

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: Department of 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.

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.

Occupational Safety and Health Administration*Bloodborne Pathogens (RIN 1218-AC34)*

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 91 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
H-2A Wages for Open Range Herding and Livestock Occupations	1205-AB70
Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program	1205-AB72

Employment and Training Administration - Final Rule

Title	Regulation Identifier Number
Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – DOL Exceptions	1205-AB71

Employment and Training Administration - Long-term Action

Title	Regulation Identifier Number
Wage Methodology for the Temporary Nonagricultural Employment H-2B Program, Part 2	1205-AB69

Employment and Training Administration - Completed Action

Title	Regulation Identifier Number
Implementing the Middle Class Tax Relief and Job Creation Act of 2012 Provision on Data Exchange Standardization	1205-AB64

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
Pension Benefit Statements	1210-AB20
Conflict of Interest Rule-Investment Advice	1210-AB32
Target Date Disclosure	1210-AB38
Guide or Similar Requirement for Section 408(b)(2) Disclosures	1210-AB53
Selection of Annuity Providers--Safe Harbor for Individual Account Plans	1210-AB58
Amendments to Excepted Benefits	1210-AB60
Ninety-Day Waiting Period Limitation Under the Affordable Care Act	1210-AB61
Electronic Filing of Apprenticeship & Training Notices, and Top Hat Plan Statements	1210-AB62
Notice of Proposed Rulemaking for Health Care Continuation Coverage	1210-AB65

Employee Benefits Security Administration - Final Rule

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Adoption of amended and restated Voluntary Fiduciary Correction Program	1210-AB64

Employee Benefits Security Administration - Long-term Action

Title	Regulation Identifier Number
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Automatic Enrollment in Health Plans of Employees of Large Employers Under FLSA Section 18A	1210-AB46
Revision of the Form 5500 Series and Implementing and related Regulations Under the Employee Retirement Income Security Act of 1974 (ERISA)	1210-AB63

Employee Benefits Security Administration - Completed Action

Title	Regulation Identifier Number
Mental Health Parity and Addiction Equity Act	1210-AB30
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Occupational Safety and Health Administration - PreRule

Title	Regulation Identifier Number
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Preventing Backover Injuries and Fatalities	1218-AC51
Chemical Management and Permissible Exposure Limits (PELs)	1218-AC74
Process Safety Management and Prevention of Major Chemical Accidents	1218-AC82
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Occupational Safety and Health Administration - Proposed Rule

Title	Regulation Identifier Number
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Occupational Safety and Health Administration - Final Rule

Title	Regulation Identifier Number
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Procedures for the Handling of Retaliation Complaints Under Section 1558 of the Affordable Care Act of 2010	1218-AC79
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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
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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
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Mine Safety and Health Administration - Proposed Rule

Title	Regulation Identifier Number
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Fees for Testing, Evaluation and Approval of Mining Products	1219-AB82

Mine Safety and Health Administration - Final Rule

Title	Regulation Identifier Number
Proximity Detection Systems for Continuous Mining Machines in Underground Coal Mines	1219-AB65

Refuge Alternatives for Underground Coal Mines; Limited Reopening of the Record	1219-AB84
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Mine Safety and Health Administration - Long-term Action

Title	Regulation Identifier Number
Respirable Crystalline Silica	1219-AB36

Mine Safety and Health Administration - Completed Action

Title	Regulation Identifier Number
Lowering Miners' Exposure to Respirable Coal Mine Dust, Including Continuous Personal Dust Monitors	1219-AB64

Wage and Hour Division - Proposed Rule

Title	Regulation Identifier Number
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Wage and Hour Division - Long-term Action

Title	Regulation Identifier Number
Right to Know Under the Fair Labor Standards Act	1235-AA04
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Office of Workers Compensation - Proposed Rule

Title	Regulation Identifier Number
Longshore and Harbor Workers' Compensation Act: Maximum Compensation Rate Determinations	1240-AA06
Longshore and Harbor Workers' Compensation Act: Transmission of Documents and Information	1240-AA09
Black Lung Benefits Act: Medical Evidence and Benefit Payments	1240-AA10

Office of Workers Compensation - Completed Action

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

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
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Office of Federal Contract Compliance Programs - Proposed Rule

Title	Regulation Identifier Number
Construction Contractors' Affirmative Action Requirements	1250-AA01
Requirement to Report Summary Data on Employee Compensation (Compensation Data Collection)	1250-AA03
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Non-Retaliation for Disclosure of Compensation Information	1250-AA06

Office of Federal Contract Compliance Programs - Completed Action

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

Office of the Secretary - Proposed Rule

Title	Regulation Identifier Number
Administrative Review Board Rules of Practice and Procedure	1290-AA28
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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

Office of the Assistant Secretary for Veterans' Employment and Training - Final Rule

Title	Regulation Identifier Number
Annual Report From Federal Contractors	1293-AA20

Office of the Assistant Secretary for Veterans' Employment and Training - Long-term Action

Title	Regulation Identifier Number
Compliance With the VOW to Hire Heroes Act on the Requirements of DVOPs and LVERs	1293-AA19

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

RIN: 1205-AB59

 [View Related Documents](#)

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**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 [View Related Documents](#)**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	10/00/2014	

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

 [View Related Documents](#)

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 U.S.C. 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**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Michael S. Jones

