

DEPARTMENT OF LABOR**Office of the Secretary****20 CFR Chs. I, IV, V, VI, VII, and IX****29 CFR Subtitle A and Chs. II, IV, V, XVII, and XXV****30 CFR Ch. I****41 CFR Ch. 60****48 CFR Ch. 29****Semiannual Agenda of Regulations****AGENCY:** Office of the Secretary, Labor.**ACTION:** Semiannual regulatory agenda.

SUMMARY: The Internet has become the means for disseminating the entirety of the Department of Labor's semiannual regulatory agenda. However, the Regulatory Flexibility Act requires publication of a regulatory flexibility agenda in the **Federal Register**. This **Federal Register** Notice contains the regulatory flexibility agenda. In addition, the Department's Regulatory Plan, a subset of the Department's regulatory agenda, is being published in the **Federal Register**. The Regulatory Plan contains a statement of the Department's regulatory priorities and the regulatory actions the Department wants to highlight as its most important and significant.

FOR FURTHER INFORMATION CONTACT: Kathleen Franks, Director, Office of Regulatory Policy, Office of the Assistant Secretary for Policy, U.S. Department of Labor, 200 Constitution Avenue NW., Room S-2312, Washington, DC 20210; (202) 693-5959.

Note: Information pertaining to a specific regulation can be obtained from the agency contact listed for that particular regulation.

SUPPLEMENTARY INFORMATION: Executive Order 12866 requires the semiannual publication of an agenda of regulations that contains a listing of all the regulations the Department of Labor expects to have under active consideration for promulgation, proposal, or review during the coming one-year period. The entirety of the Department's semiannual agenda is available online at www.reginfo.gov.

The Regulatory Flexibility Act (5 U.S.C. 602) requires DOL to publish in the **Federal Register** a regulatory flexibility agenda. The Department's Regulatory Flexibility Agenda published with this notice, includes only those rules on its semiannual agenda that are likely to have a significant economic impact on a substantial number of small entities; and those rules identified for periodic review in keeping with the requirements of section 610 of the Regulatory Flexibility Act. Thus, the regulatory flexibility agenda is a subset of the Department's semiannual regulatory agenda.

In addition, the Department's Regulatory Plan, also a subset of the Department's regulatory agenda, is being published in the **Federal Register**. The Regulatory Plan contains a statement of the Department's regulatory priorities and the regulatory actions the Department wants to highlight as its most important and significant.

All interested members of the public are invited and encouraged to let departmental officials know how our regulatory efforts can be improved, and are invited to participate in and comment on the review or development of the regulations listed on the Department's agenda.

NAME: THOMAS E. PEREZ,
Secretary of Labor.

The 84 Regulatory Agendas

Employment and Training Administration - Proposed Rule

Title	Regulation Identifier Number
Equal Employment Opportunity in Apprenticeship Amendment of Regulations	1205-AB59
Federal-State Unemployment Compensation Program; Implementing the Total Unemployment Rate as an Extended Benefits Indicator and Amending for Technical Corrections	1205-AB62
Middle Class Tax Relief and Job Creation Act of 2012 Provision on Establishing Appropriate Occupations for Drug Testing of Unemployment Compensation Applicants	1205-AB63

Employment and Training Administration - Final Rule

Title	Regulation Identifier Number
Implementing the Middle Class Tax Relief and Job Creation Act of 2012 Provision on Data Exchange Standardization	1205-AB64
Wage Methodology for the Temporary Nonagricultural Employment H-2B Program, Part 2	1205-AB69

Employment and Training Administration - Completed Action

Title	Regulation Identifier Number
Wage Methodology for the Temporary Nonagricultural Employment H-2B Program	1205-AB61
Labor Certification Process for Logging Employment and Non-H-2A Agricultural Employment	1205-AB65
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Employee Benefits Security Administration - PreRule

Title	Regulation Identifier Number
Standards for Brokerage Windows	1210-AB59

Employee Benefits Security Administration - Proposed Rule

Title	Regulation Identifier Number
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Conflict of Interest Rule-Investment Advice	1210-AB32
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Employee Benefits Security Administration - Final Rule

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Amendment of Abandoned Plan Program	1210-AB47
Ninety-Day Waiting Period Limitation and Technical Amendments to Certain Health Coverage Requirements Under the Affordable Care Act	1210-AB56

Employee Benefits Security Administration - Long-term Action

Title	Regulation Identifier Number
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Employee Benefits Security Administration - Completed Action

Title	Regulation Identifier Number
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Occupational Safety and Health Administration - PreRule

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Reinforced Concrete in Construction and Preventing Backover Injuries and Fatalities	1218-AC51
Standards Improvement Project IV	1218-AC67
Review/Lookback of OSHA Chemical Standards	1218-AC74
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Occupational Safety and Health Administration - Proposed Rule

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Occupational Exposure to Crystalline Silica	1218-AB70
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Updating OSHA Standards Based on National Consensus Standards Eye and Face Protection	1218-AC87

Occupational Safety and Health Administration - Final Rule

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Procedures for Handling Employee Retaliation Complaints Under the National Transit Systems Security Act; Surface Transportation Assistance Act; and Federal Railroad Safety Act	1218-AC36
Occupational Injury and Illness Recording and Reporting Requirements--NAICS Update and Reporting Revisions	1218-AC50
Procedures for the Handling of Retaliation Complaints Under Section 806 of the Corporate and Criminal Fraud Accountability Act of 2002, as Amended	1218-AC53

Procedures for the Handling of Retaliation Complaints Under the Consumer Financial Protection Act; the Seaman's Protection Act; and the FDA Food Safety Modernization Act	1218-AC58
Vertical Tandem Lifts	1218-AC72
Procedures for the Handling of Retaliation Complaints Under Section 1558 of the Affordable Care Act of 2010	1218-AC79
Procedures for the Handling of Retaliation Complaints Under the Employee Protection Provision of the Moving Ahead for Progress in the 21st Century Act	1218-AC88

Occupational Safety and Health Administration - Long-term Action

Title	Regulation Identifier Number
Occupational Injury and Illness Recording and Reporting Requirements--Musculoskeletal Disorders (MSD) Column	1218-AC45

Occupational Safety and Health Administration - Completed Action

Title	Regulation Identifier Number
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Mine Safety and Health Administration - PreRule

Title	Regulation Identifier Number
Refuge Alternatives for Underground Coal Mines	1219-AB79
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Mine Safety and Health Administration - Proposed Rule

Title	Regulation Identifier Number
Respirable Crystalline Silica	1219-AB36
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Proximity Detection Systems for Mobile Machines in Underground Mines	1219-AB78
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Refuge Alternatives for Underground Coal Mines; Limited Reopening of the Record	1219-AB84

Mine Safety and Health Administration - Final Rule

Title	Regulation Identifier Number
Lowering Miners' Exposure to Respirable Coal Mine Dust, Including Continuous Personal Dust Monitors	1219-AB64
Proximity Detection Systems for Continuous Mining Machines in Underground Coal Mines	1219-AB65

Wage and Hour Division - Proposed Rule

Title	Regulation Identifier Number
Family and Medical Leave Act of 1993, as Amended	1235-AA09

Wage and Hour Division - Long-term Action

Title	Regulation Identifier Number
Right to Know Under the Fair Labor Standards Act	1235-AA04
Fair Labor Standards Act, Child Labor Hazardous Occupations Order, No. 7	1235-AA07

Wage and Hour Division - Completed Action

Title	Regulation Identifier Number
Application of the Fair Labor Standards Act to Domestic Service	1235-AA05

Office of Workers Compensation - Proposed Rule

Title	Regulation Identifier Number
Longshore and Harbor Workers' Compensation Act: Maximum Compensation Rate Determinations	1240-AA06

Office of Workers Compensation - Final Rule

Title	Regulation Identifier Number
Black Lung Benefits Act: Standards for Chest Radiographs	1240-AA07

Office of Workers Compensation - Completed Action

Title	Regulation Identifier Number
Regulations Implementing Amendments to the Black Lung Benefits Act: Determining Coal Miners and Survivors Entitlement to Benefits	1240-AA04

Office of Labor Management Standards - Proposed Rule

Title	Regulation Identifier Number
Persuader Agreements: Consultant Form LM-21 Receipts and Disbursements Report	1245-AA05

Office of Labor Management Standards - Final Rule

Title	Regulation Identifier Number
Persuader Agreements: Employer and Labor Relations Consultant Reporting Under the LMRDA	1245-AA03

Office of Federal Contract Compliance Programs - Proposed Rule

Title	Regulation Identifier Number
Construction Contractors' Affirmative Action Requirements	1250-AA01
Nondiscrimination in Compensation: Compensation Data Collection Tool	1250-AA03
Sex Discrimination Guidelines	1250-AA05

Office of Federal Contract Compliance Programs - Final Rule

Title	Regulation Identifier Number
Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Individuals with Disabilities	1250-AA02

Office of Federal Contract Compliance Programs - Completed Action

Title	Regulation Identifier Number
Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Protected Veterans	1250-AA00

Office of the Secretary - Final Rule

Title	Regulation Identifier Number
Rules of Practice and Procedure for Administrative Hearings Before the Office of Administrative Law Judges	1290-AA26

Department of Labor Administrative Wage Garnishment	1290-AA27
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Office of the Assistant Secretary for Veterans' Employment and Training - Proposed Rule

Title	Regulation Identifier Number
Compliance With the VOW to Hire Heroes Act on the Requirements of DVOPs and LVERs	1293-AA19
Annual Report From Federal Contractors	1293-AA20

Department of Labor (DOL)
Employment and Training Administration (ETA)

RIN: 1205-AB59

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Title: Equal Employment Opportunity in Apprenticeship Amendment of Regulations

Abstract: Revisions to the equal opportunity regulatory framework for the National Apprenticeship Act are a critical element in the Department's vision to promote and expand Registered Apprenticeship opportunities in the 21st century while continuing to safeguard the welfare and safety of apprentices. In October 2008, the Agency issued a Final Rule updating regulations for Apprenticeship Programs and Labor Standards for Registration. These regulations, codified at title 29 Code of Federal Regulations (CFR) part 29, had not been updated since 1977. The companion regulations, 29 CFR part 30, Equal Employment Opportunity (EEO) in Apprenticeship and Training, have not been amended since 1978. The Agency now proposes to update 29 CFR part 30 to ensure that the National Registered Apprenticeship System is consistent and in alignment with EEO law, as it has developed since 1978, and recent revisions to 29 CFR part 29. This second phase of regulatory updates will ensure that Registered Apprenticeship is positioned to continue to provide economic opportunity for millions of Americans while keeping pace with these new requirements.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 30 (Revision) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: sec 1, 50 Stat 664, as amended (29 USC 50; 40 USC 276c; 5 USC 301); Reorganization Plan No 14 of 1950, 64 Stat 1267 (5 USC app p 534)

Legal Deadline: None

Regulatory Plan:

Statement of Need: Federal regulations for Equal Employment Opportunity (EEO) in Apprenticeship have not been updated since 1978. Updates to these regulations are necessary to ensure that DOL regulatory requirements governing the National Registered Apprenticeship System are consistent with the current state of EEO law and recent revisions to 29 CFR part 29.

Legal Basis: These regulations are authorized by the National Apprenticeship Act of 1937 (29 U.S.C. 50) and the Copeland Act (40 U.S.C. 276c). These regulations will set forth policies and procedures to promote equality of opportunity in apprenticeship programs registered with the U.S. Department of Labor or in State Apprenticeship Agencies recognized by the U.S. Department of Labor.

Alternatives: The public will be afforded an opportunity to provide comments on the proposed amendment to Apprenticeship EEO regulations when the Department publishes a Notice of Proposed Rulemaking (NPRM) in the Federal Register. A Final Rule will be issued after analysis and incorporation of public comments to the NRPM.

Costs and Benefits: The proposed changes are thought to raise "novel legal or policy issues" but are not economically significant within the context of Executive Order 12866 and are not a "major rule" under section 804 of the Small Business Regulatory Enforcement Fairness Act.

Risks: This action does not affect the public health, safety, or the environment.

Timetable:

Action	Date	FR Cite
NPRM	09/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State; Tribal

Small Entities Affected: No

Federalism: Yes

Energy Affected: No

Agency Contact: John V. Ladd

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Department of Labor (DOL)
Employment and Training Administration (ETA)

RIN: 1205-AB62

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Title: Federal-State Unemployment Compensation Program; Implementing the Total Unemployment Rate as an Extended Benefits Indicator and Amending for Technical Corrections

Abstract: Regulations at 20 CFR part 615 apply to the Extended Benefits (EB) program as implemented following passage of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note). They do not include amendments passed in 1992 (Pub. L. 102-318) which allowed States to implement an optional total unemployment rate (TUR) trigger mechanism. The proposed rule will add the TUR trigger to regulations. Also, until recently, the computation of the TUR trigger paralleled the computation of the insured unemployment rate trigger in the original law and truncated digits after the second decimal place expressed as a percentage. This rulemaking proposes a new methodology using rounding instead of truncation to compute the "on" or "off" TUR indicators to determine when EB periods begin and end in a State.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 615 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 26 USC 7805; 42 USC 1302; Secretary's Order No 6-10

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State

Federalism: No

Agency Contact: Ronald Wilus

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Department of Labor (DOL)
Employment and Training Administration (ETA)

RIN: 1205-AB63

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Title: Middle Class Tax Relief and Job Creation Act of 2012 Provision on Establishing Appropriate Occupations for Drug Testing of Unemployment Compensation Applicants

Abstract: The Employment and Training Administration of the U.S. Department of Labor (Department) proposes to establish in regulations the occupations that regularly conduct drug testing for State Unemployment Compensation (UC) program purposes. Section 2105 of the Middle Class Tax Relief and Job Creation Act of 2012 (Pub. L. 112-96) amended section 303 of the Social Security Act (42 USC sec. 303) by adding subsection (I) to permit States to enact legislation that would allow State UC programs to conduct drug testing on applicants for whom suitable work (as defined under the State law) is available only in an occupation that regularly conducts drug testing or if the applicant was discharged for unlawful use of drugs. States may deny UC benefits to an applicant who tests positive for drug use under the circumstances just described. The Department is required under 303(I) of the Social Security Act to determine and establish in regulations those occupations that regularly conduct drug testing.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 20 CFR 620 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: PL 112-96; title III, Social Security Act (42 USC 301 et seq); Secretary's Order No 6-10

Legal Deadline: None

Regulatory Plan:**Statement of Need:** Required by section 2105 to the Middle Class Tax Act (P.L. 112-96).**Legal Basis:** Required by section 2105. Middle Class Tax Act.**Alternatives:** None based on statutory requirement.

Costs and Benefits: The proposed changes are not economically significant within the context of Executive Order 12866 and are not a "major rule" under section 804 of the Small Business Regulatory Enforcement Fairness Act because implementation of drug testing is completely voluntary on the part of the States and will not result in costs in excess of \$100 million. However, this rule is considered a "significant regulatory action" as defined in section 3(f) of E.O. 12866, because it raises novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in E.O. 12866. Before the addition of Section 303(l)(1), SSA, the Secretary of Labor's interpretation of Federal law significantly limited the use of drug testing in the UC program. Broadening the circumstances under which drug testing is permitted raises new legal and policy issues.

Risks: This action does not affect the public health, safety, or the environment.**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Gay Gilbert

Administrator, Office of Unemployment Insurance

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Department of Labor (DOL)**Employment and Training Administration (ETA)**

RIN: 1205-AB64

 [View Related Documents](#)**Title:** Implementing the Middle Class Tax Relief and Job Creation Act of 2012 Provision on Data Exchange Standardization

Abstract: The Employment and Training Administration of the U.S. Department of Labor (Department) proposes to designate in regulations data exchange standards, developed in consultation with the Office of Management and Budget (OMB), for Unemployment Insurance (UI) administration for any category of information required under title III, title IX, or title XII of the Social Security Act (Pub. L. 74-271). Section 2104 of the Middle Class Tax Relief and Job Creation Act of 2012 (Pub. L. 112-96) amends and adds section 911 to title IX of the Social Security Act (42 USC section 1101 et seq.) requiring the Department to issue a rule, developed in consultation with OMB, that outlines data exchange standards for required reporting. These standards will improve the interoperability of State, Federal, and employer operated systems that collect and exchange information for UI administrative purposes.

Priority: Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 20 CFR 619 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** PL 112-96; title IX, Social Security Act (42 USC 1101 et seq)**Legal Deadline:**

Action	Source	Description	Date
NPRM	Statutory		02/22/2013

Regulatory Plan:**Statement of Need:** Required by section 2104 of the Middle Class Tax Act (P.L. 112-96).**Legal Basis:** Required by section 2104. Middle Class Tax Act

Alternatives: Section 2104 of the Act amends Title IX, SSA (42 U.S.C. 1101 et seq.) by adding a new section 911, which requires the Department to issue rules, developed in consultation with an interagency workgroup established by the Office of Management and Budget (OMB), that establish data exchange standards for certain functions related to administration of the Unemployment Insurance (UI) program. Section 911(a)(1), SSA, requires that the Department "shall by rule designate a date

exchange standard for any category of information required under title III [42 U.S.C. 501 et seq.], title XII [42 U.S.C. 1401 et seq.], or this title [IX]." The Department will continue to review all other data exchanges and UI reporting to determine the application of appropriate data exchange standards not established in this proposed final rule and where feasible.

Costs and Benefits: This rule has been designated a "significant regulatory action: because, although not economically significant under section 3(f) of Executive Order 12866, it raises novel issues of law and policy. The Department anticipates that the rule would have limited, if any, direct impact on employers above and beyond any impact that would occur in the absence of the proposed rule. There will be an impact on States in adopting the real-time Interstate Connection Network (ICON) applications, but this impact may be mitigated because many States are likely to modernize their Information Technology operations in any event, which will require implementing these interoperable real-time applications. The Department estimates that the one-time added burden for States to conform to the new data exchange standards for ICON will be minimal. State Information Data Exchange System (SIDES) interfaces have been designed using Extended Markup Language (XML) and the States and employers participating in SIDES automatically comply with the data exchange standard proposed. Therefore, there is no additional cost burden for SIDES due to this proposed regulation. The rule will improve the interoperability of State, Federal, and employer systems that collect and enhance information for UI administrative purposes by: (1) Improving the efficiency and quality of the communications between States and employers and/or their Third Party Administrators (TPAs) that are required to determine eligibility for UI benefits through the elimination of the need to create and mail hard copy documents; (2) Increasing accuracy and reducing errors thereby enhancing program integrity (i.e., transparency, consistency) and customer satisfaction (accuracy, flexibility); (3) Improving the timeliness of information transferred between States, employers, TPAs and Federal agencies; and (4) Helping TPAs that serve employers in multiple States to train their employers in using uniform system interfaces, thereby improving efficiency, timeliness, and accuracy.

