, Teresa [IWD] **Date** Tuesday, July 16, 2013 11:07 AM
To Lewis, Devon [IWD]
Cc

Thanks. I stink at grammar, I'll take all the help you can give.

When I look at the way he has the numbers divided up makes no sense. 5% of time spent writing the decn. Let's come up with a pdq that is accurate to give to Jon Nelson by end of week? What do you think?

From: Lewis, Devon [IWD]
Sent: Tuesday, July 16, 2013 11:04 AM
To: Hillary, Teresa [IWD]
Subject: RE: PDQ for ALJ 2

Just fyi – don't put an apostrophe in alj's – use ALJs instead ;-)

From: Hillary, Teresa [IWD]
Sent: Tuesday, July 16, 2013 10:59 AM
To: Nelson, Jon [IWD]
Cc: Lewis, Devon [IWD]; Wahlert, Teresa [IWD]
Subject: PDQ for ALJ 2

Jon,

I do not think Joe had finished revising the alj's pdq. I have Joni looking to see what she can find. This is what I got from him. What can I do to finish the alj pdq so the director can sign it and get it sent out to the alj's this week?

Thanks much
 Teresa Hillary

From: Walsh, Joseph [IWD]
Sent: Tuesday, July 09, 2013 12:24 PM
To: Hillary, Teresa [IWD]; Lewis, Devon [IWD]
Subject: Thoughts?

Teresa and Devon

The Director asked me to revise PDQs for ALJs to reflect participation in the agency (really it is bigger than this, all of the process improvement, committee work and projects). I have tried to be creative but I am not coming up with much. Please let me know if you have any additional thoughts which may be helpful.

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- 5 Study Iowa Code of Administrative Judicial Conduct and ensure that personal conduct on and off duty is consistent with the Code.
- 5 Timely prepare and submit legally correct decisions awarding or denying UI benefits. Maintain compliance with U.S. DOL time lapse and quality standards on issuing decisions.
- 5 Review case files prior to hearing to become familiar with factual and legal issues. Study applicable principles of law from Code of Iowa, Iowa Administrative Code, published decisions of the Supreme Court of Iowa and Court of Appeals, as well as appropriate federal law to ensure that decisions are legally correct.
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- 20 Participate in projects and teams to promote Bureau and agency goals.

Joseph L. Walsh

Chief Administrative Law Judge
 Unemployment Insurance Appeals
 1000 East Grand Avenue
 Des Moines, Iowa 50319
 Phone: (515) 281-8119
joseph.walsh@iwd.iowa.gov

Message: FW: Lotus Notes id**Case Information:**

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:04 PM
Item ID: 40861111
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

FW: Lotus Notes id

From: Hillary, Teresa [IWD] **Date:** Wednesday, July 10, 2013 3:22 PM
To: Wise, Steve [IWD]
Cc:

 [PID+Form.txt](#) (7 Kb HTML)

I don't know if any alj still has a valid usr id, even though beth still has it on her computer.

From: Hillary, Teresa [IWD]
Sent: Tuesday, July 09, 2013 11:19 AM
To: Walsh, Joseph [IWD]
Cc: Benson, Joni [IWD]
Subject: FW: Lotus Notes id

Joe,

This will need to be done for every ALJ who's account has been deleted.

Thank much
Teresa Hillary

From: Lippert, Annette [IWD]
Sent: Tuesday, July 09, 2013 11:18 AM
To: Hillary, Teresa [IWD]
Subject: Lotus Notes id

Hi Teresa,

Please see Jim's note below. Please have your supervisor send the info to Jim. Thank you!!

Her Notes account has been deleted. I need a new authorization from her supervisor (email will do) and the information in the attached PID form. Jim Bengtson

Annette

Bureau (see Note 1):
Location (see Note 2):
First Name:
Middle Initial:
Last Name:
Employment Status (i.e., Employee, Non-Employee, or Temporary):
Office Phone Number:
Last Date of Hire:
Cost Center (i.e., APPEALS BUREAU AP, CLINTON WIA 09019, etc.):
Month and Day of Birth:
Mother's Maiden Name:

1) The list of bureaus includes:
Administrative Services; Appeals Bureau; Budget/Reporting; Business Management; Call Center; Certification/Licensing/Invoicing; IES; Custome

2) The list of locations includes:
Algona WFC; Ames WFC; Atlantic WFC; Audobon Local WFC; Boone Local WFC; Burlington WFC; Carroll WFC; Cedar Rapids DWC; Cedar Rapids WIA; Ced

Message: RE: Order Confirmation: Request ID 3128008 for STATE OF IOWA has been ISSUED

Case Information:

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:04 PM
 Item ID: 40861109
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

RE: Order Confirmation: Request ID 3128008 for STATE OF IOWA has been ISSUED

From Hillary, Teresa [IWD] **Date** Wednesday, July 10, 2013 11:24 AM

To Lewis, Devon [IWD]; Donner, Lynette [IWD]; Mormann, Marlon [IWD]; Ackerman, Susan [IWD]

Cc Hendricksmeier, Bonny [IWD]; Walsh, Joseph [IWD]; Scheetz, Beth [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Nice, Terence [IWD]; Timberland, James [IWD]; Elder, Julie [IWD]; Stephenson, Randall [IWD]; Seeck, Vicki [IWD]

I am fine with the way my work number is set up. How about the alj office down by WC. Do those number need to be or can be modified?

From: Lewis, Devon [IWD]
Sent: Wednesday, July 10, 2013 11:13 AM
To: Donner, Lynette [IWD]; Mormann, Marlon [IWD]; Ackerman, Susan [IWD]
Cc: Hendricksmeier, Bonny [IWD]; Walsh, Joseph [IWD]; Scheetz, Beth [IWD]; Hillary, Teresa [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Nice, Terence [IWD]; Timberland, James [IWD]; Elder, Julie [IWD]; Stephenson, Randall [IWD]; Seeck, Vicki [IWD]
Subject: RE: Order Confirmation: Request ID 3128008 for STATE OF IOWA has been ISSUED

I agree with Marlon and Lynette. 281-3747 or the applicable 800 # is the one I leave if I cannot reach the party and get voice mail. I'll record their suggestion in the compilation that I will forward to Joe and Gary. Joe, Terry and Teresa, do you have any work number issues? I have info from everyone else.

