

## U.S. Department of Labor

# PLAN FOR THE CONTINUATION OF LIMITED ACTIVITIES DURING A LAPSE IN APPROPRIATIONS

**OCTOBER 7, 2024**

The Department of Labor (Department or DOL) is committed to fostering, promoting, and developing the welfare of the wage earners, job seekers, and retirees of the United States; improving working conditions; advancing opportunities for profitable employment; and assuring work-related benefits and rights. As required by section 124 of the Office of Management and Budget Circular A-11, this document (DOL Plan) outlines the Department's plan for operating in the event of a lapse in appropriations. The purpose of the DOL Plan is to ensure that DOL agencies can perform an orderly suspension of programs and operations should a lapse occur, while continuing those limited activities authorized to continue during a lapse.

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities\*: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	14,905

### Total number of employees to be retained under the plan by Category\*\*

Category	Number of employees to be retained
Presidential appointee not subject to furlough:	15
Compensation is financed by a resource other than annual appropriations:	656
Necessary to perform activities expressly authorized by law:	0
Necessary to perform activities necessarily implied by law:	1,278
Necessary to the discharge of the President's constitutional duties and powers:	0
Necessary to protect life and property:	2,051

### Brief summary of significant agency activities that will continue during a lapse:

The Department's primary activities during a lapse in appropriations generally will include worker-protection activities funded by resources other than annual appropriations; work for other agencies funded by resources other than the annual appropriations, including the United States Mexico-Canada Agreement (USMCA), No Surprises Act and Transparency statutes (NSAT), and the American Rescue Plan Act (ARPA); the provision of benefits to workers under entitlement programs; the protection of life and property in cases of imminent threat; and activities authorized to continue by necessary implication to carry out those functions and other

excepted activities consistent with OMB and Department of Justice guidelines. For example:

Agencies will monitor and respond to imminent threats to human life, child labor investigations, or process disaster Dislocated Worker grant applications. Statutory above ground/underground mine investigations will continue, as well as inspections of targeted mines and specific hazards, and workplace inspections in high-hazard industries.

Relevant agencies will pursue and address legal cases or investigations in jeopardy of being lost due to statute of limitations or as otherwise ordered by the court.

DOL will continue to provide support for the payment of benefits for which funding has not lapsed, including the Coronavirus Aid Relief and Economic Security (CARES) Act, Black Lung Benefits Act, Federal Employees' Compensation Act, Energy Employees Occupational Illness Compensation Program Act, Longshore and Harbor Workers' Compensation Act, War Hazards Compensation Act and Trade Adjustment Assistance (TAA) Program. DOL will also provide support to states and other Federal agencies for the administration and payment of unemployment insurance benefits.

Job Corps centers are operated under contracts that are funded by appropriations available on a program year (as opposed to fiscal year) basis. Accordingly, Job Corps centers housing students will remain in operation while funds remain available. In addition, federal oversight of those centers related to safety and property will continue.

Additional detail for each DOL component is contained in the attached plans.

#### **Brief summary of significant agency activities that will cease during a lapse:**

The following agencies will completely cease operations, other than orderly shutdown: Bureau of Labor Statistics, Veterans Employment and Training Service, Office of Federal Contract Compliance Programs, Office of Disability Employment Policy, Women's Bureau, Office of Administrative Law Judges, Administrative Review Board, Benefits Review Board, and Employees' Compensation Appeals Board. One or more furloughed employees of these agencies may be "excepted" on an intermittent basis as the needs arise during a lapse in appropriations, including to periodically monitor communications in order to address shutdown and resumption of operations matters and to liaise with Departmental senior management and agency staff on such matters.

Excepting those for which non-annual funds are available or that fall within an excepted activity, all worker protection agency investigations will cease unless they involve responding to or preventing fatalities, catastrophes, or imminent danger.

Unless excepted or exempt, agencies' technical assistance, compliance assistance, regulatory, policy, research, advisories, responding to inquiries, most oversight, hearing preparation, and cooperative activities will cease.

DOL will not process foreign labor certifications or new TAA determinations.

Additional detail for each DOL component is contained in the attached plans.