Risks: This action does not affect the public health, safety, or the environment.

Timetable:

Action	Date	FR Cite
NPRM	02/25/2013	78 FR 12655
NPRM Comment Period End	04/26/2013	
Final Rule	02/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Gay Gilbert

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Department of Labor (DOL)

Employment and Training Administration (ETA)

RIN: 1205-AB69

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Title: Wage Methodology for the Temporary Nonagricultural Employment H-2B Program, Part 2

Abstract: In an interim final rule (IFR) published in April, 2013, DHS and DOL amended their regulations governing the methodology by which DOL calculates the prevailing wages to be paid to H-2B workers and U.S. workers recruited in connected with the application for employment certification of nonimmigrant workers in temporary or seasonal non-agricultural employment. That prevailing wage is then used by employers in petitioning the DHS to allow nonimmigrant workers to enter the U.S. in H-2B status. DOL and DHS jointly issued this rule in response to the court's order in *Comite de Apoyo a los Trabajadores Agricolas v. Solis*, which vacated a provision of DOL's prevailing wage rate regulation, and to ensure that the rule is in effect nationwide in light of other outstanding litigation. The IFR requested comments from the public on a variety of regulatory and policy issues, and the final rule will consider the public's input and make revisions to the regulations as warranted.

Priority: Economically Significant

Agenda Stage of Rulemaking: Final Rule

Major: Yes

Unfunded Mandates: No

CFR Citation: 20 CFR 655; 8 CFR 214 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 8 USC 1101(a)(15)(H)(ii)(b); 8 USC 1184(c)

Legal Deadline:

Action	Source	Description	Date
Other	Judicial	Judicial order	04/22/2013

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/24/2013	78 FR 24047
Interim Final Rule Effective	04/24/2013	
Interim Final Rule Comment Period End	06/10/2013	
Final Rule	10/00/2014	

Regulatory Flexibility Analysis Required: No
Small Entities Affected: Business
Energy Affected: No
Related RINs: Related to 1205-AB61
Agency Contact: William L. Carlson Ph.D.
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Government Levels Affected: No
Federalism: No
Related Agencies: Joint: USCIS

Department of Labor (DOL)
Employment and Training Administration (ETA)

RIN: 1205-AB61

 [View Related Documents](#)

Title: Wage Methodology for the Temporary Nonagricultural Employment H-2B Program

Abstract: The Immigration and Nationality Act, as amended, requires the Department of Homeland Security, before the approval of H-2B visa petitions to consult with other agencies. DHS' regulation at 8 CFR 214.2(h)(6) requires that an intending employer first apply for a temporary labor certification from the Department of Labor. Specifically, DOL certifies that there is not sufficient U.S. worker(s) able, available, willing and qualified at the time of an application for a visa, and that the employment of the alien will not adversely affect the wages and working conditions of similarly employed U.S. workers. In order to ensure that there is no adverse effect, the Department requires employers to pay the prevailing wage to H-2B workers and U.S. workers hired in response to the required recruitment. The prevailing wage calculation methodology under the current H-2B regulation became the subject of litigation, and as a result, on January 19, 2011, DOL published a Final Rule (the Wage Rule) which established a new prevailing wage methodology for the H-2B labor certification program. The Wage Rule had an effective date of January 1, 2012, which was invalidated by the U.S. District Court for the Eastern District of Pennsylvania on June 15, 2011. The Department initially amended the effective date of the Wage Final Rule to September 30, 2011 but, due to a subsequent series of judicial and legislative actions, further amended the effective date of the Wage Final Rule to October 1, 2013. However, the Final Rule published on August 30, 2013, postpones the effective date indefinitely.

Priority: Other Significant
Major: No

Agenda Stage of Rulemaking: Completed Action
Unfunded Mandates: No

CFR Citation: 8 CFR 214.2(h)(6); 20 CFR 655.10 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 8 USC 1101(a)(15)(H)(ii)(B); 8 USC 1184(c)

Legal Deadline: The U.S. District Court in the Eastern District of Pennsylvania ordered the Department to promulgate a new rule on the calculation of the prevailing wage no later than January 18, 2011. On June 15, 2011, the court issued a subsequent ruling in the CATA litigation that invalidated the January 1, 2012, effective date and ordered the Department to announce a new effective date for the rule within 45 days from June 15, 2011.

Action	Source	Description	Date
Other	Judicial		01/18/2011

Timetable:

Action	Date	FR Cite
NPRM	10/05/2010	75 FR 61578
NPRM Extension of Comment Period	11/03/2010	75 FR 67662
NPRM Comment Period End	11/04/2010	
NPRM Extension of Comment Period End	11/12/2010	
Final Rule	01/19/2011	76 FR 3452
Final Rule-Delay of Effective Date	01/29/2011	76 FR 73508
NPRM	06/28/2011	76 FR 37686
NPRM Comment Period End	07/08/2011	
Final Action	08/01/2011	76 FR 45667
Notice of Postponement of Effective Date	09/28/2011	76 FR 59896
Final Action Effective	09/30/2011	76 FR 45667
Guidance	09/30/2011	76 FR 60720
Guidance Effective	09/30/2011	

Guidance	11/29/2011	76 FR 73509
Final Rule-Delay of Effective Date	12/30/2011	
Guidance	12/30/2011	76 FR 82116
Guidance Effective	12/30/2011	
Final Rule Delay of Effective Date	03/29/2013	78 FR 19098
Final Rule Delay of Effective Date	07/23/2013	78 FR 44054
Final Rule Indefinite Delay of Effective Date	08/30/2013	78 FR 53643

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Labor (DOL)
Employment and Training Administration (ETA)

RIN: 1205-AB65

 [View Related Documents](#)

Title: Labor Certification Process for Logging Employment and Non-H-2A Agricultural Employment

Abstract: In 2009, the Department suspended certain regulations pertaining to the H-2A program, including this subpart C. The suspension was legally enjoined (North Carolina Growers' Association v. Solis, 1:09-cv-00411, June 29, 2009) thereby preventing implementation of the suspension. The entire subject matter of subpart C was subsumed into a later rulemaking (75 FR 6959, Feb. 12, 2010). This regulatory action is needed to remove subpart C as obsolete.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR subpart C (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 8 USC 1188; 8 USC 1184(c)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Rule	11/20/2013	78 FR 69541
Effective Date	11/20/2013	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: William L. Carlson Ph.D.

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Department of Labor (DOL)
Employment and Training Administration (ETA)

RIN: 1205-AB66

 [View Related Documents](#)

Title: Attestations by Employers Using F-1 Students in Off-Campus Work

Abstract: The Immigration Act of 1990, supplementing sections 101(a)(15)(F) and 214 of the Immigration and Nationality Act, created a 3-year work authorization program for certain students in F-1 nonimmigrant status. The Department published an interim final rule to administer the program in 1991. 56 FR 56860 (Nov. 6, 1991). Public Law 103-416 (Oct. 25, 1994) revived

the program through September 30, 1996, and the regulations were further amended (59 FR 64777, Dec. 15, 1994; 60 FR 34133, June 30, 1995; 60 FR 38959, July 31, 1995; 60 FR 49754, Sept. 30, 1995; 60 FR 61210, Nov. 29, 1995) but the program subsequently sunset and has not been extended since. The regulatory action will remove the regulations that have no legal authority and are no longer in effect.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR subparts J and K (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Immigration Act of 1990, sec 221, PL 103-416 (Oct. 25, 1994)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Rule	11/20/2013	78 FR 69538
Effective Date	11/20/2013	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: William L. Carlson Ph.D.

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Department of Labor (DOL)

Employment and Training Administration (ETA)

RIN: 1205-AB67

 [View Related Documents](#)

Title: Attestations by Facilities Using Nonimmigrant Aliens as Registered Nurses

Abstract: The Immigration Nursing Relief Act of 1999 provided for certain nonimmigrant H-1A status for certain nurses. Final regulations were published in 1994 (59 FR 897, Jan. 6, 1994; 59 FR 5484, Feb 4, 1994). The Act was extended but sunset in 2007 and has not been extended since. The regulatory action will remove the regulations that have no legal authority and are no longer in effect.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR subparts D and E (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Immigration Nursing Relief Act of 1989 (NRA), PL 101-238, 103 stat 2099 (December 18, 1989), as amended

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Rule	11/20/2013	78 FR 69539
Effective Date	11/20/2013	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: William L. Carlson Ph.D.

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Department of Labor (DOL)
Employee Benefits Security Administration (EBSA)

RIN: 1210-AB59

 [View Related Documents](#)**Title:** Standards for Brokerage Windows

Abstract: Employee Benefits Security Administration(EBSA) will review the use of brokerage windows in participant-directed individual account retirement plans covered by the Employee Retirement Income Security Act of 1974 (ERISA). Instead of offering a limited number of investment options chosen by a plan fiduciary, a brokerage window may give plan participants access to a broad range of diverse investment alternatives available on the market. This rulemaking project will explore whether, and to what extent, regulatory guidance on fiduciary requirements and regulatory safeguards for such arrangements are appropriate for plans that allow participants to direct investments through brokerage windows. EBSA expects to begin this review by issuing a Request for Information.

Priority: Other Significant**Agenda Stage of Rulemaking:** PreRule**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 1135; ERISA Sec 505; 29 USC 1104; ERISA Sec 404**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Request for Information	04/00/2014	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Jeffrey J. Turner

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Department of Labor (DOL)
Employee Benefits Security Administration (EBSA)

RIN: 1210-AB20

 [View Related Documents](#)**Title:** Pension Benefit Statements

Abstract: Section 508 of the Pension Protection Act of 2006 (PPA) amended section 105 of the Employee Retirement Income Security Act (ERISA) to require plans that are subject to ERISA to automatically provide participants and certain beneficiaries with individual pension benefit statements. Generally, defined benefit plans must provide the statement every three years, with an annual alternative. Individual account plans that permit participant direction must provide the statement quarterly and individual account plans that do not permit participant direction must provide the statement annually. As part of this initiative, the Department will explore whether, and how, an individual benefit statement should and could present a participant's accrued benefits in a defined contribution plan (i.e., the individual's account balance) as a lifetime income stream of payments in addition to presenting the benefits as an account balance.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 29 CFR 2520 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 1025; ERISA sec 105; PL 109-280, sec 508, Pension Protection Act of 2006; 29 USC 1135; ERISA sec 505**Legal Deadline:**

Action	Source	Description	Date
Other	Statutory		08/18/2007

Timetable:

Action	Date	FR Cite
ANPRM	05/08/2013	78 FR 26727
ANPRM Comment Period End	07/08/2013	
Extension of ANPRM	07/15/2013	78 FR 42027
Comment Period End	08/07/2013	
NPRM	08/00/2014	

Regulatory Flexibility Analysis Required: Undetermined **Government Levels Affected:** Undetermined

Federalism: No

Energy Affected: No

Agency Contact: Suzanne Adelman

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Department of Labor (DOL)
Employee Benefits Security Administration (EBSA)

RIN: 1210-AB32

 [View Related Documents](#)

Title: Conflict of Interest Rule-Investment Advice

Abstract: This rulemaking would reduce harmful conflicts of interest by amending the regulatory definition of the term "fiduciary" set forth at 29 CFR 2510.3-21 (c) to more broadly define as fiduciaries employee benefits plans and individual retirement accounts (IRAs) those persons who render investment advice to plans and IRAs for a fee within the meaning of section 3(21) of the Employee Retirement Income Security Act (ERISA) and section 4975(e)(3) of the Internal Revenue Code. The amendment would take into account current practices of investment advisers and the expectations of plan officials and participants and IRAs owners who receive investment advice, as well as changes that have occurred in the investment marketplace and in the ways advisers are compensated that frequently subject advisers to harmful conflicts of interest.

Priority: Economically Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Yes

Unfunded Mandates: No

CFR Citation: 29 CFR 2510.3-21(c) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 1002; ERISA sec 3(21); 29 USC 1135; ERISA sec 505

Legal Deadline: None

Regulatory Plan:

Statement of Need: This rulemaking is needed to bring the definition of "fiduciary" into line with investment advice practices and to recast the current regulation to better reflect relationships between investment advisers and their employee benefit plan clients. The current regulation may inappropriately limit the types of investment advice relationships that should give rise to fiduciary duties on the part of the investment adviser.

Legal Basis: Section 505 of ERISA provides that the Secretary may prescribe such regulations as she finds necessary and appropriate to carry out the provisions of title I of the Act. Regulation 29 CFR 2510.3-21(c) defines the term fiduciary for certain purposes under section 3(21) of ERISA.

Alternatives: Alternatives will be considered following a determination of the scope and nature of the regulatory guidance needed by the public.

Costs and Benefits: Preliminary estimates of the anticipated costs and benefits will be developed, as appropriate, following a determination regarding the alternatives to be considered.

Risks:

Timetable:

Action	Date	FR Cite
NPRM	10/22/2010	75 FR 65263
NPRM Comment Period End	01/20/2011	
Second NPRM	08/00/2014	

Regulatory Flexibility Analysis Required: Undetermined **Government Levels Affected:** Undetermined

Federalism: No

Agency Contact: Jeffrey J. Turner

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Department of Labor (DOL)
Employee Benefits Security Administration (EBSA)

RIN: 1210-AB53

 [View Related Documents](#)**Title:** Guide or Similar Requirement for Section 408(b)(2) Disclosures

Abstract: Paragraph (c) of 29 CFR 2550.408b-2 requires covered service providers to make certain disclosures to responsible plan fiduciaries in order for contracts or arrangements between the parties to be considered reasonable under section 408(b)(2) of the Employee Retirement Income Security Act (ERISA). This rulemaking would amend the disclosure provisions in paragraph (c) so that covered service providers may be required to furnish a guide or similar tool along with such disclosures. A guide or similar requirement may assist fiduciaries, especially fiduciaries to small and medium-sized plans, in identifying and understanding the potentially complex disclosure documents that are provided to them or if disclosures are located in multiple documents.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Yes**Unfunded Mandates:** Undetermined**CFR Citation:** 29 CFR 2550.408b-2(c) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 1108(b)(2); 29 USC 1135**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2014	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** No**Federalism:** No**Related RINs:** Split From 1210-AB08**Agency Contact:** Jeffrey J. Turner

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Department of Labor (DOL)
Employee Benefits Security Administration (EBSA)

RIN: 1210-AB58

 [View Related Documents](#)**Title:** Selection of Annuity Providers--Safe Harbor for Individual Account Plans

Abstract: The Department in 2008 issued a regulation pursuant to section 404 of the Employee Retirement Income Security Act that establishes a safe harbor for satisfaction of fiduciary responsibilities in selecting an annuity provider and contract for benefit distributions from an individual account retirement plan. See 29 CFR section 2550.404a-4. More recently, the Department and the Department of the Treasury published a Request for Information Regarding Lifetime Income Options for Participants and Beneficiaries in Retirement Plans (RFI), seeking comments on what measures the Departments could take to encourage such plans to offer annuities or other arrangements that provide a lifetime stream of income after retirement. See 75 FR 5253 (Feb. 2, 2010). Based on the RFI comments, the Department is developing proposed amendments to the annuity selection safe harbor primarily focused on the condition in the safe harbor relating to the ability of the annuity provider to make all future payments under the annuity contract.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 1104; ERISA sec 404; 29 USC 1135; ERISA sec 505**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/00/2014	

Regulatory Flexibility Analysis Required: Undetermined **Government Levels Affected:** No

Federalism: No

Agency Contact: Janet Walters

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Department of Labor (DOL)
Employee Benefits Security Administration (EBSA)

RIN: 1210-AB60

 [View Related Documents](#)

Title: Amendments to Excepted Benefits

Abstract: This document contains proposed rules that would amend the regulations regarding excepted benefits under the Employee Retirement Income Security Act of 1974, the Internal Revenue Code, and the Public Health Service Act, as amended by the Health Insurance Portability and Accountability Act (HIPAA) and the Patient Protection and Affordable Care Act (Affordable Care Act).

