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Summary of U.S. Dept. of Labor Rulemaking Activity

PREPARED FOR: House Interim Committee on Labor and Workforce Development

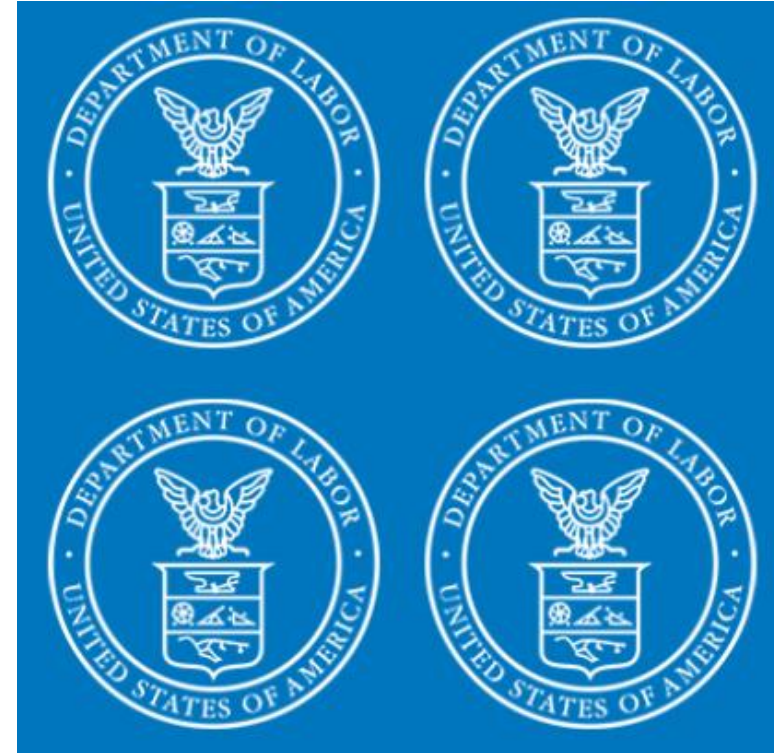
DATE: September 30, 2025

BY: Tyler Larson, Research Analyst

Rulemaking Activity

As of September 23, 2025, USDOL has engaged in 66 separate rulemaking efforts:

- 1 proposed rule from the prior administration withdrawn,
- 59 proposed rules, and
- 7 final rules, 3 of which were withdrawn before the effective date due to the receipt of significant adverse comments.



Rulemaking by USDOL division: Employee Benefits Security Administration

Action and Date	Brief Summary of Rulemaking
Proposed 6/2/2025	Request for information regarding the prescription drug machine-readable file disclosure requirements in the Transparency in Coverage final rule. Joint filing by the Internal Revenue Service, Department of the Treasury; Employee Benefits Security Administration, USDOL; and Centers for Medicare & Medicaid Services, Department of Health and Human Services.
Final Rule 07/01/2025 Withdrawn 08/12/2025	Removes interpretative bulletins under the Employee Retirement Income Security Act of 1974 (ERISA) that provide compliance assistance for employee benefit plans, plan sponsors, and fiduciaries. Withdrawn 08/12/2025 due to the receipt of significant adverse comments.
Final Rule 07/01/2025 Withdrawn 08/12/2025	Repeals a 2008 regulation that provides a fiduciary safe harbor for the selection of annuity providers for the purpose of benefit distributions from individual account retirement plans covered by title I of ERISA. Withdrawn 08/12/2025 due to the receipt of significant adverse comments.
Final Rule 07/01/2025 Withdrawn 08/12/2025	Removed regulations that apply to certain insurance policies or contracts issued to (or on behalf of) employee benefit plans on or before December 31, 1998. Withdrawn 08/12/2025 due to the receipt of significant adverse comments.
Proposed 07/29/2025	Would provide limited interpretive guidance to help small employers select pooled employer plans. Solicits information about prevailing pooled employer plan market practices to help USDOL develop regulatory safe harbors that encourage market participants to offer and employers to join pooled employer plans.



