

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF LABOR

### 29 CFR Part 90

#### Employment and Training Administration

### 20 CFR Parts 617 and 618

[Docket No. ETA-2019-0009]

RIN 1205-AB78

#### Trade Adjustment Assistance for Workers

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Proposed rule; notification of extension of public comment period.

**SUMMARY:** The Employment and Training Administration (ETA) of the Department of Labor (Department) is issuing this document to advise the public of an extension to the public comment period. Initially, the proposed rule established a public comment period from November 7, 2019 through December 9, 2019. The Department has extended the deadline for submitting public comments to December 11, 2019, due to a website outage.

**DATES:** The comment period for the proposed rule published November 7, 2019, at 84 FR 60150 is extended. Send comments on or before December 11, 2019.

**ADDRESSES:** You may send comments, identified by Docket No. ETA-2019-0009 and Regulatory Identification Number (RIN) 1205-AB78, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Instructions for how to submit public comments electronically on the Federal eRulemaking Portal can be found on the <http://www.regulations.gov> website under "Help" > "How to use Regulations.gov" > "Submit a Comment."

- *Mail:* Heidi Casta, Deputy Administrator, Office of Policy Development and Research, U.S.

Department of Labor, Employment and Training Administration, 200 Constitution Avenue NW, Room N-5641, Washington, DC 20210.

- *Hand Delivery/Courier:* Heidi Casta, Deputy Administrator, Office of Policy Development and Research, U.S. Department of Labor, Employment and Training Administration, 200 Constitution Avenue NW, Room N-5641, Washington, DC 20210.

*Instructions:* All submissions received must include the agency name and docket number for this rulemaking or "RIN 1205-AB78."

Please submit your comments by only one method. Please be advised that the Department will post all comments received that relate to this NPRM without changes to <http://www.regulations.gov>, including any personal information provided. The <http://www.regulations.gov> website is the Federal e-Rulemaking Portal and all comments posted there are available and accessible to the public. Therefore, the Department recommends that commenters remove personal information (either about themselves or others) such as Social Security numbers, personal addresses, telephone numbers, and email addresses included in their comments, as such information may become easily available to the public via the <http://www.regulations.gov> website. It is the responsibility of the commenter to safeguard personal information.

Also, please note that due to security concerns, postal mail delivery in Washington, DC may be delayed. Therefore, the Department encourages the public to submit comments on <http://www.regulations.gov>.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> (search using RIN 1205-AB78 or Docket No. ETA-2019-0009). The Department also will make all the comments it receives available for public inspection by appointment during normal business hours at the Office of Policy Development and Research (OPDR), U.S. Department of Labor, Employment and Training Administration, 200 Constitution Avenue NW, Room N-5641, Washington, DC 20210. If you need assistance to review the comments, the Department will provide appropriate aids such as readers or print magnifiers. The Department will make copies of this

NPRM available, upon request, in large print and electronic file. To schedule an appointment to review the comments or obtain the NPRM in an alternative format or both, contact OPDR at (202) 693-3700 (this is not a toll-free number). You may also contact this office at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Heidi Casta, Deputy Administrator, Office of Policy Development and Research, U.S. Department of Labor, Employment and Training Administration, 200 Constitution Avenue NW, Room N-5641, Washington, DC 20210, Telephone: (202) 693-3700 (voice) (this is not a toll-free number) or 1-800-326-2577 (Telecommunications Device for the Deaf).

**SUPPLEMENTARY INFORMATION:** The ETA is extending the public comment period for the proposed rule published in the **Federal Register** on November 7, 2019 (84 FR 60150), which established a public comment period from November 7, 2019 through December 9, 2019. The Department has extended the deadline for submitting public comments to December 11, 2019, due to the [www.regulations.gov](http://www.regulations.gov) website outage. All substantive comments received by December 11, 2019, will be addressed in the final rule.

Signed at Washington, DC.

**John P. Pallasch,**

*Assistant Secretary for Employment and Training, Labor.*

[FR Doc. 2019-26785 Filed 12-9-19; 4:15 pm]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Wage and Hour Division

### 29 CFR Parts 10, 516, 531, 578, 579, and 580

RIN 1235-AA21

#### Tip Regulations Under the Fair Labor Standards Act (FLSA)

**AGENCY:** Wage and Hour Division, Department of Labor.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** This document extends the period for submitting written comments on the Notice of Proposed Rulemaking

(NPRM) entitled “Tip Regulations Under the Fair Labor Standards Act (FLSA).” The comment period now ends on December 11, 2019. The Department of Labor (Department) is taking this action to provide interested parties additional time to submit comments in response to an outage causing most web browsers to refuse access to *Regulations.gov* for a period of time.

**DATES:** The comment period for the proposed rule published October 8, 2019, at 84 FR 53956, is extended. Comments should be received on or before December 11, 2019.

**ADDRESSES:** To facilitate the receipt and processing of written comments on this NPRM, the Department encourages interested persons to submit their comments electronically. You may submit comments, identified by Regulatory Information Number (RIN) 1235-AA21, by either of the following methods:

*Electronic Comments:* Follow the instructions for submitting comments on the Federal eRulemaking Portal <http://www.regulations.gov>.

