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LEADING THE NEWS

Overtime

California Justices Say State Overtime Laws Apply to Employees Residing in Other States

The California Labor Code's overtime provisions apply to three nonresident Oracle Corp. instructors for work performed in the state, and these claims may serve as predicates for claims under the state's unfair competition law,...

NEWS

Disabilities

Fired Supervisor's 'Cat's Paw' Claim Failed With No Intent, Causation Proof, Court Says

A former supervisor in an Iowa hog-processing plant did not prove he was retaliated against for seeking accommodations for an injured worker under the "cat's paw" theory of employer liability because he did not show that an intermediate...

Energy

White House Announces Commitments For Energy-Efficient Building Retrofitting

CHICAGO—Building on a White House budget proposal seeking to retrofit thousands of commercial buildings with energy-efficient technologies, the Obama administration unveiled June 30 a related initiative that will solicit large-scale,...

ERISA

Citing Amara, DOL Urges Seventh Circuit To OK Money Damages for Fiduciary Breach

The Labor Department filed an amicus brief June 13 urging the U.S. Court of Appeals for the Seventh Circuit to hold that under a recent U.S. Supreme Court ruling monetary damages can be awarded under Section 502(a)(3) of the Employee Retirement...

ERISA

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Court Affirms Ruling Against Employees Challenging Payment Policies for ESOPs

The U.S. Court of Appeals for the Eleventh Circuit June 28 upheld a lower federal court decision that former employees of a seafood company who alleged that the company wrongfully revised the payment policy of its employee stock ownership plan...

Federal Employees

AFGE Certified as Airport Screener Union

The Federal Labor Relations Authority has certified that more than 43,000 federal airport screeners employed by the Transportation Security Administration will be represented by the American Federation of Government Employees, AFGE...

Federal Employees

OPM Withdraws, Revises Interim Regulations On Calculating FEHBP Premiums Using MLR

The Office of Personnel Management has withdrawn an interim rule and replaced it with a revised interim rule on the agency's planned use of a medical loss ratio threshold to calculate premiums for community-rated plans in the Federal...

FLSA

Georgia Food Distributor to Pay Employees \$312,000

A federal court in Georgia has ordered Chueng Kong Holding Inc., doing business as wholesale food distributor United Food, and its owner to pay \$311,905 to 41 employees for minimum wage and overtime violations, the Labor Department announced...

FLSA

Judge Rules Sprinkler Installers May Proceed With FLSA Claims for Daily Warehouse Work

Five fire sprinkler company pipefitters may proceed to trial with their Fair Labor Standards Act claims for unpaid wages for time spent loading and unloading supplies at a company warehouse and traveling between the warehouse and job sites,...

Immigration

Conservatives Speak Out Against Bill to Mandate E-Verify for New Hires

Not all conservatives support mandatory E-Verify legislation, and some say such a bill would burden businesses without addressing the underlying immigration problems in the United States, speakers said during a June 30 teleconference...

Immigration

Michigan Dairy Farm, Owners Plead Guilty To Immigration Violations, to Pay \$2.7 Million

LANSING, Mich.—A Michigan dairy farm and its owners pleaded guilty to charges of employing illegal immigrants and agreed to pay over \$2.7 million in fines, according to a plea agreement filed June 28 in the U.S. District Court for the...

International Labor

**Canada Average Earnings Up 0.7 Percent
In April as Payroll Jobs Rise 0.2 Percent**

OTTAWA—Canadian workers' average weekly earnings increased 0.7 percent in April, a turnaround from the revised 0.2 percent decrease in March and the 0.2 percent decrease in February, Statistics Canada reported June 30....

Manufacturing

**IUE-CWA, UE Members Ratify Contract
With General Electric by 70 Percent Vote**

Members of United Electrical, Radio and Machine Workers of America and the International Union of Electronic Workers, an affiliate of the Communications Workers of America, have voted by 70 percent of those voting to ratify four-year national...

NLRB

NLRB Studying Possible Office Reorganizations

The National Labor Relations Board announced June 29 that it is engaged in a study of the agency's organization and structure in its Washington, D.C., headquarters and its regional offices located throughout the United States. ...