Rulemaking by USDOL division: Employment and Training Administration

Action and Date	Brief Summary of Rulemaking
Proposed 07/01/2025	Would repeal USDOL procedures for the coordination of enforcement activities by the Wage and Hour Division (WHD), the Occupational Safety and Health Administration (OSHA), and the Employment and Training Administration (ETA) relating to migrant farmworkers.
Final Rule 07/1/2025 Effective Date	Repealed regulations related to Title I of the Workforce Investment Act which was repealed by Congress in 2014.
Confirmed 09/02/2025	Effective 09/02/2025.
Proposed 07/01/2025	Would remove the requirement that states use state employees to provide labor exchange services.
Proposed 07/02/2025	Repeals regulations of registered apprenticeship program sponsors including nondiscrimination protections, affirmative action requirements, and anti-harassment training.
Proposed 07/02/2025	Would repeal regulations governing the certification of agricultural labor or services to be performed by temporary foreign workers in H-2A nonimmigrant status and enforcement of the contractual obligations applicable to employers of H-2A workers including data collection, progressive discipline policies for cause-based employment terminations, and state authority to prevent access to the H-2A program.
Proposed 08/29/2025	Would require the disclosure of confidential Unemployment Compensation information to Federal officials for the purposes of program oversight and audits.



Rulemaking by USDOL division: Mine Safety and Health Administration

Action and Date	Brief Summary of Rulemaking
Proposed 6/30/2025	Would remove requirements regarding the installation of foam generator systems located in underground coal mines.
Proposed 07/01/2025	Would remove requirements related to blacksmith shops located at surface metal and nonmetal mines.
Proposed 07/01/2025 Comment Period Extended 07/22/2025	Would remove the requirement for mine operators to provide a physical copy of all Hazardous Communication materials at no cost to miners. Allows mine operator to provide materials electronically.
Proposed 07/01/2025	Would remove requirements for both electric cap lamps and other electric lamps in underground mines.
Proposed 07/01/2025	Would remove requirements related to diesel particulate exposure in underground mines.
Proposed 07/01/2025	Would remove requirements for the inspection, maintenance and correction of defects of aerial tramways.
Proposed 07/01/2025	Would rescind requirements for the maintenance of drill equipment and inspection of drilling areas before starting drilling operations at surface metal and nonmetal mines.
Proposed 07/01/2025	Would remove requirements for the use of permissible electric face equipment in coal seams above the water table.
Proposed 07/01/2025	Would remove requirements for methods in measuring luminous intensity with a photometer.
Proposed 07/01/2025	Would remove flame safety lamps from the list of permissible electric face equipment that can be operated in underground coal mines.
Proposed 07/01/2025	Would remove requirements for diesel particulate matter emission limits for permissible diesel-powered equipment and non-permissible heavy-duty diesel-powered equipment operated in underground coal mines.



Rulemaking by USDOL division: Mine Safety and Health Administration

Action and Date	Brief Summary of Rulemaking
Proposed 07/01/2025	Would remove requirements for the approval process for conveyor belts used in underground coal mines.
Proposed 07/01/2025	Would remove and revise provisions for metal and nonmetal mines and coal mines regarding the use of trolleys for transportation of mined ore, coal, material, and personnel.
Proposed 07/01/2025	Would rescind requirements for the final mining of pillars.
Proposed 07/01/2025 Comment Period Extended 07/22/2025	Would allow the use of electronic surveying equipment in high-hazard areas of underground coal mines, if the equipment meets certain technical specifications and is operated under specific conditions.
Proposed 07/01/2025 Comment Period Extended 07/22/2025	Would allow the use of non-permissible Powered Air Purifying Respirators in specified underground areas of mines, if the equipment meets certain technical specifications and is operated under specific conditions.
Proposed 07/01/2025 Comment Period Extended 07/22/2025	Would repeal provisions allowing a District Manager to require additional roof control measures.
Proposed 07/01/2025 Comment Period Extended 07/22/2025	Would repeal provisions allowing a District Manager to require changes in, or additions to, training programs.
Proposed 07/01/2025 Comment Period Extended 07/22/2025	Would repeal provisions allowing a District Manager to require additional provisions in mine ventilation plans.



