

Agency Overview

Virginia Department of Labor and Industry

Courtney M. Malveaux, Esq.

Commissioner

Before the Finance Committee, Senate of Virginia

October 17, 2013



DEPARTMENT OF LABOR & INDUSTRY

Authority and Services

- Title 40.1, Code of Virginia
- Provides services to citizens, employers and employees to produce safe, healthy and productive working environments
- Central headquarters in Richmond and offices in Abingdon, Manassas, Lynchburg, Norfolk, Richmond, Roanoke, Verona and Winchester



DOLI Mission Statement

“Make Virginia a better place in which to work, live and conduct business. We will achieve this goal by promoting safe, healthful workplaces, best employment practices, job training opportunities through registered apprenticeship, the protection of children from hazardous employment, and safe operation of boiler and pressure vessel devices”



Agency Programs



Virginia Occupational Safety and Health (VOSH)



Boiler Safety Compliance



Registered Apprenticeship



Labor and Employment Law

VOSH Outreach

- Public Service Announcements
- Quarterly Newsletter
- Website: <http://www.doli.virginia.gov>
- Social Media
 - Facebook: <http://www.facebook.com/DOLIVirginia>
 - YouTube: <http://www.youtube.com/DOLIVirginia>
- Presentations

VOSH Compliance



Covers: Private and public sector employers and employees in Virginia – approximately 3.5 million workers, and 230,000 employers

Does Not Cover: Maritime/longshoring, mining industry, federal government enclaves and employers, industries regulated by other federal agencies

VOSH Compliance

(Continued)

- State plan approved by Federal OSHA
- Administers occupational safety and health activities throughout Virginia for general industry, agriculture, construction, and the public sector
- Implements laws and regulations regarding workplace exposure to asbestos, leads removal projects and the Virginia Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP).
- Conducts on-site inspections and compliance assistance; responds to accidents and employee complaints of unsafe working conditions
- Working cooperatively with VEC and WCC in new ways to enhance safety and health compliance targeting



VOSH Compliance

(Continued)

- VOSH Compliance Officers identified and corrected 24,580 instances of workplace hazards in 2012, potentially preventing thousands of serious injuries and illnesses of Virginia's workers
- VOSH staff performed 3,427 safety and health inspections in 2012.
- VOSH promptly investigated **500** safety and health complaints and 133 referrals in 2012.



Safety and Health Codes Board



Virginia Safety and Health Codes Board

Current Serving Members

Mr. Satish W. Korpe, P.E. (Chair)

Mr. James H. Mundy, Ed.D.(Vice Chair)

Ms. Milagro Rodriguez

Mr. Daniel A. Sutton

Mr. Thomas A. Thurston

Mr. David K. Paylor, Director(Ex Officio)

Ms. Cynthia C. Romero

Mr. Charles E. Bird

Mr. Gregory M. Hart

Ms. Anna E. Jolly

Mr. Marc Olmsted

Mr. Chuck Stiff

VOSH Cooperative Programs

VPP/SHARP: Recognize Virginia companies that have exemplary safety and health programs.

- Companies are exempt from programmed inspections
- The Virginia Voluntary Protection Program (VPP) is primarily for large businesses
 - Now have workers focused on several industries throughout the state
 - Available to construction industry through new program

