U.S. Department of Labor

PLAN FOR THE CONTINUATION OF LIMITED ACTIVITIES DURING A LAPSE IN APPROPRIATIONS

JANUARY 30, 2026

The Department of Labor (Department or DOL) is committed to fostering, promoting, and developing the welfare of the wage earners, job seekers, and retirees of the United States; improving working conditions; advancing opportunities for profitable employment; and assuring work-related benefits and rights. As required by section 124 of the Office of Management and Budget Circular A-11, this document (DOL Plan) outlines the Department's plan for operating in the event of a lapse in appropriations. The purpose of the DOL Plan is to ensure that DOL agencies can perform an orderly suspension of programs and operations should a lapse occur, while continuing those limited activities authorized to continue during a lapse.

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities*: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	12,916

Total number of employees to be retained under the plan by Category**

Category	Number of employees to be retained
Presidential appointee not subject to furlough:	17
Compensation is financed by a resource other than annual appropriations:	619
Necessary to perform activities expressly authorized by law:	0
Necessary to perform activities necessarily implied by law:	1,584
Necessary to the discharge of the President's constitutional duties and powers:	0
Necessary to protect life and property:	1,184

Brief summary of significant agency activities that will continue during a lapse:

The Department's primary activities during a lapse in appropriations generally will include work for agencies funded by resources other than the annual appropriations, including the United States Mexico-Canada Agreement (USMCA), and the American Rescue Plan Act (ARPA); the provision of benefits to workers under entitlement programs; the protection of life and property in cases of imminent threat; and activities authorized to continue by necessary implication to carry out those functions and other excepted activities consistent with OMB and Department of Justice guidelines. For example:

Agencies will monitor and respond to imminent threats to human life, child labor investigations, or process disaster Dislocated Worker grant applications. Statutory above ground/underground mine investigations will continue, as well as inspections of targeted mines and specific hazards, and workplace inspections in high-

hazard industries.

Relevant agencies will pursue and address legal cases or investigations in jeopardy of being lost due to statute of limitations or as otherwise ordered by the court.

DOL will continue to provide support for the payment of benefits for which funding has not lapsed, including Black Lung Benefits Act, Federal Employees' Compensation Act, Energy Employees Occupational Illness Compensation Program Act, Longshore and Harbor Workers' Compensation Act, War Hazards Compensation Act and Trade Adjustment Assistance (TAA) Program. DOL will also provide support to states and other Federal agencies for the administration and payment of unemployment insurance benefits.

Job Corps centers are operated under contracts that are funded by appropriations available on a program year (as opposed to fiscal year) basis. Accordingly, Job Corps centers housing students will remain in operation while funds remain available. In addition, federal oversight of those centers related to safety and property will continue. The Office of Foreign Labor Certification will process prevailing wage determinations and labor certification applications, and, on an intermittent basis, the Office of Administrative Law Judges will adjudicate denials of those determinations and applications.

Additional detail for each DOL component is contained in the attached plans.

Brief summary of significant agency activities that will cease during a lapse:

The following agencies will completely cease operations, other than orderly shutdown: Veterans Employment and Training Service, Office of Federal Contract Compliance Programs, Office of Disability Employment Policy, Women's Bureau, Office of Administrative Law Judges (except as noted in the plan), Administrative Review Board, Benefits Review Board, and Employees' Compensation Appeals Board. One or more furloughed employees of these agencies may be "excepted" on an intermittent basis as the needs arise during a lapse in appropriations, including to periodically monitor communications in order to address shutdown and resumption of operations matters and to liaise with Departmental senior management and agency staff on such matters.

Excepting those for which non-annual funds are available or that fall within an excepted activity, all worker protection agency investigations will cease unless they involve responding to or preventing fatalities, catastrophes, or imminent danger.

Unless excepted or exempt, agencies' technical assistance, compliance assistance, regulatory, policy, research, advisories, responding to inquiries, most oversight, hearing preparation, and cooperative activities will cease.

DOL will not process new TAA determinations.

Additional detail for each DOL component is contained in the attached plans.

Additional Information:

* For the Bureau of Labor Statistics, shutdown activities related to backing up of systems may take up to three days. Other employees may require more than .5 days depending on their location, activity, required travel, or other factors.

** The number of staff on-board during a lapse could fluctuate as result of unforeseen circumstances arising during a lapse, or the occurrence of an emergency.

The following table sets forth for each DOL component the total number of employees expected to be on board prior to implementation of the DOL Plan and the total number of employees to be retained during a lapse under each category listed above.

DOL Agency Name	"On Board" Prior to Lapse	Full- time During a Lapse	Not subject to furlough* (A)	Compensation is financed by a resource other than annual appropriations: (B)	Necessary to perform activities expressly authorized by law: (C)	Necessary to perform activities necessarily implied by law: (D)	Necessary to the discharge of the President's constitutional duties and powers: (E)	Necessary to protect life and property: (F)
Administrative Review Board	16	0	0	0	0	0	0	0
Benefits Review Board	43	1	0	0	0	1	0	0
Bureau of Labor Statistics	2,055	1	1	0	0	0	0	0
Employee Benefits Security Administration	668	164	1	117	0	0	0	46
Employee Compensation Appeals Board	23	0	0	0	0	0	0	0
Employment and Training Administration	980	231	1	0	0	230	0	0
International Labor Affairs Bureau	106	13	0	10	0	3	0	0
Mine Safety and Health Administration	1,590	879	1	0	0	204	0	674
Occupational Safety and Health Administration	1,664	460	1	0	0	179	0	280
Office of Administrative Law Judges	119	0	0	0	0	0	0	0
Office of Congressional and Intergovernmental Affairs	16	3	1	0	0	2	0	0
Office of Disability Employment Policy	51	1	1	0	0	0	0	0
Office of EEOICPA Ombudsman	6	6	0	6	0	0	0	0
Office of Federal Contract Compliance Programs	351	0	0	0	0	0	0	0
Office of Inspector General	294	159	1	0	0	24	0	134
Office of Labor-Management Standards	172	2	0	0	0	2	0	0
Office of Public Affairs	40	7	1	0	0	6	0	0
Office of the Assistant Secretary for Administration and Management	1,055	91	1	0	0	86	0	4
Office of the Assistant Secretary for Policy	52	1	1	0	0	0	0	0
Office of the Chief Financial Officer	82	10	1	0	0	9	0	0
Office of the Secretary	80	58	2	0	0	17	0	39
Office of the Solicitor	630	67	1	16	0	50	0	0
Office of Workers' Compensation Programs	1,340	1,182	0	415	0	767	0	0
Veterans' Employment and Training Administration	193	3	1	0	0	2	0	0
Wage and Hour Division	1,270	65	1	55	0	2	0	7
Women's Bureau	20	0	0	0	0	0	0	0
DOL Total	**12,916**	**3,404**	**17**	**619**	**0**	**1,584**	**0**	**1,184**

* The positions within "Not subject to furlough" include vacancies.

Administrative Review Board (ARB)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	16
Total number of agency employees full-time during a lapse:	0
Total number of agency employees expected to be furloughed under the plan	16

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
ARB will suspend all operations. On an intermittent basis, ARB will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D

Brief Summary of significant agency activities that will cease during a lapse:

Adjudication of appeals.

Brief Summary of any change in activities if lapse is prolonged:

There will be no change in activities if the lapse is prolonged.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

ARB Chair and Chief Judge

Benefits Review Board (BRB)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	43
Total number of agency employees full-time during a lapse:	1
Total number of agency employees expected to be furloughed under the plan	42

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	1
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
BRB will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D
Adjudicate or perform administrative or technical tasks in support of the processing of Motions for Stay of Payments made by an employer or carrier pursuant to the Longshore and Harbor Workers' Compensation Act.	D

Brief Summary of significant agency activities that will cease during a lapse:

Adjudication of appeals arising under the Black Lung Benefits Act and the Longshore and Harbor Workers' Compensation Act and its extensions; administrative service and support for the Boards (ARB, BRB, ECAB).