**Additional Information:**

\* For the Bureau of Labor Statistics, shutdown activities related to backing up of systems may take up to three days. Other employees may require more than .5 days depending on their location, activity, required travel, or other factors.

\*\* The number of staff on-board during a lapse could fluctuate as result of unforeseen circumstances arising during a lapse, or the occurrence of an emergency.

The following table sets forth for each DOL component the total number of employees expected to be on board prior to implementation of the DOL Plan and the total number of employees to be retained during a lapse under each category listed above.

<b>DOL Agency Name</b>	<b>“On Board” Prior to Lapse</b>	<b>Full-time During a Lapse</b>	<b>Not subject to furlough</b>	<b>Compensation is financed by a resource other than annual appropriations:</b>	<b>Necessary to perform activities expressly authorized by law:</b>	<b>Necessary to perform activities necessarily implied by law:</b>	<b>Necessary to the discharge of the President's constitutional duties and powers:</b>	<b>Necessary to protect life and property:</b>
Administrative Review Board	14	0	0	0	0	0	0	0
Benefits Review Board	52	1	0	0	0	1	0	0
Bureau of Labor Statistics	2,325	1	1	0	0	0	0	0
Employee Benefits Security Administration	830	164	1	117	0	0	0	46
Employee Compensation Appeals Board	26	0	0	0	0	0	0	0
Employment and Training Administration	1,165	44	1	20	0	23	0	0
International Labor Affairs Bureau	167	14	0	10	0	4	0	0
Mine Safety and Health Administration	1,749	879	1	0	0	204	0	674
Occupational Safety and Health Administration	1,935	1,190	1	0	0	3	0	1,186
Office of Administrative Law Judges	160	0	0	0	0	0	0	0
Office of Congressional and Intergovernmental Affairs	21	2	1	0	0	1	0	0
Office of Disability Employment Policy	64	1	1	0	0	0	0	0
Office of EEOICPA Ombudsman	6	6	0	6	0	0	0	0
Office of Federal Contract Compliance Programs	489	0	0	0	0	0	0	0
Office of Inspector General	315	159	1	0	0	24	0	134
Office of Labor-Management Standards	200	0	0	0	0	0	0	0
Office of Public Affairs	52	8	1	0	0	7	0	0

<b>DOL Agency Name</b>	<b>“On Board” Prior to Lapse</b>	<b>Full-time During a Lapse</b>	<b>Not subject to furlough</b>	<b>Compensation is financed by a resource other than annual appropriations:</b>	<b>Necessary to perform activities expressly authorized by law:</b>	<b>Necessary to perform activities necessarily implied by law:</b>	<b>Necessary to the discharge of the President's constitutional duties and powers:</b>	<b>Necessary to protect life and property:</b>
Office of the Assistant Secretary for Administration and Management	1,236	99	1	8	0	86	0	4
Office of the Assistant Secretary for Policy	51	0	0	0	0	0	0	0
Office of the Chief Financial Officer	89	10	0	0	0	10	0	0
Office of the Secretary	73	13	1	0	0	12	0	0
Office of the Solicitor	630	83	1	24	0	58	0	0
Office of Workers' Compensation Programs	1,549	1,316	0	471	0	845	0	0
Veterans' Employment and Training Administration	224	1	1	0	0	0	0	0
Wage and Hour Division	1,421	8	1	0	0	0	0	7
Women's Bureau	62	1	1	0	0	0	0	0
<b>DOL Total</b>	<b>14,905</b>	<b>4,000</b>	<b>15*</b>	<b>656</b>	<b>0</b>	<b>1,278</b>	<b>0</b>	<b>2,051</b>

\*DOL has an additional 5 positions not subject to furlough that are currently vacant.

## Administrative Review Board (ARB)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	14
Total number of agency employees full-time during a lapse:	0
Total number of agency employees expected to be furloughed under the plan	14

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
ARB will suspend all operations. On an intermittent basis, ARB will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D

### Brief Summary of significant agency activities that will cease during a lapse:

Adjudication of appeals.

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Susan Harthill, ARB Chair and Chief Judge, ([Harthill.Susan@dol.gov](mailto:Harthill.Susan@dol.gov), 202-693-2222).

