



Department of Labor Announces Fall 2009 Semi-Annual Regulatory Agenda

To our Stakeholders in the Mining Community

This is to let you know of the Department of Labor's plans to inform the mining community of the upcoming regulatory agenda and provide you an opportunity to participate in a Webchat. Please see details below.

Today the Department of Labor's Fall 2009 Semi-Annual Regulatory Agenda will be published in the Federal Register and posted online at <http://www.dol.gov/regulations/>. The Department of Labor's (DOL) mission is to protect workers by improving working conditions, advancing opportunities for employment, protecting retirement and health care benefits, helping employers find workers, and strengthening collective bargaining. Secretary of Labor Hilda L. Solis' vision for the Labor Department is to ensure *good jobs for everyone*, and the new Regulatory Agenda reflects that vision and the mission of the Department.

New Online Tool for DOL Fall 2009 Semi-Annual Regulatory Agenda: For the first time, the Department of Labor is providing an online tool for all stakeholders and interested parties to learn more about the Semi-Annual Regulatory Agenda. The online resource will be available starting at 10:00 a.m. on Monday, December 7, 2009. Please visit <http://www.dol.gov/regulations/> to view Secretary Solis' speech, accompany her in an online webchat about the Regulatory Agenda, and watch videos of workers and other stakeholders talk about how the issues addressed in the Secretary's Fall 2009 Regulatory Agenda will impact everyday Americans. We also welcome you to participate in a series of interactive webchats with the Assistant Secretaries of the Department's regulatory agencies (see schedule below).

Regulatory Agenda Rollout Schedule

Monday, December 7

- Online Release of Agenda/Speech by Secretary Hilda Solis 10:00 a.m.
- Webchat with Secretary Hilda Solis (full regulatory agenda) 2:00 p.m. – 3:00 p.m.
- OSHA Webchat 4:00 p.m. – 5:00 p.m.

Tuesday, December 8

- Office of Labor-Management Standards (OLMS) Webchat 9:00 a.m. – 10:00 a.m.
- Wage and Hour Division (WHD) Webchat 10:30a.m. – 11:30 a.m.
- Employment and Training Administration (ETA) Webchat Noon – 1:00 p.m.
- **Mine Safety and Health Administration (MSHA) Webchat 1:30 p.m. – 2:30 p.m.**

- Office of Federal Contract Compliance Programs (OFCCP) Webchat 3:00 pm – 4:00 p.m.

Wednesday, December 9

- Employee Benefits Security Administration (EBSA) Webchat 10:00 a.m. – 11:00 p.m.

As always, any interested parties should use www.regulations.gov to submit comments for any proposed rules that are open for comment.

Fall 2009 Semi-Annual Regulatory Agenda Highlights for Labor Stakeholders

**** Please note that this is *not* a comprehensive list of the Regulatory Agenda; it is a shorter list of some of the regulations/issues that have generated interest from labor stakeholders. To view the full list of items on the DOL Regulatory Agenda or to view a more detailed description of the item listed, click here: <http://www.dol.gov/regulations/> .**

Employee Benefits Security Administration (EBSA)

- Lifetime Income Options for Participants and Beneficiaries in Retirement Plans
 - Projected publication date for RFI: 1/2010
- Definition of Fiduciary – Investment Advice
 - Projected publication date for NPRM: 6/2010
- Mental Health Parity and Addiction Equity Act (MHPAEA)
 - Projected publication date for IFR: 4/2010
- The Genetic Information Nondiscrimination Act of 2008 (GINA)
 - Projected publication date for IFR: 11/2009
- Health Care Arrangements Established by State and Local Governments for Non-Governmental Employees
 - Projected publication date for NPRM: 9/2010

Employment and Training Administration (ETA)

- Temporary Non-Agricultural Employment of H-2B Aliens in the US
 - Projected publication date for NPRM: 11/2010
- Temporary Agricultural Employment of H-2A Aliens in the US
 - Projected publication date for Final Rule: 2/2010
- Trade Adjustment Assistance: Merit Staffing of State Administration and Allocation of Training Funds to States
 - Projected publication date for Final Rule: 2/2010
- Trade Adjustment Assistance Program: Service Workers, etc
 - Projected publication date for NPRM: 12/2010
- Equal Employment Opportunity in Apprenticeship and Training; Amendment of Regulations
 - Projected publication date for NPRM: 1/2011
- Federal-State Unemployment Compensation Program: Funding Goals for Interest-Free Advances
 - Projected publication date for Final Rule: 7/2010