Rulemaking by USDOL division: Occupational Safety and Health Administration

Action and Date	Brief Summary of Rulemaking
Final Rule 07/01/2025 Correction 07/09/2025	Repealed regulations both establishing the Advisory Committee on Construction Safety and Health and requiring the head of OSHA to consult with the advisory committee on the formulation of rules applicable to construction work. Effective July 1, 2025.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would exclude from enforcement known hazards that are inherent and inseparable from the core nature of a professional activity or performance.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would rescind the construction illumination requirements.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would remove OSHA's COVID-19 Emergency Temporary Standard and its associated recordkeeping and reporting provisions from the Code of Federal Regulations.
Proposed 07/01/2025	Would remove from the Code of Federal Regulations: OSHA's Safety Color Code for Marking Physical Hazards Standard, portions of OSHA's Textiles Standard, portions of OSHA's Sawmills Standard, and OSHA's Safety Color Code for Marking Physical Hazards for Shipyard Employment Standard.
Proposed 07/01/2025	Would remove OSHA's Open Fires in Marine Terminals Standard from the Code of Federal Regulations.
Proposed 07/01/2025	Would remove OSHA's House Falls in Marine Terminals Standard from the Code of Federal Regulations.



Rulemaking by USDOL division: Occupational Safety and Health Administration

Action and Date	Brief Summary of Rulemaking
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would revise some substance-specific respirator requirements to allow different types of respirators to be used under OSHA's 1,2-Dibromo-3-Chloropropane standard.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would revise some substance-specific respirator requirements to allow different types of respirators to be used under OSHA's 1,3-Butadiene standard.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would revise some substance-specific respirator requirements to allow different types of respirators to be used under OSHA's 1,3-Butadiene standard.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would revise some provisions of OSHA's Acrylonitrile standard.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would revise some substance-specific respirator requirements to allow different types of respirators to be used under OSHA's Asbestos standards.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would revise some substance-specific respirator requirements to allow different types of respirators to be used under OSHA's Benzene standard.



Rulemaking by USDOL division: Occupational Safety and Health Administration

Action and Date	Brief Summary of Rulemaking
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would revise some substance-specific respirator requirements to allow different types of respirators to be used under OSHA's Cadmium standards.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would revise some substance-specific respirator requirements to allow different types of respirators to be used under OSHA's Coke Oven Emissions standard.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would revise some substance-specific respirator requirements to allow different types of respirators to be used under OSHA's Cotton Dust standard.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would revise some substance-specific respirator requirements to allow different types of respirators to be used under OSHA's Ethylene Oxide standard.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would revise some substance-specific respirator requirements to allow different types of respirators to be used under OSHA's Inorganic Arsenic standard.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would revise some substance-specific respirator requirements to allow different types of respirators to be used under OSHA's Lead standards.



Rulemaking by USDOL division: Occupational Safety and Health Administration

Action and Date	Brief Summary of Rulemaking
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would revise some substance-specific respirator requirements to allow different types of respirators to be used under OSHA's Methylene Chloride standard.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would revise some substance-specific respirator requirements to allow different types of respirators to be used under OSHA's Methylenedianiline standards.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Removes language in OSHA's Vinyl Chloride standard which the agency believes is redundant with language in the Respiratory Protection standard.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would revise OSHA's Formaldehyde standard to eliminate duplicative respiratory protection requirements.
Proposed 07/01/2025 Comment Period Extended 08/20/2025	Would remove some medical evaluation requirements in the Respiratory Protection Rule for certain types of respirators.
Proposed 09/25/2025	Extending the post-hearing comment period for heat injury and illness prevention rules in outdoor work settings proposed August 30, 2024. OSHA held an informal public hearing on the proposed standard from June 16 through July 2, 2025. The post hearing comment period is now open through October 30, 2025.