## Benefits Review Board (BRB)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	52
Total number of agency employees full-time during a lapse:	1
Total number of agency employees expected to be furloughed under the plan	51

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	1
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
BRB will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D
Adjudicate or perform administrative or technical tasks in support of the processing of Motions for Stay of Payments made by an employer or carrier pursuant to the Longshore and Harbor Workers' Compensation Act.	D



**Brief Summary of significant agency activities that will cease during a lapse:**

Adjudication of appeals arising under the Black Lung Benefits Act and the Longshore and Harbor Workers' Compensation Act and its extensions; administrative service and support for the Boards (ARB, BRB, ECAB).

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Daniel Gresh, Chair and "Chief" Administrative Appeals Judge ([Gresh.Daniel@dol.gov](mailto:Gresh.Daniel@dol.gov), 202-693-6271)

## Bureau of Labor Statistics (BLS)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	2325
Total number of agency employees full-time during a lapse:	1
Total number of agency employees expected to be furloughed under the plan	2324

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The BLS Commissioner is Presidentially Appointed, Senate confirmed (PAS) and not subject to furlough.	A
The BLS will suspend all operations. On an intermittent basis, BLS will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D

<b>Activity</b>	<b>Category of Furlough Exemption</b> (A through F, listed above)
Should the position of the Commissioner become vacant, another senior level employee will be excepted on an intermittent basis for the limited purpose of overseeing the agency's shutdown activities, communicating with the Department of Labor leadership and employees regarding the status of DOL operations during a lapse and the restarting of agency operations.	D
(INTERMITTENT) Implementation of shutdown and resumption activities; Answering exempt or excepted activity related Administration-Directed Questions	D
(INTERMITTENT) Implementation of shutdown and resumption activities; Administrative Functions	D
(INTERMITTENT) Orderly Shutdown and resumption of IT Systems; Network and Security monitoring; Patching of systems. As part of orderly shutdown activities, system backup activities will take up to three days to complete and will vary by program.	D

**Brief Summary of significant agency activities that will cease during a lapse:**

BLS will suspend all operations.

Economic data that are scheduled to be released during the lapse will not be released.

All active data collection activities for BLS surveys will cease.

The BLS website will not be updated with new content or restored in the event of a technical failure during a lapse.

**Brief Summary of any change in activities if lapse is prolonged:**

The releases of economic data will likely be delayed if a lapse is prolonged. This webpage shows the planned BLS release schedule by month: [https://www.bls.gov/schedule/news\\_release](https://www.bls.gov/schedule/news_release).

A reduction in quality of data collected might impact the quality of future estimates produced.

A prolonged lapse might impact the BLS National Office Headquarters relocation timeline.

A delay of the CPI release during October of each year might have an impact on the Cost of Living Adjustment announcement by the Social Security Administration.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Erika McEntarfer, BLS Commissioner, [mcentarfer.erika@bls.gov](mailto:mcentarfer.erika@bls.gov)

## Employee Benefits Security Administration (EBSA)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	830
Total number of agency employees full-time during a lapse:	164
Total number of agency employees expected to be furloughed under the plan	666

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	117
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	46

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Employee Benefits Security is Presidentially-Appointed, Senate confirmed (PAS) and not subject to furlough.	A
EBSA will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or manage necessary and approved operations.	D

Activity	Category of Furlough Exemption (A through F, listed above)
Secretary’s criminal authority under ERISA (e.g. grand jury related to fraud and mismanagement by health organizations threatening imminent lapses in health coverage) and to otherwise respond to situations which require immediate action (e.g. statute of limitations related to fraud and mismanagement by health organizations threatening imminent lapses in health coverage) under the statutory civil remedies provided to the Secretary to prevent an imminent threat to property as well as to address imminent threats to human life (e.g. when medical benefits are denied in life threatening situations or when retirement benefits are withheld preventing the purchase of life-sustaining necessities).	F
<p>EBSA has supplemental appropriations granted by No Surprises Act – P.L. 116-260 (part of the Consolidated Appropriations Act (CAA)). The activities funded by these appropriations include:</p> <ul style="list-style-type: none"> <li>• Investigations conducted under the Surprise Billing Project.</li> <li>• Enforcement of Title I (No Surprises Act) and Title II (Transparency) of the CAA.</li> <li>• Surprise Billing inquiries assistance and other technical assistance as needed.</li> <li>• Implementation of enacted legislation through rulemaking and guidance to ensure compliance with new protections related to surprise medical bills, price transparency in health care.</li> <li>• Enforcement of enhanced requirements for group health plans related to compliance with the Mental Health Parity and Addiction Equity Act.</li> </ul>	B