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

RIN: 1205-AB70

 [View Related Documents](#)

Title: H-2A Wages for Open Range Herding and Livestock Occupations

Abstract: Office of Foreign Labor Certification of the Employment and Training Administration (ETA) has established special procedures for certain occupations, including long-established variances for sheepherding and occupations involving the open range production of livestock. The wage-setting methodology for these occupations has been set in the past by sub-regulatory guidance. ETA is engaging in this regulatory action in anticipation of amending the process by which it sets wages to seek and obtain input from the regulated community.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 20 CFR 655 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 8 USC 1188**Legal Deadline:** None

Timetable:

Action	Date	FR Cite
NPRM	03/00/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Small Entities Affected: Business

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-AB72

 [View Related Documents](#)**Title:** Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program

Abstract: The Immigration and Nationality Act (INA) establishes the H-2B visa classification for a non-agricultural temporary worker "having a residence in a foreign country which he has no intention of abandoning who is coming temporarily to the United States to perform . . . temporary [non-agricultural] service or labor if unemployed persons capable of performing such service or labor cannot be found in this country[.]" 8 U.S.C. 1101(a)(15)(H)(ii)(b). The INA also requires an importing employer (H-2B employer) to petition the Department of Homeland Security (DHS) for classification of the prospective temporary worker as an H-2B nonimmigrant, and DHS must approve such petition before the beneficiary can be considered eligible for an H-2B visa or H-2B status. 8 U.S.C. 1184(c)(1). The INA further requires DHS to consult with "appropriate agencies of the Government" before adjudicating an H-2B petition, and DHS has determined that it must consult with the Department of Labor (DOL) to determine whether U.S. workers capable of performing the temporary services or labor are available and that the foreign worker's employment will not adversely affect the wages or working conditions of similarly employed U.S. workers. 8 CFR 214.2(h)(6)(iii)(A). DHS's regulation requires H-2B employers to obtain certification from DOL that these conditions are met prior to submitting a petition to DHS. Id. As part of DOL's certification, DHS requires DOL to determine the prevailing wage applicable to an application for temporary labor certification. 8 CFR 214.2(h)(6)(iii)(D). DOL has established procedures to certify whether a qualified U.S. worker is available to fill the petitioning H-2B employer's job opportunity and whether foreign worker's employment in the job opportunity will adversely affect the wages or working conditions of similarly employed U.S. workers. See 20 CFR part 655, subpart A. As part of DOL's labor certification process and, pursuant to the DHS regulations, 8 CFR 214.2(h)(6)(iii)(D), DOL sets the wage that employers must offer and pay foreign workers entering the country on an H-2B visa. See 20 CFR 655.10. DOL revised the wage methodology used in the H-2B program in 2011, and jointly with the Department of Homeland Security again in 2013. The later action was an interim final rule (IFR) in response to a court order. However, DOL requested and received comments on all aspects of the 2013 revisions to the H-2B wage methodology in the IFR. DOL has determined that further notice and comment is appropriate on the proper methodology for determining the prevailing wage in the H-2B program, and will consider comments submitted in conjunction with the IFR together with comments submitted on this new proposal in order to issue a final rule.

Priority: Economically Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Yes

Unfunded Mandates: No

CFR Citation: 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 1148(c); 29 USC 49k; 8 CFR 214.2(h)(6)(iii)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local

Small Entities Affected: Business

Federalism: No

Agency Contact: William L. Carlson Ph.D.

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

RIN: 1205-AB71

 [View Related Documents](#)

Title: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – DOL Exceptions

Abstract: To deliver on the promise of a 21st-century government that is more efficient, effective, and transparent, the Office of Management and Budget (OMB) is streamlining the Federal government's guidance on Administrative Requirements, Cost Principles, and Audit Requirements for Federal awards. These modifications are a key component of a larger Federal effort to more effectively focus Federal resources on improving performance and outcome while ensuring the financial integrity of taxpayer dollars in partnership with non-Federal stakeholders. Therefore, OMB has tasked Federal agencies, including the Department of Labor, with updating their respective regulations on Administrative Requirements, Cost Principles and Audit Requirements for Federal awards by issuing new regulations that conform to the OMB guidance. The regulation will reflect a government-wide framework for grants management which will be complemented by additional efforts to strengthen program outcomes through innovative and effective use of grant-making models, performance metrics, and evaluation. This regulation will reduce administrative burdens for non-Federal awards while reducing the risk of waste, fraud and abuse.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final 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: 5 USC 301

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	12/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local; State; Tribal

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Laura P. Watson

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

RIN: 1205-AB69

 [View Related Documents](#)

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

Abstract: In an interim final rule (IFR) published in April, 2013, the Department of Homeland Security (DHS) and Department of Labor (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: Long-term Action

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
Final Rule		
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	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

Related RINs: Related to 1205-AB61

Related Agencies: Joint: USCIS

Agency Contact: William L. Carlson Ph.D.

