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Friday, June 17, 2011 • Number 117

LEADING THE NEWS

NLRB

House Panel Conducts *Boeing* Field Hearing But Breaks Little New Ground on Controversy

The House Oversight and Government Reform Committee June 17 held a much-anticipated field hearing on the National Labor Relations Board complaint against Boeing Co. over the company's establishment of a 787 Dreamliner production line...

NEWS

Age Discrimination

Ex-Employee Awarded \$103,363 in Front Pay

A former employee who was awarded \$87,670 in compensatory damages by a jury on allegations that his employer violated the Missouri Human Rights Act by considering his age as a factor in firing him during a reduction-in-force is entitled to a...

Child Labor

Bill Introduced to Align Agriculture With Child Labor Law in Other Industries

Rep. Lucille Roybal-Allard (D-Calif.) June 16 announced the introduction of the Children's Act for Responsible Employment (CARE Act), which she said would remove the agriculture industry's exception from child labor laws. ...

Discrimination

Court Declines to Reopen Race Bias Claim Based on Supreme Court 'Cat's Paw' Ruling

Denying a former federal employee's motion to reconsider his race discrimination claims, a federal district court in Washington, D.C., June 14 ruled that a recent U.S. Supreme Court decision recognizing use of the "cat's paw"...

Employment

Obama Launches Marketing Initiative

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To Lure Overseas Investors, Spur Job Growth

President Obama has launched the SelectUSA Initiative to combat the nation's 9.1 percent unemployment rate by encouraging foreign and domestic firms to invest in the United States....

ERISA

Among Amara Decision's Effects Will Be Decrease in Class Actions, Speakers Say

There will be a decrease in the number of employee benefit class actions involving equitable estoppel because of the U.S. Supreme Court's recent decision in CIGNA Corp. v. Amara, a senior staff attorney for AARP Foundation Litigation...

Immigration

Lofgren Immigration Bill Addresses Green Cards, H-1B and L-1 Visa Programs

Legislation (H.R. 2161) that, among other immigration-related provisions, would allow U.S. companies to seek green cards for advanced degree graduates in certain fields and would allow certain entrepreneurs to seek green cards was introduced...

Labor Law

Secret Ballot Union Election Bill Signed by Tennessee Gov. Haslam

RALEIGH, N.C.—Union representation elections in Tennessee must be conducted by secret ballot under a bill (H.B. 1747) signed into law by Gov. Bill Haslam (R) June 16....

OFCCP

DOL Says Comment Period for OFCCP's VEVRAA Proposal to Be Extended to July 11

The comment period for a proposal issued by the Labor Department's Office of Federal Contract Compliance Programs to revise rules regarding federal contractors' affirmative action and equal employment opportunity obligations...

OFCCP

ThyssenKrupp Subsidiary Agrees to Settle OFCCP Sex Discrimination in Hiring Claim

ThyssenKrupp Elevator Manufacturing Inc. (TKE) has agreed to pay \$288,333 to settle allegations by the Labor Department's Office of Federal Contract Compliance Programs that the company discriminated against a class of 248 female...

Pensions

PBGC Adds Union Assistant to Advisory Panel

The Pension Benefit Guaranty Corporation announced June 16 that David S. Blitzstein was sworn in as a member of the PBGC Advisory Committee....

Retail Stores

Group of Wal-Mart Employees Forms New Organization With UFCW Support

Nearly 100 Wal-Mart Stores Inc. workers, who are part of Organization United for Respect at Wal-Mart (OUR Wal-Mart), a

new 501(c)5 nonprofit organization, traveled June 16 to Wal-Mart's Bentonville, Ark., corporate headquarters to...

Retiree Benefits

Employers Rethinking Retiree Health Care, Have Concerns About Health Law Burden

SAN FRANCISCO—Employers anticipate increased compliance burdens but see health insurance exchanges as an opportunity to get out of the pre-65 retiree health benefit business, panelists said June 16 at an insurance industry conference....

Safety & Health

Republican Budget Cuts Could Threaten To Shut Down Some State Plans, Official Says

Proposed cuts to the fiscal year 2012 budget for the Labor Department's Occupational Safety and Health Administration threaten to shut down some state workplace safety programs, Kevin Beauregard, chairman of the Occupational Safety...

Teamsters

Candidate for IBT President Files Lawsuit Against Hoffa Over 1989 Consent Decree

A 1989 consent decree establishing measures to combat corruption within the International Brotherhood of Teamsters is no longer needed and IBT General President James Hoffa's failure to terminate it has resulted in millions of dollars...

Unfair Labor Practices

Labor Board Invites Filing of Amicus Briefs On NLRB Status of Class Arbitration Waivers

The National Labor Relations Board June 16 invited interested organizations to file briefs in an unfair labor practice case presenting the question whether an employer violated federal labor law by maintaining and enforcing an employment...

Unfair Labor Practices

NLRB 3-0 Orders Hawaii Hotel to Bargain, Reinstate Workers, Pay Negotiating Expenses

The National Labor Relations Board June 14 found that a Waikiki hotel had violated federal labor law and ordered the employer to stop unfair labor practices, recognize and bargain with the employees' union for an initial contract, rescind...

SPECIAL REPORT

Safety & Health

Comments Say POV Proposal Lacks Specifics, Violates Due Process, Will Be Costly to Mines

Commenters are finding many faults with a proposal by the Mine Safety and Health Administration to revamp the pattern of violations process by which the agency holds the most risky mines accountable, with mine operators complaining that the...

CONFERENCE REPORT

Immigration

Mayorkas: USCIS Committed to Addressing Challenges of Legal Immigration Processing

SAN DIEGO—The Department of Homeland Security's U.S. Citizenship and Immigration Services is "committed to addressing the challenges" posed by administering the nation's legal immigration system and is making...

ECONOMIC NEWS

Employment

Unemployment Rate Declined in 24 States In May, but 27 States Lost Jobs, BLS Says

The unemployment rate declined in 24 states in May, rose in 13 states and the District of Columbia, and held steady in 13 states, the Labor Department's Bureau of Labor Statistics said June 17....

BNA INSIGHTS

**Whistleblower Protection Under the SEC's New Dodd-Frank Regulations:
A Practical Guide for Employers**

On May 25, 2011, the Securities and Exchange Commission issued its final rules implementing the whistleblower provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act (101 DLR AA-1, 5/25/11). Those rules provide employees...

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