**Brief Summary of significant agency activities that will cease during a lapse:**

EBSA would cease all operations not detailed above unless funded via previous years appropriations. Among the specific activities that would cease are our regulatory and research activities, audits, compliance assistance, and IT support not dedicated to excepted activities.

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Lisa M. Gomez, Assistant Secretary, (202-693-8300)

## Employees' Compensation Appeals Board (ECAB)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	26
Total number of agency employees full-time during a lapse:	0
Total number of agency employees expected to be furloughed under the plan	26

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
ECAB will suspend all operations. On an intermittent basis, ECAB will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D

### Brief Summary of significant agency activities that will cease during a lapse:

Adjudication of appeals.

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Alec Koromilas, Chief Judge and Chairman, ([Koromilas.Alec@dol.gov](mailto:Koromilas.Alec@dol.gov), 202-693-6403)



## Employment and Training Administration (ETA)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	1165
Total number of agency employees full-time during a lapse:	44
Total number of agency employees expected to be furloughed under the plan	1121

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	20
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	23
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Employment and Training is Presidentially Appointed, Senate confirmed (PAS) and not subject to furlough.	A
The Employment and Training Administration (ETA) will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D

Activity	Category of Furlough Exemption (A through F, listed above)
<p>Because there is no lapse in the payment of Unemployment Insurance (UI) benefits to unemployed workers or in the payment of income support paid to dislocated workers receiving Trade Readjustment Allowances (TRA) and Reemployment Trade Adjustment Assistance (RTAA) benefits under the Trade Adjustment Assistance (TAA) program, it will be necessary to cover the following UI/TAA benefit payment.</p> <p>Unemployment Insurance and TRA, RTAA Benefits: Continuing Functions Not Funded with Expiring Annual Appropriations – ETA will continue to provide essential functions. These include direction to federal agencies on the administration of UI benefits for unemployed federal and military personnel (UCFE &amp; UCX). ETA will also continue to process Disaster Unemployment Assistance provided by the Federal Emergency Management Agency for declared disasters.</p> <p>UI benefits will continue to be paid since funds are available as long as state UI agencies have sufficient administrative funding to operate and process claims. Funds for the administration activities of the emergency programs under the CARES Act, as amended, will continue to be provided since the Act authorized such funding “without fiscal year limitation.” Additional administrative funding has not been appropriated and will not be available for state UI agencies. Similarly, TRA, and RTAA benefits under the TAA program will continue to be paid to those that are eligible since funds are available. Excepted personnel in the national and regional offices will oversee UI activities related to the fiscal and financial aspects of administering the UI program; interface with Treasury and the states should there be issues that surface with regard to states drawing down funds to pay benefits and/or repaying trust fund advances.</p> <p>Excepted personnel will also interface between the states and the Department of Homeland Security, Federal Emergency Management Agency, to facilitate funds flowing to states to pay disaster unemployment benefits; oversee the operations of the UCFE and UCX programs; provide information and guidance to federal agencies, furloughed federal workers, and states relating to UCFE and UCX.</p>	D
<p>Provide support to states and Federal agencies for payment of UI benefits for Federal and military personnel (Unemployment Compensation for Federal Employees "UCFE" and Unemployment Compensation for Ex-servicemembers "UCX").</p>	D