From: Donner, Lynette [IWD]
Sent: Wednesday, July 10, 2013 10:51 AM
To: Mormann, Marlon [IWD]; Ackerman, Susan [IWD]; Lewis, Devon [IWD]
Cc: Hendricksmeier, Bonny [IWD]; Walsh, Joseph [IWD]; Scheetz, Beth [IWD]; Hillary, Teresa [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Nice, Terence [IWD]; Timberland, James [IWD]; Elder, Julie [IWD]; Stephenson, Randall [IWD]; Seeck, Vicki [IWD]
Subject: RE: Order Confirmation: Request ID 3128008 for STATE OF IOWA has been ISSUED

I would agree that if any number is to be displayed it should be the 515 281 3747 number.

From: Mormann, Marlon [IWD]
Sent: Wednesday, July 10, 2013 10:13 AM
To: Ackerman, Susan [IWD]; Lewis, Devon [IWD]
Cc: Hendricksmeier, Bonny [IWD]; Walsh, Joseph [IWD]; Scheetz, Beth [IWD]; Hillary, Teresa [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Nice, Terence [IWD]; Donner, Lynette [IWD]; Timberland, James [IWD]; Elder, Julie [IWD]; Stephenson, Randall [IWD]; Seeck, Vicki [IWD]
Subject: RE: Order Confirmation: Request ID 3128008 for STATE OF IOWA has been ISSUED

I am against using any kind of fake number. The problem with using our direct dial number is that parties try to return a missed call and get a busy signal when we are in hearing. We should consider call transfer to 281 3747 so we catch the "no answer" parties asap. Or have 281 3747 as our ID number.

Marlon Mormann, Administrative Law Judge
515-265-3512

From: Ackerman, Susan [IWD]
Sent: Tuesday, July 09, 2013 2:36 PM
To: Lewis, Devon [IWD]
Cc: Hendricksmeier, Bonny [IWD]; Walsh, Joseph [IWD]; Scheetz, Beth [IWD]; Hillary, Teresa [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Donner, Lynette [IWD]; Timberland, James [IWD]; Elder, Julie [IWD]; Stephenson, Randall [IWD]; Seeck, Vicki [IWD]
Subject: RE: Order Confirmation: Request ID 3128008 for STATE OF IOWA has been ISSUED

My line comes in as ST OF IA UI APP with the # listed - and I'm in agreement as to showing a dummy # instead of my actual #.

I am not used to taking calls on my work phone so need to be prepared for that when I answer as I've received several calls just today from parties I've called regarding postponements, etc.

I even had a Legal Aide atty tell me she has called my (personal) # repeatedly and no one has answered, which is odd since it only became published recently.

Administrative Law Judge Susan Ackerman

Iowa Unemployment Insurance Appeals
 1000 East Grand Avenue
 Des Moines, Iowa 50319
 Phone: (515) 281-3747

Fax: (515) 242-5144
Susan.ackerman@iwd.iowa.gov

From: Lewis, Devon [IWD]
Sent: Tuesday, July 09, 2013 1:03 PM
Cc: Hendricksmeier, Bonny [IWD]; Walsh, Joseph [IWD]; Scheetz, Beth [IWD]; Hillary, Teresa [IWD]; Ackerman, Susan [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Donner, Lynette [IWD]; Timberland, James [IWD]; Elder, Julie [IWD]; Stephenson, Randall [IWD]; Seeck, Vicki [IWD]
Subject: RE: Order Confirmation: Request ID 3128008 for STATE OF IOWA has been ISSUED

In order to make a long story short, is there anyone who does have "Unemployment Appeals" or something other than their actual work number showing up on caller ID without the work number in contacts? When we get that info, I will let Gary and the Director know. It looks like everyone else is working today except Lynette. If I don't hear back from anyone else by tomorrow morning I will assume your number appears and you need to have "Unemployment Appeals" substituted.

From: Wahlert, Teresa [IWD]
Sent: Tuesday, July 09, 2013 12:31 PM
To: Seeck, Vicki [IWD]; Bateman, Gary [IWD]
Cc: Hendricksmeier, Bonny [IWD]; Walsh, Joseph [IWD]; Scheetz, Beth [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Ackerman, Susan [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Donner, Lynette [IWD]; Timberland, James [IWD]; Elder, Julie [IWD]; Stephenson, Randall [IWD]
Subject: Re: Order Confirmation: Request ID 3128008 for STATE OF IOWA has been ISSUED

Thanks Vicki - I have included Gary Bateman in resolving this situation with you. Gary, please let me know when this has been corrected.

- Teresa Wahlert

On Jul 9, 2013, at 10:45 AM, "Seeck, Vicki [IWD]" <Vicki.Seeck@iwd.iowa.gov> wrote:

I just dialed my cellphone from my office and it came up as unavailable. I should add that a new phone system is being installed here and so they may be waiting for that before things change.

Vicki

From: Hendricksmeier, Bonny [IWD]
Sent: Tuesday, July 09, 2013 10:44 AM
To: Wahlert, Teresa [IWD]; Walsh, Joseph [IWD]; Scheetz, Beth [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Ackerman, Susan [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Donner, Lynette [IWD]; Timberland, James [IWD]; Elder, Julie [IWD]; Stephenson, Randall [IWD]; Seeck, Vicki [IWD]
Subject: RE: Order Confirmation: Request ID 3128008 for STATE OF IOWA has been ISSUED

State of Iowa Appeals and my office number appear on a land line, only the office number on a cell. I would like the office number removed from both, and both merely show State of Iowa Appeals

From: Wahlert, Teresa [IWD]
Sent: Monday, July 08, 2013 4:00 PM
To: Walsh, Joseph [IWD]; Scheetz, Beth [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Ackerman, Susan [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Hendricksmeier, Bonny [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Donner, Lynette [IWD]; Timberland, James [IWD]; Elder, Julie [IWD]; Stephenson, Randall [IWD]; Seeck, Vicki [IWD]
Subject: FW: Order Confirmation: Request ID 3128008 for STATE OF IOWA has been ISSUED

The phones are now all unblocked.