Administrator, Office of Foreign Labor Certification

Department of Labor

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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) designated 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: Completed Action

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
Other	Statutory		02/22/2014

Timetable:

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

Final Rule	02/19/2014	79 FR 9404
Final Rule Effective	03/21/2014	

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

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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	05/00/2014	

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

Deputy Director, Office of Regulations and Interpretations

Department of Labor

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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	01/00/2015	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: No

Energy Affected: No

Agency Contact: Suzanne Adelman

Senior Pension Law Specialist

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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 IRA 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

Timetable:

Action	Date	FR Cite
NPRM	10/22/2010	75 FR 65263
NPRM Comment Period End	01/20/2011	
Second NPRM	01/00/2015	

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-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:** Proposed 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	
NPRM Reopening Comment Period	05/24/2012	77 FR 30928
NPRM Reopening Comment Period Ends	07/09/2012	
Reopen Record (NPRM)	05/00/2014	

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-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: No

Unfunded Mandates: No

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	03/12/2014	79 FR 13949
NPRM Comment Period End	06/10/2014	

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	01/00/2015	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: No

Federalism: No

Agency Contact: Janet Walters

Senior Advisor

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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: 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	12/24/2013	78 FR 77632
NPRM Comment Period End	02/24/2014	
Analyzing Comments	05/00/2014	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: No

Agency Contact: Amy J. Turner

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

RIN: 1210-AB61

 [View Related Documents](#)

Title: Ninety-Day Waiting Period Limitation Under the Affordable Care Act

Abstract: The Patient Protection and Affordable Care Act of 2010 (the Affordable Care Act) amended title I of the Employment Retirement Income Security Act (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 a discrete issue related to the 90-day waiting period limitation under section 2708 of the PHS Act.

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: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/24/2014	79 FR 10320
NPRM Comment Period End	04/25/2014	
Analyze Comments	05/00/2014	

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

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Department of Labor (DOL)**Employee Benefits Security Administration (EBSA)****RIN:** 1210-AB62 [View Related Documents](#)**Title:** Electronic Filing of Apprenticeship & Training Notices, and Top Hat Plan Statements**Abstract:** Regulation 29 CFR § 2520.104-22 contains an exemption from the reporting and disclosure requirements for apprenticeship and training plans. Regulation 29 CFR § 2520.104-23 contains an alternative method of compliance with the reporting and disclosure requirements for pension plans for certain selected employees. Both regulations contain a filing obligation. This rulemaking would amend those regulations to substitute electronic filing for regular mail or hand delivery.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 29 CFR 2520.104-22; 29 CFR 2520.104-23 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 29 USC 1024; ERISA sec 104; 29 USC 1030; ERISA sec 110; 29 USC 1135; ERISA sec 505**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/00/2014	

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

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Department of Labor (DOL)**Employee Benefits Security Administration (EBSA)****RIN:** 1210-AB65 [View Related Documents](#)**Title:** Notice of Proposed Rulemaking for Health Care Continuation Coverage

Abstract: The proposed amendment will eliminate the current version of the model general notice contained in the appendix of § 2590.606–1 and the model election notice contained in the appendix of § 2590.606–1 as these model notices are outdated. Additionally, these proposed regulations make technical changes to the instruction language pointing to the model notices in the appendices in paragraph (g) of § 2590.606–1 and paragraph (g) of § 2590.606–4. These changes will permit the Department to amend the model notices as necessary and provide the most current versions of the model notices on the Department's website. These changes will also eliminate confusion that may result from multiple versions of the model notices being available in different locations. Contemporaneous with issuance of these proposed regulations, the Department is also issuing updated model notices that reflect that coverage is now available in the Marketplace and provide information on special enrollment rights in the Marketplace, as well as guidance announcing the availability of such updated notices.

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: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/07/2014	79 FR 26192
NPRM Comment Period End	07/07/2014	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: No

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	07/00/2014	

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-AB47 [View Related Documents](#)**Title:** Amendment of Abandoned Plan Program

Abstract: On April 21, 2006, the Department published a package of regulations, collectively titled 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	10/00/2014	

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-AB64 [View Related Documents](#)**Title:** Adoption of amended and restated Voluntary Fiduciary Correction Program

Abstract: The Employee Benefits Security Administration (EBSA) is amending and restating its Voluntary Fiduciary Correction Program (VFCP) under the Employee Retirement Income Security Act of 1974 (ERISA), which originally was adopted in 2002 and revised in 2005 and 2006. The VFCP is designed to encourage the voluntary correction of fiduciary violations by permitting persons to avoid potential civil actions and civil penalties if they take steps to correct identified violations in a manner consistent with the VFCP. The amendments will expand the scope of some transactions currently eligible for correction and streamline

correction procedures for certain others. EBSA will issue a restatement of the VFCP in its entirety and request public comments.

Priority: Other Significant

Agenda Stage of Rulemaking: Final 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: ERISA sections 502(a)(2), (a)(5), and 506(b); ERISA section 408(a); IRC section 4975(c)(2)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/00/2015	

Regulatory Flexibility Analysis Required: No

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-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-AB63

 [View Related Documents](#)

Title: Revision of the Form 5500 Series and Implementing and related Regulations Under the Employee Retirement Income Security Act of 1974 (ERISA)

Abstract: This regulatory action is part of long term strategic project with the Internal Revenue Service and the Pension Benefit Guaranty Corporation to modernize and improve the Form 5500 Annual Return/Report of Employee Benefit Plan. Modernizing the financial and other annual reporting requirements on the Form 5500 and making the investment and other information on the Form 5500 more data mineable are part of that evaluation. The project is also focused on enhancing the agencies' ability to collect employee benefit plan data that best meets the needs of changing compliance projects, programs, and activities.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 29 CFR 2520 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 29 USC 1021-1025; 29 USC 1027; 29 USC 1029-30; 29 USC 1134-1135; 29 USC 1059; 29 USC 1204