Brief Summary of any change in activities if lapse is prolonged:

There will be no change in activities if the lapse is prolonged.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Chair and Chief Judge

Bureau of Labor Statistics (BLS)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	2055
Total number of agency employees full-time during a lapse:	1
Total number of agency employees expected to be furloughed under the plan	2054

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0[1]
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The BLS Commissioner is Presidentially Appointed, Senate confirmed (PAS) and not subject to furlough.	A
BLS will intermittently except the minimum staff necessary to produce and release the September Consumer Price Index (CPI) if the Administration determines that failing to release the CPI will significantly interfere with the Social Security Administration's ability to meet statutory deadlines necessary to ensure the accurate	D

[1] Approximately 123 may be intermittently brough back from furlough to conduct certain excepted work related to the production and release of the September Consumer Price Index.

and timely payment of benefits.	
The BLS will suspend all other operations. On an intermittent basis, BLS will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D
Should the position of the Commissioner become vacant, another senior level employee will be excepted.	D
(INTERMITTENT) Implementation of shutdown and resumption activities; Answering exempt or excepted activity related Administration-Directed Questions	D
(INTERMITTENT) Implementation of shutdown and resumption activities; Administrative Functions	D
(INTERMITTENT) Orderly Shutdown and resumption of IT Systems; Network and Security monitoring; Patching of systems. As part of orderly shutdown activities, system backup activities will take up to three days to complete and will vary by program.	D

Brief Summary of significant agency activities that will cease during a lapse:

BLS will suspend most operations.

Economic data that are scheduled to be released during the lapse will not be released, with the exception of the September CPI.

All active data collection activities for BLS surveys will cease.

For a lapse that occurs in October, the BLS website updates will be limited to those required for releasing the CPI. For a lapse at any other time, the BLS website will not be updated with new content.

Brief Summary of any change in activities if lapse is prolonged:

The releases of economic data will likely be delayed if a lapse is prolonged. This webpage shows the planned BLS release schedule by month: https://www.bls.gov/schedule/news_release.

A reduction in quality of data collected might impact the quality of future estimates produced.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Acting BLS Commissioner

Employee Benefits Security Administration (EBSA)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	668
Total number of agency employees full-time during a lapse:	164
Total number of agency employees expected to be furloughed under the plan	504

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	117
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	46

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Employee Benefits Security is Presidentially-Appointed, Senate confirmed (PAS) and not subject to furlough.	A
EBSA will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or manage necessary and approved operations.	D

Activity	Category of Furlough Exemption (A through F, listed above)
Secretary's criminal authority under ERISA (e.g. grand jury related to fraud and mismanagement by health organizations threatening imminent lapses in health coverage) and to otherwise respond to situations which require immediate action (e.g. statute of limitations related to fraud and mismanagement by health organizations threatening imminent lapses in health coverage) under the statutory civil remedies provided to the Secretary to prevent an imminent threat to property as well as to address imminent threats to human life (e.g. when medical benefits are denied in life threatening situations or when retirement benefits are withheld preventing the purchase of life-sustaining necessities).	F
EBSA has supplemental appropriations granted by No Surprises Act – P.L. 116-260 (part of the Consolidated Appropriations Act (CAA)). The activities funded by these appropriations include: • Investigations conducted under the Surprise Billing Project. • Enforcement of Title I (No Surprises Act) and Title II (Transparency) of the CAA. • Surprise Billing inquiries assistance and other technical assistance as needed. • Implementation of enacted legislation through rulemaking and guidance to ensure compliance with new protections related to surprise medical bills, price transparency in health care. • Enforcement of enhanced requirements for group health plans related to compliance with the Mental Health Parity and Addiction Equity Act.	B

Brief Summary of significant agency activities that will cease during a lapse:

EBSA would cease all operations not detailed above unless funded via previous years appropriations. Among the specific activities that would cease are our regulatory and research activities, audits, compliance assistance, and IT support not dedicated to excepted activities.

Brief Summary of any change in activities if lapse is prolonged:

There will be no change in activities if the lapse is prolonged.

Absent any extension, the non-lapse funding will expire at the end of Fiscal Year 2025 and the *Non-lapse funding source* entries will be ceased.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Assistant Secretary, EBSA

Employees' Compensation Appeals Board (ECAB)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	23
Total number of agency employees full-time during a lapse:	0
Total number of agency employees expected to be furloughed under the plan	23

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
ECAB will suspend all operations. On an intermittent basis, ECAB will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D

Brief Summary of significant agency activities that will cease during a lapse:

Adjudication of appeals.

Brief Summary of any change in activities if lapse is prolonged:

There will be no change in activities if the lapse is prolonged.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Chief Judge and Chairman

Employment and Training Administration (ETA)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	980
Total number of agency employees full-time during a lapse:	231
Total number of agency employees expected to be furloughed under the plan	749

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	230
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Employment and Training is Presidentially Appointed, Senate confirmed (PAS) and not subject to furlough.	A
The Employment and Training Administration (ETA) will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D

Activity	**Category of Furlough Exemption** (A through F, listed above)
Because there is no lapse in the payment of Unemployment Insurance (UI) benefits to unemployed workers or in the payment of income support paid to dislocated workers receiving Trade Readjustment Allowances (TRA) and Reemployment Trade Adjustment Assistance (RTAA) benefits under the Trade Adjustment Assistance (TAA) program, it will be necessary to cover the following UI/TAA benefit payment. Unemployment Insurance and TRA, RTAA Benefits: Continuing Functions Not Funded with Expiring Annual Appropriations – ETA will continue to provide essential functions. These include direction to federal agencies on the administration of UI benefits for unemployed federal and military personnel (UCFE & UCX). ETA will also continue to process Disaster Unemployment Assistance provided by the Federal Emergency Management Agency for declared disasters. UI benefits will continue to be paid since funds are available as long as state UI agencies have sufficient administrative funding to operate and process claims. Funds for the administration activities of the emergency programs under the CARES Act, as amended, will continue to be provided since the Act authorized such funding "without fiscal year limitation." Additional administrative funding has not been appropriated and will not be available for state UI agencies. Similarly, TRA, and RTAA benefits under the TAA program will continue to be paid to those that are eligible since funds are available. Excepted personnel in the national and regional offices will oversee UI activities related to the fiscal and financial aspects of administering the UI program; interface with Treasury and the states should there be issues that surface with regard to states drawing down funds to pay benefits and/or repaying trust fund advances. Excepted personnel will also interface between the states and the Department of Homeland Security, Federal Emergency Management Agency, to facilitate funds flowing to states to pay disaster unemployment benefits; oversee the operations of the UCFE and UCX programs; provide information and guidance to federal agencies, furloughed federal workers, and states relating to UCFE and UCX.	D

Activity	**Category of Furlough Exemption** (A through F, listed above)
Provide support to states and Federal agencies for payment of UI benefits for Federal and military personnel (Unemployment Compensation for Federal Employees "UCFE" and Unemployment Compensation for Ex-servicemembers "UCX").	D
Provide support for payments of UI, TRA, and RTAA benefits.	D
Provide support to states for payment of Extended Benefits (EB) if a state has triggered EB on prior to the lapse in appropriations.	D
Provide support for the payment of Disaster Unemployment Assistance.	D
Provide support to states in operating the UI benefit programs under the Coronavirus Aid, Relief, and Economic Security (CARES) Act as amended.	D
Ensure UI money transfers to states and among the various trust fund accounts are managed.	D
Support UI information technology functions in collaboration with the Office of the Chief Information Officer.	D
American Rescue Plan Act – Section 9032 of the American Rescue Plan Act provides funding to the Secretary of Labor "to remain available until expended" to detect and prevent fraud, promote equitable access, and ensure the timely payment of benefits with respect to the unemployment compensation programs. ETA will continue supporting the ARPA-funded UI modernization activities. ARPA-funded staff will continue to conduct ARPA-related work.	B
American Rescue Plan Act – Support ARPA grants to state unemployment insurance agencies.	B
American Rescue Plan Act – Support unemployment insurance information technology modernization activities.	B