Teresa Wahlert

Director
 Iowa Workforce Development | 1000 E Grand | Des Moines, IA 50319
 515-281-5365 | 515-281-4698 - fax
www.iowaworkforce.org

Begin forwarded message:

From: "Bateman, Gary [IWD]" <Gary.Bateman@iwd.iowa.gov>
Date: July 8, 2013, 12:27:15 PM EDT
To: "Wahlert, Teresa [IWD]" <Teresa.Wahlert@iwd.iowa.gov>
Subject: FW: Order Confirmation: Request ID 3128008 for STATE OF IOWA has been ISSUED

Teresa,

The remaining phone number blocks for the Appeals Judges have now been removed.

Thanks,
 Gary

From: Cooper, Renee [IWD]
Sent: Monday, July 08, 2013 10:39 AM
To: Bateman, Gary [IWD]
Subject: FW: Order Confirmation: Request ID 3128008 for STATE OF IOWA has been ISSUED

Gary - All appeals judges phones are now un-blocked for caller ID.

From: Jay Igou [<mailto:jay.igou@centurylink.com>]
Sent: Friday, July 05, 2013 8:25 AM

To: Cooper, Renee [IWD]
Cc: sean.cory@centurylink.com
Subject: Order Confirmation: Request ID 3128008 for STATE OF IOWA has been ISSUED



Thank-you for contacting CenturyLink!

This is confirmation of your service request for STATE OF IOWA. We look forward to meeting all of your communication needs. We are committed to delivering excellent customer service now and in the future.

Customer: STATE OF IOWA
Request ID: 3128008
Product: Features

Order Details:

Order Number	Billing Account Number	Due Date	Appointment Time	Comments
C48549752	5152679285594	07/03/2013		remove caller id block change listing info
R48610271	5634453200361	07/03/2013		add 4 additional listings for 4 analog lns on account 386-8878 386-8879 391-6486 445-3240
C48549780	5152239313491	07/03/2013		remove caller id block change listing info

Our goal is to provide you with excellent customer service and we truly appreciate your business. If we may be of further assistance please do not hesitate to contact us.

Thank-you,
Jay Igou
Service Delivery Coordinator
Customer Care Center
Seattle, WA
Email: jay.igou@centurylink.com
Phone: 8007779594 ext 130-4147

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<http://www.centurylink.com/Pages/AboutUs/Legal/PrivacyPolicy/>

Message: No Title

Case Information:


Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:04 PM
Item ID: 40861107
Policy Action: Not Specified

Mark History:


No reviewing has been done

Policies:

No Policies attached

 **Untitled**

From Hillary, Teresa [IWD] **Date** Tuesday, July 09, 2013 1:58 PM
To Lewis, Devon [IWD]
Cc

 [TIPS ON TYPING ROUGH DECISIONS.doc](#) (67 Kb HTML)

- [P O BOX 345]

TIPS ON TYPING ROUGH DECISIONS:

The decision shell document is set to default to a block style, so there is no need to indent paragraphs, just double space (return/enter) between each paragraph. The decision shell document is also set to default at wrapping at the end of a line, as opposed to using a carrier return function. Do not use the return key in the body of a decision, except to start a new paragraph.

~~~~~

In the address portion of the decision, if there is a numbered street, spell out **First** through **Tenth**. If there is a house number and a numbered street name, offset the numbers with a space and a hyphen. Also in addresses, always spell out the words STREET, ROAD, PLACE, CIRCLE, BOULEVARD, etc.

FOR EXAMPLE:

**1234 – 56<sup>TH</sup> STREET**

**789 FOURTH AVENUE**

~~~~~

Also, in the address portion of the decision, there is no punctuation used for post office boxes.

FOR EXAMPLE:

P O BOX 345

~~~~~

Again in the address portion of the decision, if there is a direction designation in the address, spell it out if it comes before the street name, but use an abbreviation if it comes after the street name.

FOR EXAMPLE:

738 **WEST** MAIN STREET

738 MAIN STREET **W**

927 **NORTHEAST** HALL AVENUE

927 HALL AVENUE **NE**

~~~~~

If there is no employer, IWDD is to be listed in the address portion of the decision designated for the employer's name and address.

FOR EXAMPLE:

IOWA WORKFORCE

DEVELOPMENT DEPARTMENT

~~~~~

Always use a required/forced space to keep certain information together on the same line. To type a required/forced space, while holding down the **Ctrl** (control) key and the **Shift** key, depress the space bar. It will show on the monitor as a little circle centered on the line. Get into the habit of always using this function, whether the information is at the end of a line or not. In finaling the decision, the line endings could change.

FOR EXAMPLE: (The information in **bold** type is held together on the same line using the required/forced space function.)

**February 4, 1999**

**Dr. Alan Black**

**Mary A. Smith**

**Mr. Robert Johnson**

**Des Moines, Iowa**

Samuel Jones, M.D.

John White, Jr.

3:30 p.m.

871 IAC 24.32(8)

The same holds true for a required/forced hyphen. To type a required/forced hyphen, while holding down the **Ctrl** (control) key and the **Shift** key, depress the hyphen key. When referring to law sections in the body of a decision, you'll want them to stay together on the same line.

*FOR EXAMPLE:* Iowa Code Section **96.5-2-a** or **02A-UI-01234-ZT**.

When typing a series of three or more, which series includes commas, use a semi-colon to offset groups. *FOR EXAMPLE:* John Smith, President; Mary Brown, Vice President; Robert Burns, Treasurer; and Patricia Lovell, Secretary.

In typing dollar amounts, always use a decimal point and type in the cents, even if there aren't any. *FOR EXAMPLE:* **\$157.48** or **\$847.00**. Always use a comma when referring to thousands of dollars. *FOR EXAMPLE:* **\$3,157.48**.

When designating dates in the body of the decision, spell out the names of months. Do not use numbers to designate the months. Also, do not designate the day of a month by number without using the name of the month.

*FOR EXAMPLE:*

Correct.: July 21.

Incorrect: the 21<sup>st</sup>.

Incorrect: the 21<sup>st</sup> of July.

And use four digits to designate the year.

However, for the original claim date (OC) in the top portion of the decision, use numbers:

**07/21/02**

Use two digits for the month, day and year.

When designating time, always use digits, not the word "o'clock." Use digits to designate minutes, even when there are none. *FOR EXAMPLE:* **3:00 p.m.** or **10:36 a.m.** Do not simply type **3 p.m.** Also, **a.m.** and **p.m.** are to be in lower case with periods. Remember to use the required/forced space function before **a.m.** and **p.m.**

Most of the well-used citations, such as Cosper, Budding, Davoren, etc., have been stored on the **Q** drive and can be stored in your **AutoText**. After being stored in **AutoText**, simply typing the first four characters of the citation will give the prompt to insert it into the document. When the **insert AutoText** prompt is on the screen, depressing your **Enter** key on the keyboard will insert the law citation into the document and your insertion point (cursor) will go to the end of the information which has been prompted to be inserted into the document. NOTE: The citations are stored with no punctuation after them. Unless it's going to continue in sentence form, please don't forget to add the period.

Never use contractions in a professional document unless within a quote. *FOR EXAMPLE:*

**Do Not Type:**

isn't

doesn't

he's

aren't

**Instead, Use:**

is not

does not

he is

are not

~~~~~  
In typing an overpayment decision when you don't know the amount of the overpayment, type the dollar amount (**capital 4**), then with your mouse, left click on the picture icon for the **text form field** () on the tool bar, followed by a period, comma, or further information in the decision, allowing the word processor finaling the decision to easily get to the point to add the dollar amount.
~~~~~

Spell out numbers one through ten and use digits for higher numbers, but be consistent throughout a document for related significance.

For the employers' exhibits, spell out the numbers...Employer's Exhibits One through Thirteen, using initial caps.

For the claimants' exhibits, use a required space between **Exhibit** and the letter. If there are more than one for the claimant, you just need the one required space before the first exhibit.

Claimant's Exhibits A through G. (The required space would be between **Exhibits** and **A**).

~~~~~  
When referring to page numbers within a document, use Arabic numbering, with a required space between the word **page** and the **number of the page**.
~~~~~

Do not use the percent sign. Type the number, followed by a required/forced space, followed by the word **percent**.

~~~~~  
Spell out a fraction that stands alone (without a whole number preceding). The numerator and the denominator should be connected by a hyphen.

FOR EXAMPLE:

one-half

two-thirds

three-fourths

nine-tenths

A compound fraction (a whole number plus a fraction) is written in figures.

3½

7¼

6¾

When constructing fractions for which special characters are not provided in Word 2000 (such as ½, ¼, ¾, etc.), use the diagonal (/). Separate a whole number from a fraction by means of a **required** space, not with a hyphen.

