

SUMMER 2020

# Supporting American Workers and Businesses

*A Virtual Roadshow*

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**OFFICE OF THE ASSISTANT SECRETARY FOR POLICY**  
UNITED STATES DEPARTMENT OF LABOR

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# Regulatory Reform

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# Regulatory Reform at the Department

U.S. Department of Labor (DOL) is taking meaningful steps to reduce regulatory, paperwork, and reporting burdens on America's workers and job creators while ensuring worker and wage protections

DOL is a leader in producing regulatory cost savings:

**\$11.3B+**

In cost savings  
(FY 2017-19)

**11**

Deregulatory  
actions (FY 2019)

**\$7.96B**

In cost savings  
(FY 2019)

**Ranked #2**

Among federal  
agencies (FY 2019)

# Regulatory Reform

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- Clarity and Consistency
- Secretary Scalia – Take care that the laws be faithfully executed
  - “We’re an enforcement agency”
- Record-high levels of enforcement
- Compliance assistance keeps good actors out of trouble



# Deregulatory Highlights – *Final* Rules

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- Overtime
- Joint Employer
- Wagner-Peyser
- Regular Rate
- Association Retirement Plans
- H-2A and H-2B Newspaper Requirements
- Electronic Financial Disclosures
- Fluctuating Workweek
- TRICARE

# Deregulatory Highlights – *Proposed* Rules

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- Trade Adjustment Assistance
- Temporary Nonagricultural Employment of H-2A Immigrants in the United States
- Tip Regulations Under the Fair Labor Standards Act
- Pre-Determination Notices
- Equal Opportunity for Faith-Based Grantees

# Regulatory Reform Task Force

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- Identifies confusing and needlessly complicated regulations
- Encourages clarity and consistency
- Rulemaking vs. subregulatory guidance
- Rule on Guidance





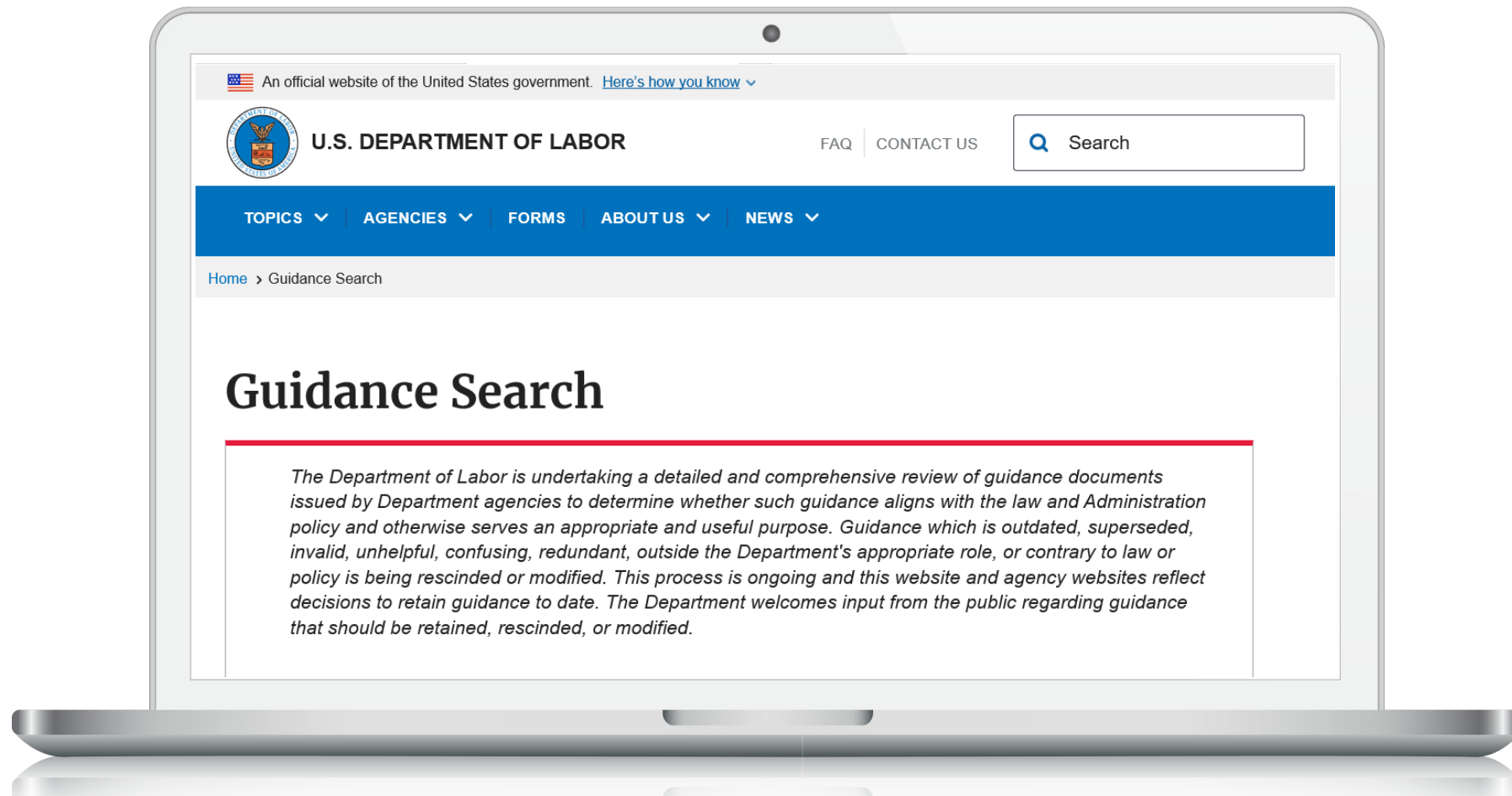
# Guidance Review – Don't Misuse Guidance

