



## **The U.S. Department of Labor: 2014 IGIA Briefing Paper**

The U. S. Department of Labor has been proud to foster, promote, and develop the welfare of wage earners, job seekers, and retirees in the jurisdictions of American Samoa, the Commonwealth of the Northern Mariana Islands (CNMI), Guam, the Republic of Palau, and the U.S. Virgin Islands.

Our efforts have reached far and wide into these communities, seeking to make the American workplace safer, healthier and fairer for everyone; to assure work-related benefits and rights, including the right to be paid fairly for every hour labored; and to meet the changing needs of a changing workforce by partnering with employers, community organizations and institutions of higher learning to improve job training, provide lifelong learning opportunities and advance efforts for profitable employment.

The impact of the Department of Labor has also reached outside the confines of the workplace, touching people's lives at all stages, by allowing parents to take leave and tend to loved ones; training veterans and young people for the careers of a lifetime; and guaranteeing the pensions of retired workers.

This is the result of the passion, dedication and hard work of more than 16,000 employees who proudly serve American workers every single day, and in every corner of the country. This briefing paper will explain their efforts and explore their achievements on behalf of workers and their families in insular areas.

### **EMPLOYMENT AND TRAINING ADMINISTRATION**

The Employment and Training Administration (ETA) administers federal job training grants to the U.S. Territory of Guam, the Commonwealth of the Northern Mariana Islands, the U.S. Territory of American Samoa, and the Republic of Palau, as well as to the U.S. Virgin Islands.

#### **THE UNITED STATES TERRITORY OF GUAM**

Guam's unemployment rate, most recently estimated at 13.3 percent in March, 2013, is higher than the national level, but is expected to improve over the next five years. Lack of industry-specific job skills and access to transportation and child care continue to present challenges to the completion of job-related training and job retention.

Through the Workforce Investment Act (WIA), Guam receives funds to operate employment and training programs and activities for Adults, Dislocated Workers and Youth. The Wagner-Peyser Act also allows the Guam Department of Labor (GDOL) to fund a labor-exchange system and to develop labor market information about products and services.

ETA also provides a Workforce Information Grant to help Guam produce critical labor market and workforce information needed to develop other core products and services to support the state and local workforce investment systems.

ETA also funds the Senior Community Service Employment Program (SCSEP), which provides subsidized, part-time community service based training for low- income individuals age 55 or older who have poor employment prospects.

A total of \$93,009,000 was allotted to Guam Department of Labor (GDOL) in PY 2013.

Guam's ETA funding for PY 2013 (July 2013 – June 2014):

WIA Adult - \$754,111  
 WIA Dislocated Worker -\$1,271,032  
 WIA Youth - \$813,205  
 Wagner-Peyser Base Grant- \$310,787  
 Workforce Information Grant-\$93,009  
 SCSEP - \$955,811

The Guam Workforce Investment Board and the administering agencies, Guam Department of Labor and the Agency for Human Resources Development, make up the policy and program delivery entities for the WIA and Wagner-Peyser funded programs and activities. Much of this work is facilitated through Guam's American Job Center—a one-stop shop for workers to access job training and other critical employment services.

In the absence of an unemployment insurance program, the GDOL worked with the Department to arrange for up to six hundred returning service members to be eligible for Unemployment Insurance Compensation for Ex-servicemembers (UCX). The servicemembers, who returned from Afghanistan in January, 2014, registered for UCX benefits while undergoing processing at Camp Shelby, Mississippi, and the GDOL will provide follow-up employment services. The GDOL also conducts its own Current Employment Statistics (CES) program that produces quarterly estimates of employment by industry including the government sector, as well as average hourly earnings, average hours worked per week, and average weekly earnings for private sector non-supervisory workers.

Additionally, The Guam Community College, in conjunction with the GDOL, implemented the "WorkKeys" assessment tool. It is a nationally recognized tool used to help reduce employee turnover, decrease length of training for new employees, and increase employee productivity by ensuring those hired have the skills to do the jobs.