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: No

Federalism: No

Agency Contact: Mara S Blumenthal

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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 the Employment Retirement Income Security Act (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: Completed Action

Major: Yes

Unfunded Mandates: No

CFR Citation: 29 CFR 2590.712 (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

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	11/13/2013	78 FR 68239
Final Rule Effective	01/13/2014	

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: No

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-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 the Employment Retirement Income Security Act (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: Completed Action

Major: No

Unfunded Mandates: No

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

Legal Authority: 29 USC 1185d

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/21/2013	78 FR 17313
NPRM Comment Period End	05/20/2013	
Final Rule	02/24/2014	79 FR 10296
Final Rule Effective	04/25/2014	

Regulatory Flexibility Analysis Required: Governmental Jurisdictions

Government Levels Affected: Local; State

Federalism: No

Related Agencies: Joint : OCIIO; Joint : IRS

Agency Contact: Amy J. Turner

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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	07/00/2014	

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-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) on 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:** PreRule**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	12/00/2014	

Regulatory Flexibility Analysis Required: Business**Government Levels Affected:** Undetermined**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-AC46 [View Related Documents](#)**Title:** Infectious Diseases

Abstract: Employees in health care and other high-risk environments face long-standing infectious disease 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**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

05/00/2014

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: 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) the 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 Integrated Management Information System (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)	05/00/2014	
Initiate SBREFA (Backovers)	08/00/2014	

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-AC74

 [View Related Documents](#)

Title: Chemical Management and Permissible Exposure Limits (PELs)

Abstract: The majority of the Occupational Safety and Health Administration's (OSHA) 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 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	05/00/2014	

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 13650, Improving Chemical Facility Safety and Security, Occupational Safety and Health Administration (OSHA) issued a Request for Information (RFI) on December 9, 2013 (78 FR 73756). The RFI anticipates to 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	12/09/2013	78 FR 73756
Comment Period Extended	03/07/2014	79 FR 13006
RFI Comment Period End	03/10/2014	
Analyze Comments	07/00/2014	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Small Entities Affected:** Business**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-AC85 [View Related Documents](#)**Title:** Shipyard Fall Protection--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**Agency Contact:** William Perry

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

RIN: 1218-AC90

 [View Related Documents](#)**Title:** Communication Towers

Abstract: During the 1990s, the growing demand for wireless and broadcast communications spurred a dramatic increase in the number of communication towers being erected, maintained and serviced. While the number of employees engaged in the communication tower industry remains small, the fatality rate is very high. Over the past 20 years, this industry has experienced an average fatality rate that greatly exceeds that of the construction industry, for example. In 2013, the industry experienced a dramatic increase in the number of fatalities occurring during communication tower work, with 13 total fatalities. Falls are the leading cause of death in tower work. Fall protection is used either improperly or inconsistently. Several communication towers have recently collapsed while employees worked on structural modifications. Employees are often hoisted to working levels on small base-mounted drum hoists that have been mounted to a truck chassis, and these may not be rated to hoist personnel. Communication tower construction and maintenance activities are not adequately covered by current OSHA fall protection and personnel hoisting standards.

Priority: Other Significant**Agenda Stage of Rulemaking:** PreRule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 29 CFR 1926; 29 CFR 1910 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 29 USC 655**Legal Deadline:**

Action	Source	Description	Date
Other	Statutory	Request for Information	06/30/2014

Timetable:

Action	Date	FR Cite
Request For Information	06/00/2014	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** No**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-AC91

 [View Related Documents](#)**Title:** Emergency Response and Preparedness

Abstract: Occupational Health and Safety Administration (OSHA) published a Request for Information (RFI) on Emergency Response and Preparedness (72 FR 51735, OSHA Docket 2007-0073, <http://www.regulations.gov/#!docketDetail;D=OSHA->

2007-0073) on September 11, 2007. The RFI addressed the way that OSHA currently regulates aspects of emergency response and preparedness under its existing standards, and that some of these standards were promulgated decades ago, and none were designed as comprehensive emergency response standards. Consequently, they do not address the full range of hazards or concerns currently facing emergency responders, nor do they reflect major changes in performance specifications for protective clothing and equipment. The Agency acknowledged that current OSHA standards also do not reflect all the major developments in safety and health practices that have already been accepted by the emergency response community and incorporated into industry consensus standards. The Agency received 84 comments, many favorable on the need for further action to protect emergency responders. In the tragedy that struck West, Texas, in April 2013, it was reaffirmed that emergency responder health and safety continues to be an area of ongoing need. President Obama issued Executive Order 13650 Improving Chemical Facility Safety and Security (EO) on August 1, 2013, to improve chemical facility safety and security, including emergency responder safety. The Agency will host a stakeholder meeting in July 2014 to address the lessons learned from West, Texas as well as how to integrate this information with the existing docket of information, as well as any other developments since closing the RFI docket.