<b>Activity</b>	<b>Category of Furlough Exemption</b> (A through F, listed above)
Provide support for payments of UI, TRA, and RTAA benefits.	D
Provide support to states for payment of Extended Benefits (EB) if a state has triggered EB on prior to the lapse in appropriations.	D
Provide support for the payment of Disaster Unemployment Assistance.	D
Provide support to states in operating the UI benefit programs under the Coronavirus Aid, Relief, and Economic Security (CARES) Act as amended.	D
Ensure UI money transfers to states and among the various trust fund accounts are managed.	D
Support UI information technology functions in collaboration with the Office of the Chief Information Officer.	D
American Rescue Plan Act – Section 9032 of the American Rescue Plan Act provides funding to the Secretary of Labor “to remain available until expended” to detect and prevent fraud, promote equitable access, and ensure the timely payment of benefits with respect to the unemployment compensation programs. ETA will continue supporting the UI modernization activities. ARPA-funded staff will continue to conduct ARPA-related work.	B
American Rescue Plan Act – Support ARPA grants to state unemployment insurance agencies.	B
American Rescue Plan Act – Support unemployment insurance information technology modernization activities.	B

Activity	Category of Furlough Exemption (A through F, listed above)
<p>The operations of all Job Corps centers are maintained by contracts that utilize Program Year (PY) funds except for two that are maintained by grant. For that reason, and in order to protect the lives and safety of students and facilities, Job Corps will maintain operations of all centers housing students. This will require a number of excepted employees during the shutdown.</p> <p><b>Job Corps: Necessary to Prevent Significant Harm to Funded Programs</b> – ETA administers the Job Corps program, a network of 123 Centers nationwide. The funding for all Job Corps center operations is through the Program Year (PY) appropriation. The current PY runs from July 1 through June 30. At any point in time, about 30,000 Job Corps students reside at these centers and attend academic and occupational training. The centers are operated either by Job Corps contractors or the U.S. Forest Service, under an agreement between the Departments of Labor and Agriculture. ETA retains responsibility for the life and safety of the students, and for the protection of center property.</p> <p>Excepted personnel in the national and regional offices will provide minimum acceptable oversight of the centers; perform financial, procurement, and related administrative functions to protect student life and safety; protect facility property; continue processing and onboarding student applicants; and monitor electronic systems to prevent failure or malfunction and insure system availability.</p> <p>The continuation of Job Corps services is key to the safety and health of the students. Shutting down a center because of the lack of funding or because of a non-extension will place many students in situations of elevated risk for life and health. ETA notes that the staff required to close down a center and handle the contract and related student issues is far greater than that required to extend or modify a contract. If ETA is not allowed to address these anomalies when they occur, it will need authorization to bring in more staff than currently requested to handle the shutdown in an orderly manner. ETA also will be required to act before the funding runs out so as to be able to pay the severance and travel costs associated with a shutdown. Since these costs are unbudgeted, ETA also will need to adjust its projection of students served and modify contracts to ensure that the cost of the shutdown does not cause other budget issues.</p>	<p style="text-align: center;">D</p>

Activity	Category of Furlough Exemption (A through F, listed above)
<p>Daily checks of the Dislocated Worker Electronic System and grants.gov will be made to verify if a disaster application has been submitted.</p> <p><b>Dislocated Worker Grants: Protecting Life and Property</b> – A small group of national and regional office personnel will assist states in completing DWG applications to address declared disasters under the Stafford Act. These activities are critical to help states and localities address unexpected labor market dislocations caused by natural or man-made disasters.</p>	D
<p>Electronic systems will be maintained to process any Job Corps, Dislocated Worker Grants (DWG) for declared disasters, advance funding for Workforce Innovation and Opportunity Act (WIOA) funding, UI funding, or other items. Personnel may be called to work upon request – for example, in the case of a FEMA-declared disaster to help process a DWG application, WIOA funding, or UI funding.</p> <p><b>Financial and Technology Support</b> – A small number of ETA personnel who perform a range of procurement, grant, and financial functions such as authorizing and obligating necessary federal funds, processing shopping carts, and overseeing drawdowns will be retained on a full and intermittent basis. In addition, ETA will provide adequate support for its electronic systems to assure their protection from physical harm or cyber-attack. Support for ETA’s user applications will be limited to only those systems that are determined to be necessary to support authorized “excepted” activities of Federal staff, and the basics needed for the grantees to continue activities which are not funded with expiring appropriation, including WIOA and competitive grantees in addition to the activities named, such as financial reporting, performance reporting, and case management systems used by grantees to implement their grants.</p>	D

**Brief Summary of significant agency activities that will cease during a lapse:**

- No foreign labor certifications will be processed.
- ETA staff will not answer grantee inquiries.
- No program performance or financial reports will be reviewed from grantees.
- No Trade Adjustment Assistance determinations can be made under expiration.
- No registered apprenticeship standards will be processed by federal staff.
- No audit related requests and responses will be fulfilled.