Rulemaking by USDOL division: Office of the Assistant Secretary for Administration and Management

Action and Date	Brief Summary of Rulemaking
Proposed 07/01/2025	Removes USDOL grant and contract regulations which the agency believes are superseded by the Office of Management and Budget's Guidance for Grants and Agreements.
Final Rule 08/18/2025	
	Effective September 2, 2025.



Rulemaking by USDOL division: Office of Federal Contract Compliance Programs

Action and Date	Brief Summary of Rulemaking
Proposed 07/01/2025 Comment period extended 09/04/2025	Would repeal implementing regulations for Section 503 of the Rehabilitation Act of 1973 that prohibit covered contractors from discriminating in employment based on race, color, religion, sex, sexual orientation, gender identity, and national origin and required them to take affirmative action. Would also repeal regulations that prohibit covered contractors from taking adverse employment actions against applicants or employees because they inquired about, discussed, or disclosed information about their pay or the pay of their co-workers.
Proposed 07/01/2025 Comment Period Extended 09/04/2025	Would repeal implementing regulations for the Vietnam Era Veterans' Readjustment Assistance Act of 1974 that prohibit covered contractors from discriminating in employment based on race, color, religion, sex, sexual orientation, gender identity, and national origin and required them to take affirmative action. Would also repeal regulations that prohibit covered contractors from taking adverse employment actions against applicants or employees because they inquired about, discussed, or disclosed information about their pay or the pay of their co-workers.
Proposed 07/01/2025 Comment Period Extended 09/04/2025	Would repeal implementing regulations for Executive Order 11246 that prohibit covered contractors from discriminating in employment based on race, color, religion, sex, sexual orientation, gender identity, and national origin and required them to take affirmative action. Would also repeal regulations that prohibit covered contractors from taking adverse employment actions against applicants or employees because they inquired about, discussed, or disclosed information about their pay or the pay of their co-workers.



Rulemaking by USDOL division: Office of Labor-Management Standards

Action and Date	Brief Summary of Rulemaking
<u>Proposed</u> <u>07/01/2025</u>	Would reduce the age of a “minor child” for the purposes of labor organization and employee reports laws from 21 to 18.
<u>Proposed</u> <u>07/01/2025</u>	Would increase filing thresholds based on receipts for labor organizations.



Rulemaking by USDOL division: Office of the Secretary of Labor

Action and Date	Brief Summary of Rulemaking
Proposed 07/01/2025	Would rescind the Secretary's policy to engage in notice and comment rulemaking, even where the Administrative Procedure Act does not require notice and comment rulemaking.
Proposed 07/01/2025	Would remove the regulations implementing the nondiscrimination and equal opportunity provisions of the Workforce Innovation and Opportunity Act that contain affirmative outreach requirements for recipients of financial assistance.
Final Rule 07/01/2025	Repeals regulations implementing the nondiscrimination and equal-opportunity provisions of the Workforce Investment Act which was repealed by Congress in 2014.
Effective Date Confirmed 08/28/2025	Effective September 2, 2025.



Rulemaking by USDOL division: Wage and Hour Division

Action and Date	Brief Summary of Rulemaking
Proposed 07/02/2025	Would repeal interpretive rules and policy statements regarding the Fair Labor Standards Act including principles of coverage, the determination of an employee's regular rate of pay used to calculate overtime premiums, the definition of hours worked, or independent contractor status.
Proposed 07/02/2025	Would expand an exemption from minimum wage and overtime laws for employees who provide "companionship services" and allow third party employers to claim those exemptions.
Withdrawn 07/07/2025	Withdrawing notice of proposed rulemaking published 12/04/2024 proposing to phase out subminimum wage certificates for workers with disabilities that impair their earning or productive capacity.



Questions?



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