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: Undetermined

CFR Citation: None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2013	

Regulatory Flexibility Analysis Required: Undetermined **Government Levels Affected:** Undetermined

Federalism: Undetermined

Agency Contact: Amy J. Turner

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Department of Labor (DOL)
Employee Benefits Security Administration (EBSA)

RIN: 1210-AB18

 [View Related Documents](#)

Title: Annual Funding Notice

Abstract: This rulemaking implements the requirement of section 501 of the Pension Protection Act of 2006 (PPA), which amended section 101(f) of the Employee Retirement Income Security Act (ERISA) to require the administrator of a defined benefit pension plan to provide participants, beneficiaries, and other parties with an annual funding notice, and also implements the requirements of section 503(c) of the PPA that amended section 104(b)(3) of ERISA regarding summary annual reports for defined benefit plans.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 2520; 29 CFR 2520.104-46; 29 CFR 2520.104b-10 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 1021(f); ERISA sec 101(f); PL 109-280, sec 501, Pension Protection Act of 2006; 29 USC 1021(b); ERISA sec 104(b)(3); PL 109-280, sec 503, Pension Protection Act of 2006; 29 USC 1135; ERISA sec 505

Legal Deadline:

Action	Source	Description	Date
Other	Statutory		08/18/2007

Timetable:

Action	Date	FR Cite
NPRM	11/18/2010	75 FR 70625
NPRM Comment Period End	01/18/2011	
Final Rule	03/00/2014	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Federalism:** No**Energy Affected:** No**Agency Contact:** Stephanie Ward-Cibinic

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Department of Labor (DOL)**Employee Benefits Security Administration (EBSA)**

RIN: 1210-AB30

 [View Related Documents](#)**Title:** Mental Health Parity and Addiction Equity Act**Abstract:** Pursuant to ERISA section 712, as amended by the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) (Pub. L. 110-343) enacted on October 8, 2008, the Department is developing regulatory guidance.**Priority:** Economically Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 1185a**Legal Deadline:**

Action	Source	Description	Date
Other	Statutory	as per MHPAEA section 512(d)	10/08/2009

Regulatory Plan:**Statement of Need:** In response to a Request for Information in April 2008, over 400 comment letters were received raising questions regarding compliance with the Federal parity provisions. This regulation is needed to provide clarifications to participants, beneficiaries, health care providers, employment-based health plans, health insurance issuers, third-party administrators, brokers, underwriters, and other plan service providers regarding such provisions.**Legal Basis:** Section 505 of ERISA provides that the Secretary may prescribe such regulations as she finds necessary and appropriate to carry out the provisions of title I of the Act. Section 734 of ERISA provides that the Secretary may prescribe regulations necessary or appropriate to carry out the provisions of ERISA part 7. MHPAEA created new federal parity provisions in ERISA section 712 and provides, in section 512(d), that the Secretary shall issue regulations to carry out the provisions of MHPAEA.**Alternatives:** Alternatives will be considered following a determination of the scope and nature of the regulatory guidance needed by the public.**Costs and Benefits:** Preliminary estimates of the anticipated costs and benefits will be developed, as appropriate, following a determination regarding the alternatives to be considered.**Risks:****Timetable:**

Action	Date	FR Cite
Request for Information	04/28/2009	74 FR 19155
Request for Information Comment Period End	05/28/2009	
Interim Final Rule	02/02/2010	75 FR 5410
Interim Final Rule Effective	04/05/2010	

Interim Final Rule Comment Period End	05/03/2010	
Final Rule	12/00/2013	

Additional Information: On February 2, 2010, the Departments of Labor, Health and Human Services, and the Treasury published a joint interim final rule implementing MHPAEA.

Regulatory Flexibility Analysis Required: Undetermined **Government Levels Affected:** No

Federalism: No

Related RINs: Related to 0938-AP65; Related to 1545-BJ05 **Related Agencies:** Joint: CMS; Joint: IRS

Agency Contact: Amy J. Turner

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Department of Labor (DOL)

Employee Benefits Security Administration (EBSA)

RIN: 1210-AB38

 [View Related Documents](#)

Title: Target Date Disclosure

Abstract: This rulemaking will amend the Department's qualified default investment alternative regulation (29 CFR 2550.404c-5), which provides relief from certain fiduciary responsibilities for fiduciaries of participant-directed individual account plans who, in the absence of directions from a participant, invest the participant's account in a qualified default investment alternative. This amendment will provide more specificity to fiduciaries as to the investment information that must be disclosed in the required notice to participants and beneficiaries. This amendment also will enhance the information that must be disclosed concerning target date, or similar age-based, qualified default investment alternatives. The Department published in the Federal Register, at section 2550.404a-5 (75 FR 64910, Oct. 20, 2010), a final regulation that requires the disclosure of certain plan and investment-related information, including fee and expense information, to participants and beneficiaries in participant-directed individual account plans (the participant-level disclosure regulation). The proposed rulemaking also will amend the participant-level disclosure regulation to require the disclosure of the same information concerning target date or similar investments to all participants and beneficiaries in participant-directed individual account plans.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 2550.404c-5 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 1135; ERISA sec 505; 29 USC 1104

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/30/2010	75 FR 73987
NPRM Comment Period End	01/14/2011	
Reopening Comment Period	05/24/2012	77 FR 30928
Comment Period Ends	07/09/2012	
Final Rule	03/00/2014	

Regulatory Flexibility Analysis Required: Undetermined **Government Levels Affected:** No

Federalism: No

Agency Contact: Jeffrey J. Turner

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Department of Labor (DOL)

Employee Benefits Security Administration (EBSA)

RIN: 1210-AB47

 [View Related Documents](#)**Title:** Amendment of Abandoned Plan Program

Abstract: On April 21, 2006, the Department published a package of regulations, collectively entitled Termination of Abandoned Individual Account Plans, which facilitate the termination of, and distribution of benefits from, individual account pension plans that have been abandoned by their sponsoring employers. See 71 FR 20820. This rulemaking will examine whether, and how, to amend those regulations by expanding the scope of individuals entitled to be a "qualified termination administrator" (QTA). Under the Termination of Abandoned Individual Account Plans regulations, only a QTA is authorized to determine whether an individual account plan is abandoned and to carry out related activities necessary to the termination and winding up of the plan's affairs.

Priority: Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 1135; ERISA sec 505**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/12/2012	77 FR 74063
NPRM Comment Period End	02/11/2013	
Final Rule	04/00/2014	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Agency Contact:** Jeffrey J. Turner

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Department of Labor (DOL)**Employee Benefits Security Administration (EBSA)****RIN:** 1210-AB56 [View Related Documents](#)**Title:** Ninety-Day Waiting Period Limitation and Technical Amendments to Certain Health Coverage Requirements Under the Affordable Care Act

Abstract: The Patient and Affordable Care Act of 2010 (the Affordable Care Act) amended title I of ERISA, by adding a new section 715 which encompasses various health reform provisions of the Public Health Service (PHS) Act. These regulations provide guidance on the 90-day waiting period limitation under section 2708 of the PHS Act and makes technical amendments to regulations to conform to Affordable Care Act provisions already in effect, as well as those that will become effective beginning 2014.

Priority: Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Not Yet Determined**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/21/2013	78 FR 17313
NPRM Comment Period End	05/20/2013	
Final Rule	02/00/2014	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Federalism:** No**Related Agencies:** Joint : OCIO; Joint : IRS**Agency Contact:** Amy J. Turner

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Department of Labor (DOL)
Employee Benefits Security Administration (EBSA)

RIN: 1210-AB37

 [View Related Documents](#)

Title: Improved Fee Disclosure for Welfare Plans

Abstract: This rulemaking will amend the regulation setting forth the standards applicable to the exemption under the Employee Retirement Income Security Act (ERISA) section 408(b)(2) for contracting or making reasonable arrangements with a party in interest for office space or services (29 CFR 2550.408b-2). This amendment will ensure that plan fiduciaries of welfare plans are provided or have access to that information necessary to a determination of whether an arrangement for services is "reasonable" within the meaning of the statutory exemption. This amendment is being promulgated separately from another amendment to section 408(b)(2) that applies to pension plans.

Priority: Economically Significant

Agenda Stage of Rulemaking: Long-term Action

Major: Undetermined

Unfunded Mandates: Undetermined

CFR Citation: 29 CFR 2550.408b-2 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 1135; ERISA sec 505; 29 USC 1108

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: No

Federalism: No

Agency Contact: Jeffrey J. Turner

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Department of Labor (DOL)
Employee Benefits Security Administration (EBSA)

RIN: 1210-AB39

 [View Related Documents](#)

Title: Amendment to Claims Procedure Regulation

Abstract: Section 503 of the Employee Retirement Income Security Act (ERISA), 29 U.S.C. section 1133, provides that, in accordance with regulations promulgated by the Secretary of Labor, each employee benefit plan must provide "adequate notice in writing to any participant or beneficiary whose claim for benefits under the plan has been denied." The notice must set forth the specific reasons for the denial and must be written in a manner calculated to be understood by the claimant. Each plan must also afford "a reasonable opportunity" for any participant or beneficiary whose claim has been denied to obtain "full and fair review" of the denial by the "appropriate named fiduciary of the plan." The Department has issued a regulation pursuant to the above authority that establishes the minimum requirements for benefit claims procedures of employee benefit plans covered by title 1 of ERISA. See 29 CFR section 2560.503-1. This rulemaking is intended to strengthen, improve, and update the current rules governing the internal claims and appeals process.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: Undetermined

Unfunded Mandates: Undetermined

CFR Citation: 29 CFR 2550.503-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 1135; ERISA sec 505; 29 USC 1133

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Jeffrey J. Turner

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Department of Labor (DOL)

Employee Benefits Security Administration (EBSA)

RIN: 1210-AB46

 [View Related Documents](#)

Title: Automatic Enrollment in Health Plans of Employees of Large Employers Under FLSA Section 18A

Abstract: This rulemaking implements section 1511 of the Patient Protection and Affordable Care Act of 2010, which added section 18A to the Fair Labor Standards Act to require employers who have more than 200 full-time employees and who offer enrollment in one or more health benefits plans to automatically enroll new full-time employees in one of the plans offered and to continue enrollment of current employees.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: Undetermined

Unfunded Mandates: Undetermined

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 29 USC 218A; FLSA sec 18A; PL 111-148, sec 1511, Patient Protection and Affordable Care Act of 2010

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal; Local; State

Federalism: Undetermined

Agency Contact: Janet Walters

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Department of Labor (DOL)

Employee Benefits Security Administration (EBSA)

RIN: 1210-AB44

 [View Related Documents](#)

Title: Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services Under the Patient Protection and Affordable Care Act

Abstract: The Patient Protection and Affordable Care Act of 2010 (the Affordable Care Act) amended title I of the Employee Retirement Income Security Act (ERISA), by adding a new section 715 which encompasses various health reform provisions of the Public Health Service Act. These regulations provide guidance on the rules relating to coverage of preventive services without cost sharing under the Affordable Care Act. As mentioned in previous requests, RIN 1210-AB41 was split into additional RINs due to the breadth of issues covered, and this is the fourth request in a series relating to the Affordable Care Act.

Priority: Economically Significant

Agenda Stage of Rulemaking: Completed Action

Major: Yes

Unfunded Mandates: No

CFR Citation: 29 CFR 2510.3-16; 29 CFR 2950.715-2713 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: ERISA section 3(16); ERISA section 505; PHS Act section 2713 (incorporated into ERISA section 715); ERISA section 734

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/19/2010	75 FR 41726
Interim Final Rule Comment Period End	09/17/2010	
Interim Final Rule Effective	09/17/2010	
Interim Final Rule Amendment Effective	08/01/2011	
Interim Final Rule--Amendment	08/03/2011	76 FR 46621
Interim Final Rule Amendment Comment Period End	09/30/2011	
Final Rule	02/15/2012	77 FR 8725
ANPRM	03/21/2012	77 FR 16501
Final Rule Effective	04/16/2012	
ANPRM Comment Period End	06/19/2012	
NPRM	02/06/2013	78 FR 8456
NPRM Comment Period End	04/08/2013	
Final Rule	07/02/2013	78 FR 39870
Final Action Effective	08/01/2013	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local; State

Federalism: No

Related Agencies: Joint : HHS; Joint : IRS

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Department of Labor (DOL)

Employee Benefits Security Administration (EBSA)

RIN: 1210-AB55

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Title: Incentives for Nondiscriminatory Wellness Programs in Group Health Plans

Abstract: The Patient Protection and Affordable Care Act of 2010 (the Affordable Care Act) amended title I of ERISA, by adding a new section 715 which encompasses various health reform provisions of the Public Health Service Act. These regulations provide guidance on wellness programs.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 2590.715-2705 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 1027, 1059, 1135, 1161 to 1169, 1181 to 1183, 1181 (note), 1185 and 1185a; 1185b, 1185d, 1191, 1191a, 1191b, and 1191c; sec 101(g), PL 104-191, 110 stat 1936; sec 401(b); PL 105-200, 112 stat 645 (42 USC 651 note); sec 512(d), PL 110-343, 122 stat 3881; sec 1001, 1201 and 1562(e), PL 111-148, 124 stat 119, as amended by PL 111-152; 124 stat 1029; Secretary of Labor's Order 1-2011, 77 FR 1088 (January 9, 2012)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/26/2012	77 FR 70619
NPRM Comment Period End	01/25/2013	
Final Rule	06/03/2013	78 FR 33157
Final Rule Effective	08/02/2013	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local; State

Federalism: No

Related Agencies: Joint : OCIIO; Joint : IRS

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Department of Labor (DOL)
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC34

 [View Related Documents](#)

Title: Bloodborne Pathogens

Abstract: OSHA will undertake a review of the Bloodborne Pathogen Standard (29 CFR 1910.1030) in accordance with the requirements of the Regulatory Flexibility Act and section 5 of Executive Order 12866. The review will consider the continued need for the rule; whether the rule overlaps, duplicates, or conflicts with other Federal, State or local regulations; and the degree to which technology, economic conditions, or other factors may have changed since the rule was evaluated.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: PreRule

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 1910.1030 (To search for a specific CFR, visit the [Code of Federal Regulations.](#))

Legal Authority: 5 USC 533; 5 USC 610; 29 USC 655(b)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Begin Review	10/22/2009	
Request for Comments Published	05/14/2010	75 FR 27237
Comment Period End	08/12/2010	
End Review and Issue Findings	05/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Labor (DOL)
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC46

 [View Related Documents](#)

Title: Infectious Diseases

Abstract: Employees in health care and other high-risk environments face long-standing infectious diseases hazards such as tuberculosis (TB), varicella disease (chickenpox, shingles), and measles (rubeola), as well as new and emerging infectious disease threats, such as Severe Acute Respiratory Syndrome (SARS) and pandemic influenza. Health care workers and workers in related occupations, or who are exposed in other high-risk environments, are at increased risk of contracting TB, SARS, Methicillin-resistant Staphylococcus aureus (MRSA), and other infectious diseases that can be transmitted through a variety of exposure routes. OSHA is concerned about the ability of employees to continue to provide health care and other critical services without unreasonably jeopardizing their health. OSHA is considering the need for a standard to ensure that employers establish a comprehensive infection control program and control measures to protect employees from infectious disease exposures to pathogens that can cause significant disease. Workplaces where such control measures might be necessary include: health care, emergency response, correctional facilities, homeless shelters, drug treatment programs, and other occupational settings where employees can be at increased risk of exposure to potentially infectious people. A standard could also apply to laboratories, which handle materials that may be a source of pathogens, and to pathologists, coroners' offices, medical examiners, and mortuaries.

Priority: Economically Significant**Agenda Stage of Rulemaking:** PreRule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 29 CFR 1910 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 5 USC 533; 29 USC 657 and 658; 29 USC 660; 29 USC 666; 29 USC 669; 29 USC 673; ...**Legal Deadline:** None**Regulatory Plan:**

Statement of Need: In 2007, the healthcare and social assistance sector as a whole had 16.5 million employees. Healthcare workplaces can range from small private practices of physicians to hospitals that employ thousands of workers. In addition, healthcare is increasingly being provided in other settings such as nursing homes, free-standing surgical and outpatient centers, emergency care clinics, patients' homes, and prehospitalization emergency care settings. The Agency is particularly concerned by studies that indicate that transmission of infectious diseases to both patients and healthcare workers may be occurring as a result of incomplete adherence to recognized, but voluntary, infection control measures. Another concern is the movement of healthcare delivery from the traditional hospital setting, with its greater infrastructure and resources to effectively implement infection control measures, into more diverse and smaller workplace settings with less infrastructure and fewer resources, but with an expanding worker population.

Legal Basis: The Occupational Safety and Health Act of 1970 authorizes the Secretary of Labor to set mandatory occupational safety and health standards to assure safe and healthful working conditions for working men and women (29 U.S.C. 651).

Alternatives: The alternative to the proposed rulemaking would be to take no regulatory action.

Costs and Benefits: The estimates of the costs and benefits are still under development.

Risks: Analysis of risks is still under development.

Timetable:

Action	Date	FR Cite
Request for Information (RFI)	05/06/2010	75 FR 24835
RFI Comment Period End	08/04/2010	
Analyze Comments	12/30/2010	
Stakeholder Meetings	07/29/2011	
Initiate SBREFA	01/00/2014	

Regulatory Flexibility Analysis Required: Business; Governmental Jurisdictions

Government Levels Affected: Local; State

Federalism: Undetermined

Energy Affected: No

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Department of Labor (DOL)
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC51

 [View Related Documents](#)

Title: Reinforced Concrete in Construction and Preventing Backover Injuries and Fatalities

Abstract: OSHA published an RFI (77 FR 18973; March 29, 2012) that sought information on two subjects: 1) preventing backover injuries; and 2) hazards and risks of reinforcing concrete operations in construction, including post-tensioning. Backing vehicles and equipment are common causes of struck-by injuries and can also cause caught-between injuries when backing vehicles and equipment pin a worker against an object. Struck-by injuries and caught-between injuries are two of the four leading causes of workplace fatalities. The Bureau of Labor Statistics reports that in 2011, 75 workers were fatally backed over while working. While many backing incidents can prove to be fatal, workers can suffer severe, non-fatal injuries as well. A review of OSHA's IMIS database found that backing incidents can result in serious injury to the back and pelvis, fractured bones, concussions, amputations, and other injuries. Emerging technologies in the field of backing operations may prevent incidents. The technologies include cameras and proximity detection systems. The use of spotters and internal traffic control plans can also make backing operations safer. The Agency has held stakeholder meetings on backovers and is conducting site visits to employers. Current rules regarding reinforcing steel and post-tensioning activities may not adequately address worker hazards

in work related to post-tensioning and reinforcing steel. Both are techniques for reinforcing concrete and are generally used in many types of construction. OSHA's IMIS data indicates that 31 workers died while performing work on or near post-tensioning operations or reinforcing steel between 2000 and 2009. Currently, workers performing steel reinforcing suffer injuries caused by unsafe material handling, structural collapse, and impalement by protruding reinforcing steel dowels, among other causes. Employees involved in post-tensioning activities are at risk for incidents caused by the misuse of post-tensioning equipment and improper training. The Agency is continuing to seek information about injuries and hazards of reinforcing steel operations.