6 3/8

9 5/18

In the same document, do not mix constructed fractions (7/8, 5/16) with those for which special characters are provided in Word 2000 (½, ¼, ¾).

~~~~~  
Use commas to set off Jr. and Sr., but **not** to offset Roman numerals following a person's name (except in the address portion of the decision). Do not spell out Junior and/or Senior. Use a required space between the person's last name and Jr. or Sr. and before

Roman numerals.

Kelsey R. Patterson, Jr.

Christopher M. Gorman, Sr.

Benjamin Hart II

Anthony Jung III

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**Message: RE: Thoughts?****Case Information:**

Message Type: Exchange  
 Message Direction: Internal  
 Case: IWD Senator Petersen Request - Version 3  
 Capture Date: 7/10/2014 1:32:04 PM  
 Item ID: 40861106  
 Policy Action: Not Specified

**Mark History:**

No reviewing has been done

**Policies:**

No Policies attached

**RE: Thoughts?**

**From** Hillary, Teresa [IWD] **Date** Tuesday, July 09, 2013 1:03 PM  
**To** Walsh, Joseph [IWD]; Lewis, Devon [IWD]  
**Cc**

Is this in addition to or in lieu of the new pdq that you sent out to all of us? Don't you want to know what the other alj's think about it since it affects all of us, not just me and Devon?

**From:** Walsh, Joseph [IWD]  
**Sent:** Tuesday, July 09, 2013 12:24 PM  
**To:** Hillary, Teresa [IWD]; Lewis, Devon [IWD]  
**Subject:** Thoughts?

Teresa and Devon

The Director asked me to revise PDQs for ALJs to reflect participation in the agency (really it is bigger than this, all of the process improvement, committee work and projects). I have tried to be creative but I am not coming up with much. Please let me know if you have any additional thoughts which may be helpful.

- 60 Conduct high-volume trial level contested case proceedings involving unemployment insurance benefits. Rule on admissibility of evidence and other objections raised in hearings. Assist the parties in the development of the record. Conduct pre-trial conferences as needed on issues of discovery and sanctions for failing to complete discovery. Ensure all parties are afforded due process of law whether or not represented by legal counsel.
- 5 Study Iowa Code of Administrative Judicial Conduct and ensure that personal conduct on and off duty is consistent with the Code.
- 5 Timely prepare and submit legally correct decisions awarding or denying UI benefits. Maintain compliance with U.S. DOL time lapse and quality standards on issuing decisions.
- 5 Review case files prior to hearing to become familiar with factual and legal issues. Study applicable principles of law from Code of Iowa, Iowa Administrative Code, published decisions of the Supreme Court of Iowa and Court of Appeals, as well as appropriate federal law to ensure that decisions are legally correct.
- 5 Respond to public inquires and requests for postponements.
- 20 Participate in projects and teams to promote Bureau and agency goals.

*Joseph L. Walsh*

Chief Administrative Law Judge  
 Unemployment Insurance Appeals  
 1000 East Grand Avenue  
 Des Moines, Iowa 50319  
 Phone: (515) 281-8119  
[joseph.walsh@iwd.iowa.gov](mailto:joseph.walsh@iwd.iowa.gov)

**Message: RE: Lotus Notes...****Case Information:**

Message Type: Exchange  
 Message Direction: Internal  
 Case: IWD Senator Petersen Request - Version 3  
 Capture Date: 7/10/2014 1:32:03 PM  
 Item ID: 40861102  
 Policy Action: Not Specified

**Mark History:**

No reviewing has been done

**Policies:**

No Policies attached

**RE: Lotus Notes...**

**From** Hillary, Teresa [IWD]     **Date** Monday, July 08, 2013 11:42 AM  
**To** Wise, Steve [IWD]  
**Cc**

I just tried to have Annette at the help desk walk me through getting it set up and was told I need to have a new ID created. Just an FYI as all of the alj's will need this on their laptops for training on July 18.

**From:** Wise, Steve [IWD]  
**Sent:** Monday, June 24, 2013 9:20 AM  
**To:** Scheetz, Beth [IWD]; Lewis, Devon [IWD]; Walsh, Joseph [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]  
**Cc:** Benson, Joni [IWD]; Wise, Steve [IWD]  
**Subject:** RE: Lotus Notes...

If you do not have the Lotus Notes program installed on your computer, it is not necessary to get it installed according to the Help Desk, you can just use the Shared Application from the network. To access this program, copy the following link

<\\wdad05ln\Shared Apps\Lotus Notes\Lotus Notes 6.5.exe>

Go to your desktop and right click and choose "NEW" and then "Shortcut" to create a shortcut for the program. In the box where it says "Type the location of the item," right click in the box and choose Paste to paste the file location for the Lotus Notes program. Choose Next and then Finish. This will create the Lotus Notes icon on your desktop.

There is no use clicking on the icon until you have received word from Joni that you are authorized to access the program (you have to call her with your SS#). There is actually a set-up process with domain settings, etc. that you will have to go through to get Lotus Notes working properly. Once I have received word that I am authorized I will get it set up and send folks instruction on the process. Or you could probably call the Help Desk and they can walk you through the process.

**From:** Wise, Steve [IWD]  
**Sent:** Tuesday, June 18, 2013 4:26 PM  
**To:** Scheetz, Beth [IWD]; Lewis, Devon [IWD]; Walsh, Joseph [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]  
**Subject:** RE: Lotus Notes...

If you have an icon on your desktop, yes, it is likely the program is installed.

**From:** Scheetz, Beth [IWD]  
**Sent:** Tuesday, June 18, 2013 4:25 PM  
**To:** Wise, Steve [IWD]; Lewis, Devon [IWD]; Walsh, Joseph [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]  
**Subject:** RE: Lotus Notes...

The symbol appears on my wallpaper.  
 I assume I have it on my computer.  
 Beth

**From:** Wise, Steve [IWD]  
**Sent:** Tuesday, June 18, 2013 3:46 PM  
**To:** Lewis, Devon [IWD]; Walsh, Joseph [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]  
**Subject:** RE: Lotus Notes...

We will have to ask them. In theory they should be able to but in reality who knows.

**From:** Lewis, Devon [IWD]  
**Sent:** Tuesday, June 18, 2013 3:44 PM  
**To:** Wise, Steve [IWD]; Walsh, Joseph [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]  
**Subject:** RE: Lotus Notes...

Is IT able to do that remotely? While you were on annual we discovered that there is a treasure trove of info on LN that Claims still uses and that we might find useful for hearings.

**From:** Wise, Steve [IWD]

**Sent:** Tuesday, June 18, 2013 3:42 PM

**To:** Walsh, Joseph [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]

**Subject:** RE: Lotus Notes...

Many of us don't have the Lotus Notes program installed on our computers because it has not been required for our work for many years now. I do not have it on my computer. Alls who don't have Lotus Notes will have to contact IT to have it installed.

Steve

---

**From:** Walsh, Joseph [IWD]

**Sent:** Tuesday, June 18, 2013 2:44 PM

**To:** Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]

**Subject:** FW: Lotus Notes...

To get access to Lotus Notes you may send this information directly to JoAnn Goode.