Priority: Other Significant

Agenda Stage of Rulemaking: PreRule

Major: Undetermined

Unfunded Mandates: Undetermined

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 Meetings	07/00/2014	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: William Perry

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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

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
NPRM Comment Period Extended; Notice of Intention to Appear at Pub Hearing; Scheduling Pub Hearing	10/31/2013	78 FR 65242
NPRM Comment Period Extended	01/29/2014	79 FR 4641
Informal Public Hearing	03/18/2014	
Post Hearing Comment Period Ends	07/00/2014	

Regulatory Flexibility Analysis Required: Business

Government Levels Affected: Federal; Local; State; Tribal

Federalism: Yes

Energy Affected: No

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Department of Labor (DOL)

Occupational Safety and Health Administration (OSHA)

RIN: 1218-AB76

 [View Related Documents](#)

Title: Occupational Exposure to Beryllium

Abstract: In 1999 and 2001, OSHA was petitioned to issue an emergency temporary standard for permissible exposure limit (PEL) to beryllium 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	07/00/2014	

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-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 are focused primarily on its construction standards in 29 CFR 1926.

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
Request for Information	12/06/2012	77 FR 72781
Request for Information Comment Period Ends	02/04/2013	
NPRM	08/00/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Small Entities 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-AC81 [View Related Documents](#)

Title: Amendments to the Cranes and Derricks in Construction Standard

Abstract: Occupational Safety and Health Administration (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 "winch and boom"; 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	07/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

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-AC84

 [View Related Documents](#)

Title: Clarification of Employer's Continuing Obligation to Make and Maintain Accurate Records 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	08/00/2014	

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-AC86

 [View Related Documents](#)

Title: Cranes and Derricks in Construction: Operator Certification

Abstract: On August 9, 2010, Occupational Safety and Health Administration (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	02/10/2014	79 FR 7611
NPRM Comment Period End	03/12/2014	
Notice of Informal Public Hearing	04/15/2014	79 FR 21164
Analyze Comments	05/00/2014	
Informal Public Hearing	05/19/2014	

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-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 Occupational Safety and Health Administration (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	08/00/2014	

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-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	10/00/2014	

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-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 & NTSSA)	02/00/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local; State

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Laura Seeman

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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 making 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 rulemaking 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: 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
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	03/08/2014	
Final Rule	03/00/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

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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	06/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

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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	10/00/2014	

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

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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 (78 FR 8390). 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. The FSMA interim final rule was published February 13, 2014 (79 FR 8619).

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 (SPA) Effective	02/06/2013	
Interim Final Rule (SPA) Comment Period End	04/08/2013	
Interim Final Rule (FSMA)	02/13/2014	79 FR 8619
Interim Final Rule (FSMA) Effective	02/13/2014	
Interim Final Rule (DFA)	04/03/2014	79 FR 18630
Interim Final Rule (DFA) Effective	04/03/2014	
Interim Final Rule (FSMA) Comment Period End	04/14/2014	
Interim Final Rule (DFA) Comment Period End	06/02/2014	

Final Action (SPA)	10/00/2014	
Final Action (FSMA)	04/00/2015	
Final Action (DFA)	06/00/2015	

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

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

RIN: 1218-AC79

 [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 1952 and 29 CFR 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. The revised 29 CFR 1952 will retain a brief description of each State Plan and a more detailed explanation will be provided on OSHA's website. The general provisions of 29 CFR 1952 will be moved into 29 CFR 1902. Accordingly, outdated references to 29 CFR 1952 will be cleaned up throughout various OSHA regulations. The purpose of the revision to 29 CFR 1952 is to eliminate the requirement to engage in the arduous rulemaking process in order to make changes to a State plan's coverage or other descriptive language. OSHA will publish an Interim Final Rule (IFR) which will be effective immediately, but OSHA will accept public comments for 60 days and publish a finale rule after review of the comments.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 29 CFR 1902 to 1904, 1952 to 1954 and 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
Interim Final Rule	06/00/2014	

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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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 promulgating 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 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	02/00/2015	

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

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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: Occupational Safety and Health Administration (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: Other Significant

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	02/00/2015	

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

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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) proposed 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 rulemaking 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 rulemaking 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-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:** 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 653; 29 USC 655(b); 29 USC 657**Legal Deadline:** None**Timetable:**

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

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-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.

Priority: Economically Significant**Agenda Stage of Rulemaking:** Completed Action

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	
NPRM Comment Period Extended	10/12/2005	70 FR 59290
Notice of Informal Public Hearing	10/12/2005	70 FR 59290
Informal Public Hearing	03/06/2006	
Post Hearing Comment Period End	07/14/2006	
Reopen Record	10/22/2008	73 FR 62942
Comment Period End	11/21/2008	
Second Reopening Record	09/14/2009	74 FR 46958
Comment Period End	10/15/2009	
Public Hearings	10/28/2009	
Post Hearing Comment Period End	02/10/2010	
Final Rule	04/11/2014	79 FR 20315
Final Rule Effective	07/10/2014	

Regulatory Flexibility Analysis Required: Business; Governmental Jurisdictions**Government Levels Affected:** Local**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-AC72

 [View Related Documents](#)**Title:** Vertical Tandem Lifts

Abstract: The Occupational Health and Safety Administration (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. 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:** Completed Action**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
Final Rule; Remand	04/21/2014	79 FR 22018
Final Rule; Remand Effective	07/21/2014	

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-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, Occupational Safety and Health Administration (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, 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 removing 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 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. OSHA has published Federal Register notices withdrawing the proposed rule and confirming the direct final rule.