In November of 2011, the Department recognized the GDOL as a State Apprenticeship Agency. This authorized Guam to oversee the territory's Registered Apprenticeship system. Guam has

been an exceptional addition to the National Apprenticeship system focusing on expansion of registered apprenticeship programs to a variety of industries and occupations, particularly in support of ongoing military expansion efforts.

Guam has 99 active registered apprenticeship programs sponsored by employers in the construction, hospitality, transportation, engineering, and energy industries, including nine new programs registered during FY 2013. ETA Office of Apprenticeship staff continues to work with GDOL to provide technical assistance in building Guam's capacity to conduct necessary oversight and servicing of registered apprenticeship sponsors and maintaining high-quality training of apprentices.

#### The COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS (CNMI)

The CNMI receives Workforce Investment Act (WIA) funds to operate employment and training programs and activities for Adults, Dislocated Workers and Youth. It also receives Senior Community Service Employment Program (SCSEP) funds to provide subsidized, part-time community work based training for low-income individuals age 55 or older who have poor employment prospects.

##### CNMI's Funds for PY 2013 (July 2013 – June 2014):

WIA Adult - \$345,847

WIA Dislocated Worker - \$576,868

WIA Youth - \$367,640

SCSEP - \$318,604

On August 1, 2013, the CNMI Governor issued an Executive Order changing the Commonwealth's previously independent Workforce Investment Act Agency into a division of the CNMI Department of Labor. In the absence of an American Job Center, WIA-funded service delivery is coordinated through the CNMI Department of Labor, the public school system, and the Northern Marianas College.

The CNMI's overarching workforce goal is to move to a model that is less focused on welfare programs and more on job training that results in industry recognized credentials. The CNMI is also focused on training U.S. workers in order to reduce dependence on foreign labor.

#### THE UNITED STATES TERRITORY OF AMERICAN SAMOA

American Samoa receives WIA funds to operate employment and training programs and activities for Adults, Dislocated Workers and Youth. It also receives Senior Community Service Employment Program (SCSEP) funds to provide subsidized, part-time community work based training for low-income individuals age 55 or older.

##### American Samoa's funding for PY 2013 (July 2013 – June 2014):

WIA Adult - \$136,159

WIA Dislocated Worker - \$225,553

WIA Youth - \$144,308

SCSEP - \$955,811

The Territory was devastated by a major Tsunami in May, 2009, and was awarded more than \$25 million through a Disaster National Emergency Grant (NEG), which included a temporary work phase that emphasized clean-up and a workforce development phase that included upgrading available assessment and training services. Altogether 2,361 participants were served through this NEG, which operated through June 30, 2013.

Through resource mapping, the State Workforce Investment Board (SWIB) has identified the goals and objectives of all workforce initiatives in the Territory, the amount of funding budgeted to implement each initiative, and the numbers and types of clientele served by overlapping programs. Through this identification process, the SWIB has prioritized programs and is working to coordinate programs with similar objectives and shared clientele, in order to minimize duplication of efforts.

#### THE REPUBLIC OF PALAU

The President of the Republic of Palau, as the Chief Elected Official, structured its State Workforce Investment Board in October of 2009 to consist of the primary private and public sector stakeholders of the Republic in an effort to enhance and coordinate workforce programs and services. The Republic of Palau receives WIA funds to operate employment and training programs and activities for Adults, Dislocated Workers and Youth. Although funding for youth programs is minimal, Palau is noted for its active Summer Youth Employment Programs.

#### Palau Funding for PY 2013 (July 2013 – June 2014)

WIA Adult - \$71,388

WIA Dislocated Worker - \$119,619

WIA Youth - \$75,000

#### U.S. VIRGIN ISLANDS

The U.S. Virgin Islands (USVI) receives Workforce Investment Act (WIA) funds to operate employment and training programs and activities for Adults, Dislocated Workers, and Youth. Additionally USVI receives funding to operate its Unemployment Insurance and Wagner-Peyser programs and the Senior Community Service Employment Program (SCSEP).