---

**From:** Goode, JoAnn [IWD]

**Sent:** Friday, June 14, 2013 11:22 AM

**To:** Walsh, Joseph [IWD]

**Subject:** RE: Lotus Notes...

Good morning Joe. I need the following information, for each of the staff listed below, to complete the request for Lotus Notes:

- Middle Initial:
- Office Phone Number:
- Last Date of Hire:
- Month and Day of Birth:
- Mother's Maiden Name:

Thank you

---

**From:** Walsh, Joseph [IWD]

**Sent:** Wednesday, June 12, 2013 9:01 PM

**To:** Goode, JoAnn [IWD]

**Subject:** RE: Lotus Notes...

All of the ALJs need it. Teresa Hillary does not need to be on the email. She no longer does any sort of lead work.

Susan Ackerman

Lynette Donner

Julie Elder

Bonny Hendricksmeier

Teresa Hillary

Devon Lewis

Marlon Mormann

Terry Nice

Beth Scheetz

Vicky Seeck

Randy Stephenson

James Timberland

Deb Wise

Steve Wise

Joe Walsh

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**From:** Goode, JoAnn [IWD]

**Sent:** Monday, June 10, 2013 9:49 AM

**To:** Walsh, Joseph [IWD]

**Cc:** Hillary, Teresa [IWD]

**Subject:** Lotus Notes...

Good morning Joe.

Please let me know which of your staff need access to Lotus Notes. I will be glad to work on access for them.



**Message: RE: Word Processors****Case Information:**

Message Type: Exchange  
 Message Direction: Internal  
 Case: IWD Senator Petersen Request - Version 3  
 Capture Date: 7/10/2014 1:32:03 PM  
 Item ID: 40861078  
 Policy Action: Not Specified

**Mark History:**

No reviewing has been done

**Policies:**

No Policies attached

**✉ RE: Word Processors**

|             |                                                                                                                                                                                                                                                                                                                       |                                     |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| <b>From</b> | Hillary, Teresa [IWD]                                                                                                                                                                                                                                                                                                 | <b>Date</b>                         |
|             |                                                                                                                                                                                                                                                                                                                       | Monday,<br>July 01, 2013<br>9:41 AM |
| <b>To</b>   | Mormann, Marlon [IWD]; Scheetz, Beth [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Lewis, Devon [IWD]; Nice, Terence [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Walsh, Joseph [IWD] |                                     |
| <b>Cc</b>   | Shroyer, Paula [IWD]; Scott, Cheryll [IWD]                                                                                                                                                                                                                                                                            |                                     |

Since the word processors have asked for it this way to make their job easier, I'm going to continue doing what they have asked me to do.

---

**From:** Mormann, Marlon [IWD]  
**Sent:** Monday, July 01, 2013 9:37 AM  
**To:** Hillary, Teresa [IWD]; Scheetz, Beth [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Lewis, Devon [IWD]; Nice, Terence [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Walsh, Joseph [IWD]  
**Cc:** Shroyer, Paula [IWD]; Scott, Cheryll [IWD]  
**Subject:** RE: Word Processors

You don't seem to understand my concern. Again, all cases have an appeal date. Even one party cases with no hearing have an appeal date. The appeal date is on APLF. We calculate the due



date by adding 30 days to the appeal date.

I fully understand why WP want to know that no hearing was held. We can add that. Putting N/A for no hearing in lieu of a 30 day due date seems illogical.

I apologize to our word processors, it sounds like we have all been doing something different with “no hearing” cases, thereby making your jobs harder.

I opine that we need the 30 day date. It makes more sense to do the following: 30 day due date, file number, no hearing or N/H.

**6/22 00000.mt No hearing. Or N/H.**

**Marlon Mormann, Administrative Law Judge  
515-265-3512**

---

**From:** Hillary, Teresa [IWD]

**Sent:** Monday, July 01, 2013 9:04 AM

**To:** Mormann, Marlon [IWD]; Scheetz, Beth [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Lewis, Devon [IWD]; Nice, Terence [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Walsh, Joseph [IWD]

**Cc:** Shroyer, Paula [IWD]; Scott, Cheryll [IWD]

**Subject:** RE: Word Processors

It is something the word processors specifically asked me to do when doing one party cases where no hearing was SCHEDULED or held. This makes it possible for them to enter that task into their log without opening the accompanying decn. I understand you may not understand why they are making these requests, but it is to help them do their jobs more efficiently. The information on the log goes into the Kevin report. The WP are not asking for anything just to “make work” for any alj.

So if you are one of the alj’s who are taking one-party cases and trying to push them out the door prior to them being scheduled that is what is needed on the task line.

Mine look like this:

N/A 00000.H2 ASAP TO MAKE 30 DAYS.

Make sense now?

Teresa Hillary

---

**From:** Mormann, Marlon [IWD]  
**Sent:** Monday, July 01, 2013 9:01 AM  
**To:** Hillary, Teresa [IWD]; Scheetz, Beth [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Lewis, Devon [IWD]; Nice, Terence [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Walsh, Joseph [IWD]  
**Cc:** Shroyer, Paula [IWD]; Scott, Cheryll [IWD]  
**Subject:** RE: Word Processors

N/A makes no sense to me. Where do you put N/A. All cases have a due date some 30 days after filing. We need one rule to help the word processors.

**Marlon Mormann, Administrative Law Judge**  
**515-265-3512**

---

**From:** Hillary, Teresa [IWD]  
**Sent:** Monday, July 01, 2013 8:52 AM  
**To:** Scheetz, Beth [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Walsh, Joseph [IWD]  
**Cc:** Shroyer, Paula [IWD]; Scott, Cheryll [IWD]  
**Subject:** RE: Word Processors

Remember the N/A only applies to cases where you've done the decn without a hearing being scheduled. If it's a decn on the record, it is like always. So if you're doing one-party cases to meet the 30 day deadline, then use N/A, if it's a decn on the record, it's as usual. Make sense?

Teresa Hillary

---

**From:** Scheetz, Beth [IWD]  
**Sent:** Monday, July 01, 2013 7:45 AM  
**To:** Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Walsh, Joseph [IWD]  
**Cc:** Shroyer, Paula [IWD]; Scott, Cheryll [IWD]  
**Subject:** Word Processors

I spoke to the word processors and learned quite a bit. They thought we were doing a great job and were hesitant to say anything. Here's a bit of what they thought might be helpful.