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
NPRM Comment Period End	12/20/2013	
Direct Final Rule Effective	02/18/2014	79 FR 69543
Withdrawn NPRM	04/18/2014	79 FR 21876
Direct Final Rule Confirmation of Effective Date	04/18/2014	79 FR 21848

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

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-AC83

 [View Related Documents](#)

Title: Definition and Requirements for a Nationally Recognized Testing Laboratory

Abstract: In the Fall 2013 Regulatory Agenda, Occupational Safety and Health Administration (OSHA) proposed to issue a Request for Information (RFI) for the Nationally Recognized Testing Laboratory (NRTL) Program. The NRTL Program had been the subject of a General Accounting Office (GAO) study, which recommended that 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. The RFI would solicit information on those topics identified in the GAO study as well as other topics proposed through discussions with stakeholders. As an alternative approach, OSHA feels a stakeholder meeting would provide sufficient input and dialog to address the issues and set possible future direction for the NRTL Program. In the near future, OSHA will solicit comments and announce an NRTL Program stakeholder meeting in the Federal Register as a follow-up to the March 2013 stakeholder meeting. OSHA, therefore, withdraws this action from the Regulatory Agenda.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

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
Withdrawn	02/27/2014	

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-AC89

 [View Related Documents](#)

Title: Hawaii State Plan for Occupational Safety and Health; Operational Status Agreement Revisions

Abstract: After the first year of the planned three-year developmental period, the Hawaii State Plan has made progress in rebuilding the capacity of HIOSH. OSHA and HIOSH agreed to amend the OSA to return greater responsibility to HIOSH for Fiscal Year 2014. Accordingly, OSHA is amending its regulations to reflect this addendum to the OSA, by removing the

reference to the specific 2012 OSA in the CFR.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 29 CFR 1952 (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
Final Rule	02/14/2014	79 FR 8855
Final Rule Effective	02/14/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State

Small Entities Affected: No

Federalism: No

Energy Affected: No

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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, Mine Safety and Health Administration (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	12/06/2013	78 FR 73471
Extension of Comment Period Ends	06/02/2014	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State

Federalism: No

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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 Mine Safety and Health Administration's (MSHA) 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	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)
Mine Safety and Health Administration (MSHA)

RIN: 1219-AB72

 [View Related Documents](#)

Title: Criteria and Procedures for Proposed Assessment of Civil Penalties

Abstract: Mine Safety and Health Administration (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

Timetable:

Action	Date	FR Cite

NPRM

05/00/2014

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.msha.gov/regsinfo.htm**Public Comment URL:** www.regulations.gov**Agency Contact:** Sheila McConnell

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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: Mine Safety and Health Administration (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**Timetable:**

Action	Date	FR Cite
Request for Information	02/01/2010	75 FR 5009
RFI Comment Period Ended	04/02/2010	
NPRM	09/00/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.msha.gov/regsinfo.htm**Public Comment URL:** www.regulations.gov**Related RINs:** Related to 1219-AB65**Agency Contact:** Sheila McConnell

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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: Mine Safety and Health Administration's (MSHA) 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**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** 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**Timetable:**

Action	Date	FR Cite
NPRM	08/00/2014	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** Undetermined**Agency Contact:** Sheila McConnell

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E-Mail: mcconnell.sheila.a@dol.gov**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. Mine Safety and Health Administration (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**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	06/00/2014	

Regulatory Flexibility Analysis Required: No
Small Entities Affected: Business
RIN Information URL: www.msha.gov/reginfo.htm
Related RINs: Related to 1219-AB78
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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-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 Mine Safety and Health Administration (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: Final 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	
Reopen Record and extend the comment period	11/15/2013	78 FR 68783
Comment Period End	12/16/2013	
Notice of Intent	08/00/2014	

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-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:** Long-term Action**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**Timetable:**

Action	Date	FR Cite
NPRM		

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**Agency Contact:** Sheila McConnell

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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: Economically Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** Yes**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

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	05/01/2014	79 FR 24814
Final Rule Effective	08/01/2014	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Business

Energy Affected: No

RIN Information URL: www.msha.gov

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Government Levels Affected: No

Federalism: No

Public Comment URL: www.regulations.gov

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

Major: 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

Agenda Stage of Rulemaking: Proposed Rule

Unfunded Mandates: No

Timetable:

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Action	Date	FR Cite
NPRM	05/00/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Federalism:** No**Energy Affected:** No**Agency Contact:** Mary Ziegler

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Department of Labor (DOL)**Wage and Hour Division (WHD)****RIN:** 1235-AA10 [View Related Documents](#)**Title:** Establishing a Minimum Wage for Contractors, Executive Order 13658**Abstract:** Executive Order 13658 increases the minimum wage that must be paid to workers working on certain new federal contracts to \$10.10 per hour and indexes the wage rate to inflation thereafter. Consistent with the Executive Order, the Department of Labor will issue implementing regulations.**Priority:** Substantive, Nonsignificant**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:** EO 13658**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Federalism:** No**Energy Affected:** No**Agency Contact:** Mary Ziegler

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Department of Labor (DOL)**Wage and Hour Division (WHD)****RIN:** 1235-AA11 [View Related Documents](#)**Title:** Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees**Abstract:** The Fair Labor Standards Act (FLSA) section 13(a)(1) provides a minimum wage and overtime exemption for any employee employed in a bona fide executive, administrative, professional capacity, or in the capacity of an outside salesperson. President Barack Obama issued a memorandum to the Secretary of Labor on March 13, 2014, directing the Secretary to modernize and streamline the existing overtime regulations for executive, administrative, and professional employees. The Department of Labor last updated these regulations in 2004.

