

POLICY MATTERS

PRESENTED BY SEYFARTH'S GOVERNMENT RELATIONS AND POLICY GROUP

June 20, 2019

House Passes Labor Appropriations Bill. Yesterday, the House passed the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2020 ([H.R. 2740](#)). As passed, the bill includes a 10% increase for the Department of Labor's budget, with \$660.9 million allocated to OSHA and \$298.1 million allocated to the Wage & Hour Division. Both figures would represent sizable increases for those agencies. Of course, the bill must be passed by the Senate and signed by the President before the appropriations take hold, so we are still quite a bit away from a final agreement on funding these agencies.

And Includes a Rider for OSHA. As part of the process to pass H.R. 2740, Rep. Bobby Scott (D-VA), Chair of the Education & Labor Committee, offered an [amendment](#) to the bill which would prevent any funds under the bill to be used to finalize or implement [the proposed](#) rule entitled "Occupational Exposure to Beryllium and Beryllium Compounds in Construction and Shipyard Sectors." The appropriations rider was successful, but, like the appropriations bill itself, it faces a steep uphill climb as it proceeds through the legislative process.

Rolling in Rayburn: House Ed & Labor Continues Moving Its Agenda. Rep. Scott's committee continues to push forward in implementing its agenda, with a busy [hearing](#) schedule over the next week. Today, the Subcommittee on Workforce Protections held a hearing titled "Breathless and Betrayed: What is MSHA Doing to Protect Miners from the Resurgence of Black Lung Disease?" Next week, subcommittees will hold hearings on the [Job Corps Program](#) and [public sector unions](#), while the full committee will [address](#) "Do No Harm: Examining the Misapplication of the Religious Freedom Restoration Act."

H-2A Electronic Posting Rule to OMB. In the Spring 2019 [Regulatory Agenda](#), DOL targeted June for its final rule amending the regulations regarding the H-2A program to eliminate print newspaper advertisements and require a 14-day online posting. Earlier this week, DOL [sent](#) the final rule to OIRA at the White House's Office of Management and Budget, which is one of the final steps before a rule gets published in the Federal Register. We'll keep you updated when the final rule makes its appearance in the Federal Register.

New York Passes Sweeping New Workplace Sexual Harassment Law. With unanimous support in the state Senate and light opposition in the state Assembly, the New York legislature passed [legislation](#) to increase protections against sexual harassment in the workplace. The legislation addresses a wide variety of issues, including expanding coverage to all employers in the state; eliminating the Farragher/Ellerth affirmative defense; prohibiting nondisclosure agreements related to discrimination; prohibiting mandatory arbitration clauses related to discrimination; requiring employers to provide employees notice of their sexual harassment prevention training program in writing in English and in employees' primary languages; extending the statute of limitations for claims resulting from unlawful or discriminatory practices constituting sexual harassment to three years; and increasing remedies and penalties.

Massachusetts Family and Medical Leave Law Sees Extensions. Last week, Governor Baker signed legislation officially delaying the start of the payroll deductions for the Massachusetts Paid Family and Medical Leave (PFML) program by three months (October 1, 2019). The Department of Family and Medical Leave (DFML) extended the deadline for distributing the mandatory PFML notice to workers September 30, 2019. The DFML followed that up with final regulations and template notices. For more on these developments, check out Seyfarth's Client Alerts [here](#) and [here](#). And, for coverage of the world of Massachusetts Wage & Hour law, be sure to [request](#) a copy of [Mass-Peculiarities](#).

By: [Randy Johnson](#) and [Alex Passantino](#)

Randy Johnson is a Partner in Seyfarth Shaw's Washington, DC office and chairs the firm's [Government Relations and Policy Practice Group](#) (GRPG). Alex Passantino is a Partner in Seyfarth Shaw's Washington, DC office and Co-Chair of the firm's Wage and Hour Litigation Practice Group.

www.seyfarth.com



Attorney Advertising. This is a periodical publication of Seyfarth Shaw LLP and should not be construed as legal advice or a legal opinion on any specific facts or circumstances. The contents are intended for general information purposes only, and you are urged to consult a lawyer concerning your own situation and any specific legal questions you may have. Any tax information or written tax advice contained herein (including any attachments) is not intended to be and cannot be used by any taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer. (The foregoing legend has been affixed pursuant to U.S. Treasury Regulations governing tax practice.)

Seyfarth Shaw LLP | Policy Matters | June 20, 2019

©2019 Seyfarth Shaw LLP. All rights reserved. "Seyfarth Shaw" refers to Seyfarth Shaw LLP (an Illinois limited liability partnership). Prior results do not guarantee a similar outcome.