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President's Executive Orders from October 2019:

- All guidance must disclaim force/effect of law
- Retrospective review of guidance
- Make guidance publically available on web portal: [www.dol.gov/Guidance](http://www.dol.gov/Guidance)
- Permit public to comment on guidance: [TalkAboutGuidance@dol.gov](mailto:TalkAboutGuidance@dol.gov)

# Guidance Portal



# Compliance Initiatives

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# About OCI

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## Who We Are:

- Launched in August 2018 to complement the Department of Labor's enforcement activities
- Under the Department's Office of the Assistant Secretary for Policy



# About OCI

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## What We Do:

- **Partner with agencies** on innovative compliance assistance to complement enforcement
- **Help employers understand and comply** with DOL laws and regulations
- **Help prevent employment law violations**, letting agencies focus resources on willful offenders



# Four Areas of Focus

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1

**OUTREACH**

2

**INNOVATION**

3

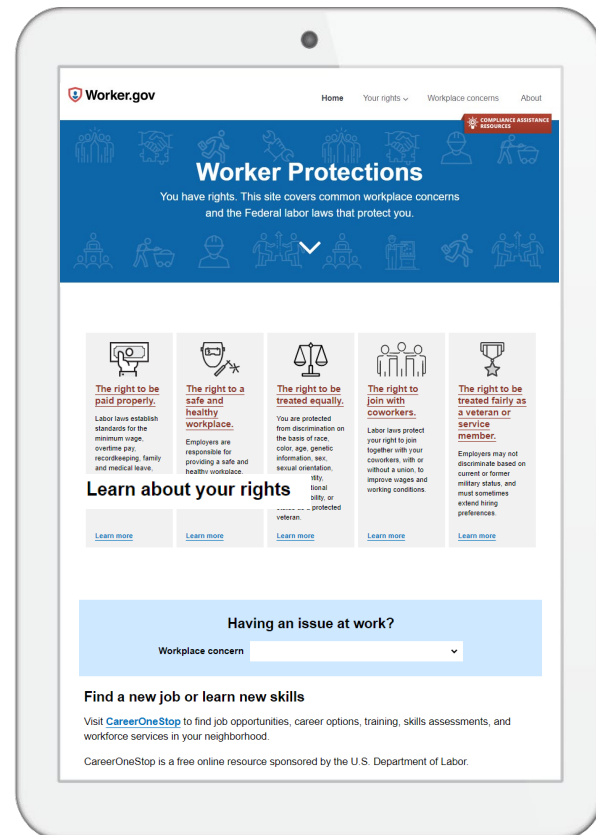
**CULTURE**

4

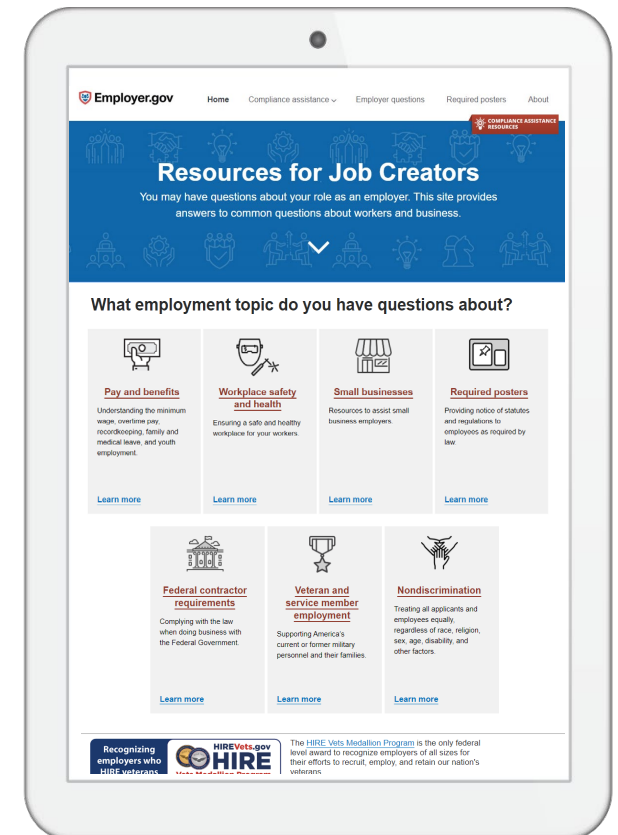
**ANALYSIS**

# Compliance Assistance *Resources*

For Workers:



For Job Creators:



# At-a-Glance

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A closer look at the compliance assistance numbers:

**6,000**

Events in  
FY 2019

**54,000**

Attendees at  
FY 2019 events

**30+**

Tools

**1,300**

Webpages  
and publications



# FY 2020 Review: OCI Compliance Assistance

1. How can we make compliance assistance **more accessible and understandable**?
2. How can we **best deliver** compliance assistance **to our stakeholders**?

## DOL's Enforcement Agencies

|  |  |
|--|--|
| Employee Benefits Security Administration (EBSA)     | Office of Federal Contract Compliance Programs (OFCCP) |
| Mine Safety and Health Administration (MSHA)         | Office of Labor-Management Standards (OLMS)            |
| Occupational Safety and Health Administration (OSHA) | Wage and Hour Division (WHD)                           |

# Human-Centered Design

**Human-Centered Design (HCD):** A framework for designing compliance assistance around the human perspective.

**Our goal:** Institutionalize HCD to reform our internal practices so we deliver compliance assistance designed for you.



# Reimagining Compliance Assistance in the Age of COVID-19

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# National Online Dialogue