Look at the second page of your one party shells.  
Remove the word "Employer" if it appears under  
**IOWA WORKFORCE**  
**DEVELOPMENT DEPARTMENT**

(three spaces before the word development)

With regard to your cites, make sure they are in the proper format (underlined or italicized).

If you cut and paste them in, please format them before sending.

Please place two spaces after periods, a comma after a year, and a comma after a reference number. There's a required space between the month and day and required space after reference and before the number.

You may be able to see this better if you have your view set up so it shows paragraph marks. That's the symbol with the paragraph sign, Show All. (May 6, 2013, reference 06, decision...)

Please place a Text Field ( ) under the last code section before the statement of case, one before each reference code (only one if two reference numbers are listed), and one after your initials at the end of your decision.

Some of the shells have lost the words "**APPEAL NO.**" that appear before 13A--- in the header.

They have miraculously disappeared!!!

Sending Decisions:

Please don't send with **None** in start/due date.

The **start date** is always the date the **hearing** was held.

The due date is always the date the decision is due – the DOL date.

If the decision is old the due date should be the day after the date it is sent in on the due date line of your task.

Subject Line:

Date should match due date unless old.

(6/28 04561.S2 (45) w/d)

If old, say Old and case number.

Teresa mentioned this yesterday – Place N/A in the subject line if there was no hearing held.

If the decision is Old, place Old in the subject line.

The word processors have questions when they see ASAP in the subject line when a due date for DOL is not also provided with the ASAP request.

Typing Tips:

\$23.00

Remember .00

\$5,000.00

Remember the comma

Lock-out/tag-out



**Message: RE: Word Processors**

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**Case Information:**

Message Type: Exchange  
Message Direction: Internal  
Case: IWD Senator Petersen Request - Version 3  
Capture Date: 7/10/2014 1:32:03 PM  
Item ID: 40861081  
Policy Action: Not Specified

**Mark History:**

No reviewing has been done

**Policies:**

No Policies attached

 **RE: Word Processors**

**From** Hillary, Teresa [IWD]      **Date** Monday, July 01, 2013 10:45 AM  
**To** Lewis, Devon [IWD]  
**Cc**

---

Julie can't even ask you that, but she's going to contact the WP and talk about the issues with them?  
Is Beth going to dial the phone for her? Oy vey.

---

**From:** Lewis, Devon [IWD]  
**Sent:** Monday, July 01, 2013 10:27 AM  
**To:** Hillary, Teresa [IWD]  
**Subject:** FW: Word Processors

Can you say 'patronizing' boys and girls? J told B this? Why not tell JW or speak up this morning?

---

**From:** Lewis, Devon [IWD]  
**Sent:** Monday, July 01, 2013 10:25 AM  
**To:** Scheetz, Beth [IWD]  
**Cc:** Elder, Julie [IWD]  
**Subject:** RE: Word Processors

Of course; that'd be great. I'm swamped with the PT Q training and ALJ desk manual. Joe hasn't set up committee member lists yet so I'm not aware of who wants to do what and am just offering assistance until that happens. Tere has worked with the WPs quite a bit over the past several months so has good insight and Marlon is going to find the old dictation guide so I will pass that along with the tip sheet I have already started based upon the info people have shared so far today. The WPs have indicated they are not really available to talk

or review e-mails before 12:30 any day because of their submission deadlines so mid- to late-afternoon communication is likely best for them.

*Devon*

---

**From:** Scheetz, Beth [IWD]  
**Sent:** Monday, July 01, 2013 10:15 AM  
**To:** Lewis, Devon [IWD]  
**Cc:** Elder, Julie [IWD]  
**Subject:** RE: Word Processors

Devon,  
Julie had indicated to me last week that she would like to take on this task.  
You have done so much for us.  
Is it ok if Julie works on this one with some others?  
Beth

---

**From:** Lewis, Devon [IWD]  
**Sent:** Monday, July 01, 2013 10:10 AM  
**To:** Scheetz, Beth [IWD]; Hillary, Teresa [IWD]; Mormann, Marlon [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Nice, Terence [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Walsh, Joseph [IWD]  
**Cc:** Shroyer, Paula [IWD]; Scott, Cheryll [IWD]  
**Subject:** RE: Word Processors

Again, some of this info is new to me and others. I will work on a tip sheet with the WPs to meet their needs so we can all get on the same page for these format issues.

---

**From:** Scheetz, Beth [IWD]  
**Sent:** Monday, July 01, 2013 10:09 AM  
**To:** Hillary, Teresa [IWD]; Mormann, Marlon [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Lewis, Devon [IWD]; Nice, Terence [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Walsh, Joseph [IWD]  
**Cc:** Shroyer, Paula [IWD]; Scott, Cheryll [IWD]  
**Subject:** RE: Word Processors

For clarity.  
There are **three** different fields we are talking about. Subject line, start date, and due date  
The start and due fields should **ALWAYS** be complete. Never leave blank. WP have to hunt for dates if you do.

Subject Line:  
Date should match due date unless old.

(6/28 04561.S2 (45) w/d)

7/3 0623.S2

7/2 0621.S2 old

n/a 0725.S2

Old 0252.S2

ASAP IS TROUBLESOME!!!!

I'm not certain why ASAP is necessary as the word processors correct decisions almost immediately anyway.

**Message: RE: Word Processors**

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**Case Information:**

Message Type: Exchange  
Message Direction: Internal  
Case: IWD Senator Petersen Request - Version 3  
Capture Date: 7/10/2014 1:32:03 PM  
Item ID: 40861082  
Policy Action: Not Specified

**Mark History:**

No reviewing has been done

**Policies:**

No Policies attached

 **RE: Word Processors**

**From** Hillary, Teresa [IWD]      **Date** Monday, July 01, 2013 10:49 AM  
**To** Lewis, Devon [IWD]  
**Cc**

---

Good plan. They are going to have to contribute somehow to the operation of the appeals section.

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**From:** Lewis, Devon [IWD]  
**Sent:** Monday, July 01, 2013 10:48 AM  
**To:** Hillary, Teresa [IWD]  
**Subject:** RE: Word Processors

Yep – but I’m going to let go of this and they can sink or swim on their own.

---

**From:** Hillary, Teresa [IWD]  
**Sent:** Monday, July 01, 2013 10:45 AM  
**To:** Lewis, Devon [IWD]  
**Subject:** RE: Word Processors

Julie can’t even ask you that, but she’s going to contact the WP and talk about the issues with them?  
Is Beth going to dial the phone for her? Oy vey.

---

**From:** Lewis, Devon [IWD]  
**Sent:** Monday, July 01, 2013 10:27 AM  
**To:** Hillary, Teresa [IWD]  
**Subject:** FW: Word Processors

Can you say ‘patronizing’ boys and girls? J told B this? Why not tell JW or speak up this morning?



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**From:** Lewis, Devon [IWD]  
