

## Regulatory Freeze Impacts OSHA Regulations

FEBRUARY 24, 2017

As we previously [reported](#), on January 20, 2017, the White House Chief of Staff issued a [Memorandum for the Heads of Executive Departments and Agencies](#) instructing individuals in those positions to take the following steps, in part:

1. Send no regulation to the Office of the Federal Register (OFR) until a department or agency head appointed or designated by the President after noon on January 20, 2017, reviews and approves the regulation, subject to certain exceptions.
2. Immediately withdraw regulations that have been sent to the OFR but not yet published in the *Federal Register*, for review and approval as described above.
3. With respect to regulations that have been published in the *Federal Register* but have not taken effect temporarily, postpone—as permitted—their effective date for 60 days from the date of the memorandum. Following the delay in the effective date:
  - a. for those regulations that raise no substantial questions of law or policy, no further action needs to be taken; and
  - b. for those regulations that raise substantial questions of law or policy, departments and agencies should notify the Office of Management and Budget (OMB) Director and take further appropriate action in consultation with the OMB Director.

U.S. EPA has issued a [notice](#) temporarily delaying the effective date of 30 regulations until March 21, 2017. Although the U.S. Occupational Safety and Health Administration (OSHA) has not issued a similarly comprehensive notice, a number of OSHA actions are impacted or are potentially impacted by the regulatory freeze, including:

- The effective date of the [final rule](#) establishing new permissible exposure limits (PELs) for beryllium issued on January 6, 2017 has been [delayed](#) from March 10 to March 21, 2017. For more information, see our [blog post](#) on this rule.
- The agency's [proposed rule](#) on The Standards Improvement Project-Phase IV is anticipated to be postponed pursuant to the White House directive.

- The agency's [request for information](#) on The Prevention of Workplace Violence in Healthcare is also anticipated to be postponed.

The [final rule](#) updating OSHA's general industry walking-working surfaces standards specific to slip, trip, and fall standards became effective on January 17, 2017, prior to the issuance of the regulatory freeze. The compliance dates of this rule remain unchanged.

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## Related Locations

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Washington, DC

## Related Topics

OSHA

Rulemaking

## Related Capabilities

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## Related Regions

North America

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