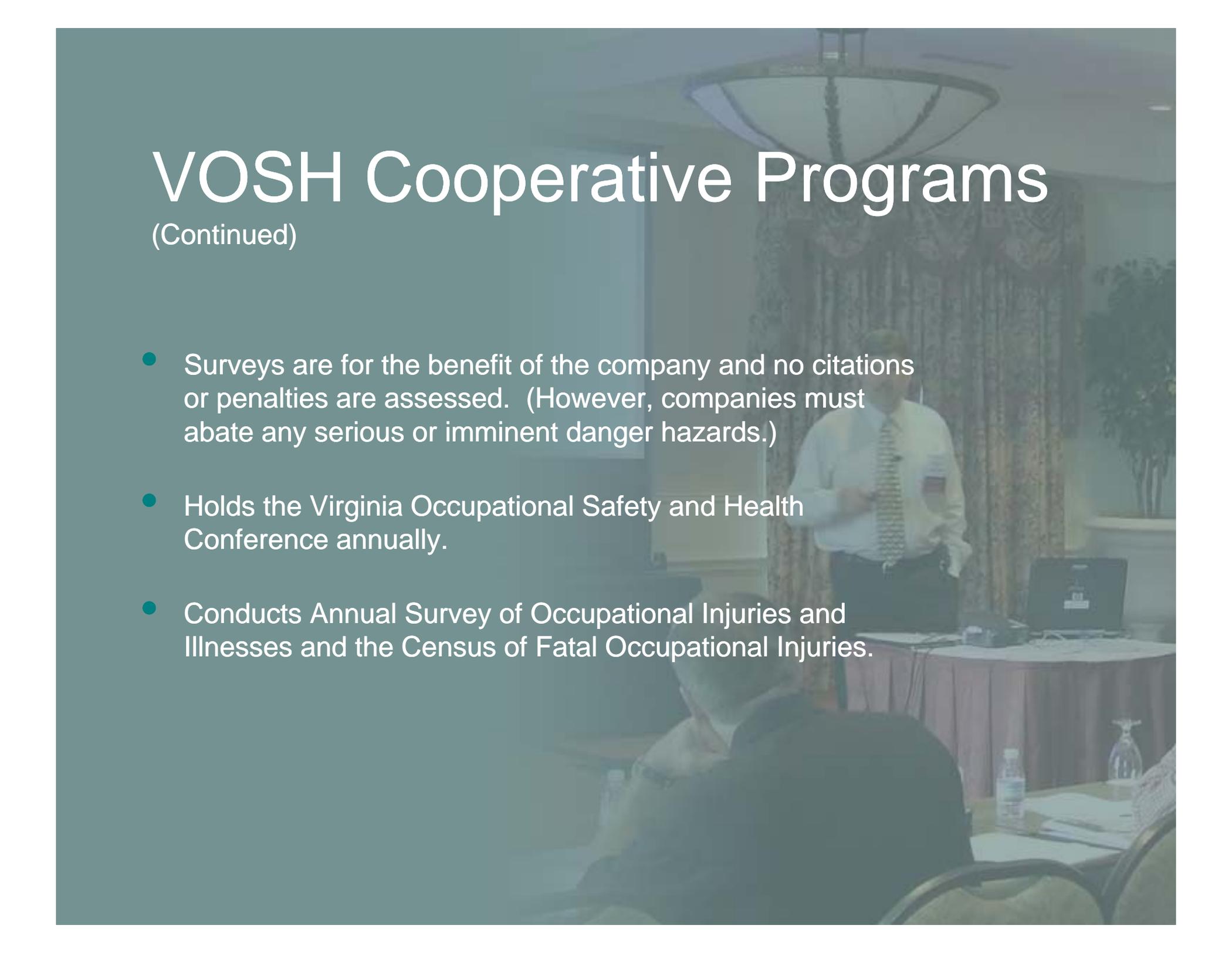


VOSH Cooperative Programs

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- Companies with 250 or fewer employees may be eligible for the Safety and Health Achievement Recognition Program (SHARP)
 - Added coordinator for small business
 - Added Safety and Health Trainer for small employers
- There are currently 40 active VPP sites and 31 SHARP sites in the Commonwealth.
- Staff consultants conduct consultation visits to identify hazards in the workplace.

VOSH Cooperative Programs

A man in a white shirt and tie is standing at the front of a room, presenting to an audience. He is holding a small object in his hands. The room has a large chandelier and patterned curtains. In the foreground, the back of a person's head and shoulders is visible, looking towards the presenter. There is a table with a laptop and water bottles in the foreground.

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- Surveys are for the benefit of the company and no citations or penalties are assessed. (However, companies must abate any serious or imminent danger hazards.)
- Holds the Virginia Occupational Safety and Health Conference annually.
- Conducts Annual Survey of Occupational Injuries and Illnesses and the Census of Fatal Occupational Injuries.

Boiler Safety Compliance

A man with glasses and a mustache, wearing a yellow polo shirt and dark trousers, is standing in an industrial or office environment. He is holding a large sheet of paper or a blueprint and looking at it intently. The background is slightly blurred, showing what appears to be a large industrial structure or a wall with a grid pattern.

- Authority - “Boiler and Pressure Vessel Safety Act”
- Protect life and property for all Virginians
- Certify and oversee the inspection, installation, operation and repair of boilers and pressure vessels
- Identify unregistered boilers and pressure vessels
- Provide training and technical assistance
- Develop regulatory requirements
- In 2012 approximately 71,105 active registered objects
- 37,035 acceptable inspections conducted in 2012

Registered Apprenticeship

The background image shows two individuals wearing white hard hats and light blue short-sleeved shirts. They are leaning over a table, looking at large sheets of paper, likely blueprints or technical drawings. One person is holding a yellow pencil. On the table, there are several items: a green highlighter, a pink highlighter, a yellow highlighter, and a roll of orange tape. The setting appears to be an industrial or workshop environment.

- Registered Apprenticeship was established with signing of Virginia Voluntary Apprenticeship Act in 1938.
- Virginia has one of the largest apprenticeship programs in the country.
- Apprenticeships are currently available in over 250 occupations.
- There are currently 13,038 active apprentices in the Commonwealth.