#### U.S. Virgin Islands Funding for PY 2013 (July 2013 – June 2014)

WIA Adult - \$519,055

WIA Dislocated Worker - \$868,163

WIA Youth - \$553,285

Wagner-Peyser - \$1,308,262

Unemployment Insurance - \$4,561,208

SCSEP - \$955,811

Workforce Information Grant - \$83,646

National Emergency Grant (2012-2014) - \$3,631,937

The USVI unemployment rate is significantly higher (13%) than the national level (7.3%). Lack of industry-specific job skills, lack of training providers, and limited employment and educational opportunities continue to present challenges to the completion of job-related training and job retention for WIA program participants.

The Senior Community Service Employment Program (SCSEP) provides subsidized, part-time community work based training for low-income individuals age 55 or older. SCSEP funds were moved from the U.S. Virgin Islands Department of Labor (VIDOL) to the U.S. Virgin Islands Department of Human Services (VIDHS) starting in PY 2013. VIDHS is currently administering the SCSEP grant.

In February 2012, USVI was awarded National Emergency Grant (NEG) funds to help workers who lost their jobs after the closure of the Hovensa oil refinery, the U.S. Virgin Islands' largest private employer. The NEG funds support activities including job search, case management services, and occupational skills training for the displaced workers. The NEG's period of performance is ending on February 20, 2014; however, USVI is anticipated to request an extension through June 30, 2014.

## **OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION**

OSHA conducts workplace inspections in the Pacific region focusing on construction, manufacturing, long-shoring, ship repair, the hotel industry and warehousing operations both on and off military installations. In 2009, the last garment factory closed in CNMI along with the temporary housing provided for some 20,000+ employees in that industry in CNMI. Accordingly, the level of enforcement in CNMI was reduced. Remaining industries include construction, service industry and limited general manufacturing. There is a large number of construction projects on Guam related to relocation of the Okinawa Marine Base to Guam. That project will move approximately 8,000 marines and their families to the area. The current Local Emphasis Programs used for scheduling inspections in the Pacific include:

- **Construction** – high-hazard industry, random scheduling based on local knowledge, field surveys of active projects and focused on hazards such as Falls, Struck-by, Electrocution, and caught-in;
- **Forklifts/Warehousing** – warehousing, storage and distribution yards, including Federally-owned;
- **Amputations** – local implementation of national program;
- **Shipyards** – high-hazard industry;
- **Hotel Industry** – high hazard areas including property-owned power and water plants and maintenance shops;
- **Automobile Lifts** – focusing on the maintenance and training of users of automotive lifts in a variety of industries;
- **Silica** – health hazards associated with the use of crystalline silica;
- **Lead** – health hazards associated with lead.

## Worker Fatalities

Since 2004 there have been 25 occupational fatalities that OSHA investigated in the Pacific region covering Guam, CNMI, and American Samoa:

- February 2004: Feliciano Incorporated. American Samoa. A worker on a fishing boat slipped and fell 40 feet into a well in the hull of a boat.
- February 2004: Jins Construction Company, Guam. A worker died from injuries incurred using a cut-off saw.
- March 2004 JHC Corporation, Guam. A forklift driver was killed when the forklift tipped and he was pinned beneath it.
- June 2004: Guam Seawalker Tours, Guam. Five tour guides were killed when their kayaks capsized during a tropical storm.
- July 2004: D&J Equipment, CNMI. A worker was crushed between a concrete slab and the shovel of the loader he was using to lift the slab.
- August 2004: International Bridge Corporation, Guam. A worker was struck by a co-worker's truck while surveying locations for airport runway lights.
- November 2004: K&A Construction, Guam. A worker lost his balance and fell 8 feet off a roof.
- January 2005: Alliance Paper Products, Inc., CNMI. A worker was crushed while unloading large rolls of paper.
- March 2005: Big Light Construction, Guam. A worker working on a roof tripped and fell 15 feet.
- April 2005: Hyatt Regency, Guam. A service worker was electrocuted while performing maintenance on a washing machine.
- July 2005: J&G Construction, Guam. A worker was electrocuted when the scissor lift he was working from contacted on overhead power line.
- August 2005: Scuba World, Inc., Guam. A diving instructor drowned while working with a student.
- August 2005: Primo's Heavy Equipment, Guam. A driver was crushed in the cab of his vehicle when the front end of the tractor-trailer jack-knifed.
- December 2005: Starkist Samoa, American Samoa. A fishing boat worker fell out of a scow that was being lifted on a forklift; the scow landed on top of him.
- April 2006: Vargas Corporation, CNMI. A worker working in a drainage trench was struck and killed by a vehicle.
- September 2006: Military Sealift Command, Guam. Two workers fell 30 feet when the aerial lift they were working from tipped over.
- May 2007: Kinden Corporation and Guam Advance Enterprises, Inc., Guam. Two workers were injured while controlling traffic and standing in front of a pickup truck with arrow signage; another vehicle hit the truck, which hit the workers. One worker died from his injuries.
- April 2008: International Bridge & Construction, Guam. A worker was operating a small boat when it capsized due to high surf. The worker drowned in the choppy waters.
- March 2009: Hornet Bicycles & Sporting Goods, Guam. A worker working on a flat roof fell 35 feet.

- September 2009: Tool Shop & Building Supplies, American Samoa. A worker died after falling 4' 10".
- August 2011: Pacific Stevedoring, American Samoa. A fishing boat worker was struck on the head by the boom of the vessel's crane.
- November 2011: GM Logistics, Guam. A forklift driver was crushed under a forklift after he tried to jump from the forklift when he felt it tipping.
- May 2013: Paramount Builders, Inc., American Samoa. A painter fell 24 feet from an eave.
- July 2013: McConnell Dowell Constructors, American Samoa. A worker was electrocuted during a crane operation.
- October 2013: Starts Guam Golf Resort, Inc., Guam. A worker was crushed under a utility cart which had rolled onto its side.

### OSHA Enforcement Summary

	Guam	CNMI	American Samoa
Total Inspections FY 2006 - 2010 FY 2011 - 2013	1999 1006	411 139	235 137
Average Violations/Inspection FY 2006 - 2010 FY 2011 - 2013	2.30 2.56	2.60 2.36	3.30 3.00
% Serious FY 2006 - 2010 FY 2011 - 2013	60.5% 71.7%	50.0% 47.7%	64.7% 77.3%
Average \$/Serious Violation FY 2006 - 2010 FY 2011 - 2012	\$707 \$1,488	\$554 \$1,214	\$667 \$1,482

### OSHA Cooperative Programs

**Alliances** The Alliance Program enables groups committed to worker safety and health to collaborate with OSHA to prevent injuries and illnesses in the workplace. These groups include unions, consulates, trade or professional organizations, businesses, faith- and community-based organizations, and educational institutions. OSHA and the organization sign a formal agreement with goals that address training and education, outreach and communication, and raising awareness of OSHA's rulemaking and enforcement initiatives.

OSHA signed an Alliance with the Consulate of the Philippines on November 14, 2013 to promote workplace safety for Filipino workers in American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and several states (Arizona, California, Hawaii, and Nevada).

**Voluntary Protection Programs (VPP)** The VPP is designed to recognize and promote effective safety and health management. A hallmark of VPP is the principle that management, labor, and OSHA work together in pursuit of a safe and healthy workplace. VPP participants are work sites that have successfully designed and implemented outstanding health and safety management programs.

**Strategic Partnerships** Organizations can foster partnerships with OSHA to address specific safety and health issues. In a partnership, OSHA enters into an extended, voluntary, cooperative relationship with groups of employers, workers, professional or trade associations, labor organizations and other interested stakeholders in order to encourage, assist, and recognize partner efforts to eliminate serious hazards and enhance workplace safety and health practices.