**Sent:** Monday, July 01, 2013 10:25 AM  
**To:** Scheetz, Beth [IWD]  
**Cc:** Elder, Julie [IWD]  
**Subject:** RE: Word Processors

Of course; that'd be great. I'm swamped with the PT Q training and ALJ desk manual. Joe hasn't set up committee member lists yet so I'm not aware of who wants to do what and am just offering assistance until that happens. Tere has worked with the WPs quite a bit over the past several months so has good insight and Marlon is going to find the old dictation guide so I will pass that along with the tip sheet I have already started based upon the info people have shared so far today. The WPs have indicated they are not really available to talk or review e-mails before 12:30 any day because of their submission deadlines so mid- to late-afternoon communication is likely best for them.

*Devon*

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**From:** Scheetz, Beth [IWD]  
**Sent:** Monday, July 01, 2013 10:15 AM  
**To:** Lewis, Devon [IWD]  
**Cc:** Elder, Julie [IWD]  
**Subject:** RE: Word Processors

Devon,  
Julie had indicated to me last week that she would like to take on this task.  
You have done so much for us.  
Is it ok if Julie works on this one with some others?  
Beth

---

**From:** Lewis, Devon [IWD]  
**Sent:** Monday, July 01, 2013 10:10 AM  
**To:** Scheetz, Beth [IWD]; Hillary, Teresa [IWD]; Mormann, Marlon [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Nice, Terence [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Walsh, Joseph [IWD]  
**Cc:** Shroyer, Paula [IWD]; Scott, Cheryl [IWD]  
**Subject:** RE: Word Processors

Again, some of this info is new to me and others. I will work on a tip sheet with the WPs to meet their needs so we can all get on the same page for these format issues.

---

**From:** Scheetz, Beth [IWD]  
**Sent:** Monday, July 01, 2013 10:09 AM  
**To:** Hillary, Teresa [IWD]; Mormann, Marlon [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Lewis, Devon [IWD]; Nice, Terence [IWD]; Seeck,

Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]; Walsh, Joseph [IWD]

**Cc:** Shroyer, Paula [IWD]; Scott, Cheryll [IWD]

**Subject:** RE: Word Processors

For clarity.

There are **three** different fields we are talking about. Subject line, start date, and due date

The start and due fields should **ALWAYS** be complete. Never leave blank. WP have to hunt for dates if you do.

Subject Line:

Date should match due date unless old.

(6/28 04561.S2 (45) w/d)

7/3 0623.S2

7/2 0621.S2 old

n/a 0725.S2

Old 0252.S2

**ASAP IS TROUBLESOME!!!!**

I'm not certain why ASAP is necessary as the word processors correct decisions almost immediately anyway.

**Message: FW: Change to Help Word Processing****Case Information:**

Message Type: Exchange  
 Message Direction: Internal  
 Case: IWD Senator Petersen Request - Version 3  
 Capture Date: 7/10/2014 1:32:03 PM  
 Item ID: 40861084  
 Policy Action: Not Specified

**Mark History:**

No reviewing has been done

**Policies:**

No Policies attached

**✉ FW: Change to Help Word Processing**

|             |                                                                                                                                                                                                                                                                                                                       |                                      |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| <b>From</b> | Hillary, Teresa [IWD]                                                                                                                                                                                                                                                                                                 | <b>Date</b>                          |
|             |                                                                                                                                                                                                                                                                                                                       | Monday, July<br>01, 2013<br>10:56 AM |
| <b>To</b>   | Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Walsh, Joseph [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD] |                                      |
| <b>Cc</b>   |                                                                                                                                                                                                                                                                                                                       |                                      |

Below is the e-mail I received on June 24 from Cheryll telling me to do it the way I instructed all of you.

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**From:** Scott, Cheryll [IWD]  
**Sent:** Monday, June 24, 2013 10:24 AM  
**To:** Hillary, Teresa [IWD]  
**Subject:** RE: Change to Help Word Processing

I failed to answer your question re: DOR. Please continue w/hearing date on those.

The N/A would be primarily on those cases you are grabbing, have not had a hearing scheduled or a hearing date is in the future and a decision can be rendered w/o hearing.

Hope that helps to clear this up.

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**From:** Hillary, Teresa [IWD]  
**Sent:** Monday, June 24, 2013 8:50 AM  
**To:** Scott, Cheryl [IWD]  
**Cc:** Shroyer, Paula [IWD]  
**Subject:** RE: Change to Help Word Processing

Thank you so much for bringing these to my attn. I really had no idea they were issues at all. I will make the changes today to the shell. PLS if I don't do it correctly or if you notice anything else, let me know. I would rather do it right the first time than cause you both repeated ad museum corrections.

Thanks much  
Teresa Hillary

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**From:** Scott, Cheryl [IWD]  
**Sent:** Friday, June 21, 2013 1:45 PM  
**To:** Hillary, Teresa [IWD]  
**Cc:** Shroyer, Paula [IWD]  
**Subject:** Change to Help Word Processing

Hi Theresa,

If you could make a change to your task and a change on the decisions regarding Iowa Workforce Development Department you sure would be helping us out.

Whenever a hearing is not held and particularly for these cases without employer, could submit as:

N/A; ASAP TO MAKE 30 DAYS

Right now either we have to open the decision as we are entering into the log to see if a hearing was held and/or the date to get it entered right at that time of log entry or if we are busy we leave it blank and have to go back into the log later after we determine the correct information to put on the log.

Also on the cover sheet we are changing:

IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT

To

IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT  
on every decision. The indention is 3 spaces before DEVELOPMENT

Also in the caption area on page 1, we are changing:

NONE  
Employer to:

IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT



If you would consider these changes we would be very grateful.

Thanks,

Cheryll