

**Agency Retrospective Review Plan Reports
August 2014**

Agency/ Sub- agency	RIN	Title of Initiative/Rule /ICR	Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits (please quantify, to the extent feasible, and also specify baseline, time horizon, and affected groups)	Progress updates and anticipated accomplishments
OSHA	1218- AC34	Bloodborne Pathogens	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.	TBD	To be determined.	Report to be completed in 2014.
OSHA	1218- AC87	Updating OSHA Standards Based on National Consensus Standards (Eye and Face Protection)	Under section 6(a) of the OSH Act, during the first two years of the Act, the Agency was directed to adopt national consensus standards as OSHA standards. Some of these standards were adopted as regulatory text, while others were incorporated by reference. In the more than 40 years since these standards were adopted by OSHA, the organizations responsible for these consensus standards have issued updated versions of these standards. However, in most cases, OSHA has not revised its regulations to reflect later editions of the consensus standards. OSHA standards also continue to incorporate by reference various consensus standards that are now outdated and, in some cases, out of print. The Agency is undertaking a multi-year project to update these standards. A notice describing the project was published in November 2004 (69 FR 68283). The Personal Protective Equipment (PPE) Final Rule, published September 2009, amended the general industry PPE standard and incorporated by reference a number of updated consensus standards governing the design and testing of certain types of PPE. The Final Rule did not update PPE standards for the	September 2014	To be determined.	NPRM and Direct Final Rule are under development.

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			construction industry; these standards currently refer to outdated consensus rules.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 ANSI Z87.1 Eye and Face Protection for general industry, shipyard employment, long shoring, marine terminals, and construction industries.			
OSHA	1218-AC80	Revising Record Requirements in the Mechanical Power Presses Standard	OSHA is reviewing existing recordkeeping requirements regarding the maintenance of weekly records to determine whether such requirements should be reduced. OSHA's initial focus is on requirements contained in the Mechanical Power Press standard.	Completed April 2014	Effective February 18, 2014, firms no longer had to prepare weekly inspection and test certifications. This resulted in a reduction in paperwork burdens by 613,000 hours.	Completed. NPRM was withdrawn on April 18, 2014 (79 FR 21876). Final Rule; Confirmation of Effective Date was published on April 18, 2014 (79 FR 21848).

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OSHA	1218- AC67	Standard Improvement Project – Phase IV (SIP IV)	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 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 SIPS I, II, and III standards have reduced the compliance costs and eliminated or reduced the paperwork burden for a number of its standards. The Agency only considers making such changes to its standards so long as they do not diminish employee protections. The Agency has initiated a fourth rulemaking effort to identify unnecessary or duplicative provisions or paperwork requirements that are mainly focused on its construction standards in 29 CFR 1926. The Agency initiated rulemaking by publishing a Request For Information (RFI) on December 6, 2012 (77 FR 72781).	August 2014	To be determined.	RFI published December 6, 2012 (77 FR 72781). ACCSH Reviews: November 2013. NPRM under development.
OSHA	1218- AC81	Cranes and Derricks in Construction: Amendments	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 corrects references to power line voltage for direct current (DC) voltages as well as alternating current (AC) voltages; broadens the exclusion for forklifts carrying loads under the forks from “winch or hook” to “with a boom and	TBD	No additional costs.	NPRM under development.

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			winch”; 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.			
OSHA	1218- AC74	Chemical Management and Permissible Exposure Limits (PELs)	The majority of OSHA's Permissible Exposure Limits (PELs) were adopted in 1971, under section 6(a) of the OSH Act and only a few have been successfully updated since that time. There is widespread agreement among industry, labor, and professional occupational safety and health organizations that 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 decision. Most recently, OSHA sought input through a stakeholder meeting and web forum to discuss various approaches that might be used to	TBD	To be determined.	RFI under development.

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			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.			
OSHA	1218-AC49	Improve Tracking of Workplace Injuries and Illnesses	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.	March 2015	The NPRM analysis estimates the cost of the rule to be \$11.9 million dollars per year. The NPRM contains a qualitative discussion of the many benefits of the rule because they are difficult to quantify. The benefits include increased workplace safety due to better data, which can be used to better target compliance assistance and enforcement efforts. In addition, public access to injury and illness data will encourage employers to improve/maintain workplace safety and health; allow potential employees to make informed decisions about where to work; permit the public to make informed decisions about companies they do business with; and, help to improve research on occupational safety and health.	NPRM published November 8, 2013 (78 FR 67253).
OSHA	1218-AC82	Process Safety Management and Prevention	On June 6, 2014, the Executive Order 13650 Working Group issued a report to the President, entitled <i>Actions to Improve Chemical Facility Safety and Security – A Shared</i>	Analyze Comments	To be determined.	RFI published December 8, 2013 (78 FR 73756).