Activity	Category of Furlough Exemption (A through F, listed above)
The operations of all Job Corps centers are maintained by contracts or an Interagency Agreement that utilize Program Year (PY) funds. For that reason, and in order to protect the lives and safety of students and facilities, Job Corps will maintain operations of all centers housing students. This will require a number of excepted employees during the shutdown. **Job Corps: Necessary to Prevent Significant Harm to Funded Programs** – ETA administers the Job Corps program, a network of 123 Centers nationwide. The funding for all Job Corps center operations is through the Program Year (PY) appropriation. The current PY runs from July 1 through June 30. At any point in time, about 30,000 Job Corps students reside at these centers operated by Job Corps contractors, attending academic and occupational training and centers operated by the U.S. Forest Service under an agreement between the Departments of Labor and Agriculture. ETA retains responsibility for the life and safety of the students, and for the protection of center property. Excepted personnel in the national and regional offices will provide minimum acceptable oversight of the centers, perform financial procurement, and related administrative functions to ensure the centers protect student life and safety as well as protection of facility property; continue processing and onboarding student applicants; and monitor electronic systems to prevent failure or malfunction and ensure system availability.	D
Daily checks of the Dislocated Worker Electronic System and grants.gov will be made to verify if a disaster application has been submitted. **Dislocated Worker Grants: Protecting Life and Property** – A small group of national and regional office personnel will assist states in completing DWG applications to address declared disasters under the Stafford Act. These activities are critical to help states and localities address unexpected labor market dislocations caused by natural or man-made disasters. Electronic systems will be maintained and awards may be processed including for Job Corps, Dislocated Worker Grants (DWG) for declared disasters, advance Workforce Innovation and Opportunity Act (WIOA) funding, UI funding, or other similar activities. Personnel may be called to work upon request – for example, in the case of a FEMA-declared disaster to help process a	D

DWG application, WIOA funding, or UI funding.	
Financial and Technology Support – A small number of ETA personnel who perform a range of procurement, grant, and financial functions such as authorizing and obligating necessary federal funds, processing shopping carts, and overseeing drawdowns will be retained on a full and intermittent basis. In addition, ETA will provide adequate support for its electronic systems to assure their protection from physical harm or cyber-attack. Support for ETA's user applications will be limited to only those systems that are determined to be necessary to support authorized "excepted" activities of Federal staff, and the basics needed for the grantees to continue activities which are not funded with expiring appropriation, including WIOA and competitive grantees in addition to the activities named, such as financial reporting, performance reporting, and case management systems used by grantees to implement their grants.	D
Foreign Labor Certification – OFLC will process prevailing wage determinations and labor certification applications. Office of Immigration Policy staff may also be recalled on an intermittent basis to support excepted or exempt immigration-related activities. The work performed by these offices precedes the visa admission and issuance work performed by the Department of Homeland Security (DHS) and the Department of State (State), respectively, as required by the Immigration and Nationality Act and DHS regulations. The work OFLC is required to support these exempt activities at DHS and State, which remain funded by fee revenues authorized by Congress and paid by employers.	D

Brief Summary of significant agency activities that will cease during a lapse:

ETA staff will not answer grantee inquiries.
No program performance or financial reports will be reviewed from grantees.
No registered apprenticeship standards will be processed by federal staff.
No audit related requests and responses will be fulfilled.

Brief Summary of any change in activities if lapse is prolonged:

If a lapse is prolonged, ETA may have to bring additional staff onboard to support permitted activities and provide added supervision to employees who are working under non-lapsed funding.

Job Corps Center contracts are funded, but if a lapse is prolonged, ETA may be required to provide additional funding to maintain Job Corps Center contracts to ensure the safety of students and the Centers.

A prolonged lapse of funding will exacerbate processing delays for the Office of Foreign Labor Certification activities especially temporary labor certification requests under the H2A and H2B

Visa programs. ETA may be required to recall staff to perform excepted activities in support of funded activities at other agencies.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Assistant Secretary, ETA

International Labor Affairs Bureau (ILAB)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	106
Total number of agency employees full-time during a lapse:	13
Total number of agency employees expected to be furloughed under the plan	93

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	10
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	3
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
Activities related to the implementation of the U.S.-Mexico-Canada Agreement (USMCA) would continue as they are funded under a supplemental appropriation.	B

Activity	Category of Furlough Exemption (A through F, listed above)
Support the President's Constitutional duties, such as receiving ambassadors and other public ministers and conducting foreign relations related to national security or other matters of particular urgency. Attend or support senior leadership in any international meetings and/or negotiations where the U.S. Department of Labor (DOL)/ILAB is directed to serve as the sole or lead U.S. Government representative on labor and employment issues at the meeting, when in support of the President's participation or following clear notice that the matter relates to the President's exercise of the constitutional duties specified above. Support the President's travel and/or initiatives.	D
ILAB will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D

Brief Summary of significant agency activities that will cease during a lapse:

Monitoring and enforcing labor-related trade commitments.

Planning, administering, and overseeing technical assistance and cooperative activities.

Conducting and disseminating research on international labor, trade, and/or economic issues, including child labor and forced labor.

Brief Summary of any change in activities if lapse is prolonged:

There will be no change in activities if the lapse is prolonged.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Deputy Undersecretary, ILAB

Mine Safety and Health Administration (MSHA)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	1590
Total number of agency employees full-time during a lapse:	879
Total number of agency employees expected to be furloughed under the plan	711

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	204
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	674

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Mine Safety and Health is Presidentially- Appointed, Senate confirmed (PAS) and not subject to furlough.	A

Activity	Category of Furlough Exemption (A through F, listed above)
1. **Enforcement (ENF Coal and MNM)**: Inspections; Mine Plan Approvals for active, operating mines - Section 103(a) of the Mine Act, Congress provided that MSHA "shall make inspections of each underground coal or other mine in its entirety at least four times a year, and of each surface coal or other mine in its entirety at least two times per year." MSHA will continue to conduct all statutorily mandated inspections and investigations.	F
2. **Technical Support (TS) Inspections**: Investigations of targeted mines, specific hazards, accidents and miners' safety complaints will be performed. Select sample analysis, such as dust and air samples, will continue since they represent potentially serious and imminent safety problems.	F
3. **MSHA Office of Assistant Secretary (OAS), ENF Coal and MNM, EPD, TS, A&M, Program Evaluation and Information Resources (PEIR)**: Executive/Managers/Supervisors/Staff Support in support of Activity 1 and Activity 2.	D
4. **ENF Coal and MNM, TS, A&M, PEIR**: Mine Emergency Support	F
5. **EPD, TS**: Building Security Services and Maintenance Services necessary for the protection of life or federal property	F
6. MSHA will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D

Brief Summary of significant agency activities that will cease during a lapse:

1. Compliance Assistance through the Office of Educational Field and Small Mine Services
2. Employee Miner training activities
3. MSHA's Part 100 conferences
4. Health and Safety Training and education programs
5. Collection of civil monetary penalties for violations of the Mine Act
6. Approval and Certification of underground mine equipment
7. Contracts will be issued a "stop work order" except those necessary for the safety of life or the protection of property
8. Administration of the State Grants Program
9. MSHA administrative and management services will generally cease, except those necessary for the safety of life and/or protection of federal property, or those required to support other excepted activities.

Brief Summary of any change in activities if lapse is prolonged:

There will be no change in activities if the lapse is prolonged.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Assistant Secretary, MSHA

Occupational Safety and Health Administration (OSHA)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	1664
Total number of agency employees full-time during a lapse:	460
Total number of agency employees expected to be furloughed under the plan	1204

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	179
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	280

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Occupational Safety and Health is Presidentially-Appointed, Senate confirmed (PAS) and not subject to furlough.	A
OSHA is authorized to continue functions in advance of appropriations on matters “of emergencies involving the safety of human life or protection of property.” Therefore, OSHA employees should be excepted from the suspension requirements in order to carry out emergency enforcement activity in the following areas:	

Activity	Category of Furlough Exemption (A through F, listed above)
1) Inspection of imminent danger situations under Section 13 of the Occupational Safety and Health Act	F
2) Investigation of workplace fatalities and catastrophes	F
3) Investigation of safety and health complaints or other information, including Serious Injury Reporting, received from police, fire departments or other first responders, media sources, or employers establishing that employees are potentially exposed to hazardous conditions that present a high risk of death or serious physical harm with the potential to cause death	F
4) Review whistleblower complaints received during a shutdown in order to identify, and promptly refer to the appropriate agency or agencies, any complaint that identifies a workplace or public safety and/or health condition that poses, or if not referred or acted upon, is reasonably likely to pose, an imminent threat to the safety of human life or the protection of property, thus requiring an immediate response. These referrals should be made to either OSHA's safety or health enforcement team or to any of the partner agencies that have the authority to investigate the actual safety and/or health concern (e.g., FRA, FMCSA, FTA, FAA, EPA, DOE, NRC, etc.)	D
5) Follow-up inspections of establishments with high gravity serious violations and no abatement	F
6) Enforcement activities on open cases needed to meet agency six-month statutory deadlines where those cases establish employees are potentially exposed to hazardous conditions that present a high risk of death or serious physical harm with the potential to cause death	D
7) Orderly shutdown activities	D
8) A minimum number of OSHA employees may be necessary to provide support for emergency operations as noted above. In this manner, OSHA can maintain a force permitting it to respond to emergency situations and to continue with the enforcement activity essential to protect workers' lives from the most severe occupational hazards.	D