Priority: Economically Significant

Agenda Stage of Rulemaking: PreRule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 655(b)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Request for Information	03/29/2012	77 FR 18973
Comment Period End	07/27/2012	
Analyze Comments (Concrete)	04/00/2014	
Initiate SBREFA (Backovers)	06/00/2014	

Regulatory Flexibility Analysis Required: Business

Government Levels Affected: Undetermined

Federalism: No

Energy Affected: No

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Department of Labor (DOL)

Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC67

 [View Related Documents](#)

Title: Standards Improvement Project IV

Abstract: OSHA's Standards Improvement Projects (SIPs) are intended to remove or revise duplicative, unnecessary, and inconsistent safety and health standards. The Agency has published three earlier final standards to remove unnecessary provisions, thus reducing costs or paperwork burden on affected employers. Standards Improvement Project Phase I was published in the Federal Register on June 18, 1998 (63 FR 33450); SIPs Phase 2 was published on January 5, 2005 (70 FR 1111); and SIPs Phase III was published June 8, 2011 (76 FR 33590). The Agency believes that these standards have reduced the compliance costs and eliminated or reduced the paperwork burden for a number of its standards. The Agency only considers such changes to its standards so long as they do not diminish employee protections. The Agency is initiating a fourth rulemaking effort to identify unnecessary or duplicative provisions or paperwork requirements that is focused primarily to its construction standards in 29 CFR 1926.

Priority: Other Significant

Agenda Stage of Rulemaking: PreRule

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 1926 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 655(b)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Request for Information	12/06/2012	77 FR 72781
Request for Information Comment Period Ends	02/04/2013	
ACCSH Review	11/00/2013	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Labor (DOL)
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC74

 [View Related Documents](#)

Title: Review/Lookback of OSHA Chemical Standards

Abstract: The majority of OSHA's Permissible Exposure Limits (PELs) were adopted in 1971, under section 6(a) of the OSH Act and only a few have been successfully updated since that time. There is widespread agreement among industry, labor, and professional occupational safety and health organizations that occupational safety and health organizations that OSHA's PELs are outdated and need revising in order to take into account newer scientific data that indicates that significant occupational health risks exist at levels below OSHA's current PELs. In 1989, OSHA issued a final standard that lowered PELs for over 200 chemicals and added PELs for 164. However, the final rule was challenged and ultimately vacated by the 11th Circuit Court of Appeals in 1991 citing deficiencies in OSHA's analyses. Since that time OSHA has made attempts to examine its outdated PELs in light of the court's 1991 decisions. Most recently, OSHA sought input through a stakeholder meeting and web forum to discuss various approaches that might be used to address its outdated PELs. As part of the Department's Regulatory Review and Lookback Efforts, OSHA is developing a Request for Information (RFI) seeking input from the public to help the Agency identify effective ways to address occupational exposure to chemicals.

Priority: Other Significant

Agenda Stage of Rulemaking: PreRule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 655(b); 29 USC 657

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Request for Information	12/00/2013	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

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Department of Labor (DOL)
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC82

 [View Related Documents](#)

Title: Process Safety Management and Prevention of Major Chemical Accidents

Abstract: In accordance with the Executive Order, Improving Chemical Facility Safety and Security, Occupational Safety and Health Administration (OSHA) intends to issue a Request for Information (RFI). The RFI will identify issues related to modernization of the Process Safety Management standard and related standards necessary to meet the goal of preventing major chemical accidents.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: PreRule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 29 CFR 1910.119 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 29 USC 655; 29 USC 657

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Request for Information	11/00/2013	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Labor (DOL)

Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC83

 [View Related Documents](#)

Title: Definition and Requirements for a Nationally Recognized Testing Laboratory

Abstract: OSHA proposes to issue a Request for Information (RFI) for the Nationally Recognized Testing Laboratory (NRTL) Program. The NRTL Program was recently the subject of a GAO study, which recommended that Occupational Safety and Health Administration (OSHA) reexamine the NRTL Program's structure and accreditation application procedures to identify and implement any alternatives that better align program design with resource levels and improve program timelines. As a result of the complexity of several issues identified in the GAO study, OSHA needs to gather more information before it can address some of the items identified and determine whether it must undertake rulemaking. The proposed RFI will solicit information on those topics identified in the GAO study as well as other topics proposed through discussions with stakeholders. Such topics include, but are not limited to, the use of a third party accreditation model, increased alignment with international standards, and allowable certification marks for the NRTL Program.

Priority: Other Significant

Agenda Stage of Rulemaking: PreRule

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 1910.7; 29 CFR 1910.7 app A (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 29 USC 655(b)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Request for Information	01/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Organizations

Federalism: No

Energy Affected: No

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

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Department of Labor (DOL)
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC85

 [View Related Documents](#)

Title: Subpart E Scaffolds, Ladders and Other Working Surfaces

Abstract: Existing 29 CFR Part 1915, Subpart E Scaffolds Ladders and Other Working Surfaces includes scaffolds or staging, ladders, guarding of deck openings and edges, access to vessels, access to and guarding of dry docks and marine railways, access to cargo spaces and confined spaces, and working surfaces. These requirements are not comprehensive in their coverage of fall hazards in shipyards. In addition, provisions will be updated to reflect technological advances, while other provisions will be revised to be consistent with national consensus standards. Since this would result in a large, cumbersome subpart, Occupational Safety and Health Administration (OSHA) will request information in dividing this rulemaking into three subparts: Subpart E Stairways, Ladders and Other Access and Egress; Subpart M Fall Protection; and Subpart N Scaffolds. The estimated number of annualized fatalities associated with each subpart are: Subpart E Stairways, Ladders and Other Access and Egress. Approximately 1 to 2 fatalities are occurring each year; Subpart M Fall Protection. Approximately 3 to 4 fatalities in shipyards, associated with falls from elevations, are occurring each year; Subpart N Scaffolds. Approximately 1 fatality is occurring each year.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: PreRule

Major: Undetermined

Unfunded Mandates: Undetermined

CFR Citation: 29 CFR 1915.71 to 1915.77; subpart E; Scaffolds, Ladders & Other Working Surfaces (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: sec 41, Longshore and Harbor Workers Compensation Act (33 USC 941); sec 4, 6, and 8 Occupational Safety and Health Act of 1970 (29 USC 653, 655, 657); Secretary of Labor's Order No. 12-71 (36 FR 8754); 8-76 (41 FR 25059), or 9-83 (48 FR 35736) as applicable; 29 CFR 1911

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Request for Information	08/00/2014	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Energy Affected: Undetermined

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Department of Labor (DOL)
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AB70

 [View Related Documents](#)

Title: Occupational Exposure to Crystalline Silica

Abstract: Crystalline silica is a significant component of the Earth's crust, and many workers in a wide range of industries are exposed to it, usually in the form of respirable quartz or, less frequently, cristobalite. Chronic silicosis is a uniquely occupational disease resulting from exposure of employees over long periods of time (10 years or more). Exposure to high levels of respirable crystalline silica causes acute or accelerated forms of silicosis that are ultimately fatal. The current Occupational Safety and Health Administration (OSHA) permissible exposure limit (PEL) for general industry is based on a formula proposed by the American Conference of Governmental Industrial Hygienists (ACGIH) in 1968 (PEL=10mg/cubic meter/(% silica + 2), as respirable dust). The current PEL for construction and shipyards (derived from ACGIH's 1970 Threshold Limit Value) is based on particle counting technology, which is considered obsolete. National Institute for Occupational Safety and Health (NIOSH) and ACGIH recommend 50µg/m³ and 25µg/m³ exposure limits, respectively, for respirable crystalline silica. Both industry and worker groups have recognized that a comprehensive standard for crystalline silica is needed to provide for exposure monitoring, medical surveillance, and worker training. ASTM International has published recommended standards for addressing the hazards of crystalline silica. The Building Construction Trades Department of the AFL-CIO has also developed a recommended comprehensive program standard. These standards include provisions for methods of compliance, exposure monitoring, training, and medical surveillance.

Priority: Economically Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Yes**Unfunded Mandates:** Private Sector**CFR Citation:** 29 CFR 1910; 29 CFR 1915; 29 CFR 1917; 29 CFR 1918; 29 CFR 1926 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 655(b); 29 USC 657**Legal Deadline:** None**Regulatory Plan:**

Statement of Need: Workers are exposed to crystalline silica dust in general industry, construction, and maritime industries. Industries that could be particularly affected by a standard for crystalline silica include: Foundries, industries that have abrasive blasting operations, paint manufacture, glass and concrete product manufacture, brick making, china and pottery manufacture, manufacture of plumbing fixtures, and many construction activities including highway repair, masonry, concrete work, rock drilling, and tuckpointing. The seriousness of the health hazards associated with silica exposure is demonstrated by the fatalities and disabling illnesses that continue to occur. From 2006 to 2010 silicosis was identified on 617 death certificates as an underlying or contributing cause of death. It is likely that many more cases have occurred where silicosis went undetected. In addition, the International Agency for Research on Cancer has designated crystalline silica as carcinogenic to humans, and the National Toxicology Program has concluded that respirable crystalline silica is a known human carcinogen. Exposure to crystalline silica has also been associated with an increased risk of developing tuberculosis and other nonmalignant respiratory diseases, as well as renal and autoimmune diseases. Exposure studies and OSHA enforcement data indicate that some workers continue to be exposed to levels of crystalline silica far in excess of current exposure limits. Congress has included compensation of silicosis victims on Federal nuclear testing sites in the Energy Employees' Occupational Illness Compensation Program Act of 2000. There is a particular need for the Agency to modernize its exposure limits for construction and shipyard workers.

Legal Basis: The legal basis for the proposed rule is a preliminary determination that workers are exposed to a significant risk of silicosis and other serious disease and that rulemaking is needed to substantially reduce the risk. In addition, the proposed rule will recognize that the PELs for construction and maritime are outdated and need to be revised to reflect current sampling and analytical technologies.

Alternatives: Over the past several years, the Agency has attempted to address this problem through a variety of non-regulatory approaches, including initiation of a Special Emphasis Program on silica in October 1997, sponsorship with NIOSH and MSHA of the National Conference to Eliminate Silicosis, and dissemination of guidance information on its Web site.

Costs and Benefits: The scope of the proposed rulemaking and estimates of the costs and benefits are still under development.

Risks: A detailed risk analysis is under way.

Timetable:

Action	Date	FR Cite
Completed SBREFA Report	12/19/2003	
Initiated Peer Review of Health Effects and Risk Assessment	05/22/2009	
Completed Peer Review	01/24/2010	
NPRM	09/12/2013	78 FR 56274
Extension of Deadline for Submitting Notices of Intention to Appear at Public Hearing	10/31/2013	78 FR 65242
Extension of Comment Period	10/31/2013	78 FR 65242
Scheduling of Public Hearing	10/31/2013	78 FR 65242
NPRM Comment Period End	12/11/2013	
Extension of Comment Period End	01/27/2014	

Regulatory Flexibility Analysis Required: Business**Government Levels Affected:** Federal; Local; State; Tribal**Federalism:** Yes**Energy Affected:** No**Agency Contact:** William Perry

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 [View Related Documents](#)**Title:** Occupational Exposure to Beryllium

Abstract: In 1999 and 2001, OSHA was petitioned to issue an emergency temporary standard by the United Steel Workers (formerly the Paper Allied-Industrial, Chemical, and Energy Workers Union), Public Citizen Health Research Group, and others. The Agency denied the petitions but stated its intent to begin data gathering to collect needed information on beryllium's toxicity, risks, and patterns of usage. On November 26, 2002, OSHA published a Request for Information (RFI) (67 FR 70707) to solicit information pertinent to occupational exposure to beryllium, including: current exposures to beryllium; the relationship between exposure to beryllium and the development of adverse health effects; exposure assessment and monitoring methods; exposure control methods; and medical surveillance. In addition, the Agency conducted field surveys of selected worksites to assess current exposures and control methods being used to reduce employee exposures to beryllium. OSHA convened a Small Business Advocacy Review Panel under the Small Business Regulatory Enforcement Fairness Act (SBREFA) and completed the SBREFA Report in January 2008. OSHA also completed a scientific peer review of its draft risk assessment.

Priority: Economically Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 29 CFR 1910 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 655(b); 29 USC 657**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Request for Information	11/26/2002	67 FR 70707
Request For Information Comment Period End	02/24/2003	
SBREFA Report Completed	01/23/2008	
Initiated Peer Review of Health Effects and Risk Assessment	03/22/2010	
Complete Peer Review	11/19/2010	
NPRM	04/00/2014	

Regulatory Flexibility Analysis Required: Business**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** William Perry

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E-Mail: perry.bill@dol.gov**Department of Labor (DOL)****Occupational Safety and Health Administration (OSHA)**

RIN: 1218-AC41

 [View Related Documents](#)**Title:** Combustible Dust

Abstract: Occupational Safety and Health Administration (OSHA) has commenced rulemaking to develop a combustible dust standard for general industry. The U.S. Chemical Safety Board (CSB) completed a study of combustible dust hazards in late 2006, which identified 281 combustible dust incidents between 1980 and 2005 that killed 119 workers and injured another 718. Based on these findings, the CSB recommended the Agency pursue a rulemaking on this issue. OSHA has previously addressed aspects of this risk. For example, on July 31, 2005, OSHA published the Safety and Health Information Bulletin, "Combustible Dust in Industry: Preventing and Mitigating the Effects of Fire and Explosions." Additionally, OSHA implemented a Combustible Dust National Emphasis Program (NEP) March 11, 2008, launched a new webpage, and issued several other guidance documents. However, the Agency does not have a comprehensive standard that addresses combustible dust hazards. OSHA will use the information gathered from the NEP to assist in the development of this rule. OSHA published an ANPRM October 21, 2009. Additionally, stakeholder meetings were held in Washington, DC, on December 14, 2009, in Atlanta, GA, on February 17, 2010, and in Chicago, IL, on April 21, 2010. A webchat for combustible dust was also held on June 28, 2010 and an expert forum was convened on May 13, 2011

Priority: Economically Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 29 CFR 1910, subpart H (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 655(b); 29 USC 657

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	10/21/2009	74 FR 54333
Stakeholder Meetings	12/14/2009	
ANPRM Comment Period End	01/19/2010	
Stakeholder Meetings	02/17/2010	
Stakeholders Meetings	03/09/2010	75 FR 10739
Initiate SBREFA	04/00/2014	

Regulatory Flexibility Analysis Required: Business

Government Levels Affected: Undetermined

Federalism: No

Energy Affected: No

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Department of Labor (DOL)

Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC48

 [View Related Documents](#)

Title: Injury and Illness Prevention Program

Abstract: OSHA is developing a rule requiring employers to implement an Injury and Illness Prevention Program. It involves planning, implementing, evaluating, and improving processes and activities that protect employee safety and health. OSHA has substantial data on reductions in injuries and illnesses from employers who have implemented similar effective processes. The Agency currently has voluntary Safety and Health Program Management Guidelines (54 FR 3904 to 3916), published in 1989. An injury and illness prevention program rule would build on these guidelines as well as lessons learned from successful approaches and best practices under OSHA's Voluntary Protection Program Safety and Health Achievement Recognition Program, and similar industry and international initiatives such as American National Standards Institute/American Industrial Hygiene Association Z10 and Occupational Health and Safety Assessment Series 18001.

Priority: Economically Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: Undetermined

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 653; 29 USC 655(b); 29 USC 657

Legal Deadline: None

Regulatory Plan:

Statement of Need: There are over 4,500 workplace fatalities and approximately 4.1 million serious workplace injuries every year. There are also many workplace illnesses caused by exposure to common chemical, physical, and biological agents. OSHA believes that an injury and illness prevention program is a universal intervention that can be used in a wide spectrum of workplaces to dramatically reduce the number and severity of workplace injuries. Such programs have been shown to be effective in many workplaces in the United States and internationally.

Legal Basis: The Occupational Safety and Health Act of 1970 authorizes the Secretary of Labor to set mandatory occupational safety and health standards to assure safe and healthful working conditions for working men and women (29 U.S.C. 651).

Alternatives: The alternatives to this rulemaking would be to issue guidance, recognition programs, or allow for the States to develop individual regulations. OSHA has used voluntary approaches to address the need, including publishing Safety and Health Program Management Guidelines in 1989. In addition, OSHA has two recognition programs, the Voluntary Protection Program (known as VPP), and the Safety and Health Achievement Recognition Program (known as SHARP). These programs recognize workplaces with effective safety and health programs. Several States have issued regulations that require employers to establish effective safety and health programs.

Costs and Benefits: The scope of the proposed rulemaking and the costs and benefits are still under development for this regulatory action.

Risks: A detailed risk analysis is underway.

Timetable:

Action	Date	FR Cite
Stakeholder Meetings	06/03/2010	75 FR 35360 and 75 FR 23637
Initiate SBREFA	01/06/2012	
NPRM	09/00/2014	

Regulatory Flexibility Analysis Required: Business

Government Levels Affected: Undetermined

Federalism: Undetermined

Energy Affected: No

Agency Contact: William Perry

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Department of Labor (DOL)

Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC49

 [View Related Documents](#)

Title: Improve Tracking of Workplace Injuries and Illnesses

Abstract: Occupational Safety and Health Administration (OSHA) is proposing changes to its reporting system for occupational injuries and illnesses. An updated and modernized reporting system would enable a more efficient and timely collection of data and would improve the accuracy and availability of the relevant records and statistics. This proposal involves modification to 29 CFR part 1904.41 to expand OSHA's legal authority to collect and make available injury and illness information required under part 1904.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 1904 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 657

Legal Deadline: None

Regulatory Plan:

Statement of Need: The collection of establishment specific injury and illness data in electronic format on a timely basis is needed to help OSHA, employers, employees, researchers, and the public more effectively prevent workplace injuries and illnesses, as well as support President Obama's Open Government Initiative to increase the ability of the public to easily find, download, and use the resulting dataset generated and held by the Federal Government.

Legal Basis: The Occupational Safety and Health Act of 1970 authorizes the Secretary of Labor to develop and maintain an effective program of collection, compilation, and analysis of occupational safety and health statistics (29 U.S.C. 673).

Alternatives: The alternative to the proposed rulemaking would be to take no regulatory action.

Costs and Benefits: The estimates of the costs and benefits are still under development.

Risks: Analysis of risks is still under development.