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		of Major Chemical Accidents	<i>Commitment.</i> Within one year of the report, OSHA will initiate the Small Business Regulatory Enforcement Fairness Act (SBREFA) review.			Currently analyzing comments received in the docket.
MSHA	1219- AB72	Criteria and Procedures for Proposed Assessment of Civil Penalties (Part 100)	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. This rulemaking proposes to revise the procedures for assessing civil penalties in order to improve the efficiency of the Agency's efforts and to facilitate the resolution of enforcement issues.	Next Action TBD	The proposed rule would revise the existing provisions by simplifying the process for proposing and assessing penalties, result in fewer areas of disagreement and facilitate earlier resolution of enforcement issues.	NPRM was published on July 31, 2014.(79 FR 44493) .
OFCCP	1250- AA05	Sex Discrimination Guidelines	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, sexual orientation, gender identity, 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 in regard to promoting and ensuring equal opportunities for all persons employed or seeking employment with Government contractors and subcontractors without regard to sex. 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	September 2014	As this NPRM proposes updates to existing regulations, potential savings and benefits are to be determined. However, because the guidelines are out of date, it will remove confusion on the part of contractors and subcontractors about their legal obligations under current federal law and OFCCP guidance. No new data collection and recordkeeping burdens should be created by this look back. An information collection burden analysis is being conducted.	NPRM is under development.

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			in this area.			
EBSA	1210- AB47	Amendment of Abandoned Plan Program	On April 21, 2006, the Department published a package of regulations, collectively entitled Termination of Abandoned Individual Account Plans, which facilitate the termination of, and distribution of benefits from, individual account pension plans that have been abandoned by their sponsoring employers. See 71 FR 20820. This rulemaking, among other things, will amend these regulations to cover plans whose sponsors are in liquidation under chapter 7 of the US Bankruptcy Code.	October 2014	EBSA expects that revising the existing regulation and related class exemption to cover plans whose sponsors are in liquidation under chapter 7 of the US Bankruptcy Code (“chapter 7 plans”) would provide substantial benefits to plans whose sponsors are in bankruptcy liquidation and to bankruptcy trustees while imposing minimal costs. One of the most significant cost savings is that chapter 7 plans no longer would incur costly audit fees that otherwise would diminish plan assets, because trustees would file a summary terminal report at the end of the winding up process in lieu of the Form 5500 Annual report. The primary beneficiaries of these amendments are participants and beneficiaries in chapter 7 plans whose plan assets would be preserved through the orderly and efficient termination of such plans. As stated in the NPRM, cost savings for plan participants and beneficiaries of approximately \$490,000 are expected over the first three years of the rule being in effect. In subsequent years, the	Final rule is under development.

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					savings resulting from eliminating ongoing administrative expenses that would have been incurred if abandoned plans were not terminated under the proposed regulations would further add to the cost savings.	
ETA	1205-AB59	Equal Employment Opportunity in Apprenticeship and Training; Amendment of Regulations	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 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 title 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	September 2014	It is anticipated that updating these regulations will reduce the burden on apprenticeship program sponsors by providing improved clarity throughout the revised rule, by aligning the Registered Apprenticeship System's EEO regulations with its companion regulations at part 29, and by streamlining and increasing the effectiveness of apprenticeship sponsor EEO requirements.	NPRM is under development.

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			these new requirements.			
ETA	1205- AB62	Federal-State Unemployment Compensation Program: Implementing Total Unemployment Rate As An Extended Benefits Indicator and Amending for Technical Corrections	<p>The Employment and Training Administration (ETA) is issuing this NPRM to amend and revise 20 CFR 615 to reflect amendments made by the Unemployment Compensation Amendments of 1992, (UC Amendments), Pub.L. 102-318, which added Section 203(f) to the Federal-State Extended Unemployment Compensation Act of 1970 (EUCA), Pub. L. No. 91373, 84 Stat. 708 (codified in note to 26 U.S.C. 3304). The UC Amendments included several provisions that affected EUCA. In this NPRM, the Department proposes to address only the Total Unemployment Rate (TUR) indicator and the high-unemployment period provisions from the UC Amendments. In addition, this proposed rule will also revise 20 CFR 615 to reflect the new rounding methodology the Department employs when calculating the alternative TUR indicator. The new rounding methodology was implemented through guidance to State Workforce Agencies on May 2011. (See Unemployment Insurance Program Letter No. 16-11).</p> <p>Finally, the proposed rule will also revise this part to incorporate technical changes to make the regulatory language consistent with guidance issued and enactment of the UC Amendments.</p>	October 2014	The NPRM updates regulations to conform to existing law and State practice. It will benefit State Unemployment Insurance systems because it will remove confusion between complying with guidance and current law.	NPRM is under development.