

President Trump Signs Resolution to Block Federal Contractor Reporting Rule

President Trump recently signed a joint resolution under the Congressional Review Act (CRA) to eliminate the Fair Pay and Safe Workplaces rule. The Obama administration originally passed the rule, which would have required prospective federal contractors to report violations of labor, civil rights and wage violations when bidding on government contracts worth at least \$500,000.

The rule was originally finalized in August 2016 and was heavily criticized by business groups, who stated that the rule essentially created a blacklist for businesses that would not be allowed to compete for lucrative federal contracts. A federal judge then issued a restraining order against the rule after a lawsuit found that the rule, as written, could violate due process by compelling contractors to report alleged violations without a formal hearing.

Supporters of the rule's elimination believe that businesses will be better able to compete for federal contracts without additional reporting requirements. Critics, however, argue that businesses may now focus exclusively on competing for these contracts and ignore important workplace safety issues.

The resolution is part of a Republican effort to use the CRA to eliminate the federal regulations finalized during the last months of the Obama administration. Now that the resolution has been signed, agencies are barred from issuing substantially similar regulations in the future.



OSHA CORNERSTONES

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The Importance of Anti-retaliation Programs

Last year, OSHA introduced an anti-retaliation rule to make it clear that employers may not retaliate against their employees for reporting workplace injuries and illnesses. This rule includes two major requirements for employers:

- Employers must inform their employees that they have a right to report work-related injuries and illnesses without any form of retaliation.
- Employers must ensure that “reasonable” procedures are in place for employees to report work-related injuries and illnesses.

To ensure that your workplace is in compliance with the new rule, contact Marshall & Sterling, Inc. and ask to see our new resource, “Recommended Practices for Anti-retaliation Programs.” This comprehensive guide outlines the importance of anti-retaliation programs, as well as the five key elements you can use to establish a program at your workplace.

OSHA Delays New Beryllium Rule

OSHA recently announced that the planned March 21 enforcement date of its new [beryllium exposure rule](#) would be delayed until May 20. The delay is in response to the Trump administration’s regulatory freeze, which directs federal agencies to review any new or pending regulations and temporarily postpone the date that they would take effect.

The final rule on beryllium will reduce the eight-hour permissible exposure limit from 2.0 micrograms per cubic meter to 0.2 micrograms per cubic meter. It will also establish a short-term exposure limit of 2.0 micrograms per cubic meter over a 15-minute sampling period. OSHA estimates that the new rule will prevent 46 new cases of beryllium-related disease and save the lives of 94 employees annually.

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