Timetable:

Action	Date	FR Cite
Stakeholder Meetings	05/25/2010	75 FR 24505
Comment Period End	06/18/2010	
Public Meeting	01/09/2013	
NPRM	11/08/2013	78 FR 67253
Notice of Public Meeting	11/15/2013	78 FR 68782
NPRM Comment Period End	02/06/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No**Agency Contact:** Jens Svenson

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E-Mail: svenson.jens@dol.gov**Department of Labor (DOL)**
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC76

 [View Related Documents](#)**Title:** Approved State Plans for Occupational Safety and Health

Abstract: Occupational Safety and Health Administration (OSHA) will propose a revision to each State's subpart under 29 CFR section 1952 and 29 CFR section 1956 to scale back the detailed descriptions of OSHA-approved State plans, including the jurisdictional explanation, purely historical data, and other unnecessary information that may be subject to change. These changes will also necessitate cleanup within 29 CFR section 1902. The purpose of this revision is to eliminate the requirement to engage in the arduous rulemaking process in order to make changes to a State plan's jurisdiction or other descriptive language. OSHA will publish a Direct Final Rule (DFR) concurrently with a Notice of Proposed Rulemaking (NPRM). If OSHA does not receive significant adverse comment on the DFR, it will confirm the effective date of the DFR and withdraw the NPRM. If OSHA does receive a significant adverse comment, it will withdraw the DFR and proceed with the rule proposal process

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 29 CFR 1902; 29 CFR 1952; 29 CFR 1956 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 29 USC 667**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2014	
Direct Final Rule	01/00/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal; State**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Douglas J. Kalinowski

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E-Mail: kalinowski.doug@dol.gov**Department of Labor (DOL)**
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC81

 [View Related Documents](#)**Title:** Amendments to the Cranes and Derricks in Construction Standard

Abstract: OSHA is proposing corrections and amendments to the final standard for cranes and derricks published in August, 2010. The standard has a large number of provisions designed to improve crane safety and reduce worker injury and fatality. The proposed amendments: correct references to power line voltage for direct current (DC) voltages as well as alternating current (AC) voltages; broadens the exclusion for forklifts carrying loads under the forks from "winch or hook" to "with a boom or jib, winch, wire rope, and hook or other means of attachment"; clarifies an exclusion for work activities by articulating cranes;

provides four definitions inadvertently omitted in the final standard; replaces "minimum approach distance" with "minimum clearance distance" throughout to remove ambiguity; clarifies the use of demarcated boundaries for work near power lines; corrects an error permitting body belts to be used as a personal fall arrest system rather than a personal fall restraint system; replaces the verb "must" with "may" used in error in several provisions; corrects an error in a caption on standard hand signals; and resolves an issue of "NRTL-approved" safety equipment (e.g., proximity alarms and insulating devices) that is required by the final standard, but is not yet available.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 1926 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 655(b)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

Agency Contact: Jim Maddux

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Department of Labor (DOL)

Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC84

 [View Related Documents](#)

Title: Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness

Abstract: OSHA is proposing to amend its recordkeeping regulations to clarify that the duty to make and maintain accurate records of work-related injuries and illnesses is an ongoing obligation. The duty to make and maintain an accurate record of an injury or illness continues for as long as the employer must keep and make available records for the year in which the injury or illness occurred. The duty does not expire if the employer fails to create the necessary records when first required to do so

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 29 CFR 1904.0; 29 CFR 1904.4; 29 CFR 1904.29; 29 CFR 1904.32; 29 CFR 1904.33; 29 CFR 1904.35; 29 CFR 1904.40; ... (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 857(c), (g); 29 USC 673 (a), (e); 29 USC 651 (b)(12)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

Agency Contact: William Perry

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Department of Labor (DOL)
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC86

 [View Related Documents](#)**Title:** Cranes and Derricks in Construction: Operator Certification

Abstract: On August 9, 2010, OSHA issued a final standard establishing requirements for cranes and derricks used in construction work. The standard requires employers to ensure that crane operators on construction sites are certified by November 10, 2014; until that date, employers must ensure that operators are competent to safely operate a crane. After the standard was issued, a number of parties informed OSHA of serious problems and limitations associated with the crane operator certification-that it would not guarantee sufficient safety on construction sites. OSHA has decided to address these problems through (separate) possible rulemaking on operator qualification. To ensure safe operation of cranes beyond November, 2014, the Agency is extending the existing employer responsibility to ensure crane operator competency by 3 years to November, 2017. The enforcement date for operators to be certified will also be extended by 3 years in the proposal.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 29 CFR 1926.1427 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 653; 29 USC 655; 29 USC 657; 40 USC 3701 et seq; 5 USC 553; Secretary of Labor's Order No. 1-2012 (77 FR 3912, Jan 25, 2012); 29 CFR part 1911; ...**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2013	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jim Maddux

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Department of Labor (DOL)
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC87

 [View Related Documents](#)**Title:** Updating OSHA Standards Based on National Consensus Standards Eye and Face Protection

Abstract: Under section 6(a) of the OSH Act, during the first two years of the Act, the Agency was directed to adopt national consensus standards as OSHA standards. Some of these standards were adopted as regulatory text, while others were incorporated by reference. In the more than 40 years since these standards were adopted by OSHA, the organizations responsible for these consensus standards have issued updated versions of these standards. However, in most cases, OSHA has not revised its regulations to reflect later editions of the consensus standards. OSHA standards also continue to incorporate by reference various consensus standards that are now outdated and, in some cases, out of print. The Agency is undertaking a multi-year project to update these standards. A notice describing the project was published in November 2004 (69 FR 68283). The Personal Protective Equipment (PPE) Final Rule, published September 2009, amended the general industry PPE standard and incorporated by reference a number of updated consensus standards governing the design and testing of certain types of PPE. The Final Rule did not update PPE standards for the construction industry; these standards currently refer to outdated consensus rules. In addition, while the Final Rule was undergoing final OMB review, ANSI published a 2010 edition of the Eye and Face Protection (ANSI Z-87.1) consensus standard. OSHA intends to publish a Direct Final Rule to incorporate the 2010 edition of the American National Standard, Z87.1 Eye and Face Protection for general industry, shipyard employment, long shoring, marine terminals, and construction industries.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule

Major: No**Unfunded Mandates:** No**CFR Citation:** 29 CFR 1910; 29 CFR 1915; 29 CFR 1917 to 1918; 29 CFR 1926 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 655(b)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM/Direct Final Rule	09/00/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** William Perry

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Department of Labor (DOL)**Occupational Safety and Health Administration (OSHA)**

RIN: 1218-AB47

 [View Related Documents](#)**Title:** Confined Spaces in Construction**Abstract:** In 1993, OSHA issued a rule to protect employees who enter confined spaces while engaged in general industry work (29 CFR 1910.146). This standard has not been extended to cover employees entering confined spaces while engaged in construction work because of unique characteristics of construction worksites. Pursuant to discussions with the United Steel Workers of America that led to a settlement agreement regarding the general industry standard, OSHA agreed to issue a proposed rule to protect construction workers in confined spaces.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 29 CFR 1926.36 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 655(b); 40 USC 333**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
SBREFA Panel Report	11/24/2003	
NPRM	11/28/2007	72 FR 67351
NPRM Comment Period End	01/28/2008	
NPRM Comment Period Extended	02/28/2008	73 FR 3893
Public Hearing	07/22/2008	
Close Record	10/23/2008	
Final Rule	02/00/2014	

Regulatory Flexibility Analysis Required: Business**Government Levels Affected:** Undetermined**Federalism:** No**Energy Affected:** No**Agency Contact:** Jim Maddux

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Department of Labor (DOL)
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AB67

 [View Related Documents](#)

Title: Electric Power Transmission and Distribution; Electrical Protective Equipment

Abstract: Electrical hazards are a major cause of occupational death in the United States. The annual fatality rate for power line workers is about 50 deaths per 100,000 employees. The construction industry standard addressing the safety of these workers during the construction of electric power transmission and distribution lines is nearly 40 years old. Occupational Safety and Health Administration (OSHA) has developed a revision of this standard that will prevent many of these fatalities, add flexibility to the standard, and update and streamline the standard. OSHA also intends to amend the corresponding standard for general industry so that requirements for work performed during the maintenance of electric power transmission and distribution installations are the same as those for similar work in construction. In addition, OSHA will be revising a few miscellaneous general industry requirements primarily affecting electric transmission and distribution work, including provisions on electrical protective equipment and foot protection. This rulemaking also addresses fall protection in aerial lifts for work on power generation, transmission, and distribution installations. OSHA published an NPRM on June 15, 2005. A public hearing was held from March 6 through March 14, 2006. OSHA reopened the record to gather additional information on minimum approach distances for specific ranges of voltages. The record was reopened a second time to allow more time for comment and to gather information on minimum approach distances for all voltages and on the newly revised Institute of Electrical and Electronics Engineers consensus standard. Additionally, a public hearing was held on October 28, 2009.

Priority: Economically Significant

Agenda Stage of Rulemaking: Final Rule

Major: Yes

Unfunded Mandates: No

CFR Citation: 29 CFR 1910.136 to 1910.137; 29 CFR 1910.269; 29 CFR 1926, subpart V; 29 CFR 1926.97 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 655(b); 40 USC 333

Legal Deadline: None

Timetable:

Action	Date	FR Cite
SBREFA Report	06/30/2003	
NPRM	06/15/2005	70 FR 34821
NPRM Comment Period End	10/13/2005	
Comment Period Extended to 01/11/2006	10/12/2005	70 FR 59290
Public Hearing To Be Held 03/06/2006	10/12/2005	70 FR 59290
Posthearing Comment Period End	07/14/2006	
Reopen Record	10/22/2008	73 FR 62942
Comment Period End	11/21/2008	
Close Record	11/21/2008	
Second Reopening Record	09/14/2009	74 FR 46958
Comment Period End	10/15/2009	
Public Hearings	10/28/2009	
Posthearing Comment Period End	02/10/2010	
Final Rule	11/00/2013	

Regulatory Flexibility Analysis Required: Business;
 Governmental Jurisdictions

Government Levels Affected: Local

Federalism: No

Energy Affected: No

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Department of Labor (DOL)
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AB80

 [View Related Documents](#)

Title: Walking Working Surfaces and Personal Fall Protection Systems (Slips, Trips, and Fall Prevention)

Abstract: In 1990, OSHA published a proposed rule (55 FR 13360) addressing slip, trip, and fall hazards and establishing requirements for personal fall protection systems. Slips, trips, and falls are among the leading causes of work-related injuries and fatalities. Since that time, new technologies and procedures have become available to protect employees from these hazards. The Agency has been working to update these rules to reflect current technology. As a result of issues raised in comments to the 1990 NPRM, OSHA published a notice to reopen the rulemaking for comment on May 2, 2003. Based on comments received on the 2003 notice, OSHA determined that the rule proposed in 1990 was out-of-date and did not reflect current industry practice or technology. The Agency published a second proposed rule on May 24, 2010, which reflected current information and increased consistency with other OSHA standards. Hearings were held on January 18 through 21, 2011.

Priority: Economically Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 29 CFR 1910, subparts D and I (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 655(b)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	04/10/1990	55 FR 13360
NPRM Comment Period End	08/22/1990	
Hearing	09/11/1990	55 FR 29224
Reopen Record	05/02/2003	68 FR 23527
Comment Period End	07/31/2003	
Second NPRM	05/24/2010	75 FR 28861
Second NPRM Comment Period End	08/23/2010	
Notice of Informal Hearing	11/12/2010	75 FR 69369
Public Hearing	01/18/2011	
Analyze Comments	08/26/2011	
Final Rule	06/00/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** William Perry

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E-Mail: perry.bill@dol.gov**Department of Labor (DOL)****Occupational Safety and Health Administration (OSHA)****RIN:** 1218-AC36 [View Related Documents](#)

Title: Procedures for Handling Employee Retaliation Complaints Under the National Transit Systems Security Act; Surface Transportation Assistance Act; and Federal Railroad Safety Act

Abstract: OSHA is publishing final procedures for the handling and investigation of retaliation complaints pursuant to section 1521 of the Implementing Recommendations of the 9/11 Commission Act of 2007. This Act amended the Federal Railroad Safety Act (FRSA), to give OSHA responsibility for administering the whistleblower protection provision of FRSA, which provides protections from retaliation to employees working for railroad carriers and their contractors and subcontractors who report potential violations or engage in certain activities related to safety and security. OSHA is publishing final procedures for the handling and investigation of retaliation complaints pursuant to section 1413 of the Implementing Recommendations of the 9/11 Commission Act of 2007. Section 1413, known as the National Transit Systems Security Act (NTSSA), includes a whistleblower protection provision that is administered by OSHA that provides protection from retaliation to employees of public transportation agencies and their contractors and subcontractors who report potential violations or engage in certain activities related to safety and security. OSHA amended 29 CFR 1978, the procedures applicable to the handling and investigation of whistleblower complaints under the Surface Transportation Assistance Act (STAA), 49 U.S.C. 31105, to implement statutory changes enacted by Congress under section 1536 of the Implementing Recommendations of the 9/11 Commission Act of 2007, and to provide other procedural updates as needed. The statute provides retaliation protection to employees working for commercial motor carriers who report potential violations or engage in certain activities related to safety and security. The final rule under STAA was published on September 27, 2012. Pursuant to these statutes, the rules set forth the procedures for handling and

investigating retaliation complaints, including a statutory "kick-out" provision allowing the complainant to file the complaint in district court if the Secretary of Labor has not issued a final decision within 210 days of the filing of the complaint. Immediate implementation of these regulations is necessitated to govern whistleblower investigations conducted under the new and revised statutes.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 1982; 29 CFR 1978 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: PL 110-53, sec 1521, The Implementing Recommendations of the 9/11 Commission Act of 2007; 49 USC 20109; PL 110-53, sec 1413, The Implementing Recommendations of the 9/11 Commission Act of 2007; 6 USC 1142; PL 110-53, sec 1536, The Implementing Recommendations of the 9/11 Commission Act of 2007; 49 USC 31105

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/31/2010	75 FR 53522
Interim Final Rule Effective	08/31/2010	
Interim Final Rule Comment Period End	11/01/2010	
Surface Transportation Assistance Act of 1982 (STAA), as Amended	07/27/2012	77 FR 44121
Final Action (FRSA)	02/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local; State

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Beth S. Slavet

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Department of Labor (DOL)

Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC50

 [View Related Documents](#)

Title: Occupational Injury and Illness Recording and Reporting Requirements--NAICS Update and Reporting Revisions

Abstract: This rulemaking involves changes to two aspects of the OSHA recordkeeping and reporting requirements. First, OSHA is updating appendix A to subpart B of part 1904. This appendix contains a list of industries that are partially exempt from the requirements to maintain a log of occupational injuries and illnesses, generally due to their relatively low rates of occupational injury and illness. The current list of industries is based on the Standard Industrial Classification (SIC) system. In 1997, a newer system, the North American Industry Classification System (NAICS), was introduced to classify establishments by industry. The rulemaking would update appendix A by replacing it with a list of industries based on the NAICS and based on more recent occupational injury and illness rates. Second, this rulemaking would revise the reporting requirements regarding the obligations of employers to report to OSHA the occurrence of fatalities and certain injuries. The existing regulations require employers to report to OSHA within 8 hours any work-related incident resulting in the death of an employee or the inpatient hospitalization of three or more employees.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 1904 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 657

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/22/2011	76 FR 36414
NPRM Comment Period End	09/20/2011	
Notice of Reopening of Record	09/28/2011	76 FR 59952
Comment Period End	10/28/2011	
Final Action	04/00/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Jens Svenson

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E-Mail: svenson.jens@dol.gov**Department of Labor (DOL)****Occupational Safety and Health Administration (OSHA)****RIN:** 1218-AC53 [View Related Documents](#)**Title:** Procedures for the Handling of Retaliation Complaints Under Section 806 of the Corporate and Criminal Fraud Accountability Act of 2002, as Amended**Abstract:** OSHA is amending 29 CFR 1980, the procedures for handling whistleblower complaints under the Corporate and Criminal Fraud Accountability Act, title VIII of the Sarbanes-Oxley Act, 18 U.S.C. 1514A (SOX), to implement statutory changes enacted by Congress under sections 922 and 929A of the Dodd-Frank Wall Street Reform and Consumer Protection Act (DFA) of 2010, and to provide other procedural updates as needed. SOX provides protection for employees who report alleged violations of the Federal mail, wire, bank, or securities fraud statutes, or the Securities Exchange Act, or any other Federal law relating to fraud against shareholders. Under the DFA, the amendments to SOX extend the statutory filing period from 90 to 180 days, provide parties with a right to a jury trial, extend coverage to nationally recognized statistical rating organizations, and clarify coverage of corporate subsidiaries. Promulgation of these changes to the regulation is necessary to govern whistleblower investigations conducted under SOX.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 29 CFR 1980 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 18 USC 1514A; PL 111-203, secs 922 and 929A, the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/03/2011	76 FR 68084
Effective Date	11/03/2011	
Comment Period End	01/03/2012	
Final Action	02/00/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Beth S. Slavet

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E-Mail: slavet.beth@dol.gov**Department of Labor (DOL)****Occupational Safety and Health Administration (OSHA)****RIN:** 1218-AC58 [View Related Documents](#)**Title:** Procedures for the Handling of Retaliation Complaints Under the Consumer Financial Protection Act; the Seaman's Protection Act; and the FDA Food Safety Modernization Act**Abstract:** OSHA is promulgating procedures for the handling and investigation of retaliation complaints pursuant to

whistleblower protection provisions of three statutes: (1) the Consumer Financial Protection Act (CFPA), section 1057 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (DFA); (2) the Seaman's Protection Act, 46 U.S.C. section 2114 (SPA); and (3) Section 402 of the FDA Food Safety Modernization Act (FSMA). Promulgation of these regulations is necessary to govern whistleblower investigations conducted under the new statutes. CFPA, section 1057 of the DFA, provides protection from retaliation to employees in the consumer financial product and service industries who report alleged violations of title X of the DFA or any other provision of law that is subject to the jurisdiction of the Bureau of Consumer Financial Protection, an independent bureau within the Federal Reserve System. Pursuant to the statute, the procedures will include remedies and legal burdens of proof provisions, and a "kick-out" provision allowing the complainant to file a complaint in district court within 90 days after receiving a written determination from OSHA, or if the Secretary has not issued a final determination within 210 days after the filing of the complaint. SPA, as amended by section 611 of the Coast Guard Authorization Act of 2010, transfers to OSHA the administration of the whistleblower protections previously enforced solely via a private right of action. It provides protection from retaliation to seamen who engage in protected activities under SPA. Pursuant to the statute, the procedures will follow those enacted under the Surface Transportation Assistance Act, 49 U.S.C. 31105, including procedures, requirements, and rights. The SPA interim final rule was published February 6, 2013. Section 402 of FSMA provides protection from retaliation to employees of entities engaged in manufacturing, processing, packing, transporting, distribution, reception, holding, or importation of food who engage in protected activities under FSMA. Pursuant to the statute, the procedures will include remedies and legal burdens of proof provisions, and a "kick-out" provision allowing the complainant to file a complaint in district court within 90 days after receiving a written determination from OSHA, or if the Secretary has not issued a final determination within 210 days after the filing of the complaint.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 1985; 29 CFR 1986; 29 CFR 1987 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: PL 111-203, sec 1057, the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010; PL 111-281, sec 611 of the Coast Guard Authorization Act of 2010, amending the Seaman's Protection Act, 46 USC 2114; 21 USC 399d, PL 111-353, sec 402 of the FDA Food Safety Modernization Act