Brief Summary of significant agency activities that will cease during a lapse:

OSHA will be unable to engage in enforcement activities other than the activity described above. For example, the agency will not be able to carry out any programmed inspections. Additionally, OSHA will suspend all activities in the following areas:

1) Compliance assistance
2) Outreach programs

3) Training classes
4) Technical assistance
5) Rulemaking, including deregulation efforts
6) Whistleblower protection activities not described above
7) Financial and other administrative efforts

Brief Summary of any change in activities if lapse is prolonged:

The absence of IT operations and maintenance activity on the agency's injury tracking application in a prolonged lapse would imperil the schedule of collecting data.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Assistant Secretary, OSHA

Office of Administrative Law Judges (OALJ)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	119
Total number of agency employees full-time during a lapse:	0
Total number of agency employees expected to be furloughed under the plan	119

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
On an intermittent basis, the Office of Administrative Law Judges will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D
On an intermittent basis, the Office of Administrative Law Judges activities will cancel previously scheduled hearings.	D

Activity	Category of Furlough Exemption (A through F, listed above)
On an intermittent basis, the Office of Administrative Law Judges will receive filings by mail, whether digital or normal delivery.	D
On an intermittent basis, the Office of Administrative Law Judges requires access to its Case Tracking System (CTS) and Electronic Filing System (EFS).	D
On an intermittent basis, Administrative Law Judges will cancel or reschedule hearings and request the case file information needed to cancel these hearings.	D
On an intermittent basis, contact the parties involved in canceled hearings.	D
On an intermittent basis, liaise with OCIO.	D
On an intermittent basis, check emails and security accessibility in CTS and EFS systems.	D
On an intermittent basis, manage all case files requiring changes due to canceled hearings.	D
On an intermittent basis, handle administrative functions and emergency matters.	D
On an intermittent basis, manage emergency mail correspondence (motions or petitions).	D
On an intermittent basis, submission of time and attendance.	D
On an intermittent basis, manage emergency phone calls.	D
The Office of Administrative Law Judges will adjudicate appeals of denials of labor certification applications and prevailing wage determinations.	D

Brief Summary of significant agency activities that will cease during a lapse:

Other than adjudicating appeals from certain cases from OFLC, all agency adjudicatory activities and support activities will cease.

Brief Summary of any change in activities if lapse is prolonged:

Other than adjudicating appeals from certain cases from OFLC, there will be no change in activities if the lapse is prolonged.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Chief Administrative Law Judge

Office of Congressional and Intergovernmental Affairs (OCIA)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	16
Total number of agency employees full-time during a lapse:	3
Total number of agency employees expected to be furloughed under the plan	13

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	2
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
To provide congressional, intergovernmental, and oversight activity support to the Secretary, OCIA's functions are critical in serving the Secretary who, in turn, is advising the President during the appropriation of funding deliberation with Congress. OCIA also serves as the Secretary's liaison with Members of Congress, White House staff, officials at the Office of Management and Budget, House and Senate leadership, and Committees of jurisdiction, as well as other Federal, State and local government agencies.	D

The OCIA will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D
The Assistant Secretary for Congressional and Intergovernmental Affairs is Presidentially-Appointed, Senate confirmed (PAS) and not subject to furlough.	A

Brief Summary of significant agency activities that will cease during a lapse:

Trade Adjustment Assistance determination notifications

Congressional Notifications Congressional Correspondence

Intergovernmental Engagement & Correspondence

Tribal Engagement & Correspondence

Brief Summary of any change in activities if lapse is prolonged:

There will be no change in activities if the lapse is prolonged.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Deputy Assistant Secretary for Congressional and Intergovernmental Affairs

Office of Disability Employment Policy (ODEP)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	51
Total number of agency employees full-time during a lapse:	1
Total number of agency employees expected to be furloughed under the plan	50

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Disability Employment Policy is Presidentially-Appointed, Senate confirmed (PAS) and not subject to furlough.	A
ODEP will suspend all operations. On an intermittent basis, ODEP will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	A

Should the position of the Assistant Secretary become vacant, another senior level employee will be excepted on an intermittent basis for the purposes of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D

Brief Summary of significant agency activities that will cease during a lapse:

ODEP's mission is to develop and influence policies and practices to increase employment opportunities for people with disabilities.

ODEP conducts research and evaluation, provides expertise and leadership, and partners within the Department of Labor (DOL), across federal agencies, and with employers and key stakeholders to develop and advance effective policies and practices, to promote disability awareness, overcome barriers in employment, and expand jobs and apprenticeships for people with disabilities.

ODEP will completely cease operations, other than orderly shutdown activities, in the event of a lapse.

Brief Summary of any change in activities if lapse is prolonged:

There will be no change in activities if the lapse is prolonged.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Assistant Secretary, ODEP

Office of the EEOICPA Ombudsman

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	6
Total number of agency employees full-time during a lapse:	6
Total number of agency employees expected to be furloughed under the plan	0

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	6
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Office of the Ombudsman will continue to provide information on the benefits available under Parts B and E of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) and on the requirements and procedures applicable to the provision of such benefits. The Office will also continue to receive complaints, grievances, and requests for assistance from claimants and potential claimants.	B

Brief Summary of significant agency activities that will cease during a lapse:

The Office of Ombudsman would not travel to attend outreach efforts during a lapse.

Brief Summary of any change in activities if lapse is prolonged:

There will be no change in activities if the lapse is prolonged.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Acting Ombudsman

Office of Federal Contract Compliance Programs (OFCCP)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	351
Total number of agency employees full-time during a lapse:	0
Total number of agency employees expected to be furloughed under the plan	351

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Office of Federal Contract Compliance Programs (OFCCP) will suspend all operations. On an intermittent basis, OFCCP will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D

Brief Summary of significant agency activities that will cease during a lapse:

The OFCCP will suspend all operations, including conducting complaint investigations and outreach to external stakeholders.

Brief Summary of any change in activities if lapse is prolonged:

There will be no change in activities if the lapse is prolonged.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Director, OFCCP

Office of the Inspector General (OIG)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	294
Total number of agency employees full-time during a lapse:	159
Total number of agency employees expected to be furloughed under the plan	135

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	24
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	134

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Inspector General is Presidentially-Appointed, Senate confirmed (PAS) and not subject to furlough.	A

Activity	Category of Furlough Exemption (A through F, listed above)
Law Enforcement Activities - The OIG conducts criminal investigations relating to alleged violations of Federal laws, rules or regulations related to DOL programs and operations, as well as investigations of allegations of misconduct on the part of DOL employees. The OIG also conducts criminal investigations to combat the influence of labor racketeering and organized crime in the nation's labor unions in the areas of employee benefit plans, labor-management relations, and internal union affairs. The OIG has excepted all GS- 1811 criminal investigators.	F
Activities to Support Law Enforcement Efforts - Management, operational and legal activities necessary to support excepted law enforcement activities.	D
Shut Down Activities - The OIG will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D

Brief Summary of significant agency activities that will cease during a lapse:

Audits and Evaluations - The OIG conducts oversight of DOL program and operations. The audits and evaluations associated with the OIG's oversight will not occur during a lapse in funding.

Brief Summary of any change in activities if lapse is prolonged:

Intermittent employees may need to become full-time employees to ensure IT functions continue to operate at peak efficiency to support law enforcement activities.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Office of Congressional and Public Relations

Office of Labor-Management Standards (OLMS)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	172
Total number of agency employees full-time during a lapse:	2
Total number of agency employees expected to be furloughed under the plan	170

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	2
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The OLMS will suspend all operations. On an intermittent basis, OLMS will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D
On an intermittent basis, investigators subpoenaed to testify before a federal or state court will continue to prepare and present testimony and travel to and from the court.	D

Activity	Category of Furlough Exemption (A through F, listed above)
On an intermittent basis, investigators conducting criminal investigations in jeopardy of being lost due to the statute of limitations will continue to work on those investigations.	D
On an intermittent basis, investigators performing election investigations required to be conducted within 60 days (absent a mutual agreement between the labor union and OLMS to extend the deadline) will continue to conduct those investigations.	D
On an intermittent basis, investigators would continue performing activities associated with a supervised election where postponement of the election would cause a violation of the statutory requirement with respect to the maximum time period for holding union officer elections or would result in a failure to meet a court-ordered deadline, absent an extension. Additionally, OLMS would continue coordination and management of the afore described activities as they are or become necessary.	D

Brief Summary of significant agency activities that will cease during a lapse:

Criminal and civil investigations that do not have statutory or court-imposed deadlines.
Public disclosure operations processing FOIA and Privacy Act requests.
Electronic filing support.
Receiving hard copy filings.
Compliance assistance activities.
Development of regulations.
Updating the OLMS website.
Providing technical assistance to filers.
Reviewing federal transit grants, and all other activities not specifically described above.