Registered Apprenticeship

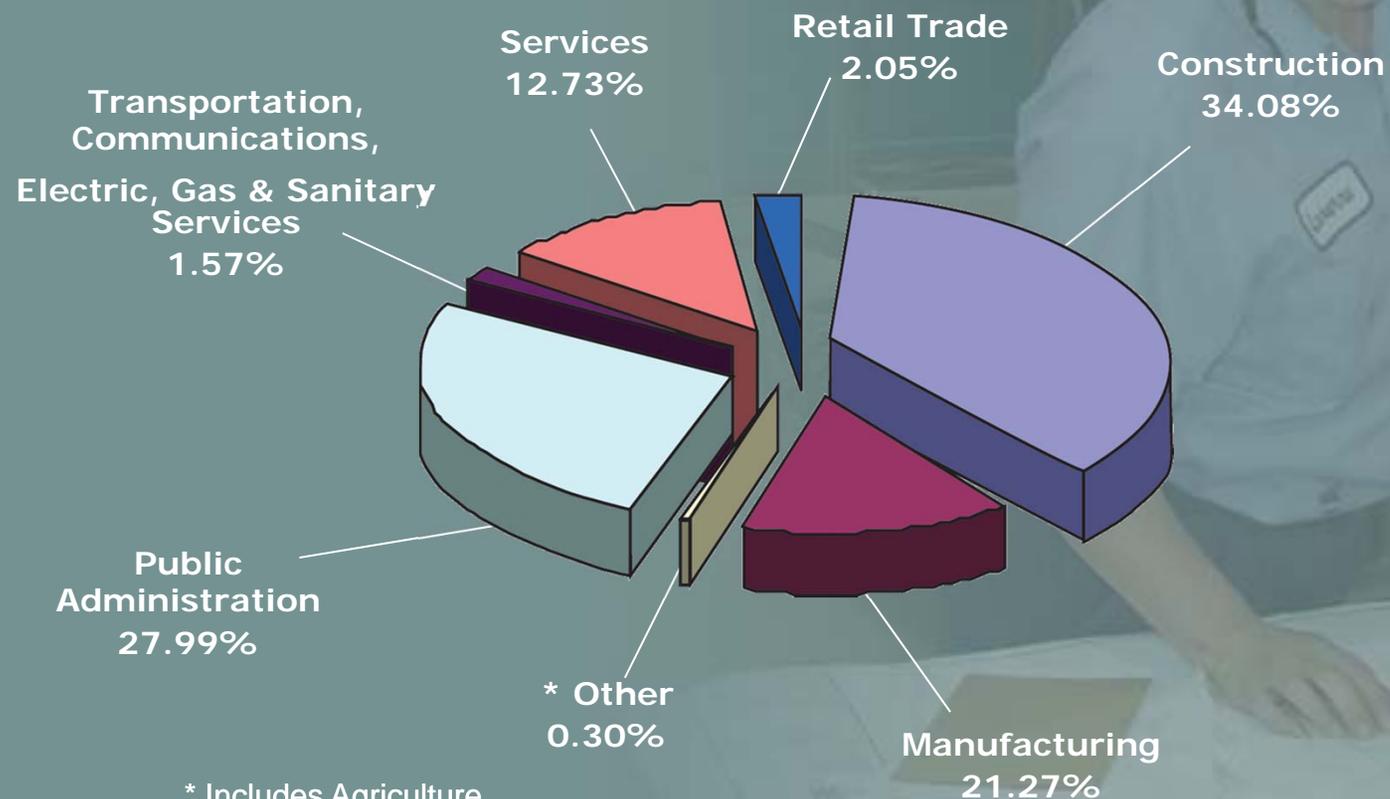
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- The Virginia Apprenticeship Council is required by the Voluntary Apprenticeship Act to ensure that programs initiated by Virginia's 2,200 active business sponsors meet stringent standards and regulations governing registered apprentices.
- Sponsors are a combination of corporate, government, educational, and non-profit organizations.
- Registered apprentices perform minimum of 2,000 hours of supervised on-the-job work experience in addition to minimum of 144 hours of related instruction.
- DOLI works with VCCS, local vocational technical centers, and registered sponsors to provide related classroom instruction.