Mine Safety and Health Administration (MSHA)

- **Occupational Exposure to Coal Mine Dust (Lowering Exposure)**
 - **Projected Publication date for NPRM: 9/2010**
- **Coal Mine Dust Personal Monitors**
 - **Projected Publication date for Final Rule: 4/2010**
- **Coal Mine Respirable Dust; Continuous Personal Dust Monitors (Potential Applications)**
 - **RFI Comment Period Ends 12/14/2009**
- **Respirable Crystalline Silica Standard**
 - **Projected Publication date for NPRM: 4/2011**
- **Proximity Detection Systems for Underground Mines**
 - **Projected Publication date for RFI: 1/2010**
- **Metal and Nonmetal Impoundments**
 - **Projected Publication date for ANPRM: 6/2010**
- **Notification of Legal Identity**
 - **Projected Publication date for NPRM: 1/2011**

Occupational Safety and Health Administration (OSHA)

- **Cranes, Derricks, Hoists, Elevators & Conveyors**
 - **Projected Publication date for Final Rule: 7/2010**
- **Confined Spaces for Construction (Part 1926)**
 - **Projected date to Analyze Comments: 3/2010**
- **Combustible Dust**
 - **ANPRM comment period ends: 1/19/2010**
- **Occupational Injury and Illness Recording and Reporting Requirements**
 - **Projected Publication date for NPRM: 1/2010**
- **Emergency Response and Preparedness**
 - **Projected date for Stakeholder Meeting: 6/2010**
- **Occupational Exposure to Crystalline Silica**
 - **Projected date to End Peer Review: 1/2010**
- **Beryllium**
 - **Projected date for Peer Review/Risk Assessment: 3/2010**
- **Hazard Communication**
 - **Projected date for Hearing: 2/2010**
- **Airborne Infectious Diseases**
 - **Projected Publication date for RFI: 3/2010**
- **Occupational Exposure to Diacetyl and Food Flavorings Containing Diacetyl**
 - **Projected date to Start Peer Review/Risk Assessment: 10/2010**

Office of Federal Contract Compliance Programs (OFCCP)

- **Affirmative Action & Nondiscrimination Obligations of Contractors and Subcontractors; Evaluation of Recruitment and Placement Results under Section 503 of the Rehabilitation Act**
 - **Projected Publication date for ANPRM: 12/2010**

- Affirmative Action & Nondiscrimination Obligations of Contractors and Subcontractors; Evaluation of Recruitment and Placement Results under the Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA)
 - Projected Publication date for NPRM: 12/2010
- Construction Contractor Affirmative Action Requirements
 - Projected Publication date for NPRM: 1/2011

Office of Labor-Management Standards (OLMS)

- Interpretation of the "Advice" Exemption of Section 203(c) of the LMRDA
 - Projected Publication date for NPRM: 11/2010
- Notice of Employee Rights Under Federal Labor Laws
 - Projected Publication date for Final Rule: 6/2010
- Form LM-30, Labor Organization Officer and Employee Report
 - Projected Publication date for NPRM: 5/2010
- Proposal to Rescind the Form T-1; Require Subsidiary Organization Reporting; Revise Interpretation Regarding LMRDA coverage of Public Sector Intermediate Unions
 - Projected Publication date for NPRM: 1/2010
- Internet Balloting in Union Officer Elections Pursuant to Title IV of the LMRDA
 - Projected Publication date for RFI: 11/2010

Office of Worker's Compensation Programs (OWCP)

- Claims for Compensation Under the Federal Employees' Compensation Act
 - Projected Publication date for NPRM: 8/2010
- Regulations Implementing the Longshore and Harbor Workers' Compensation Act: Recreational Vessels
 - Projected Publication date for NPRM: 9/2010

Wage and Hour Division (WHD)

- Nondisplacement of Qualified Workers Under Service Contracts
 - Projected Publication date for NPRM: 12/2009
- Records to be Kept by Employers Under the Fair Labor Standards Act
 - Projected Publication date for NPRM: 8/2010
- Updating Regulations Issued Under the Fair Labor Standards Act
 - Projected Publication date for Final Rule: 6/2010
- Child Labor Regulations, Orders, and Statements of Interpretation 2
 - Projected Publication date for Final Rule: 4/2010
- The Family and Medical Leave Act of 1993, as amended
 - Projected Publication date for NPRM: 11/2010