Brief Summary of any change in activities if lapse is prolonged:

There will be no change in activities if the lapse is prolonged.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Director, OLMS

Office of Public Affairs (OPA)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	40
Total number of agency employees full-time during a lapse:	7
Total number of agency employees expected to be furloughed under the plan	33

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	6
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Public Affairs is Presidentially-Appointed (PA) and not subject to furlough.	A
OPA will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D

Activity	Category of Furlough Exemption (A through F, listed above)
Dissemination of public information that can be expected (1) to expeditiously inform employers/workers of a potentially life-threatening or maiming workplace hazard or risk to property or (2) to have the effect of deterring violations and enhancing compliance, during the period of a lapse in appropriations.	D
Dissemination of public information, web/social media, and press support activities for the Secretary and for the Department with respect to the actual suspension of Departmental activities and its policy context.	D

Brief Summary of significant agency activities that will cease during a lapse:

During a lapse, the following OPA activities will cease, including: regular clearance of DOL news releases; processing of FOIA requests and DOL correspondence; and updating of agency content via social media channels, the dol.gov website, and DOL-NCC contact center service.

Brief Summary of any change in activities if lapse is prolonged:

There will be no change in activities if the lapse is prolonged.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Deputy Assistant Secretary, Office of Public Affairs

Office of the Assistant Secretary for Administration and Management (OASAM)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	1055
Total number of agency employees full-time during a lapse:	91
Total number of agency employees expected to be furloughed under the plan	964

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	86
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	4

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary Administration and Management is Presidentially- Appointed (PA) and not subject to furlough.	A

Activity	Category of Furlough Exemption (A through F, listed above)
Shutdown Activities: OASAM will have key staff available in the National Office and regions to assist in supporting Departmental-wide shutdown activities. This includes the implementation of orderly shutdown and the resumption of operations, as well as internal and external coordination among exempt and excepted staff.	D
Human Resources (HR): By maintaining a small staff of Office of Human Resource (OHR) managers and OHR specialists, OASAM will provide basic HR services to support excepted or exempt DOL personnel. OASAM requires additional HR staff to process payroll. In addition, minimal staff will be available on an as-needed basis to address and resolve any issues that may prevent payroll from properly running. This also includes labor-management relations services and HR systems services for excepted or exempt activities.	D
Information Technology (IT): OASAM has identified a minimal IT staff in the Office of the Chief Information Officer (OCIO) who will ensure DOL's technology services, applications, website management, and IT security responsibilities continue without disruption to support excepted and exempt staff from other DOL agencies. The services provided include e-mail, network, mobile devices, unified communications, help desks, and IT systems (financial, procurement, excepted activities).	D
Facilities Management (including minimal mail services): In order to ensure the Department's Frances Perkins Building is operational for excepted or exempt DOL personnel, three facilities operations specialists and one building management specialist will alternate shifts to monitor building operations, including heat, air conditioning, electricity, and sanitation services provided by contract staff. Additionally, one mail clerk will provide limited mail collection and delivery during a shutdown. One employee from each of OASAM's regional offices will coordinate these functions in the field. This will involve coordinating with GSA or the building manager to ensure operations of excepted and exempt staff from other agencies is unimpeded.	D

Activity	Category of Furlough Exemption (A through F, listed above)
Procurement / Finance (Field): In addition to the Senior Procurement Executive, two Contracting Officers will be designated as excepted in order to provide contracting/procurement services as necessary in support of excepted and exempt staff. If, for example, an agency needs to modify a contract during the shutdown because of excepted activities, the Contracting Officer will execute the required modification. In the field, a Finance Manager will continue providing invoicing services in support of excepted employees.	D
Security & Emergency Management: Even in the event of a shutdown, maintaining the safety and security of the Department's excepted and exempt personnel, as well as securing the Department's property, will be a high priority. Three federal employees will supervise a skeletal staff of contract security guards, three shifts per day – who will provide basic coverage in the Frances Perkins Building and South Garage for parking and adequate coverage at the main employee entrance and oversee emergency response activities in the National Office.	F
Appropriations Guidance: Departmental Budget Center will provide expertise for all budget matters for the Department, including monitoring and providing guidance on the appropriate use of funds during the shutdown and exempt/excepted work during the shutdown. They will ensure senior exempt and excepted staff are kept apprised of budget developments. Additional employees may be recalled as needed should appropriations and apportionment issues arise. Staff will continue planning and preparation of the Fiscal Year 2027 Budget.	D
OASAM will also have staff on an Excepted Intermittent basis to support work across DOL that continues with multiyear non-lapsed funding. Some of these staff may not work on a full-time basis, and support to agencies may be covered by multiple people as the need arises.	D

Brief Summary of significant agency activities that will cease during a lapse:

Beyond the minimal administrative support in support of the Department's shutdown activities and its excepted/exempted activities, OASAM's services will cease, including procurement services, staffing and recruitments services, and other administrative support services.

Brief Summary of any change in activities if lapse is prolonged:

There will be no change in activities if the lapse is prolonged.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Assistant Secretary for Administration and Management

Office of the Assistant Secretary for Policy (OASP)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	52
Total number of agency employees full-time during a lapse:	1
Total number of agency employees expected to be furloughed under the plan	51

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Policy is Presidentially-Appointed, Senate confirmed (PAS) and not subject to furlough.	A

Activity	Category of Furlough Exemption (A through F, listed above)
OASP will suspend all other operations. On an intermittent basis, OASP will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations. Should the position of the Assistant Secretary for Policy become vacant, another senior level employee will be excepted on an intermittent basis for the purpose of overseeing the agency's shutdown and other activities listed above.	D

Brief Summary of significant agency activities that will cease during a lapse:

OASP will suspend all operations and furlough all agency personnel when there is a lapse in government appropriations.

Significant OASP activities that will cease include the following: leading high priority regulatory initiatives through the Department and OMB; facilitating the execution of the Department's regulatory agenda; coordinating policy development and economic analyses; supporting DOL's work with research, evaluation and analysis activities; developing the Department's Annual Evaluation Plan; improving Department data capacity by assisting in the development of new infrastructure for agencies and the public.

Brief Summary of any change in activities if lapse is prolonged:

There will be no change in activities if the lapse is prolonged.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Assistant Secretary, ASP

Office of the Chief Financial Officer (OCFO)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	82
Total number of agency employees full-time during a lapse:	10
Total number of agency employees expected to be furloughed under the plan	72

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	9
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Chief Financial Officer is Presidentially Appointed, Senate confirmed (PAS) and not subject to furlough.	A
OCFO will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D
Identify and manage funding for excepted activities.	D
Provide budget execution support for excepted activities.	D
Provide oversight for excepted activities.	D

Activity	Category of Furlough Exemption (A through F, listed above)
Provide support for grants and contracts systems for excepted activities and serve as the Senior Contracting Officer's Representative (COR) managing contractual activities that are deemed excepted.	D
Oversee systems security.	D
Provide travel support to excepted staff throughout the Department.	D
Process daily investments for the Energy, Long Shore, and District of Columbia Compensation Act (DCCA) Programs under OWCP.	D

Brief Summary of significant agency activities that will cease during a lapse:

Preparing and publishing the Agency's Financial Report (AFR) which presents the Department's financial statements, complying with necessary accounting standards and law.

Leading DOL's Enterprise Risk Management (ERM) Initiative providing senior leaders with an integrated, enterprise-wide view of risk, risk tolerances, and risk mitigation efforts to increase transparency and collaboration, reduce costs, and to more effectively manage risks to the DOL mission.

Providing accounting and invoice services to all Departmental Management (DM) agencies and other DOL component agencies.