Providing Expanded Family and Medical Leave and Emergency Paid Sick Leave to Employees Affected by COVID-19

**1,304**

Ideas shared

**1,279**

Comments

**5,146**

Registrants



# National Online Dialogue

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## **Compliance Assistance Ideas Generated:**

- A digital infographic-like tool to determine eligibility for employees and coverage for employers.
- An employee rights poster.
- Resources in many different languages.





# National Online Dialogue

## Opening America's Workplaces Again

**509**

Ideas shared

**668**

Comments

**1,775**

Registrants



# National Online Dialogue

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## Reopening Ideas Generated:

- Providing safe, accessible, and affordable child care.
- Taking steps to allow small businesses to safely reopen.
- Creating education and training materials on how to reopen safely.



















# OSHA's COVID-19 Response


## Seven Steps to Correctly Wear a Respirator at Work

Following these simple steps will help you properly put on and take off your respirator, and keep you and everyone else safe.


- 1 Wash Your Hands**  
  
Wash your hands with soap and water or alcohol-based hand rubs containing at least 60% alcohol.
- 2 Inspect the Respirator**  
  
Inspect the respirator for damage. If it appears damaged or damp, do not use it.
- 3 Put on the Respirator**  
  
Cup the respirator in your hand with the nosepiece at your fingertips and the straps hanging below your hand.  
  
Cover your mouth and nose with the respirator and make sure there are no gaps (e.g., facial hair, hair, and glasses) between your face and the respirator.  
  
Place the strap over your head and rest at the top back of your head. If you have a second strap, place the bottom strap around your neck and below your ears. Do not cross the straps.  
  
If your respirator has a metal nose clip, use your fingertips from both hands to mold the nose area to the shape of your nose.
- 4 Adjust the Respirator**  
  
Place both hands over the respirator. Inhale quickly and then exhale. If you feel leakage from the nose, readjust the nosepiece. If leakage from the respirator edges, readjust the straps.  
  