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule (SPA)	02/06/2013	78 FR 8390
Interim Final Rule Comment Period End	04/08/2013	
Interim Final Rule (FSMA)	11/00/2013	
Interim Final Rule (DFA)	02/00/2014	
Final Action (SPA)	04/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Beth S. Slavet

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Department of Labor (DOL)

Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC72

 [View Related Documents](#)

Title: Vertical Tandem Lifts

Abstract: OSHA issued a final rule on Longshoring on July 25, 1997 (62 FR 40142). In that rule, the Agency reserved provisions related to vertical tandem lifts. Vertical Tandem Lifts (VTLs) involve the lifting of two or more empty intermodal containers, secured together with twist locks. Occupational Safety and Health Administration (OSHA) worked with national and international organizations to gather additional information on the safety of VTLs. The Agency published an NPRM to address safety issues related to VTLs. The extended comment period concluded February 13, 2004, and an informal public hearing was held on July 29 to 30, 2004. The rulemaking record closed on June 27, 2005. The Agency published a final rule for vertical tandem lifts on December 10, 2008. On June 17, 2011, the United States Court of Appeals for the District of Columbia Circuit remanded two provisions of the VTL final rule: the inspection requirement with respect to ship-to-shore VTLs and the total ban on platform container VTLs. According to the court's decision, there was insufficient evidence in the record that complying with those two provisions was technologically feasible; therefore, OSHA is removing these two provisions. OSHA will publish a notice

announcing a limited reopening of the record to address these two issues.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 1917.71; 29 CFR 1918.11; 29 CFR 1918.85 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 655(b); 33 USC 941

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Remand	02/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

Related RINs: Related to 1218-AA56

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Department of Labor (DOL)

Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC79

 [View Related Documents](#)

Title: Procedures for the Handling of Retaliation Complaints Under Section 1558 of the Affordable Care Act of 2010

Abstract: OSHA is proposing to promulgate procedures for the handling and investigation of retaliation complaints pursuant to Section 1558 of the Patient Protection and Affordable Care Act of 2010 (the Affordable Care Act or ACA). This section established a new whistleblower protection statute to be administered by OSHA that provides protection from retaliation to employees in the health care industry who engage in protected activities under the ACA. Pursuant to the statute, the procedures will follow those enacted under the Consumer Product Safety Improvement Act, 15 U.S.C. 2087(b), including remedies and legal burdens of proof provisions. Promulgation of a regulation is necessary to govern whistleblower investigations conducted under the new statute. The ACA interim final rule was published February 27, 2013.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 1984 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 218C, FLSA sec 18C; PL 111-148, sec 1558, the Patient Protection and Affordable Care Act of 2010

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/27/2013	78 FR 13222
Interim Final Rule Effective	02/27/2013	
Interim Final Rule Comment Period End	04/29/2013	
Final Action	07/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Duplicate of 1218-AC55; Split From 1218-AC58

Agency Contact: Beth S. Slavet

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Department of Labor (DOL)
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC88

 [View Related Documents](#)

Title: Procedures for the Handling of Retaliation Complaints Under the Employee Protection Provision of the Moving Ahead for Progress in the 21st Century Act

Abstract: OSHA is promulgating procedures for the handling and investigation of retaliation complaints pursuant to section 31307 of the Moving Ahead for Progress in the 21st Century Act (MAP-21). This section protects employees from retaliation by motor vehicle manufacturers, part suppliers, and dealerships for providing information to the employer of the U.S. Department of Transportation about motor vehicle defects, noncompliance, or violations of the notification or reporting requirements enforced by the National Highway Traffic Safety Administration or for engaging in related protected activities as set forth in the provision. Pursuant to this statute, the rules set forth the procedures for handling and investigating retaliation complaints, including a statutory "kick-out" provision allowing the complainant to file the complaint in District Court if the Secretary of Labor has not issued a final decision within 210 days of the filing of the complaint. Promulgation of a regulation is necessary to govern whistleblower investigations conducted under this new statute.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 2 CFR 1988 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 49 USC 30170 (PL 112-141)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Beth S. Slavet

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Department of Labor (DOL)
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC45

 [View Related Documents](#)

Title: Occupational Injury and Illness Recording and Reporting Requirements--Musculoskeletal Disorders (MSD) Column

Abstract: The Occupational Safety and Health Administration (OSHA) is proposing to restore a column to the OSHA 300 Log that employers must check if a case they are already required to record under OSHA's existing recordkeeping rule (29 CFR 1904) is a "musculoskeletal disorder" (MSD). This proposal does not change the existing requirements about when and under what circumstances employers must record work-related injuries and illnesses. The Agency believes that having aggregate data on MSDs may help employers and workers track these injuries at individual workplaces. MSD information will also improve the utility, accuracy, and completeness of the national occupational injury and illness statistics, and may assist the Agency in its day-to-day activities and overall safety and health policy making. This proposed rule was temporarily withdrawn from OMB on January 26, 2011, so that the Agency could gather more information from stakeholders in the small business community.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 1904 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 5 USC 533; 29 USC 657 and 658; 29 USC 660; 29 USC 666; 29 USC 669

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Next Action Undetermined		
NPRM	01/29/2010	75 FR 4728
Public Meeting	03/09/2010	
NPRM Comment Period End	03/09/2010	75 FR 10738
Extension of Comment Period End	03/30/2010	
Small Business Stakeholder Meeting	04/11/2011	
Small Business Stakeholder Meeting	04/12/2011	
Notice of Limited Reopening of Rulemaking Record	05/17/2011	76 FR 28383

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Small Entities Affected: Business

Federalism: No

Energy Affected: No

Agency Contact: William Perry

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Department of Labor (DOL)

Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC33

 [View Related Documents](#)

Title: Occupational Exposure to Food Flavorings Containing Diacetyl and Diacetyl Substitutes

Abstract: On July 26, 2006, the United Food and Commercial Workers International Union (UFCW) and the International Brotherhood of Teamsters (IBT) petitioned DOL for an Emergency Temporary Standard (ETS) for all employees exposed to diacetyl, a major component in artificial butter flavoring. Diacetyl and a number of other volatile organic compounds are used to manufacture artificial butter food flavorings. These food flavorings are used by various food manufacturers in a multitude of food products, including microwave popcorn, certain bakery goods, and some snack foods. Evidence indicates that exposure to flavorings containing diacetyl is associated with adverse effects on the respiratory system, including bronchiolitis obliterans, a debilitating and potentially fatal lung disease. OSHA denied the petition on September 25, 2007, but has initiated 6(b) rulemaking. OSHA published an Advance Notice of Proposed Rulemaking (ANPRM) on January 21, 2009, but withdrew the ANPRM on March 17, 2009, in order to facilitate timely development of a standard. The Agency subsequently initiated review of the draft proposed standard in accordance with the Small Business Regulatory Enforcement Fairness Act (SBREFA). The SBREFA Panel Report was completed on July 2, 2009. The National Institute for Occupational Safety and Health (NIOSH) is currently developing a criteria document on occupational exposure to diacetyl. The criteria document will also address exposure to 2,3-pentanedione, a chemical that is structurally similar to diacetyl and has been used as a substitute for diacetyl in some applications. It will include an assessment of the effects of exposure as well as quantitative risk assessment. OSHA intends to rely on these portions of the criteria document for the health effects analysis and quantitative risk assessment for the Agency's diacetyl rulemaking.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 1910 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 655(b); 29 USC 657

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Stakeholder Meeting	10/17/2007	72 FR 54619
ANPRM	01/21/2009	74 FR 3937
ANPRM Withdrawn	03/17/2009	74 FR 11329
ANPRM Comment Period End	04/21/2009	
Completed SBREFA Report	07/02/2009	
Withdrawn	08/22/2013	

Regulatory Flexibility Analysis Required: Business**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** William Perry

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Department of Labor (DOL)**Occupational Safety and Health Administration (OSHA)****RIN:** 1218-AC77 [View Related Documents](#)**Title:** Consensus Standard Update--Signage

Abstract: Occupational Safety and Health Administration (OSHA) has an ongoing effort to update references to consensus standards published by standards-developing organizations (SDOs) throughout its rules. The goal of these rulemaking updates is to improve workplace safety and health by ensuring that consensus standards referenced in OSHA regulations reflect current industry practice and state-of-the-art technology. 29 CFR 1910.6 incorporates by reference the 1967 version of ANSI Z53.1, Safety Code for Marking Physical Hazards and the Identification of Certain Equipment, and the 1968 version of ANSI Z53.1, Specification for Accident Prevention Signs. Three OSHA standards (1910.97, Nonionizing radiation; 1910.145, Specifications for accident prevention signs and tags; 1910.261, Pulp, paper, and paper-board mills) refer to these consensus standards. Most employers continue to use signs meeting the consensus standards currently referenced in the OSHA standards. The older signs not only have a long life; the employers do not want to use "newer" versions and be subject to a "de minimus" citation. Preliminary review indicates that signs meeting the latest edition of the consensus standard would advance workplace safety over and above the currently required signs. Signs meeting the latest edition use the same color code and wording as ones meeting the older consensus standard, but also provide much more guidance as to the nature of the hazard, the consequences of the hazard, how to avoid the hazard, and the seriousness level of the hazard. Signs meeting the latest edition also are supported by human factors research on effective warning, and are supported by modern risk assessment methodologies for reducing risk. In addition, signs meeting the latest edition can use multiple language panels that could be a benefit to non-English speaking workers, and also meet the legal criteria for "adequate warnings" based on case law. OSHA proposes updating the reference to the version of the consensus standard, while grandfathering older signs that comply with the current OSHA requirements. Using the same strategy as in other consensus standard references updates, OSHA will publish a Direct Final Rule (DFR) concurrently with a Notice of Proposed Rulemaking (NPRM). If OSHA does not receive significant adverse comments on the DFR, it will confirm the effective date of the DFR and withdraw the NPRM. If OSHA does receive a significant adverse comment, it will withdraw the DFR and proceed with the rule proposal process.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 29 CFR 1910.6; 29 CFR 1910.97; 29 CFR 1910.145; 29 CFR 1910.261 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 655(b); 29 USC 657**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/13/2013	78 FR 35585
Direct Final Rule	06/13/2013	78 FR 35559
NPRM Comment Period End	07/15/2013	
Direct Final Rule Effective	09/11/2013	
Withdrawal of NPRM	11/04/2013	78 FR 65932
Effective Date of Withdrawal	11/04/2013	
Confirmation of Effective Date of Direct Final Rule	11/06/2013	78 FR 66642

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Agency Contact:** William Perry

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Department of Labor (DOL)
Occupational Safety and Health Administration (OSHA)

RIN: 1218-AC80

 [View Related Documents](#)

Title: Revising Record Requirements in the Mechanical Power Presses Standard

Abstract: As part of the Department of Labor's burden hour and cost reduction initiatives, OSHA examined revoking requirements for employers to prepare and maintain periodic records certifying that the employer performed the required tests and inspections on machinery. The purpose of revoking these records is to minimize paperwork burdens imposed on employers. Recently, Occupational Safety and Health Administration (OSHA) revoked requirements that employers develop and retain training records for a number of standards when the revocation did not adversely affect worker safety and health. OSHA is examining other periodic records specified in its standards to identify additional paperwork requirements that the Agency could revoke without adversely affecting worker safety and health. OSHA is examining removing the requirement that employers certify weekly inspections of equipment in the Mechanical Power Press standard to reduce paperwork burden without adversely affecting worker safety and health.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 1910.217(e)(1) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 655(b); 29 USC 657

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/20/2013	78 FR 69606
Direct Final Rule	11/20/2013	78 FR 69543
Effective	11/20/2013	
Comment Period End	12/20/2013	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: William Perry

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Department of Labor (DOL)
Mine Safety and Health Administration (MSHA)

RIN: 1219-AB79

 [View Related Documents](#)

Title: Refuge Alternatives for Underground Coal Mines

Abstract: On December 31, 2008, MSHA issued a final rule establishing requirements for refuge alternatives for underground coal mines. MSHA is requesting data, comments, and information, based on industry experience, on issues relevant to miners' escape and refuge during an emergency. Continuous development of refuge equipment and technology is crucial to enhancing the effectiveness of escape and refuge.

Priority: Other Significant

Agenda Stage of Rulemaking: PreRule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 7; 30 CFR 75 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 30 USC 957; 30 USC 811

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Request for Information	08/08/2013	78 FR 48593
Extension of Comment Period	09/23/2013	78 FR 58264
Comment Period Ends	10/07/2013	
Extension of Comment Period Ends	12/06/2013	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** State**Federalism:** No**Agency Contact:** George F. Triebsch

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Department of Labor (DOL)**Mine Safety and Health Administration (MSHA)**

RIN: 1219-AB85

 [View Related Documents](#)**Title:** Regulatory Actions in Response to Recommendations Resulting From Investigation of the Upper Big Branch Explosion**Abstract:** In response to recommendations resulting from MSHA's investigation of the Upper Big Branch (UBB) mine explosion and MSHA's internal review of its actions at UBB, MSHA is initiating a new regulatory action that would address issues related to the explosion. The request for information will request data, comments, and information on issues related to rock dusting, ventilation, mine examinations, certified persons, and MSHA-approved instructors.**Priority:** Other Significant**Agenda Stage of Rulemaking:** PreRule**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 30 CFR 75 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 30 USC 811**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Request for Information	03/00/2014	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** Undetermined**Agency Contact:** George F. Triebsch

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Department of Labor (DOL)**Mine Safety and Health Administration (MSHA)**

RIN: 1219-AB36

 [View Related Documents](#)**Title:** Respirable Crystalline Silica**Abstract:** Current standards limit exposures to quartz (crystalline silica) in respirable dust. The metal and nonmetal mining industry standard is based on the 1973 American Conference of Governmental Industrial Hygienists (ACGIH) Threshold Limit Values formula: 10 mg/m3 divided by the percentage of quartz plus 2. Overexposure to crystalline silica can result in some

miners developing silicosis, an irreversible but preventable lung disease, which ultimately may be fatal. The formula is designed to limit exposures to 0.1 mg/m³ (100 ug/m³) of silica. National Institute for Occupational Safety and Health (NIOSH) recommends a 50 ug/m³ exposure limit for respirable crystalline silica. MSHA will publish a proposed rule to address miners' exposure to respirable crystalline silica.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 58 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 30 USC 811

Legal Deadline: None

Regulatory Plan:

Statement of Need: MSHA standards are outdated; current regulations may not protect workers from developing silicosis. Evidence indicates that miners continue to develop silicosis. MSHA's proposed regulatory action exemplifies the Agency's commitment to protecting the most vulnerable populations while assuring broad-based compliance. MSHA will regulate based on sound science to eliminate or reduce the hazards with the broadest and most serious consequences. MSHA intends to use OSHA's work on the health effects and risk assessment, adapting it as necessary for the mining industry.

Legal Basis: Promulgation of this standard is authorized by section 101 of the Federal Mine Safety and Health Act of 1977.

Alternatives: This rulemaking would improve health protection from that afforded by the existing standards. MSHA will consider alternative methods of addressing miners' exposures based on the capabilities of the sampling and analytical methods.

Costs and Benefits: MSHA will prepare estimates of the anticipated costs and benefits associated with the proposed rule.

Risks: For over 70 years, toxicology information and epidemiological studies have shown that exposure to respirable crystalline silica presents potential health risks to miners. These potential adverse health effects include simple silicosis and progressive massive fibrosis (lung scarring). Evidence indicates that exposure to silica may cause cancer. MSHA believes that the health evidence forms a reasonable basis for reducing miners' exposures to respirable crystalline silica.

Timetable:

Action	Date	FR Cite
NPRM	06/00/2014	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Local; State

Small Entities Affected: Business; Governmental Jurisdictions

Federalism: No

Energy Affected: Undetermined

RIN Information URL: www.msha.gov/regsinfo.htm

Public Comment URL: www.regulations.gov

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Department of Labor (DOL)

Mine Safety and Health Administration (MSHA)

RIN: 1219-AB72

 [View Related Documents](#)

Title: Criteria and Procedures for Proposed Assessment of Civil Penalties

Abstract: MSHA will develop a proposed rule to revise the process for proposing civil penalties. The assessment of civil penalties is a key component in MSHA's strategy to enforce safety and health standards. The Congress intended that the imposition of civil penalties would induce mine operators to be proactive in their approach to mine safety and health, and take necessary action to prevent safety and health hazards before they occur. MSHA believes that the procedures for assessing civil penalties can be revised to improve the efficiency of the Agency's efforts and to facilitate the resolution of enforcement issues.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 30 CFR 100 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 30 USC 815; 30 USC 820; 30 USC 957

Legal Deadline: None

Regulatory Plan:

Statement of Need: Section 110(a) of the Federal Mine Safety and Health Act of 1977 (Mine Act) requires MSHA to assess a civil penalty for a violation of a mandatory health or safety standard or violation of any provision of the Mine Act. The mine operator has 30 days from receipt of the proposed assessment to contest it before the Federal Mine Safety and Health Review Commission (Commission), an independent adjudicatory agency established under the Mine Act. A proposed assessment that is not contested within 30 days becomes a final order of the Commission. A proposed assessment that is contested within 30 days proceeds to the Commission for adjudication. The proposed rule would promote consistency, objectivity, and efficiency in the proposed assessment of civil penalties. When issuing citations or orders, inspectors are required to evaluate safety and health conditions and make decisions about the statutory criteria related to assessing penalties. The proposed changes in the measures of the evaluation criteria would result in fewer areas of disagreement and earlier resolution of enforcement issues. The proposal would require conforming changes to the Mine Citation/Order form (MSHA Form 7000-3).