**On-Site Consultation** OSHA's On-site Consultation Program offers free and confidential safety and occupational health advice to small and medium-sized businesses, with priority given to high-hazard worksites. Employers who request this free service are provided with a safety and/or health consultation visit, followed up with a formal written report. In addition to the free consultation service, this program provides free safety and/or health training for employers. On-site Consultation services are separate from enforcement and do not result in penalties or citations. Consultants work with employers to identify workplace hazards, provide advice on compliance with OSHA standards, and assist in establishing safety and health management systems. The following is a breakdown of how the Pacific region has benefitted:

- Guam: The Guam On-site Consultation Program has a staff of three, and an annual 100% federally funded grant of \$273,000;
- CNMI: The CNMI On-site Consultation Program has a staff of two, and an annual 100% federally funded grant of \$187,000.

OSHA's On-site Consultation program also conducts a significant amount of outreach to workers and employers in the Pacific about how to make workplaces safer and healthier, including:

- Providing trainers for the annual Guam Contractors Association Safety and Health Conference;
- Providing training on construction and general industry safety and health to employers and their supervisors in CNMI;
- Providing focused training on Heat Stress, Lock-out/Tag-out, Distracted Driving, Safety and Health Management Programs and summer youth employment in CNMI.

**Safety and Health Achievement Recognition Program (SHARP)** The Safety and Health Achievement Recognition Program (SHARP) recognizes small employers who operate an exemplary safety and health management system. This program is designed to provide incentives and support to employers to develop, implement, and continuously improve effective safety and health programs at their worksite. It is one of the highest awards OSHA can give to a small business. Upon receiving SHARP recognition, the employer's worksite will be exempt from OSHA programmed inspections during that period that their SHARP status is valid.

Finally, OSHA prides itself in awarding grants to nonprofit organizations on a competitive basis through its Susan Harwood Training Grant Program. These grants are awarded to provide



training and education programs for employers and workers on the recognition, avoidance, and prevention of safety and health hazards in their workplaces. OSHA selects the safety and health topics and holds a national competition to award grants. Entities located in American Samoa, Guam and the CNMI are eligible and encouraged to apply for these grants.

## **WAGE AND HOUR DIVISION**

The Wage and Hour Division (WHD) is committed to promoting and achieving compliance with labor standards for which it has enforcement authority in the Pacific Rim. WHD staff is available to provide assistance to employees and employers in the Pacific Rim personally, over the phone, or by email.

Individuals in the Pacific Rim area can obtain confidential assistance by calling the WHD toll-free help line, or by visiting the Division's offices in Guam or Saipan. WHD has also contracted with an interpreter service line with a capacity of more than 170 languages, which represent over 98 percent of the languages spoken in the world. Now, when a person with limited English proficiency contacts WHD staff, personnel can obtain interpretation services within a few minutes in the desired language.

Overall, WHD has stepped up enforcement efforts on behalf of vulnerable workers – such as low-wage workers, migrant/seasonal laborers and workers with limited English language skills. These workers are often unaware of their rights or are reluctant to file a complaint when subject to labor violations. WHD offices around the country, including those with jurisdiction over the Pacific Rim, conduct strategic enforcement initiatives in low-wage industries with large populations of vulnerable workers and where labor violations are most prevalent (i.e. janitorial, agriculture, construction, healthcare, hotel and motel, garment and restaurants).

Creating and maintaining partnerships with governmental entities is an important part of increasing the effectiveness of WHD's services and efforts. These partnerships help the agencies better communicate and work together to strengthen compliance at the local level. For example, the Division established a formal partnership with the American Samoa Government (ASG), which is responsible for administering and enforcing locally entitled wages, overtime premiums and recordkeeping requirements for its government-wide workforce. A locally stationed USDOL WHD investigator will work with local ASG staff to provide technical assistance for their formation of a federally mandated FMLA policy for its employees as well as ensuring compliance (via training) with the federal Fair Labor Standards Act (FLSA). The ASG, which has recently paid approximately 1 million in minimum wage and overtime back wages in fiscal year 2013, has described its WHD-ASG partnership as "historic" in a half hour television program on February 6<sup>th</sup> that announced the significance of the signing of a Memorandum of Understanding with the Division.