Registered Apprenticeship

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* Includes Agriculture, Forestry and Fishing; Mining; Insurance and Real Estate; and Wholesale Trade

Virginia Apprenticeship Council



The Virginia Apprenticeship Council

Current Serving Members

Mr. Darold S. Kemp, Chairman

Mr. Dudley Harris

Mr. John Biagas

Mr. Danny E. Amos

Mr. Everett C. Patterson

Mr. Frank Goodwin

Mr. Michael Mays

Mr. Arnold Outlaw

Dr. Glenn DuBois, (Ex-Officio)

Dr. Ashby C. Kilgore (Ex-Officio)

Mr. John Broadway (Ex-Officio)

Labor and Employment Law

The Division is responsible for administering and enforcing the laws of the Commonwealth:

- Employment of Children
- Payment of Wages
- Minimum Wage
- Right to Work
- Garnishee Rights
- Discharge for Work-Related Injuries
- Wage Discrimination, Polygraph Tests, Medical Examinations, and Prevention of Employment by Others

Labor and Employment Law

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- Enforce laws governing child labor. Division staff investigated 78 child labor complaints during 2012.
- Implementing electronic database to employ 14 and 15 year olds; 5,381 permits issued during 2012; issue theatrical and solicitation permits to minors.
- Enforce laws governing payment of wages and investigates complaints.
- Conduct informal conferences to settle wage disputes. File lawsuits and litigate wage and child labor cases under Office of Attorney General authorization and approval.

Labor and Employment Law

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Step 1) Position Title:	Annual Salary	Retirement (1111, 1118, or 1119) (.0876)	Social Security & Medicare (1112) (.0765)	Group Life (1114) (.0119)	Health Insurance (1115) Family Coverage*	Retiree Health Credit (1116) (.01)	Disability (1117) (.0047)	Deferred Comp Match (1138)	Annual Salary
Payment of Wage Attorney - Hearing and Legal Officer II (Position # 00013) Effective 7/25/2013	\$56,000	\$4,906	\$4,284	\$666	\$10,812	\$560	\$263	\$480	\$77,971
Payment of Wage Compliance Officer - Compliance and Safety Officer III (Position #00058) Effective 8/25/2013	\$46,820	\$4,101	\$3,582	\$557	\$0	\$468	\$220	\$480	\$56,229
Payment of Wage Assistant Compliance Officer-Compliance & Safety Officer II (Position #00445)- Recruiting	\$35,297	\$3,092	\$2,700	\$420	\$10,896	\$353	\$166	\$480	\$53,404
Payment of Wage Compliance Officer - Compliance and Safety Officer III Request to Hire Pending	\$46,820	\$4,101	\$3,582	\$557	\$10,896	\$468	\$220	\$480	\$67,125
Payment of Wage- VACANT Position	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Payment of Wage - VACANT Position	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL	\$184,937	\$16,200	\$14,148	\$2,201	\$32,604	\$1,849	\$869	\$1,920	\$254,728
Payment of Wage Funding Restored									\$308,206
Remaining Funding Available									\$53,478

*Average COVA Care Premium Budgeted for Vacant Positions

Labor and Employment Law

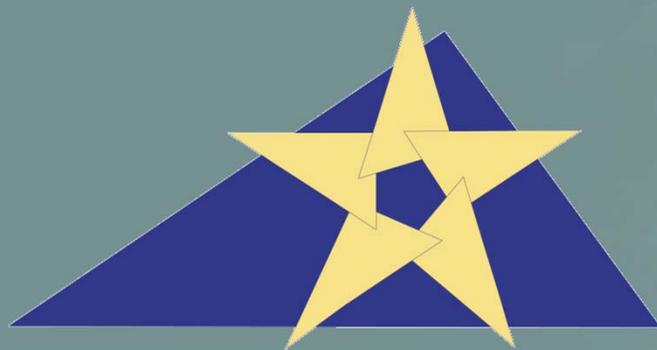
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- Funding was restored to the Payment of Wage program during the 2013 General Assembly session.
- Payment of wage claim forms can be obtained by requesting a form via U.S. Mail, online from the agency's web site, or by visiting any of our regional offices across the state.
- 142 payment of wage investigations have been initiated.
- 70 payment of wage investigations have been completed.

Labor and Employment Law

(Continued)

- A staff attorney and compliance officer have been hired. We are in the process of hiring two additional compliance officers.
- Staff attorney conducts informal conferences as required by §40.1-29; issuing civil penalties, processing final orders for wages and penalties, referring cases to outside collection attorneys, and representing the Division in court cases.
- Compliance officer performs intake, review and investigation of claims; responded to 299 telephone calls during first month of employment.



DEPARTMENT OF LABOR & INDUSTRY

Headquarters Office:

Main Street Centre
600 East Main Street, Suite 207
Richmond, VA 23219

Regional and Field Offices:

Abingdon, Lynchburg, Manassas, Richmond, Roanoke,
Norfolk and Verona

Visit our Web site: <http://www.doli.virginia.gov>

And Facebook page: <http://www.facebook.com/DOLIVirginia>