Legal Basis: Section 104 of the Mine Act requires MSHA to issue citations or orders to mine operators for any violations of a mandatory health or safety standard, rule, order, or regulation promulgated under the Mine Act. Sections 105 and 110 of the Mine Act provide for assessment of these penalties.

Alternatives: The proposal would include several alternatives in the preamble and requests comments on them.

Costs and Benefits: MSHA will prepare estimates of the anticipated costs and benefits in a preliminary regulatory economic analysis to accompany the proposed rule.

Risks: MSHA's existing procedures for assessing civil penalties can be revised to improve the efficiency of the Agency's efforts and to facilitate the resolution of enforcement issues. In the overwhelming majority of contested cases before the Commission, the issue is not whether a violation occurred. Rather, the parties disagree on the gravity of the violation, the degree of mine operator negligence, and other criterion. The proposed changes should result in fewer areas of disagreement and earlier resolution of enforcement issues, which should result in fewer contests of violations or proposed assessments.

Timetable:

Action	Date	FR Cite
NPRM	12/00/2013	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Business

Energy Affected: No

RIN Information URL: www.msha.gov/regsinfo.htm

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Government Levels Affected: No

Federalism: No

Public Comment URL: www.regulations.gov

Department of Labor (DOL)**Mine Safety and Health Administration (MSHA)**

RIN: 1219-AB78

 [View Related Documents](#)

Title: Proximity Detection Systems for Mobile Machines in Underground Mines

Abstract: MSHA will develop a proposed rule to address the hazards that miners face when working near mobile equipment in underground mines. MSHA has concluded, from investigations of accidents involving mobile equipment and other reports, that action is needed to protect miner safety. Mobile equipment can pin, crush, or strike a miner working near the equipment. Proximity detection technology can prevent these types of accidents. The proposed rule would strengthen the protection for underground miners by reducing the potential of pinning, crushing, or striking hazards associated with working close to mobile equipment.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 30 USC 811

Legal Deadline: None

Regulatory Plan:

Statement of Need: Mining is one of the most hazardous industries in this country. Miners continue to be injured or killed resulting from pinning, crushing, or striking accidents involving mobile equipment. Equipment is available to help prevent accidents that cause debilitating injuries and accidental death.

Legal Basis: Promulgation of this standard is authorized by section 101(a) of the Federal Mine Safety and Health Act of 1977, as amended by the Mine Improvement and New Emergency Response Act of 2006.

Alternatives: No reasonable alternatives to this regulation would be as comprehensive or as effective in eliminating hazards and preventing injuries.

Costs and Benefits: MSHA will develop a preliminary regulatory economic analysis to accompany the proposed rule.

Risks: The lack of proximity detection systems on mobile equipment in underground mines contributes to a higher incidence of debilitating injuries and accidental deaths.

Timetable:

Action	Date	FR Cite
Request for Information	02/01/2010	75 FR 5009
RFI Comment Period Ended	04/02/2010	
NPRM	05/00/2014	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Business

Energy Affected: No

RIN Information URL: www.msha.gov/regsinfo.htm

Related RINs: Related to 1219-AB65

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Government Levels Affected: No

Federalism: No

Public Comment URL: www.regulations.gov

Department of Labor (DOL)

Mine Safety and Health Administration (MSHA)

RIN: 1219-AB82

 [View Related Documents](#)

Title: Fees for Testing, Evaluation and Approval of Mining Products

Abstract: MSHA's Approval and Certification Center was established for the purpose of testing and evaluating mine equipment and mine products to assure compliance with the applicable parts of 30 CFR. However, with advances in technology and computerization, the approval process has become significantly more complex, resulting in more agency resources associated with approvals. MSHA will propose changes to these regulations to reflect changes in the cost of testing and evaluating mine equipment.

Priority: Other Significant

Major: No

CFR Citation: 30 CFR 5 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 957

Legal Deadline: None

Agenda Stage of Rulemaking: Proposed Rule

Unfunded Mandates: No

Timetable:

Action	Date	FR Cite
NPRM	12/00/2013	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Business

Energy Affected: Undetermined

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Government Levels Affected: Undetermined

Federalism: No

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Department of Labor (DOL)
Mine Safety and Health Administration (MSHA)

RIN: 1219-AB84

 [View Related Documents](#)

Title: Refuge Alternatives for Underground Coal Mines; Limited Reopening of the Record

Abstract: The U.S. Court of Appeals for the District of Columbia Circuit remanded a training provision in the Refuge Alternatives Final Rule, directing MSHA to explain the basis for requiring motor task (hands-on), decision-making, and expectations training annually rather than quarterly or to reopen the record and allow public comment. MSHA is reopening the rulemaking record for its Refuge Alternatives Final Rule for the limited purpose of obtaining comments on the frequency for motor task (also known as "hands-on" training), decision-making, and expectations training for miners to deploy and use refuge alternatives in underground coal mines. MSHA will review the comments to determine an appropriate course of action for the Agency in response to comments. MSHA will publish its response in the Federal Register addressing the public comments and either explaining the reason that it is leaving the final rule unchanged or modifying the final rule as the result of the public comment process.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: Undetermined

CFR Citation: 30 CFR 75 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 30 USC 957; 30 USC 811

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Limited Reopening of the Record	08/08/2013	78 FR 48591
Limited Reopening of Record - Comment Period Ends	10/07/2013	
Limited Reopening of the Record	11/15/2013	78 FR 68783
Limited Reopening of Record Comment Period End	12/16/2013	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State

Federalism: Undetermined

Energy Affected: No

Related RINs: Related to 1219-AB58

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Department of Labor (DOL)
Mine Safety and Health Administration (MSHA)

RIN: 1219-AB64

 [View Related Documents](#)

Title: Lowering Miners' Exposure to Respirable Coal Mine Dust, Including Continuous Personal Dust Monitors

Abstract: The Federal Coal Mine Health and Safety Act of 1969 established the first comprehensive respirable dust standards for coal mines. These standards were designed to reduce the incidence of coal workers' pneumoconiosis (CWP or black lung) and silicosis and eventually eliminate these diseases. While significant progress has been made toward improving the health conditions in our Nation's coal mines, miners continue to be at risk of developing occupational lung disease, according to the National Institute for Occupational Safety and Health (NIOSH). In September 1995, NIOSH issued a criteria document in which it recommended that the respirable coal mine dust permissible exposure limit (PEL) be cut in half. In February 1996, the Secretary of Labor convened a Federal Advisory Committee on the Elimination of Pneumoconiosis Among Coal Miners (Advisory Committee) to assess the adequacy of MSHA's current program and standards to control respirable dust in

underground and surface coal mines, as well as other ways to eliminate black lung and silicosis among coal miners. The Committee represented the labor, industry, and academic communities. The Committee submitted its report to the Secretary of Labor in November 1996, with the majority of the recommendations unanimously supported by the Committee members. The Committee recommended a number of actions to reduce miners' exposure to respirable coal mine dust. This final rule is an important element in MSHA's Comprehensive Black Lung Reduction Strategy (Strategy) to "End Black Lung Now."

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 70; 30 CFR 71; 30 CFR 72; 30 CFR 75; 30 CFR 90 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 30 USC 811; 30 USC 813(h); 30 USC 957

Legal Deadline: None

Regulatory Plan:

Statement of Need: Comprehensive respirable dust standards for coal mines were designed to reduce the incidence, and eventually eliminate, CWP and silicosis. While significant progress has been made toward improving the health conditions in our Nation's coal mines, miners remain at risk of developing occupational lung disease, according to NIOSH. Recent NIOSH data indicate increased prevalence of CWP "clusters" in several geographical areas, particularly in the Southern Appalachian Region.

Legal Basis: Promulgation of this regulation is authorized by the Federal Mine Safety and Health Act of 1977 as amended by the Mine Improvement and New Emergency Response Act of 2006.

Alternatives: MSHA is considering amendments, revisions, and additions to existing standards.

Costs and Benefits: MSHA will develop a regulatory economic analysis to accompany the final rule.

Risks: Respirable coal dust is one of the most serious occupational hazards in the mining industry. Occupational exposure to excessive levels of respirable coal mine dust can cause coal workers' pneumoconiosis and silicosis, which are potentially disabling and can cause death. MSHA is pursuing both regulatory and nonregulatory actions to eliminate these diseases through the control of coal mine respirable dust levels in mines and reduction of miners' exposure. MSHA developed a risk assessment to accompany the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	10/19/2010	75 FR 64412
Notice of Public Hearings; Corrections	11/15/2010	75 FR 69617
NPRM-Rescheduling of Public Hearings; Correction	11/30/2010	75 FR 73995
Public Hearing	12/07/2010	
Public Hearing	01/11/2011	
Public Hearing	01/13/2011	
NPRM Comment Period Extended	01/14/2011	76 FR 2617
Public Hearing	01/25/2011	
Public Hearing	02/08/2011	
Public Hearing	02/10/2011	
Public Hearing	02/15/2011	
NPRM Comment Period End	02/28/2011	
Request for Comment	03/08/2011	76 FR 12648
NPRM Comment Period End	05/02/2011	
NPRM Comment Period Extended	05/04/2011	76 FR 25277
NPRM Comment Period Extended	05/27/2011	76 FR 30878
NPRM Comment Period End	05/31/2011	
NPRM Comment Period End	06/20/2011	
Final Rule	12/00/2013	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

RIN Information URL: www.msha.gov

Public Comment URL: www.regulations.gov

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Department of Labor (DOL)
Mine Safety and Health Administration (MSHA)

RIN: 1219-AB65

 [View Related Documents](#)

Title: Proximity Detection Systems for Continuous Mining Machines in Underground Coal Mines

Abstract: This final rule addresses hazards that miners face when working near continuous mining machines in underground coal mines. MSHA has concluded, from investigations of accidents involving continuous mining machines and other reports, that action is necessary to protect miners. Continuous mining machines can pin, crush, or strike a miner working near the equipment. Proximity detection technology can prevent these types of accidents. The final rule would strengthen the protection for underground coal miners by reducing the potential of pinning, crushing, or striking hazards associated with working close to continuous mining machines.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 75.1732 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 30 USC 811

Legal Deadline: None

Regulatory Plan:

Statement of Need: Mining is one of the most hazardous industries in this country. Miners continue to be injured or killed resulting from pinning, crushing, or striking accidents involving mobile equipment. Equipment is available to help prevent accidents that cause debilitating injuries and accidental death.

Legal Basis: Promulgation of this standard is authorized by section 101(a) of the Federal Mine Safety and Health Act of 1977, as amended by the Mine Improvement and New Emergency Response Act of 2006.

Alternatives: No reasonable alternatives to this regulation would be as comprehensive or as effective in eliminating hazards and preventing injuries.

Costs and Benefits: MSHA will develop a regulatory economic analysis to accompany the final rule.

Risks: The lack of proximity detection systems on continuous mining machines in underground coal mines contributes to a higher incidence of debilitating injuries and accidental deaths.

Timetable:

Action	Date	FR Cite
Request for Information (RFI)	02/01/2010	75 FR 5009
RFI Comment Period Ended	04/02/2010	
NPRM	08/31/2011	76 FR 54163
Notice of Public Hearing	10/12/2011	76 FR 63238
NPRM Comment Period End	11/14/2011	
Final Action	02/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

RIN Information URL: www.msha.gov/reginfo.htm

Public Comment URL: www.regulations.gov

Related RINs: Related to 1219-AB78

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Department of Labor (DOL)
Wage and Hour Division (WHD)

RIN: 1235-AA09

 [View Related Documents](#)

Title: Family and Medical Leave Act of 1993, as Amended

Abstract: The Family Medical Leave Act (FMLA) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had taken leave. Eligible employees may take FMLA leave, among other reasons, to care for the employee's spouse who has a serious health condition. The Department proposes to revise the definition of "spouse" in light of the United States Supreme Court's decision in *United States v. Windsor*.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 825 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 2654

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: No

Energy Affected: No

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Department of Labor (DOL)

Wage and Hour Division (WHD)

RIN: 1235-AA04

 [View Related Documents](#)

Title: Right to Know Under the Fair Labor Standards Act

Abstract: The Department of Labor proposes to update the recordkeeping regulations under the Fair Labor Standards Act in order to enhance the transparency and disclosure to workers of their status as the employer's employee or some other status, such as an independent contractor, and if an employee, how their pay is computed. The Department also proposes to clarify that the mandatory manual preparation of "homeworker" handbooks applies only to employers of employees performing homework in the restricted industries. The title of this proposed rule has changed to better reflect the purpose of this action.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 29 CFR 516 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 211(c)

Legal Deadline: None

Regulatory Plan:

Statement of Need: The recordkeeping regulation issued under the Fair Labor Standards Act (FLSA), 29 CFR part 516, specifies the scope and manner of records covered employers must keep that demonstrate compliance with minimum wage, overtime, and child labor requirements under the FLSA, or the records to be kept that confirm particular exemptions from some of the Act's requirements may apply. This proposal intends to update the recordkeeping requirements to foster more openness and transparency in demonstrating employers' compliance with applicable requirements to their workers, to better ensure compliance by regulated entities, and to assist in enforcement. In addition, the proposal intends to update the requirements for live-in domestic employees and to clarify that the mandatory manual preparation of "homeworker" handbooks applies only to employers of employees performing homework in the restricted industries.

Legal Basis: These regulations are authorized by section 11 of the Fair Labor Standards Act, 29 U.S.C. 211.

Alternatives: Alternatives will be developed in considering proposed revisions to the current recordkeeping requirements. The public will be invited to provide comments on the proposed revisions and possible alternatives.

Costs and Benefits: The Department will prepare estimates of the anticipated costs and benefits associated with the proposed rule.

Risks: This action does not affect public health, safety, or the environment.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Local; State; Tribal

Federalism: Undetermined

Energy Affected: No

Related RINs: Previously Reported as 1215-AB78

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Department of Labor (DOL)

Wage and Hour Division (WHD)

RIN: 1235-AA07

 [View Related Documents](#)

Title: Fair Labor Standards Act, Child Labor Hazardous Occupations Order, No. 7

Abstract: The child labor provisions of the Fair Labor Standards Act (FLSA) were enacted to ensure that when children work, the work is safe and does not jeopardize their health, well-being, or education. To protect children from hazardous employment, the FLSA provides for a minimum age of 18 years in occupations found and declared by the Secretary of Labor to be particularly hazardous or detrimental to the health or well-being of children 16 and 17 years of age. Hazardous Occupations Orders (HOs) are the means by which the Secretary declares certain occupations to be particularly hazardous for children. Child Labor Hazardous Occupations Order No. 7 (occupations involved in the operation of power-driven hoisting apparatus) (HO7) has for many years prohibited children under 18 years of age from operating or assisting in the operation of several types of hoisting apparatus. The Department seeks information to ensure that its current nonenforcement position regarding the application of HO7 to the operation of patient/resident lifts provides adequate protections to working youth while not unduly denying them job opportunities they can safely perform.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 29 CFR 570 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 201 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Mary Ziegler

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Department of Labor (DOL)

Wage and Hour Division (WHD)

RIN: 1235-AA05

 [View Related Documents](#)

Title: Application of the Fair Labor Standards Act to Domestic Service

Abstract: Fair Labor Standards Act (FLSA) section 13(a)(15) provides an exemption from minimum wage and overtime compensation for domestic employees engaged in providing companionship services. FLSA section 13(b)(21) provides an exemption from overtime compensation for live-in domestic service employees. In light of significant changes in the home care industry, the DOL has finalized updating regulations at 29 CFR part 552, Application of the FLSA to Domestic Service, including examination of the definition of "companionship services," the criteria used to judge whether employees qualify as trained personnel who are not exempt companions, and the applicability of the exemption to third-party employers.

Priority: Economically Significant

Agenda Stage of Rulemaking: Completed Action

Major: Yes

Unfunded Mandates: Private Sector

CFR Citation: 29 CFR 552 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 213 (a)(15); 29 USC 213 (b)(21)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/27/2011	76 FR 81190
NPRM Comment Period End	02/27/2012	
Notice of Extension of Comment Period	02/24/2012	77 FR 11021
Comment Period End	03/12/2012	
Notice of Extension of Comment Period	03/13/2012	77 FR 14688
Comment Period End	03/21/2012	
Final Rule	10/01/2013	78 FR 60454
Final Rule Effective	01/01/2015	

Additional Information: Previously reported as 1215-AB85.