**Brief Summary of any change in activities if lapse is prolonged:**

If a lapse is prolonged, ETA may have to bring additional staff onboard to support permitted activities and provide added supervision to employees who are working under non-lapsed funding.

Job Corps Center contracts are funded, but if a lapse is prolonged, ETA may be required to provide additional funding to maintain Job Corps Center contracts to ensure the safety of students and the Centers.

A prolonged lapse of funding will exacerbate processing delays for the Office of Foreign Labor Certification activities especially temporary labor certification requests under the H2A and H2B Visa programs.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Jose Javier Rodriguez, Assistant Secretary, (202-693-2772)

## International Labor Affairs Bureau (ILAB)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	161
Total number of agency employees full-time during a lapse:	17
Total number of agency employees expected to be furloughed under the plan	144

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	10
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	7
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
Activities related to the implementation of the U.S.-Mexico-Canada Agreement (USMCA) would continue as they are funded under a supplemental appropriation.	B

Activity	Category of Furlough Exemption (A through F, listed above)
Support the President's responsibility to receive ambassadors and other public ministers and to conduct foreign relations. Attend or support senior leadership in any international meetings and/or negotiations where the U.S. Department of Labor (DOL)/ILAB serves as the sole or lead U.S. Government representative on labor and employment issues at the meeting. Support the President's travel and/or initiatives.	D
ILAB will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D

**Brief Summary of significant agency activities that will cease during a lapse:**

Monitoring and enforcing labor-related trade commitments.  
 Planning, administering, and overseeing technical assistance and cooperative activities.  
 Conducting and disseminating research on international labor, trade, and/or economic issues, including child labor and forced labor.

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Thea Lee, Deputy Undersecretary, (202-693-4770)



## Mine Safety and Health Administration (MSHA)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	1749
Total number of agency employees full-time during a lapse:	879
Total number of agency employees expected to be furloughed under the plan	870

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	204
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	674

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Mine Safety and Health is Presidentially-Appointed, Senate confirmed (PAS) and not subject to furlough.	A

Activity	Category of Furlough Exemption (A through F, listed above)
1. Enforcement (ENF Coal and MNM): Inspections; Mine Plan Approvals - Section 103(a) of the Mine Act, Congress provided that MSHA “shall make inspections of each underground coal or other mine in its entirety at least four times a year, and of each surface coal or other mine in its entirety at least two times per year.” MSHA will continue to conduct statutory mandated inspections and investigations.	F
2. Technical Support (TS) Inspections - Investigations of targeted mines, specific hazards, accidents and miners’ safety complaints will be performed. Select sample analysis, such as dust and air samples, will continue since they represent potentially serious and imminent safety problems.	F
3. MSHA Office of Assistant Secretary (OAS), ENF Coal and MNM, EPD, TS, A&M, Program Evaluation and Information Resources (PEIR): Executive/Managers/Supervisors/Staff Support in support of Activity 1 and Activity 2.	D
4. ENF Coal and MNM, TS, A&M, PEIR: Mine Emergency Support	F
5. EPD, TS: Building Security Services	F
6. MSHA will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D

**Brief Summary of significant agency activities that will cease during a lapse:**

1. Compliance Assistance through the Office of Educational Field and Small Mine Services
2. Employee Miner training activities
3. MSHA's Part 100 conferences
4. Health and Safety Training and education programs
5. Collection of civil monetary penalties for violations of the Mine Act
6. Approval and Certification of underground mine equipment
7. All contracts will be issued a "stop work order"
8. Administration of the State Grants Program
9. All MSHA administrative and management services will be discontinued including those regular activities supporting the Agency's budget process, property management, records management, ethics issues, employee training, and safety and health employee support services.