Race Discrimination

**Court Rules Fired White Supervisor
Raises Triable Race Discrimination Claims**

A white supervisor fired by a branch of Lockheed-Martin Corp. for forwarding to another employee a racially insensitive "joke" e-mail disparaging African Americans may pursue federal race discrimination claims based on evidence...

Representation Elections

**Senators Seek NLRB Delay of Rules Meeting,
While House Panel Sets Hearing Next Week**

Three Republican senators told National Labor Relations Board Chairman Wilma B. Liebman in a letter June 30 that the board's announcement of a July 18 public meeting on a notice of proposed rulemaking concerning representation case procedures...

Sexual Harassment

**First Circuit Says 'Current' Calendar Year
Is Year of Discrimination for Title VII Caps**

A federal district court abused its discretion when it reduced to \$50,000 a \$300,000 sexual harassment jury verdict in favor of a female former construction worker in Puerto Rico by using the calendar year in which the damages were awarded as...

Sexual Orientation

**WLAD Sexual Orientation Amendment Applies
Prospectively Only, State Appeals Court Holds**

A state university employee raised a jury issue of sexual orientation harassment with allegations that her supervisor mistreated her after finding out she is gay, the Washington Court of Appeals ruled June 27, although her claim ultimately...

Sick Leave

**Philadelphia Mayor Nutter Vetoes
Paid Sick Leave Mandate for Businesses**

PHILADELPHIA—Philadelphia Mayor Michael A. Nutter (D) June 28 vetoed a proposed ordinance that would have required all businesses in the city with more than five employees to provide workers with paid sick leave to take care of their...

Steel

USW, Allegheny Technologies Reach Accord for 3,000

The United Steelworkers and Allegheny Technologies Inc. (ATI) June 30 announced that they have reached tentative agreement on new four-year contracts covering some 3,000 employees at the company's Allegheny Ludlum stainless steel...

Trade

**Republicans Block FTA Mock Markup;
Hatch Objects to Inclusion of TAA, Process**

Republican Senate Finance Committee members boycotted and successfully blocked a June 30 "mock" markup hearing on three pending free trade agreements, with ranking member Sen. Orrin Hatch (R-Utah) blasting the planned inclusion...

Unfair Labor Practices

**ALJ Denies Boeing Bid to Dismiss Complaint,
Allowing Trial of Unfair Labor Practice Issues**

The National Labor Relations Board administrative law judge hearing Acting General Counsel Lafe E. Solomon's allegations that Boeing Co. unlawfully transferred jetliner production from Washington state to South Carolina June 30...

ALSO IN THE COURTS

**Also in the Courts: A Roundup of Recent Labor and
Employment Rulings**

CONVENTION REPORT

Teamsters

**Delegates to IBT Convention Nominate
Hoffa, Pope, Gegare for General President**

LAS VEGAS—Delegates to the 28th convention of the International Brotherhood of Teamsters June 30 nominated James P. Hoffa, Sandy Pope, and Fred Gegare as candidates for the office of international general president. ...

Teamsters

**UAW's King Tells IBT Delegates to Mobilize
Members in Advance of 2012 Election**

LAS VEGAS—United Auto Workers President Bob King told delegates to the International Brotherhood of Teamsters' convention June 29 that the two unions were in strong solidarity with each other, and that union leaders must educate...

ECONOMIC NEWS

Economic Outlook

Growth to Improve to 3.2 Percent in 2012, As Jobless Rate Declines, BNA Survey Finds

After a weak first half of the year, U.S. economic growth will strengthen in the remainder of 2011 and in 2012, supported by lower energy prices, improved consumer confidence and job growth, and rising business investment and exports, according...

Unemployment Insurance

First-Time UI Claims Edge Down 1,000 To 428,000 in Latest Week, ETA Reports

The number of jobless workers filing individual unemployment insurance claims decreased by 1,000 in the week ended June 25 following an increase of 9,000 the preceding week, according to seasonally adjusted figures released June 30 by the...

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