*Mail:* Address written submissions to Amy DeBisschop, Director of the Division of Regulations, Legislation, and Interpretation, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW, Washington, DC 20210.

*Instructions:* This NPRM is available through the **Federal Register** and the <http://www.regulations.gov> website. You may also access this document via the Wage and Hour Division’s (WHD) website at <http://www.dol.gov/whd/>. All comment submissions must include the agency name and Regulatory Information Number (RIN 1235-AA21) for this NPRM. Response to this NPRM is voluntary. The Department requests that no business proprietary information, copyrighted information, or personally identifiable information be submitted in response to this NPRM. Submit only one copy of your comment by only one method (*e.g.*, persons submitting comments electronically are encouraged not to submit paper copies). Please be advised that comments received will become a matter of public record and will be posted without change to <http://www.regulations.gov>, including any personal information provided. All comments must be received by 11:59 p.m. on the date indicated for consideration in this NPRM; comments received after the comment period closes will not be considered. Commenters should transmit comments early to ensure timely receipt prior to the close of the

comment period. Electronic submission via <http://www.regulations.gov> enables prompt receipt of comments submitted as DOL continues to experience delays in the receipt of mail in our area. For access to the docket to read background documents or comments, go to the Federal eRulemaking Portal at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Amy DeBisschop, Director of the Division of Regulations, Legislation, and Interpretation, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW, Washington, DC 20210, telephone: (202) 693-0406 (this is not a toll-free number). Copies of this NPRM may be obtained in alternative formats (Large Print, Braille, Audio Tape or Disc), upon request, by calling (202) 693-0675 (this is not a toll-free number). TTY/TDD callers may dial toll-free 1 (877) 889-5627 to obtain information or request materials in alternative formats.

Questions of interpretation and/or enforcement of the agency’s regulations may be directed to the nearest WHD district office. Locate the nearest office by calling the WHD’s toll-free help line at (866) 4US-WAGE ((866) 487-9243) between 8 a.m. and 5 p.m. in your local time zone, or log onto WHD’s website at <http://www.dol.gov/whd/america2.htm> for a nationwide listing of WHD district and area offices.

**SUPPLEMENTARY INFORMATION:** On October 8, 2019, the Department published an NPRM and request for comments in the **Federal Register** (84 FR 53956), proposing to amend its tip regulations to address Congressional action related to amendments to the Fair Labor Standards Act (FLSA). The Department also proposes to codify policy regarding the tip credit’s application to employees who performed tipped and non-tipped duties. This NPRM also withdraws the Department’s December 5, 2017 NPRM proposing changes to the Department’s tip regulations, as the Consolidated Appropriations Act has superseded it.

**Cheryl M. Stanton,**

*Administrator, Wage and Hour Division.*

[FR Doc. 2019-26788 Filed 12-9-19; 4:15 pm]

**BILLING CODE 4510-27-P**

**NATIONAL LABOR RELATIONS BOARD**

**29 CFR Part 103**

**RIN 3142-AA16**

**Representation—Case Procedures: Election Bars; Proof of Majority Support in Construction Industry Collective-Bargaining Relationships**

**AGENCY:** National Labor Relations Board.

**ACTION:** Notice of extension of time to submit comments.

**SUMMARY:** The National Labor Relations Board (the Board) published a Notice of Proposed Rulemaking in the **Federal Register** on August 12, 2019, seeking comments from the public regarding its proposed amendments to Part 103 of its Rules and Regulations, specifically concerning the Board’s blocking charge policy, the voluntary recognition bar, and Section 9(a) recognition in the construction industry. On October 10, 2019, the date to submit comments to the Notice of Proposed Rulemaking was extended for 60 days. The date to submit comments to the Notice is now extended an additional 30 days.

**DATES:** Comments to the Notice of Proposed Rulemaking must be received by the Board on or before January 9, 2020. Comments replying to the comments submitted during the initial comment period must be received by the Board on or before January 23, 2020.

**ADDRESSES:** Internet—Federal eRulemaking Portal. Electronic comments may be submitted through <http://www.regulations.gov>.

Delivery—Comments should be sent by mail or hand delivery to: Roxanne Rothschild, Executive Secretary, National Labor Relations Board, 1015 Half Street SE, Washington, DC 20570-0001. Because of security precautions, the Board continues to experience delays in U.S. mail delivery. You should take this into consideration when preparing to meet the deadline for submitting comments. The Board encourages electronic filing. It is not necessary to send comments if they have been filed electronically with [regulations.gov](http://www.regulations.gov). If you send comments, the Board recommends that you confirm receipt of your delivered comments by contacting (202) 273-1940 (this is not a toll-free number). Individuals with hearing impairments may call 1-866-315-6572 (TTY/TDD).

Only comments submitted through <http://www.regulations.gov>, hand delivered, or mailed will be accepted; *ex parte* communications received by the