The ASG is working with the WHD's locally stationed investigator to identify additional back wages owed for potential non-compliant policies in its semi-autonomous agencies such as their community college, public library, hospital and telecommunications center. The MOU also acknowledges that the ASG does not have a local department of labor to enforce any safeguards for wages, work conditions or child labor employment in the private sector. Therefore, the MOU

states that the USDOL Wage Hour will train local ASG managerial and investigative staff after the ASG formulates their own DOL to assist private sector workers who are not covered by federal wage or safety standards.

In addition to our local commitment to safeguard the pay, working conditions and FMLA protections of the government workers, our locally stationed WHD investigator will be a point of contact to assist federally covered employers and employees in the American Samoa private sector who have not had a USDOL local contact office for either technical assistance/outreach or complaint in-take purposes. As a result of recently placing our first WHI on temporary assignment, we have begun receiving valid complaints on covered private sector employers. Our current temporary office will create a more timely service in the future to assist low wage workers in this remote island community who had never experience a sustained DOL federal presence. Specifically, we plan to staff the local office with rotational WHIs over the course of the fiscal year to enhance compliance levels in the private and public sectors.

Another key component of a sustained Division presence in American Samoa is our outreach work in an NGO community that is assisting exploited and/or trafficked individuals housed in their shelters. Specifically, the Division will continue to educate the American Samoa community that all live-in domestic workers (foreign national and local) are entitled to a federal minimum wage. The aforementioned MOU will allow us to provide federal compliance assistance materials (via ASG Immigration) to employers petitioning foreign nationals to work in the homes of American Samoan residents.

Similarly, the Division is collaborating with the government of the Commonwealth of the Norther Mariana Islands to identify opportunities for working together on strengthening federal labor law compliance at the local level.

In American Samoa, WHD has developed a three year strategic plan to grow compliance levels through enforcement and education outreach within the government and private sectors as well as assist live-in foreign national domestic workers who are not paid their lawfully entitled minimum wage. During the past year, the Division has collected approximately one million dollars in unpaid minimum wage and overtime back pay for employees in American Samoa, and WHD continue to uncover and resolve violations of the Fair Labor Standards Act and the Family Medical Leave Act. The American Samoa strategic plan incorporates the MOU between the Government of American Samoa and the WHD which includes training of local governmental staff to assist low wage workers who would not otherwise be covered under federal labor statutes.

Finally, WHD makes frequent and varied outreach and education efforts to employee and employer communities to increase public awareness and compliance with federal wage and hour laws. WHD has also made significant investments in the creation of extensive multi-lingual guidance to inform employees of their rights and employers of their responsibilities under the law. WHD has translated more than 210 publications into 13 different languages for dissemination through its website. Over 100 publications have been translated into several AAPI languages (including Chinese, Korean, Thai, Vietnamese, Hmong and Tagalog). These publications include fact sheets, posters, Employee Rights Cards, bookmarks, forms, and public

service announcements. These and other useful resources are also widely distributed to stakeholders at various WHD outreach events in the Pacific Rim.

### **EMPLOYEE BENEFITS SECURITY ADMINISTRATION**

The mission of the Employee Benefits Security Administration (EBSA) is to assure the security of the retirement, health and other workplace related benefits of America's workers and their families. EBSA develops effective regulations; assists and educates workers, plan sponsors, fiduciaries and service providers; and vigorously enforces the law.

In calendar years 2012 and 2013, EBSA handled 5 inquiries from American Samoa, 45 inquiries from Guam, and 2 inquiries from the Northern Mariana Islands. There were no inquiries from the Marshall Islands, Micronesia, or Palau.

In calendar years 2012 and 2013, EBSA opened one investigation in American Samoa, one in Guam and three investigations in U.S. Virgin Islands. There were no investigations opened in the other territories.