Priority: Economically Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Yes**Unfunded Mandates:** Undetermined**CFR Citation:** 29 CFR 541 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Fair Labor Standards Act 29 USC 213(a)(1)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2014	

Regulatory Flexibility Analysis Required: Business;
Governmental Jurisdictions; Organizations**Government Levels Affected:** Federal; Local; State; Tribal**Federalism:** No**Energy Affected:** No**Agency Contact:** Mary Ziegler

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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**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**Agency Contact:** Mary Ziegler

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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)
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**Agency Contact:** Antonio Rios

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Department of Labor (DOL)**Office of Workers Compensation (OWCP)****RIN:** 1240-AA09 [View Related Documents](#)**Title:** Longshore and Harbor Workers' Compensation Act: Transmission of Documents and Information

Abstract: The current regulations implementing the Longshore and Harbor Workers' Compensation Act and its extensions unnecessarily restrict the methods by which injured workers, their survivors, employers, insurance carriers, and the Office of Workers' Compensation Programs may communicate. They also do not address electronic communication methods (e.g., facsimile, e-mail, etc.). Establishing parameters for electronic communications has become increasingly important as more private individuals and businesses have adopted electronic means as their preferred method of communication. The proposed rule will add electronic communication options that are consistent with the statute and compatible with the Department's electronic infrastructure, and broaden the acceptable methods of non-electronic communications.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 20 CFR 702 to 704 (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	01/00/2015	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Federalism:** No**Energy Affected:** No**Agency Contact:** Antonio Rios

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Department of Labor (DOL)**Office of Workers Compensation (OWCP)****RIN:** 1240-AA10[View Related Documents](#)

**Title:** Black Lung Benefits Act: Medical Evidence and Benefit Payments

Abstract: OWCP is engaging in this rulemaking to address a variety of programmatic issues that have arisen in administering the Black Lung Benefits Act. Among them, the current rules do not address whether the parties must disclose medical evidence they develop in connection with a claim for benefits and generally provide that payment for medical treatment and services is capped at the rate prevailing in the community where the service provider is located but provide no method for determining that rate. To ensure that coal miners have full access to information about their health and to enhance the accuracy of entitlement determinations, this rule would address disclosure of medical evidence. It would also amend rules governing payment of medical treatment and services to incorporate the fee schedule used in other OWCP-administered programs, and address a liable party's responsibility to pay benefits under an effective award while pursuing modification.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 20 CFR 725 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 30 USC 923(b); 30 USC 932(a); 30 USC 936**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2015	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Federalism:** No**Energy Affected:** No**Agency Contact:** Michael Chance

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E-Mail: chance.michael@dol.gov**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:** Completed Action**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	04/17/2014	79 FR 21606
Final Action Effective	05/19/2014	

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 of Labor 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	12/00/2014	

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 of Labor 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**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 Rule	12/00/2014	

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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E-Mail: davis.andrew@dol.gov**Department of Labor (DOL)****Office of Federal Contract Compliance Programs (OFCCP)****RIN:** 1250-AA01 [View Related Documents](#)**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**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2015	

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

 [View Related Documents](#)

Title: Requirement to Report Summary Data on Employee Compensation (Compensation Data Collection)

Abstract: The Office of Federal Contract Compliance Programs (OFCCP) is responsible for enforcing Executive Order 11246, as amended, (EO 11246) which prohibits Federal Government contractors and subcontractors from discriminating against individuals in employment based on race, color, sex, religion or national origin. The EO 11246 also requires these employers to take affirmative action to provide equal employment opportunity. On April 8, 2014, President Barack Obama issued a memorandum to the Secretary of Labor, directing him to propose, within 120 days of the date of the memorandum, a rule that would require Federal contractors and subcontractors to submit to the Department of Labor summary data on the compensation paid to their employees, including data by sex and race. While working women have made extraordinary progress over the past five decades since enactment of the Equal Pay Act of 1963, they still earn only 77 cents for every dollar that a man earns. For African-American women and Latinas, the pay gap is even greater. This pay differential shortchanges women and their families by thousands of dollars a year, and potentially hundreds of thousands of dollars over a lifetime. Federal law, including the Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964, and Executive Order 11246 of September 24, 1965 (Equal Employment Opportunity), specifically prohibits compensating men and women differently for the same work. OFCCP regulations at 41 CFR Part 60-1 implementing Executive Order 11246, as amended, set forth obligations of covered contractors and subcontractors.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 41 CFR 60-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Presidential Memorandum, Advancing Pay Equality Through Compensation Data Collection (issued April 8, 2014); Executive Order 11256, September 24, 1965, 30 FR 12319, as amended

Legal Deadline: None

Timetable:

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

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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 [View Related Documents](#)**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	09/00/2014	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** No**Federalism:** No**Energy Affected:** Undetermined**Agency Contact:** Debra A. Carr

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E-Mail: ofccp-public@dol.gov**Department of Labor (DOL)****Office of Federal Contract Compliance Programs (OFCCP)****RIN:** 1250-AA06 [View Related Documents](#)**Title:** Non-Retaliation for Disclosure of Compensation Information