Managing DOL-wide accounting operations, including maintenance and integrity of the Department's general ledger, cash and payroll reconciliation, and administration of the Department's Intra-Governmental Payment and Collection (IPAC) System, and canceled check programs.

Treasury/OMB required reporting would cease for the Governmentwide Treasury Account Symbol (GTAS), preparation of DOL's quarterly and annual financial statements, and DATA Act.

Delay to Treasury mandated G-Invoicing initiative implementation.

Payment of invoices for commercial vendors.

Brief Summary of any change in activities if lapse is prolonged:

Payment of invoices for commercial vendors would have to resume to avoid large amounts of interest penalties that would be paid from agencies' appropriations in compliance.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Chief Financial Officer

Office of the Secretary (OSEC)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	80
Total number of agency employees full-time during a lapse:	58
Total number of agency employees expected to be furloughed under the plan	22

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	2
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	17
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	39

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Secretary of Labor and Deputy Secretary of Labor are Presidentially-Appointed, Senate confirmed (PAS) members of the President's cabinet and perform statutory duties and fundamental responsibilities for, and on behalf of, the President.	A

Activity	Category of Furlough Exemption (A through F, listed above)
During a lapse in appropriations, the Secretary remains responsible for carrying out duties to and for the President and prescribed by law, including all activities related to the Department's "exempt" and "excepted" functions. Within the boundaries of applicable law, it is imperative that the Secretary have a minimal core of staff to support the Secretary and the Department in the performance of activities designated as "exempt" or "excepted," as described in this plan to include emergency circumstances.	D, F
The Deputy Secretary occupies a PAS position. During a lapse in appropriations, excepted staff in the Office of the Deputy Secretary will limit their activities to those that support Departmental excepted activities, activities arising from the fact that the funding lapse has occurred, and executive branch efforts to resolve the impasse with Congress.	D
The Office of the Executive Secretariat is charged with managing and implementing the Secretary's internal communications process. During a lapse in appropriations, this office, to the extent necessary to support departmental exempt and excepted activities, will (1) perform triage of correspondence and other communication for the appropriate Secretarial, PAS and staff attention, and (2) assume quality control and correspondence management for all written communications relating to the authorized functioning of the Department.	D

Brief Summary of significant agency activities that will cease during a lapse:

During a lapse in appropriations, procurement and correspondence would be suspended.

Brief Summary of any change in activities if lapse is prolonged:

Additional staffing would be required on an intermittent basis should the lapse exceed five days or the volume of duties with respect to the lapse of appropriations warrant additional staffing. This would include the occurrence of a serious emergency or major initiative, e.g., legislative, legal, or programmatic subsequently authorized as an excepted activity.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Chief of Staff

Office of the Solicitor (SOL)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	630
Total number of agency employees full-time during a lapse:	67
Total number of agency employees expected to be furloughed under the plan	563

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	16
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	50
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
All: SOL staff will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations [Antideficiency Act].	D
All: SOL will need sufficient exempt and excepted staff available to provide core legal services necessary to support exempt or excepted activities of the Secretary and client agencies that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds.	D

Activity	**Category of Furlough Exemption** (A through F, listed above)
All: SOL will need sufficient exempt and excepted staff available to provide legal services involving the safety of human life or the protection of property necessary during the period of a lapse in appropriation.	F
All: SOL will need sufficient exempt and excepted staff available to respond to agency requests for legal assistance relating to shutdown issues during the pendency of shutdown itself. This includes an additional request for excepted functions or personnel for which SOL must be able to provide expedited approval for the Department to continue operations within the law.	D
Front Office: The Solicitor is a Presidentially Appointed and Senate Confirmed or PAS position and is exempt. Total: 1 exempt staff.	A
Front Office: Six (6) staff: The Deputy Solicitor, Deputy Solicitor for National Operations, Deputy Solicitor for Regional Enforcement, other attorneys, and administrative support staff, all performing administrative, support, and core legal services necessary to support exempt or excepted activities of the Secretary and client agencies that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds. In addition, staff may be required to provide legal services involving the safety of human life or the protection of property necessary during the period of a lapse in appropriation. Total: 6 excepted staff.	D
Federal Employees' and Energy Workers' Compensation Division: One (1) attorney (Associate Solicitor) on an excepted function basis to lead and provide core legal services necessary to support OWCP's exempt or excepted activities that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds. Total: 1 excepted staff.	D
Federal Employees' and Energy Workers' Compensation Division: All staff of the FECA Subrogation Unit directly funded by the Employees' Compensation Fund on an exempted function basis (including supervisor, attorneys, paralegals, legal assistants, and any administrative, support, and/or student interns), as funding for this function will continue; and staff of the Energy Unit directly funded by Energy Part E, which is a permanent indefinite appropriation. Total: 20 excepted (non-lapse funding) staff members, consisting of 6 attorneys and 14 paralegal and support staff.	B

Activity	**Category of Furlough Exemption** (A through F, listed above)
Mine Safety and Health Division: Three (3) attorneys (Acting Associate Solicitor, one Counsel, and one Senior Attorney) on an excepted basis to support MSHA continuing functions, including leading attorneys to lead and provide core legal services necessary to support MSHA's exempt or excepted activities that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds. Total: 3 excepted staff.	D
Occupational Safety and Health Division: One (1) attorney (Associate Solicitor) to support OSHA's continuing functions to lead and provide core legal services necessary to support OSHA's exempt or excepted activities that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds. Total: 1 excepted staff.	D
Employment and Training Legal Services Division: One (1) attorney (Associate Solicitor) on an excepted function basis to support continuing functions, exempt or excepted, of all the division's client agencies (ETA, VETS, and ILAB), and to recall other staff as needed from the excepted intermittent list. In addition, staff may be required to provide legal services involving the safety of human life or the protection of property necessary during the period of a lapse in appropriation. Total: 1 excepted staff.	D
Plan Benefits Security Division: One (1) attorney (Associate Solicitor) on an excepted function basis to support continuing exempt or excepted functions of EBSA, including those funded under the No Surprises Act/Transparency (NSAT) multiyear appropriation, and to recall other staff as needed from the excepted intermittent list. Other staff, including those paid by continuing NSAT funds, will be recalled as needed from the excepted intermittent list. Total: 1 excepted staff.	D
Fair Labor Standards Division: One (1) attorney (Associate Solicitor) on an excepted function basis to support continuing exempt or excepted functions of WHD, and to recall other staff as needed from the excepted intermittent list. Other staff will be recalled as needed from the excepted intermittent list. Total: 1 excepted staff.	D

Activity	Category of Furlough Exemption (A through F, listed above)
Management and Administrative Legal Services Division: Seven (7) staff total to provide legal support for all of the Department's continuing exempt, excepted, and lapse-related activities, and to support SOL's continuing exempt or excepted activities. In addition, staff may be required to provide legal services involving the safety of human life or the protection of property necessary during the period of a lapse in appropriation. The total number of seven includes one Associate Solicitor/Administrative Officer, two appropriations law attorneys, two employment law/labor relations attorneys, one contracts/procurement attorney, and one legal technology/litigation support services staff. Total: 7 excepted staff.	D
Office of Legal Counsel: One (1) excepted attorney (Associate Solicitor) to provide core legal services necessary to support exempt or excepted activities of the Secretary and client agencies that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds. Total: 1 excepted staff.	D
Black Lung and Longshore Legal Services: One (1) attorney (Associate Solicitor) to provide core legal services necessary to support OWCP's exempt or excepted activities that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds. Total: 1 excepted staff	D
Civil Rights and Labor Management: One (1) excepted attorney to provide core legal services necessary to support exempt or excepted activities of the Secretary and client agencies (OASAM CRC, ODEP, and OFCCP) that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds. Total: 1 excepted staff.	D
Generally, each Region will have as full-time excepted staff up to three (3) attorneys for each Region, one (1) additional attorney for each Sub- regional Office in that Region, and one (1) administrative support staff person for each Region, to provide core legal services necessary to support exempt or excepted regional activities of the Secretary and client agencies that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds. In addition, staff may be required to provide legal services involving the safety of human life or the protection of property necessary during the period of a lapse in appropriation. Attorneys and support staff may be located in any of a Region's offices. Additional staff, including some paid by any continuing NSAT funds, will be recalled as needed from the excepted intermittent list. Total: 33 excepted staff.	D

Activity	Category of Furlough Exemption (A through F, listed above)
Of the Regional Office staff, there will be a small number of staff to provide core legal services necessary to support exempt or excepted regional activities of the Secretary and client agencies that continue during a lapse in annual appropriations, who continue to work full-time based on continuing NSAT funds. Total: 3 excepted (non-lapse funding) staff.	B
*A number of intermittent excepted staff will be rotated or recalled, as necessary, or have extended orderly shutdown periods.	D
*In emergency situations that may develop during the period of a lapse in appropriation, some of these or other staff may be returned to paid status for the period necessary to meet the exigency.	D

Brief Summary of significant agency activities that will cease during a lapse:

Court litigation: It is unknown whether the federal judiciary will continue to operate during a shutdown; SOL will identify and place additional SOL staff on the excepted intermittent list to meet potential litigation demands during shutdown, that will be required to provide core legal services necessary to support exempt or excepted activities of the Secretary and client agencies that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds.