Regulatory Flexibility Analysis Required: Business; Governmental Jurisdictions; Organizations

Government Levels Affected: Federal; Local; State

Federalism: No

Energy Affected: No

Agency Contact: Mary Ziegler

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Department of Labor (DOL)

Office of Workers Compensation (OWCP)

RIN: 1240-AA06

 [View Related Documents](#)

Title: Longshore and Harbor Workers' Compensation Act: Maximum Compensation Rate Determinations

Abstract: Under the Longshore and Harbor Workers' Compensation Act and its extensions, disabled workers are paid compensation based on their average weekly wage at the time of their disabling injury. Section 6 of the Act, 33 U.S.C. 906 caps this compensation at a maximum of twice the "applicable" fiscal year's national average weekly wage. The Secretary of Labor determines the national average wage for each fiscal year, and that determination applies to employees or survivors "currently receiving" permanent disability compensation or death benefits as well as those "newly awarded" compensation. Litigation over which year's national average wage applies in various situations led to a recent Supreme Court decision construing the "newly awarded" phrase. The proposed rule will implement the Supreme Court's decision and clarify how the maximum compensation rate provision applies, including the "currently receiving" phrase and other portions the Court did not address.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 702 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 33 USC 939

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/00/2014	

Regulatory Flexibility Analysis Required: Undetermined **Government Levels Affected:** No

Federalism: No

Energy Affected: No

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Department of Labor (DOL)
Office of Workers Compensation (OWCP)

RIN: 1240-AA07

 [View Related Documents](#)

Title: Black Lung Benefits Act: Standards for Chest Radiographs

Abstract: Physicians use chest radiographs (X-rays) as a tool in evaluating whether a miner suffers from pneumoconiosis (black lung disease). Accordingly, the Department's regulations implementing the Black Lung Benefits Act allow submission of radiographs and set out quality standards for their performance. These standards, which were last revised in 1983, currently address only film radiographs. Since their promulgation, many medical facilities have phased out film radiography in favor of digital radiography. This rule will update the existing film-radiography standards and provide parallel standards for digital radiographs.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 718 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 30 USC 902(f); 30 USC 921(b); 30 USC 923(b); 30 USC 936(a)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/13/2013	78 FR 35575
Direct Final Rule	06/13/2013	78 FR 35549
NPRM Comment Period End	08/12/2013	
Direct Final Rule - Withdrawn	08/30/2013	78 FR 53645
Final Action	03/00/2014	

Regulatory Flexibility Analysis Required: Undetermined **Government Levels Affected:** No

Federalism: No

Energy Affected: No

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Department of Labor (DOL)
Office of Workers Compensation (OWCP)

RIN: 1240-AA04

 [View Related Documents](#)

Title: Regulations Implementing Amendments to the Black Lung Benefits Act: Determining Coal Miners and Survivors Entitlement to Benefits

Abstract: The Patient Protection and Affordable Care Act (PPACA) of 2010 amended the Black Lung Benefits Act, 30 U.S.C. 901 to 944, to reinstate two methods of establishing entitlement that were repealed with respect to claims filed after 1981.

Specifically, the PPACA reinstated 30 U.S.C. 921(c)(4) (presumption of total disability or death due to pneumoconiosis arising out of coal mine employment where the miner had 15 years of coal mine employment and proof of total disability) and 30 U.S.C. 932(l) (automatic entitlement to benefits for eligible survivors of miners who were awarded benefits based on lifetime claims). The newly amended statutory provisions apply to claims filed after January 1, 2005, that are pending on or after PPACA's March 23, 2010, enactment date, and to all claims filed on or after March 23, 2010. This final rule will define the class of claims affected by the amendments and set the criteria for establishing entitlement to benefits under the amendments.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 718; 20 CFR 725 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 30 USC 936; 30 USC 921

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/30/2012	77 FR 19456
NPRM Comment Period End	05/29/2012	
Final Rule	09/25/2013	78 FR 59102
Final Rule Effective	10/25/2013	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Gerald Delo

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Department of Labor (DOL)

Office of Labor Management Standards (OLMS)

RIN: 1245-AA05

 [View Related Documents](#)

Title: Persuader Agreements: Consultant Form LM-21 Receipts and Disbursements Report

Abstract: The Department intends to publish a notice and comment rulemaking seeking consideration of the Form LM-21, Receipts and Disbursements Report, which is required pursuant to section 203(b) of the Labor-Management Reporting and Disclosure Act (LMRDA). The rulemaking will propose mandatory electronic filing for Form LM-21 filers, and it will review the layout of the Form LM-21 and its instructions, including the detail required to be reported.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 29 CFR 406 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 433 and 438

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Agency Contact: Andrew R. Davis

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**Department of Labor (DOL)
Office of Labor Management Standards (OLMS)**

RIN: 1245-AA03

 [View Related Documents](#)**Title:** Persuader Agreements: Employer and Labor Relations Consultant Reporting Under the LMRDA**Abstract:** The Department intends to publish a final rule revising its interpretation of section 203(c) of the Labor-Management Reporting and Disclosure Act (LMRDA). That statutory provision creates an "advice" exemption from reporting requirements that apply to employers and other persons in connection with persuading employees about the right to organize and bargain collectively. The revised interpretation would narrow the scope of the advice exemption.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 29 CFR 405; 29 CFR 406 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 433; 29 USC 438**Legal Deadline:** None**Regulatory Plan:****Statement of Need:** In June 2011, the Department of Labor proposed a regulatory initiative to better implement the public disclosure objectives of the Labor-Management Reporting and Disclosure Act (LMRDA) regarding employer-consultant agreements to persuade employees concerning their rights to organize and bargain collectively. Under LMRDA section 203, an employer must report any agreement or arrangement with a third party consultant to persuade employees as to their collective bargaining rights or to obtain certain information concerning the activities of employees or a labor organization in connection with a labor dispute involving the employer. The consultant is also required to report concerning such an agreement or arrangement with an employer. Statutory exceptions to these reporting requirements are set forth in LMRDA section 203(c), which provides, in part, that employers and consultants are not required to file a report by reason of the consultant's giving or agreeing to give "advice" to the employer. The Department's proposal stated that its current policy concerning the scope of the "advice exception" is overbroad and that a narrower construction would better allow for the employer and consultant reporting intended by the LMRDA. The proposal stated that regulatory action is needed to provide workers with information critical to their effective participation in the workplace.**Legal Basis:** This rulemaking is authorized under U.S.C. sections 433 and 438 and applies to regulations at 29 CFR part 405 and 29 CFR part 406.**Alternatives:** Alternatives will be developed and considered in the rulemaking.**Costs and Benefits:** Anticipated costs and benefits of this regulatory initiative have not been assessed and will be determined at a later date, as appropriate.**Risks:** This action does not affect public health, safety, or the environment.**Timetable:**

Action	Date	FR Cite
NPRM	06/21/2011	76 FR 36178
NPRM Comment Period Extended	07/29/2011	76 FR 45480
NPRM Comment Period End	08/22/2011	
NPRM Comment Period End	09/21/2011	
Final Action	03/00/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.olms.dol.gov**Public Comment URL:** www.regulations.gov**Related RINs:** Previously Reported as 1215-AB79**Agency Contact:** Andrew R. Davis

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Department of Labor (DOL)
Office of Federal Contract Compliance Programs (OFCCP)

RIN: 1250-AA01

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Title: Construction Contractors' Affirmative Action Requirements

Abstract: The regulations implementing the affirmative action obligations of construction contractors under Executive Order 11246, as amended, were last revised in 1980. Recent data show that disparities in the representation of women and racial minorities continue to exist in on-site construction occupations in the construction industry. This Notice of Proposed Rulemaking (NPRM) would revise 41 CFR part 60-1 and 60-4 by removing outdated regulatory provisions, proposing a new method for establishing affirmative action goals, and proposing other revisions to the affirmative action requirements that reflect the realities of the labor market and employment practices in the construction industry today.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 41 CFR 60-1; 41 CFR 60-4 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** sec 201, 202, 205, 211, 301, 302, and 303 of EO 11246, as amended; 30 FR 12319; 32 FR 14303, as amended by EO 12086**Legal Deadline:** None**Regulatory Plan:**

Statement of Need: These regulations, last revised in 1980, have proven ineffective at making meaningful progress in the employment of women and certain minorities in the construction industry. Analysis of 2006 to 2008 ACS data for 27 on-site construction occupations reveals a significant disparity between the percentage of women in construction occupations in the construction industry and the percentage of women in construction occupations in all other industries. The representation of African Americans in the construction industry is substantially less than would be expected given their representation in all other industries. For example, in 23 of the 27 occupations analyzed, disparities were found in the representation of African Americans. The NPRM would remove outdated regulatory provisions, propose a new method for establishing affirmative action goals, and propose other revisions to the affirmative action requirements that reflect the realities of the labor market and employment practices in the construction industry today.

Legal Basis: This action is not required by statute or court order. Legal Authority: sections 201, 202, 205, 211, 301, 302, and 303 of E.O. 11246, as amended; 30 FR 12319; 32 FR 14303, as amended by E.O. 12086.

Alternatives: Regulatory alternatives will be addressed as the NPRM is developed.

Costs and Benefits: The proposed rule would adopt a new framework for implementing affirmative action requirements in the construction industry and proposes standards for designating projects "mega construction projects." There may be some additional costs to contractors as a result of the increased scope of required actions. The benefits would likely include increased diversity in construction workplaces and increased opportunities for women and minorities to obtain on-site construction jobs. Recent reports on the national unemployment rate show significantly higher unemployment in these populations than in others. The African American unemployment rate is at record high numbers. More detailed cost and benefit analyses will be made as the NPRM is developed. All data show significant underrepresentation of these groups in the construction industry.

Risks: Failure to provide updated regulations may impede the equal opportunity rights of some workers in protected classes.

Timetable:

Action	Date	FR Cite
NPRM	04/00/2014	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** No**Federalism:** Undetermined**Related RINs:** Previously Reported as 1215-AB81**Agency Contact:** Debra A. Carr

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Department of Labor (DOL)
Office of Federal Contract Compliance Programs (OFCCP)

RIN: 1250-AA03

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Title: Nondiscrimination in Compensation: Compensation Data Collection Tool

Abstract: Compensation discrimination is one form of discrimination that Executive Order 11246 prohibits. Eliminating sex- and race-based compensation discrimination continues to be a priority for Office of Federal Contract Compliance Programs (OFCCP). To this end, OFCCP will develop a new compensation data collection tool to identify contractors likely to violate the Executive Order. In addition, the data collection tool could play a key role in OFCCP's establishment-specific, contractor-wide, and industry-wide analyses. Through publication of Notice of Proposed Rulemaking (NPRM), OFCCP will seek to develop an effective and efficient data collection instrument.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 41 CFR 60-2 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: EO 11246; 30 FR 12319, as amended by EO 11375; 32 FR 14303, as amended by EO 12086; 43 FR 46501

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	08/10/2011	76 FR 49398
ANPRM Comment Period Closed	10/11/2011	
NPRM	01/00/2014	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: No

Federalism: No

Energy Affected: No

Related RINs: Previously Reported as 1215-AB80

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Department of Labor (DOL)
Office of Federal Contract Compliance Programs (OFCCP)

RIN: 1250-AA05

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Title: Sex Discrimination Guidelines

Abstract: The Office of Federal Contract Compliance Programs (OFCCP) is charged with enforcing Executive Order 11246, as amended, which prohibits Federal Government contractors and subcontractors from discriminating against individuals in employment on the basis of race, color, sex, religion, or national origin, and requires them to take affirmative action. OFCCP regulations at 41 CFR part 60-20 set forth the interpretations and guidelines for implementing Executive Order 11246, as amended, in regard to promoting and ensuring equal opportunities for all persons employed or seeking employment with Government contractors and subcontractors without regard to sex. This nondiscrimination requirement also applies to contractors and subcontractors performing under federally assisted construction contracts. The guidance in part 60-20 is more than 30 years old and warrants a regulatory lookback. OFCCP will issue a Notice of Proposed Rulemaking to create sex discrimination regulations that reflect the current state of the law in this area.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 41 CFR 60 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: sec 201, EO 11246, 30 FR 12319 and EO 11375, 32 FR 14303, as amended by EO 12086

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2014	

Regulatory Flexibility Analysis Required: Undetermined **Government Levels Affected:** No

Federalism: No

Energy Affected: Undetermined

Agency Contact: Debra A. Carr

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Department of Labor (DOL)

Office of Federal Contract Compliance Programs (OFCCP)

RIN: 1250-AA02

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Title: Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Individuals with Disabilities

Abstract: This rulemaking would amend 41 CFR part 60-741, the nondiscrimination and affirmative action provisions of section 503. This rulemaking would strengthen the affirmative action requirements for Federal contractors and subcontractors. The rule would amend the regulations to require that Federal contractors and subcontractors conduct more substantive analyses of recruitment and placement actions taken under section 503. The rule would also increase the contractor's data collection obligations, make revisions to recordkeeping requirements, and establish a utilization goal to assist in measuring the effectiveness of the contractor's affirmative action efforts. In addition, the rule will incorporate changes to the nondiscrimination provisions necessitated by the passage of the ADA Amendments Act of 2008.

Priority: Economically Significant

Agenda Stage of Rulemaking: Final Rule

Major: Yes

Unfunded Mandates: Private Sector

CFR Citation: 41 CFR 60-741 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 706; 29 USC 793; EO 11758 (3 CFR 1971 to 1975 Comp p 841)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	07/23/2010	75 FR 43116
ANPRM Comment Period End	09/21/2010	
NPRM	12/09/2011	76 FR 77056
NPRM Comment Period End	02/07/2012	
NPRM Comment Period Extended	02/10/2012	77 FR 7108
NPRM Comment Period End	02/21/2012	
Final Rule	09/24/2013	78 FR 58681
Effective Date	03/24/2014	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.dol.gov/ofccp

Public Comment URL: www.regulations.gov

Related RINs: Previously Reported as 1215-AB77

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Department of Labor (DOL)
Office of Federal Contract Compliance Programs (OFCCP)

RIN: 1250-AA00

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Title: Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Protected Veterans
Abstract: This rulemaking would revise the regulations in 41 CFR parts 60-250 and 60-300 implementing the nondiscrimination and affirmative action provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA). This rulemaking would strengthen the affirmative action requirements for Federal contractors and subcontractors. The rule would amend the regulations to require that Federal contractors and subcontractors conduct more substantive analyses of recruitment and placement actions taken under VEVRAA and would require the use of benchmarks to measure the effectiveness of affirmative action efforts. The rule would also make revisions to recordkeeping requirements.

Priority: Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** Yes**Unfunded Mandates:** Private Sector**CFR Citation:** 41 CFR 60-250; 41 CFR 60-300 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 29 USC 793; 38 USC 4211 (2001) (amended 2002); 38 USC 4212 (2001) (amended 2002); EO 11758 (3 CFR 1971 to 1975 Comp p 841)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	04/26/2011	76 FR 23358
NPRM Comment Period Extended	06/22/2011	76 FR 36482
NPRM Comment Period End	07/11/2011	
Final Rule	09/24/2013	78 FR 58613
Effective Date	03/24/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Previously Reported as 1215-AB80**Agency Contact:** Debra A. Carr

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Department of Labor (DOL)
Office of the Secretary (OS)

RIN: 1290-AA26

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Title: Rules of Practice and Procedure for Administrative Hearings Before the Office of Administrative Law Judges

Abstract: The Rules of Practice and Procedure for Administrative Hearings Before the Office of Administrative Law Judges (OALJ) govern practice and procedure in proceedings before United States Department of Labor administrative law judges. The regulations were first published as a final rule in 1983 and were modeled on the Federal Rules of Civil Procedure (FRCP). A Notice of Proposed Rulemaking was published in the Federal Register on December 4, 2012 requesting public comment on proposed revisions to and reorganization of these regulations. The revisions make the regulations more accessible and useful to parties. The revisions also harmonize administrative hearing procedures with the current FRCP and with the types of claims now heard by OALJ, which increasingly involve whistleblower and other workplace retaliation claims, in addition to a longstanding caseload of occupational disease and injury claims.

Priority: Info./Admin./Other**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 29 CFR 18A (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 5 USC 301; 5 USC 551 to 557; 5 USC 571 et seq; EO 12778; 57 FR 7292**Legal Deadline:** None

Timetable:

Action	Date	FR Cite
NPRM	12/04/2012	77 FR 72141
NPRM Comment Period End	02/03/2013	
Final Rule	12/00/2013	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Todd Smyth

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Department of Labor (DOL)
Office of the Secretary (OS)**RIN:** 1290-AA27 [View Related Documents](#)**Title:** Department of Labor Administrative Wage Garnishment

Abstract: The regulation provides procedures DOL, in conjunction with Treasury, uses to collect money by means of administrative wage garnishment from debtors to satisfy delinquent nontax debts owed to DOL. In accordance with procedures set forth in 31 CFR 285.11, DOL, through the Department of Treasury, may request that a non-Federal employer garnish the disposable pay of an individual. It outlines a notice and hearing process for debtors to challenge garnishment orders. The Treasury Department, in collaboration with the Office of Management and Budget, has been looking for ways to improve debt collection across the Federal government. Twenty-nine other agencies have already implemented the wage garnishment tool, and OCFO believes it would be useful for DOL to follow their example.

Priority: Info./Admin./Other**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 285.11 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** The Debt Collection Improvement Act of 1996, 31 USC sec 3720D**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/00/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Local; State**Federalism:** Undetermined**Energy Affected:** No**Agency Contact:** Sheila Alexander

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Department of Labor (DOL)
Office of the Assistant Secretary for Veterans' Employment and Training (ASVET)**RIN:** 1293-AA19 [View Related Documents](#)**Title:** Compliance With the VOW to Hire Heroes Act on the Requirements of DVOPs and LVERs

Abstract: Section 241 of the VOW to Hire Heroes Act of 2011 ("VOW Act," title II of Pub. L. 112-56) requires the Secretary to conduct audits to ensure compliance with the mandated duties of DVOPs and LVERs. Further, the Act allows the Secretary to

reduce funding to a State based on audit findings of non-compliance. In order to fully implement the VOW Act, VETS will undertake a Notice of Proposed Rulemaking (NPRM) to promulgate the standards that will be used in making compliance determinations. The NPRM will establish clear, enforceable standards for making determinations on funding reductions.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 20 CFR 1001 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: PL 112-56, sec 241

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Federalism: No

Energy Affected: No

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Department of Labor (DOL)

Office of the Assistant Secretary for Veterans' Employment and Training (ASVET)

RIN: 1293-AA20

 [View Related Documents](#)

Title: Annual Report From Federal Contractors

Abstract: The Notice of Proposed Rulemaking (NPRM) would propose rescinding the part 61-250 regulations which establish the VETS-100 reporting obligation. In addition, the NPRM would propose revising the part 61-300 regulations, which establish the VETS-100A reporting obligation, to require contractors to report the number of employees and new hires that are covered veterans. The NPRM also would propose renaming the annual report prescribed by the part 61-300 regulations the Federal Contractor Veterans' Employment Report VETS-4212 ("VETS-4212 Report").

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 41 CFR 61-250 and 61-300 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 29 USC 4211 and 4212

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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