In Guam EBSA accomplished the following:

- EBSA's investigation of the Calvo Enterprises, Inc. 401(k) Profit Sharing Plan was predicated on untimely contributions to the Plan's trust. The investigation, opened in May 2011 and closed in March 2013, resulted in \$2,361 in plan assets restored to the Plan, benefitting 889 participants.
- EBSA's investigation of the Teleguam Holdings LLC 401(k) Plan was predicated on untimely contributions to the Plan. The investigation, opened in May 2011 and closed in March 2013, resulted in \$1,969 in plan assets restored to the Plan, benefitting 286 participants.

In the Virgin Islands EBSA accomplished the following:

- EBSA's investigation of the Buccaneer Inc. 401(k) Plan was predicated on untimely contributions to the Plan. The investigation, opened in September 2012 and closed in March 2013, resulted in \$2,500 in plan assets restored to the Plan, benefitting 129 participants.

Additionally, participants from these territories can (and sometimes do) participate in webinars hosted by EBSA, which they can learn about from EBSA's website, where they can subscribe to updates and information on upcoming webinars. <http://www.dol.gov/ebsa/>

## **VETERANS EMPLOYMENT AND TRAINING SERVICE (VETS)**

### **Jobs for Veterans State Grant (JVSG):**

Over 300,000 Service Members will be separating from the military each year over the next 5 years, totaling approximately 1.5 million individuals. The federally-funded public workforce system, comprised of approximately 2,500 AJCs across the nation, provides priority of service for Veterans in all DOL-funded employment and training programs. Through the Department's mainline employment and training programs and services administered through this nationwide network of American Job Centers, we have served over 1.4 million veteran participants in Program Year 2012 (July 1, 2012 - June 30, 2013).

In addition, VETS offers employment and training services to eligible Veterans through the Jobs for Veterans State Grant (JVSG) program. Services are provided to maximize employment and training opportunities for Veterans. VETS allocates program funds to each state, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands.

JVSG program funds support services to Veterans provided by two primary types of staff positions, Disabled Veterans' Outreach Program (DVOP) specialists and Local Veterans' Employment Representative (LVER) staff. Specially trained DVOPs provide intensive services for Veterans who have significant barriers to employment to focus on improved employment prospects. LVERs conduct outreach to employers to develop employment opportunities for all Veterans served by the American Job Centers, and to educate and advise all AJC staff on Veteran issues.

Currently, DOL VETS provided funding in FY 2013 to Guam and the Virgin Islands to hire JVSG staff. As of June 30, 2013, 74 veterans and other eligible persons in the Virgin Islands received intensive services from JVSG funded staff in the previous four quarters

### **Transition Assistance Program (TAP):**

The Transition Assistance Program (TAP), now known as "Transition GPS" (Goals, Plans, Success), is an important inter-agency effort led by the Departments of Labor, Defense, Veterans Affairs and Homeland Security, designed to prepare separating service members and their spouses to successfully transition from the military to civilian employment. Through Transition GPS, DOL brings to bear its extensive expertise in employment services to provide a comprehensive three-day Employment Workshop at U.S. military installations around the world.

Two years ago the Department initiated a major redesign of the Employment Workshop curriculum to incorporate emerging best practices in career development and adult learning and make it more engaging and relevant in light of the distinctive challenges facing separating service members. The result is an enhanced Employment Workshop that provides a highly effective training forum to prepare servicemembers for a successful transition to the civilian workplace.

- To date, the Department has provided training and services through the DOL Employment Workshops to over 2.8 million separating or retiring service members and their spouses.
- In FY 2013, the Department provided close to 6,000 Employment Workshops to nearly 190,000 participants at 272 domestic and overseas locations including over 50 sites in Germany, the United Kingdom, Guam (Anderson Air Force Base and the Guam Naval Base), Japan, Korea, Belgium, Italy, Bahrain, Turkey and the Azores (Portugal).