Legal Advice: SOL will not provide legal advice or assistance to DOL staff, except for the work that can be conducted by the limited number of exempt and excepted staff identified in this plan.

Rulemaking: SOL will not be able to support DOL rulemaking, except for the work that can be conducted by the limited number of exempt and excepted staff identified in this plan.

Brief Summary of any change in activities if lapse is prolonged:

Selected activities may require additional excepted intermittent or full-time staff. Litigation before Federal courts or adjudicative bodies may continue and SOL must represent DOL if the Courts or adjudicative bodies continue to operate. Agencies will require more legal advice, including that regarding legal limitations for exempt and excepted work and staff under the Department's contingency planning.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Solicitor of Labor

Office of Workers' Compensation Programs (OWCP)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	1340
Total number of agency employees full-time during a lapse:	1182
Total number of agency employees expected to be furloughed under the plan	158

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	415
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	767
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
OWCP has some statutory authority to continue the payment of benefits for varying amounts of time during a lapse in annual appropriations in awarded claims under the Black Lung Benefits Act (BLBA), the Energy Employees Occupational Illness Compensation Program Act (EEOICPA), the Federal Employees' Compensation Act (FECA), the Longshore and Harbor Workers' Compensation Act (LHWCA) and its extensions, and the War Hazards Compensation Act (WHCA). OWCP is required to continue necessary claims management as a necessary implication of the continued funding for benefit payments	D

and to protect from imminent threat to the safety and lives of the beneficiaries of the programs involved. These individuals potentially have suffered work-related injuries or illnesses that are compensable under one of the statutes within the agency's jurisdiction. Necessary claims management includes developing, adjudicating and administering new claims and new requests for benefits, as well as adjudicating requests for authorization of necessary medical procedures. OWCP is statutorily required to pay benefits under the BLBA, EEOICPA, FECA, LHWCA and WHCA and to incur obligations until prior year funds are expended to develop, adjudicate and administer new claims and new requests for benefits timely, accurately, and appropriately, in order to allow payment of such benefits.	

Activity	**Category of Furlough Exemption** (A through F, listed above)
1. BLBA: Part B benefits are paid from annual appropriations; OWCP expects to be able to continue paying Part B benefits indefinitely, because OWCP's appropriation provides an advance for benefits payable during the first quarter of the next Fiscal Year and OWCP does not expect to exhaust this funding in the near future.	D
2. BLBA: Part C benefits are paid from the Black Lung Disability Trust Fund (BLDTF). OWCP expects to be able to continue paying benefits from the BLDTF as long as the BLDTF contains sufficient funds to make payments. At this point, if there is lapse in appropriations, OWCP can continue paying benefits until such time as all funding is completely expended. In addition, OWCP will continue to review self-insurance applications and monitor the status of self-insured-operators.	D
3. EEOICPA: OWCP expects to be able to continue paying all benefits due, whether under Part B or Part E, because benefits are paid from the Energy Employees Occupational Illness Compensation Fund, a permanent indefinite appropriation that is not dependent upon annual appropriations or authority provided in other appropriations laws.	B

Activity	Category of Furlough Exemption (A through F, listed above)
4. FECA: OWCP expects to be able to continue paying all benefits as long as sufficient funds remain available in the Employees' Compensation Fund, a permanent appropriation. Although a significant portion of the money deposited into the Fund is from annual appropriations* received by employing agencies and transferred to the Fund pursuant to 5 U.S.C. 8147 (b), these funds do not expire and use of the funds to pay benefits is not dependent upon authority provided in annual appropriations. Upon a lapse in appropriations, OWCP can continue paying benefits for several months until such time as all available funding is expended. Estimates will be updated as transfers from other agencies are received. *Approximately 40% of the benefits paid from the fund consist of payments made to employees of the United States Postal Service (USPS). USPS reimburses the Fund for those payments from a revolving fund which is not subject to a lapse in annual appropriations.	B
5. LHWCA: OWCP expects to be able to continue paying any benefits due from the LHWCA Special Fund, as long as the Special Fund contains sufficient funds to make payments. At this time, OWCP expects to have sufficient funding in the Special Fund to continue paying benefits for approximately 12 months.	D
6. WHCA: WHCA claims, where OWCP is making payments directly to the claimant in assumed claims, are paid from the Employees' Compensation Fund, discussed in Number 4 (above). As with FECA benefits, OWCP expects to be able to continue paying all benefits as long as sufficient funds remain available in the Employees' Compensation Fund, a permanent appropriation. OWCP expects to have sufficient funding in the fund to continue paying benefits consistent with number 4.	B
7. OWCP will continue activities to prevent improper benefit payments.	D

Activity	Category of Furlough Exemption (A through F, listed above)
8. OWCP also will designate program officials for employees performing the excepted activities described above to provide essential executive, managerial and supervisory oversight to effectively manage exempt and excepted activities. This will ensure that the excepted activities as set forth above are provided appropriate supervision. Additionally, excepted employees will provide financial, contract management, and clerical duties in support of excepted activities; and appear in court pursuant to lawful subpoenas served on them in their capacity as Federal employees to ensure availability of the resources necessary to perform authorized functions. Information technology support and technical support functions are the responsibility of the Office of the Chief Information Officer and are/will be addressed in the Office of the Assistant Secretary for Administration & Management's contingency plan.	D
9. OWCP will designate employees who are paid out of annual appropriations and who process benefits for claims that are paid from funding sources that do not lapse which are identified above in items 1 to 6. EEOICPA Part B, BLBA Parts B & C, and FECA Fair Share administrative expenses are funded by annual appropriations that remain available until expended. Once carryover funds are exhausted, however, a lapse in appropriations would affect these activities.	D
10. OWCP employees working on OWCP's IT Modernization project who are funded by non-annually appropriated funding sources can continue to work on development plans, requirements, and similar functions, independent of OCIO.	

Brief Summary of significant agency activities that will cease during a lapse:

OWCP-wide

- FOIAs and Privacy Act requests

Black Lung Disability Trust Fund

- After all funds available for benefits are expended, all benefit payments and claims processing work will cease
- Hearing preparation
- Technical procedures development\determinations
- IT system development\deployment (except for maintenance and OWCP IT Modernization Project efforts)
- Support of ALJ\Benefits Review Board adjudication
- Accountability reviews
- Debt collection activity

- Technical assistance to insurers and employers
- Public communications\outreach

Disabled Coal Miners

- After all funds available for benefits are expended, all benefit payments and claims processing work will cease
- Debt collection activity

Federal Employees' Compensation Act

- Public communications/outreach/customer experience/responses to press inquiries
- Technical Procedures development/determinations
- Congressional/Priority correspondence
- Technical assistance for Employing Agencies (unless related to a case specific excepted activity)
- IT system development/deployment (exclusive of maintenance and OWCP IT Modernization Project efforts)
- Development/Adjudication of Schedule Award Claims (including any appeals)
- Representative Fee Approval Requests

War Hazards Compensation Act

- All processing of claims made by insurance carriers (including new claims, reimbursement claims and appeals)

Longshore and Harbor Workers' Compensation Act, as extended

- Data Analyst, Research and Reporting
- Accountability Reviews, Audits and Oversight Activities
- Review and approval of insurance authority applications
- Monitoring adequacy of insurance securities
- Mediation
- Internal Meetings and Program Development
- Technical assistance to insurers and employers
- Assistance for claimants with claims processing, required reports and information, screening and referral for services
- Public communications/outreach
- Technical Procedures development/determinations

Energy Employees Occupational Illness Compensation (Part B Funding)
Employees funded under Part B will not engage in the following:

- Public communications\outreach
- Technical procedure development/determinations
- IT system development/deployment (other than IT maintenance and OWCP IT Modernization Project efforts)
- Training development and delivery activities

Energy Employees Occupational Illness Compensation (Part E Funding)
Part E funded employees are funded under a permanent appropriation and are therefore exempt employees, capable of performing their normal duties, even in the event of a lapse in annual

appropriations. But, because separating activities between Part B and Part E claims is not always functionally possible, the following limitations will be placed on Part E funded employees in the event of a lapse in annual appropriation.
Employees funded under Part E will not engage in the following:

- Public communications/outreach including FOIAs and Privacy Act requests, if those activities require the involvement of Part B funded employees or contractors.
- Technical procedures development/determinations, if those activities require the involvement of Part B funded employees or contractors.
- IT system development/deployment (other than IT maintenance and OWCP IT Modernization Project efforts), if those activities require the involvement of Part B funded employees or contractors.