Repeat until you get a proper seal. If you can't get a proper seal, try another respirator.  
  
Avoid touching the respirator while using it. If you do, wash your hands.
- 5 Wear the Respirator**  

*Note: If you reuse your respirator, wear gloves when inspecting and putting on the respirator. Avoid touching your face (including your eyes, nose and mouth) during the process.*
- 6 Remove the Respirator**  
  
Wash your hands.  
  
Remove the respirator from behind. Do not touch the front.
- 7 Dispose of the Respirator**  
  
If the respirator does not need to be reused because of supply shortages, discard it in a closed bin waste receptacle. Wash your hands.

For more information, see the quick video, "Putting On and Taking Off a Mask".



OSHA-3198-2020

 **OSHA** Occupational Safety and Health Administration  
www.osha.gov


**1-800-321-OSHA (6742)**  
TTY 1-877-889-5627

## Ten Steps All Workplaces Can Take to Reduce Risk of Exposure to Coronavirus

All workplaces can take the following infection prevention measures to protect workers:

- 1** Encourage workers to stay home if sick.
- 2** Encourage respiratory etiquette, including covering coughs and sneezes.
- 3** Provide a place to wash hands or alcohol-based hand rubs containing at least 60% alcohol.
- 4** Limit worksite access to only essential workers, if possible.
- 5** Establish flexible worksites (e.g., telecommuting) and flexible work hours (e.g., staggered shifts), if feasible.
- 6** Discourage workers from using other workers' phones, desks, or other work tools and equipment.
- 7** Regularly clean and disinfect surfaces, equipment, and other elements of the work environment.
- 8** Use Environmental Protection Agency (EPA)-approved cleaning chemicals with label claims against the coronavirus.
- 9** Follow the manufacturer's instructions for use of all cleaning and disinfection products.
- 10** Encourage workers to report any safety and health concerns.

For more information, visit [www.osha.gov/coronavirus](http://www.osha.gov/coronavirus) or call 1-800-321-OSHA (6742).

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OSHA-3198-2020

## OSHA ALERT

### COVID-19 Guidance for Retail Pharmacies

OSHA is committed to protecting the health and safety of America's workers and workplaces during these unprecedented times. The agency will be issuing a series of industry-specific alerts designed to help employers keep workers safe.

In a retail pharmacy, the following tips can help reduce the risk of exposure to the coronavirus:

- Encourage workers who are sick to stay at home.
- Install clear plastic barriers between workers and customers at order/pickup counters.
- Use signage and floor markers to keep waiting customers at least six feet from the counter, other customers, and pharmacy staff.
- Encourage drive-through or curbside pickup and home delivery, where feasible.
- Encourage customers to submit prescriptions online or by phone. Allow customers to provide their insurance information verbally or virtually (e.g., through mobile apps or the pharmacy's website).
- Specify hours dedicated to vulnerable populations (the elderly, people with underlying health conditions, etc.).
- Increase the use of self-serve checkout to minimize worker interaction with customers.
- Limit the number of customers allowed inside the facility at any point.
- Frequently clean and disinfect checkout and customer service counters.
- Provide a place to wash hands and alcohol-based hand rubs containing at least 60 percent alcohol.
- Allow workers to wear cloth face coverings or surgical masks over their nose and mouth to prevent them from spreading the virus.
- Provide gloves and eye and face protection, as necessary, for workers in the pharmacy.
- Pharmacists providing clinical services to patients, such as immunizations, might need additional protections. Consult OSHA's healthcare worker and employer guidance.
- Encourage workers to report any safety and health concerns.