#### VOW to Hire Heroes Act:

The Department is working with the U.S. Department of Veterans Affairs (VA), the U.S. Department of Defense, and other Federal agencies to implement the VOW to Hire Heroes Act of 2011 that contains several provisions designed to improve and smooth the transition of veterans to civilian employment.

#### Veterans Retraining Assistance Program (VRAP):

The Department has also been instrumental in implementation of parts of the VOW to Hire Heroes Act (VOW Act) of 2011, which includes training, tax credits, and other benefits for veterans. Under the VOW Act, the Department is responsible for determining eligibility for participants in the Veterans Retraining Assistance Program (VRAP) and providing follow-up employment services once participants complete training in a High Demand Occupation. VRAP applications received reached 143,139 with 126,582 acceptances (certificates of eligibility for training issued) through December 17, 2013. A total of 73,908 (75% of the 99,000 maximum allowed) are in or have completed training.

- As of December 13, 2012, there were 68, 869 Veterans accepted into the VRAP including close to 80 Veterans living outside the United States (including 19 Veterans in Guam in 9 in the Virgin Islands).

#### USERRA and VEOA:

The Department also protects the employment rights of the men and women who serve this Nation. Among the important worker protection laws enforced by DOL is the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), which prohibits discrimination against members of the Armed Services, Guard and Reserve because of their past, present, or future military obligations. In Fiscal Year 2012, VETS investigated 1,275 new USERRA complaints and closed 1,290 cases.<sup>1</sup> Two of the cases investigated and closed in FY 2012 were from the Virgin Islands. The Department also works diligently to investigate and resolve Veterans' Employment Opportunities Act (VEOA) complaints and to ensure veterans receive their due preference in Federal employment.

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<sup>1</sup> \*Note: Because many USERRA cases involve multiple issues, the number of cases closed exceeds the number of new cases reported by VETS for FY 2012 ,

## **OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS (OFCCP)**

The Office of Federal Contract Compliance Programs (OFCCP) has jurisdiction over 170,000-plus establishments that profit from over \$500 billion in government contracts annually and enforces the contractual promise of equal employment opportunity (both nondiscrimination and affirmative action) required of those who do business with the federal government.

In fiscal year 2013, OFCCP conducted compliance evaluations at almost 4,000 contractor establishments; uncovered violations of equal employment opportunity laws in nearly one-third of those reviews and, specifically, found evidence of discrimination at 76 establishments; recovered almost \$10 million in financial remedies for victims of discrimination; and negotiated approximately 1,250 potential job offers on behalf of 11,397 workers affected by discrimination.

OFCCP has a national network of six Regional Offices, each with District and Area Offices in Major Metropolitan Centers including a field office in Guam, Hawaii (Hawaii office also serves Guam, American Samoa, and the Northern Marianas Islands) and a Caribbean Field Station through which OFCC enforces and monitors compliance of contractors in the territories and the states. OFCCP administers and enforces three legal authorities that require equal employment opportunity:

- **Executive Order 11246**, as amended (“the Order” or “EO 11246”). The Executive Order prohibits federal contractors and federally-assisted construction contractors and subcontractors who have contracts of at least \$10,000 with the federal government from discriminating in employment on the basis of race, color, religion, sex, or national origin.
- **Section 503 of the Rehabilitation Act of 1973**, as amended, 29 USC Sec. 793 (“Section 503”). Section 503 protects the employment rights of individuals with disabilities.
- **The Vietnam ERA Veterans’ Readjustment Assistance Act of 1974**, as amended, 38 U.S.C. 4212 (“VEVRAA”). VEVRAA sets forth the requirements for nondiscrimination against veterans by federal contractors.

## **OFFICE OF WORKERS’ COMPENSATION PROGRAMS**

The Office of Workers' Compensation Programs administers four major disability compensation programs and provides workers' compensation coverage to three million Federal and Postal workers around the world for employment-related injuries and occupational diseases. Benefits include wage replacement, payment for medical care, and where necessary, medical and vocational rehabilitation assistance in returning to work. The program has 12 district offices nationwide including one in San Francisco that is proudly serving the workers of the Pacific region.