Abstract: The Office of Federal Contract Compliance Programs (OFCCP) is responsible for enforcing Executive Order 11246, as amended, (EO 11246) which prohibits Federal Government contractors and subcontractors from discriminating against individuals in employment based on race, color, sex, religion or national origin. The EO 11246 also requires these employers to take affirmative action to provide equal employment opportunity. On April 8, 2014, the President issued Executive Order 13665 (79 FR 20749, April 11, 2014) prohibiting discrimination by federal contractors and subcontractors against certain of their employees and job applicants for disclosing compensation information, and directing the Department of Labor to propose regulations implementing this amendment to EO 11246. The new anti-retaliation EO explains that when employees are prohibited from inquiring about, disclosing, or discussing their compensation with fellow workers, compensation discrimination is much more difficult to discover and remediate, and more likely to persist. Such prohibitions also restrict the amount of information available to participants in the Federal contracting labor pool, which tends to diminish market efficiency and decrease the likelihood that the most qualified and productive workers are hired at the market efficient price. Ensuring that employees of Federal contractors may discuss their compensation without fear of adverse action will enhance the ability of Federal contractors and their employees to detect and remediate unlawful discriminatory practices, this will contribute to a more efficient market in Federal contracting. The anti-retaliation EO amends EO 11246, Section 202. OFCCP regulations at 41 CFR Part 60-1 implementing Executive Order 11246, as amended, set forth obligations of covered contractors and subcontractors.

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

Major: Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 41 CFR 60-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Executive Order titled Non-Retaliation for Disclosure of Compensation Information, issued April 8, 2014; Executive Order 11256, September 24, 1965, 30 FR 12319, as amended; Federal and Property Administrative Services Act, 40 USC 101 et seq**Legal Deadline:** Executive Order titled Non-Retaliation for Disclosure of Compensation Information, issued April 8, 2014.

Action	Source	Description	Date
Other		Executive Order titled Non-Retaliation for Disclosure of Compensation Information, issued April 8, 2014.	09/30/2014

Timetable:

Action	Date	FR Cite
NPRM	09/00/2014	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Debra A. Carr

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Department of Labor (DOL)**Office of Federal Contract Compliance Programs (OFCCP)****RIN:** 1250-AA02 [View Related Documents](#)**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:** Completed Action**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
Final Rule Effective Date	03/24/2014	

Regulatory Flexibility Analysis Required: No**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**Agency Contact:** Debra A. Carr

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

RIN: 1290-AA28

 [View Related Documents](#)**Title:** Administrative Review Board Rules of Practice and Procedure

Abstract: The proposed regulations establish procedures for appeals before the Administrative Review Board. The Board has jurisdiction, pursuant to a delegation of authority by the Secretary of Labor, over appeals of decisions and orders issued by Department of Labor Administrative Law Judges and the Administrator of the Wage and Hour Division arising under those laws and implementing regulations identified in Secretary's Order 02-2012, 75 Fed. Reg. 69378 (Nov. 16, 2012). The Board currently has agency appellate review authority over more than fifty worker protections laws. Since the Board's formation in 1996, it has operated without prescribed rules of practice and procedure. The proposed regulations incorporate and codify current Board operating procedures to provide more thorough and accurate rules, and guidance to parties who come before the Board. The regulations establish rules of practice and procedure for the Board that would apply where a governing statute, regulation, or executive order does not establish contrary rules of practice or procedure and where rules of practice and procedure currently do not exist. They are intended to govern all appeals and proceedings before the Board where not in conflict with a governing statute, regulation or executive order.

Priority: Substantive, Nonsignificant**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:** Secretary of Labor Order 02-2012, 75 Fed Reg 69378 (11/16/12)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/00/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Federalism:** No**Agency Contact:** Edward Cooper Brown

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

RIN: 1290-AA29

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Title: Equal Treatment in Department of Labor Programs for Faith-Based and Neighborhood Partnerships; Protection of Religious Liberty of Department of Labor Social Service Providers and Beneficiaries

Abstract: This rule will implement Executive Order (EO) 13559, which amended EO 13279. EO 13279 clarified the fundamental principles that guide agencies' work with faith-based and community organizations. EO 13559, among other things, requires that agencies provide beneficiaries of social service programs supported by Federal financial assistance certain protections when they receive services from a faith-based organization. Current regulations implement EO 13279. We propose amending these regulations to establish new requirements and modify existing requirements consistent with EO 13559.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

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

Legal Authority: EO 13559

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/00/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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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	05/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Office of the Secretary (OS)

RIN: 1290-AA27

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Title: Department of Labor Administrative Wage Garnishment

Abstract: The regulation provides procedures Department of Labor (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 section 3720D

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/00/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local; State

Federalism: Undetermined

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

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Title: Annual Report From Federal Contractors

Abstract: The final rule will rescind the part 61-250 regulations which establish the VETS-100 reporting obligation. In addition, the final rule will revise 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 final rule will rename 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:** Final 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	02/24/2014	79 FR 10063
NPRM Comment Period End	04/25/2014	
Final Rule	10/00/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** William Kenan Torrans

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E-Mail: torrans.william@dol.gov**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 Veterans Opportunity to Work (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 Disabled Veterans Outreach Program and Local Veterans Employment Representatives. 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, Veterans Employment and Training Services 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:** Long-term Action**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		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State**Federalism:** No**Energy Affected:** No**Agency Contact:** Joel Delofsky

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