Brief Summary of any change in activities if lapse is prolonged:

1. BLBA: Part B benefits are paid from annual appropriations; OWCP expects to be able to continue paying Part B benefits indefinitely, because OWCP's appropriation provides an advance for benefits payable during the first quarter of the next Fiscal Year and OWCP does not expect to exhaust this funding in the near future.

2. BLBA: Part C benefits are paid from the Black Lung Disability Trust Fund (BLDTF). OWCP expects to be able to continue paying any benefits fund from the BLDTF as long as the BLDTF contains sufficient funds to make payments. At this point, if there is lapse in appropriations, OWCP can continue paying benefits until such time as all funding is completely expended.

3. EEOCIPA: OWCP expects to be able to continue paying all benefits due, whether under Part B or Part E, because benefits are paid from the Energy Employees Occupational Illness Compensation Fund, a permanent indefinite appropriation that is not dependent upon annual appropriations or authority provided in other appropriations laws.

4. FECA: OWCP expects to be able to continue paying all benefits as long as sufficient funds remain available in the Employees' Compensation Fund, a permanent appropriation (estimated to be about 3 months). Although a significant portion of the money deposited into the Fund is from annual appropriations* received by employing agencies and transferred to the Fund pursuant to 5 U.S.C. 8147 (b), these funds do not expire and use of the funds to pay benefits is not dependent upon authority provided in annual appropriations. Upon a lapse in appropriations, OWCP can continue paying benefits for several months until such time as all available funding is expended. Estimates will be updated as transfers from other agencies are received. *Approximately 40% of the benefits paid from the fund consist of payments made to employees of the United States Postal Service (USPS). USPS reimburses the Fund for those payments from a revolving fund which is not subject to a lapse in annual appropriations.

5. LHWCA: OWCP expects to be able to continue paying any benefits due from the LHWCA Special Fund, as long as the Special Fund contains sufficient funds to make payments. At this time, OWCP expects to have sufficient funding in the Special Fund to continue paying benefits for approximately 12 months.

6. WHCA: Payments made directly to claimants under the WHCA are paid from the Employees' Compensation Fund, discussed in Number 4 (above). As with FECA benefits, OWCP expects to be

able to continue paying all claimant benefits as long as sufficient funds remain available in the Employees' Compensation Fund, a permanent appropriation. OWCP expects to have sufficient funding in the fund to continue paying benefits consistent with number

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Acting Director of OWCP

Veterans' Employment and Training Service (VETS)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	193
Total number of agency employees full-time during a lapse:	3
Total number of agency employees expected to be furloughed under the plan	190

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	2
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Veterans Employment and Training is Presidentially-Appointed, Senate confirmed (PAS) and not subject to furlough.	A
VETS will conduct orderly shutdown of activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D

Activity	Category of Furlough Exemption (A through F, listed above)
The National Veterans' Training Institute (NVTI), which provides specialized training for veterans' service provider staff, is authorized to continue offering virtual and self-paced courses to grantees. The NVTI contract is fully funded and performance does not require federal government supervision.	B
The TAP contract is funded. The vendor is authorized to continue providing Transition Assistance Program (TAP) workshops to transitioning service members and their spouses. Performance does not require federal government supervision.	B

Brief Summary of significant agency activities that will cease during a lapse:

Provide new Jobs for Veterans State Grants (JVSG). States have three fiscal years to draw down funds, so services to veterans will continue in states that have not depleted their grants.

Conduct research, evaluation, and congressional affairs.

Conduct strategic outreach and employer engagement activities.

Conduct Uniformed Services Employment and Reemployment Rights Act (USERRA) and Veterans' Preference (VP) and Veterans Employment Opportunities Act (VEOA) investigations.

Evaluate requests and award Stand Downs.

Oversee Agency contracts and monitor budget.

Prepare for Honoring Investments in Recruiting and Employing American Military Veterans (HIRE Vets Medallion Program) Open Season Applications and subsequent analysis.

Provide technical assistance to grantees and monitor their performance.

Provide timely responses to public inquiries through the Freedom of Information Act (FOIA).

Support of the Advisory Committee on Veterans Employment, Training, and Employer Outreach (ACEVETEO) Annual Report to Congress and meetings.

Support the Agency Head activities and engagements.

Work in support of and to monitor the Administrative Scorecard and Agency Management Plan (AMP) themes, performance measures, and milestones.

Brief Summary of any change in activities if lapse is prolonged:

Delay Funding Opportunity Announcement (FOA), grants application review, and awarding the Homeless Veteran's Reintegration Program (HVRP) grants to start by the Period of Performance

of July 1st. No new HVRP grants will be awarded during a lapse; HVRP grantees have a three-year period of performance so most services to homeless veterans will continue.

Delay the start of the HIRE Vets Medallion Program (HVMP) Open Season, which is required by Public Law 115-31 to be from January 31st through April 30th, reviewing applications by August 31st, and awarding Medallions in November.

Delay releasing the Advisory Committee on Veterans Employment, Training, and Employer Outreach (ACVETEO) Annual Report to Congress (due December 31st) and Providing committee support.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Assistant Secretary, VETS

Wage and Hour Division (WHD)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	1270
Total number of agency employees full-time during a lapse:	65
Total number of agency employees expected to be furloughed under the plan	1205

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	55
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	2
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	7

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Wage and Hour Administrator is Presidentially Appointed, Senate confirmed (PAS) and not subject to furlough.	A
Perform orderly shutdown activities.	D
Monitor incoming complaints and respond to emergencies in order to prevent irreparable harm.	F
Respond to and investigate any incidents involving child labor violations, including those that involve employment in occupations determined to be prohibited, hazardous, or involve a serious injury	F

or death of a minor.	

Activity	**Category of Furlough Exemption** (A through F, listed above)
Respond to and investigate any transportation accident or allegations of housing safety violations involving serious injury or death of a farm worker.	F
Prepare for and/or participate at hearings or depositions scheduled by a court of law	D
Execute search warrants and/or deliver subpoenas and receive records	F
Continue H-1B, H-2A, and H-2B enforcement work.	B
Farm Labor Certification – The Division of Farm Labor Certifications will process farm labor certification applications. The Migrant and Seasonal Agricultural Worker Protection Act requires farm labor contractors to register with the Department of Labor to ensure the safety of farm workers. This process serves a critical role to ensure farm labor contractors meet certain standards to get a certificate, such as an appropriate background check, accident insurance, the proper license to transport, and other safety precautions.	D

Brief Summary of significant agency activities that will cease during a lapse:

Significant activities that will cease during a lapse in funds include all regulatory work; enforcement activities that do not involve emergencies related to the safety of human life or protection of property and H-1B, H-2A, and H-2B actions not otherwise funded; all outreach and education activities; and processing of 14 (c) certifications.

Brief Summary of any change in activities if lapse is prolonged:

There will be no change in activities if the lapse is prolonged.

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Director, WHD

Women's Bureau (WB)

Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	20
Total number of agency employees full-time during a lapse:	0
Total number of agency employees expected to be furloughed under the plan	20

Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees:[1]	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

[1] Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Women's Bureau will suspend all operations. On an intermittent basis, the Women's Bureau will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D
Should the position of the Director become vacant, another senior level employee will be excepted on an intermittent basis for the purposes of liaising with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D

Brief Summary of significant agency activities that will cease during a lapse:

The WB will suspend all operations.

Brief Summary of any change in activities if lapse is prolonged:

N/A

DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:

Acting Director, WB