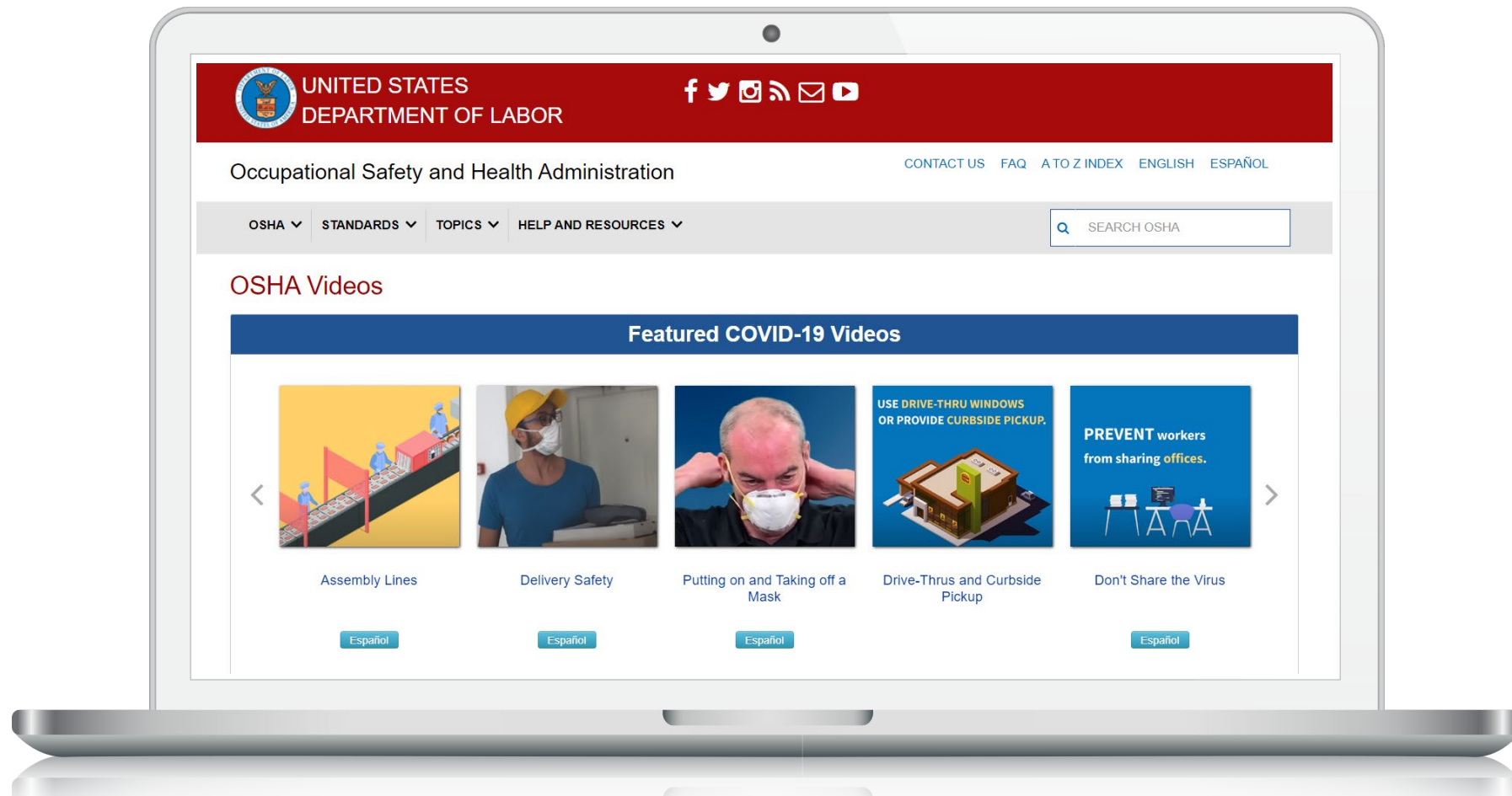
For more information, visit [www.osha.gov/coronavirus](http://www.osha.gov/coronavirus) or call 1-800-321-OSHA (6742).

OSHA issues alerts to draw attention to worker safety and health issues and solutions.

 **OSHA** Occupational Safety and Health Administration • [osha.gov/coronavirus](http://osha.gov/coronavirus) • 1-800-321-OSHA (6742) • @OSHA\_DOL

OSHA-4072-2020

# OSHA's COVID-19 Response



# Compliance Assistance by Industry

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# Resources for Agriculture

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OSHA and CDC:

- Agricultural workers and employers joint [interim guidance](#)



# Resources for Agriculture

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## WHD:

- Compliance Assistance [Agriculture Toolkit](#)
- Workers' Rights Card
- Employers' Pocket Guide
- Fact Sheet: [Overview of Youth Employment \(Child Labor\) Provisions of the Fair Labor Standards Act \(FLSA\) for Agricultural Occupations](#)



# Resources for Agriculture

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WHD (continued):

- [H-2A Worker Rights Card](#)
- Fact Sheet: [The Migrant and Seasonal Agricultural Worker Protection Act](#)



# Contact Us

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As we continue to review and innovate compliance assistance, we need to hear from you. Tell us what's working and where we can improve.

Email [compliance@dol.gov](mailto:compliance@dol.gov) to share your thoughts.