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Christopher J. Williamson, Assistant Secretary of Labor for Mine Safety and Health, (202-693-9414)

## Occupational Safety and Health Administration (OSHA)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	1935
Total number of agency employees full-time during a lapse:	1190
Total number of agency employees expected to be furloughed under the plan	745

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	3
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	1186

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Occupational Safety and Health is Presidentially-Appointed, Senate confirmed (PAS) and not subject to furlough.	A
OSHA is authorized to continue functions in advance of appropriations on matters “of emergencies involving the safety of human life or protection of property.” Therefore, OSHA employees should be excepted from the suspension requirements in order to carry out emergency enforcement activity in the following areas:	

Activity	Category of Furlough Exemption (A through F, listed above)
1) Inspection of imminent danger situations under Section 13 of the Occupational Safety and Health Act	F
2) Investigation of workplace fatalities and catastrophes	F
3) Investigation of safety and health complaints or other information, including Serious Injury Reporting, received from police, fire departments or other first responders, media sources, or employers establishing that employees are potentially exposed to hazardous conditions that present a high risk of death or serious physical harm with the potential to cause death	F
4) Review whistleblower complaints received during a shutdown in order to identify, and promptly refer to the appropriate agency or agencies, any complaint that identifies a workplace or public safety and/or health condition that poses, or if not referred or acted upon, is reasonably likely to pose, an imminent threat to the safety of human life or the protection of property, thus requiring an immediate response. These referrals should be made to either OSHA's safety or health enforcement team or to any of the partner agencies that have the authority to investigate the actual safety and/or health concern (e.g., FRA, FMCSA, FTA, FAA, EPA, DOE, NRC, etc.)	F
5) Follow-up inspections of establishments with high gravity serious violations and no abatement	F
6) Enforcement activities on open cases needed to meet agency six-month statutory deadlines where those cases establish employees are potentially exposed to hazardous conditions that present a high risk of death or serious physical harm with the potential to cause death	F
7) Orderly shutdown activities	D
8) A minimum number of OSHA employees may be necessary to provide support for emergency operations as noted above. In this manner, OSHA can maintain a force permitting it to respond to emergency situations and to continue with the enforcement activity essential to protect workers' lives from the most severe occupational hazards.	D

**Brief Summary of significant agency activities that will cease during a lapse:**

OSHA will be unable to engage in enforcement activities other than the activity described above. For example, the agency will not be able to carry out any programmed inspections. Additionally, OSHA will suspend all activities in the following areas:

- 1) Compliance assistance
- 2) Outreach programs

- 3) Training classes
- 4) Technical assistance
- 5) Rulemaking, including deregulation efforts
- 6) Whistleblower protection activities not described above
- 7) Financial and other administrative efforts

**Brief Summary of any change in activities if lapse is prolonged:**

The absence of IT operations and maintenance activity on the agency's injury tracking application in a prolonged lapse would imperil the schedule of collecting data.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Douglas L. Parker, Assistant Secretary, (800-321-6742)

## Office of Administrative Law Judges (OALJ)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	160
Total number of agency employees full-time during a lapse:	0
Total number of agency employees expected to be furloughed under the plan	160

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
On an intermittent basis, the Office of Administrative Law Judges will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D
On an intermittent basis, the Office of Administrative Law Judges activities will be limited to canceling previously scheduled hearings.	D

<b>Activity</b>	<b>Category of Furlough Exemption</b> (A through F, listed above)
On an intermittent basis, the Office of Administrative Law Judges activities will be limited to receiving filings by mail, whether digital or normal delivery.	D
On an intermittent basis, the Office of Administrative Law Judges requires access to its Case Tracking System (CTS) and Electronic Filing System (EFS).	D
On an intermittent basis, Administrative Law Judges will cancel or reschedule hearings and request the case file information needed to cancel these hearings.	D
On an intermittent basis, contact the parties involved in canceled hearings.	D
On an intermittent basis, liaise with OCIO.	D
On an intermittent basis, check emails and security accessibility in CTS and EFS systems.	D
On an intermittent basis, manage all case files requiring changes due to canceled hearings.	D
On an intermittent basis, handle administrative functions and emergency matters.	D
On an intermittent basis, manage emergency mail correspondence (motions or petitions).	D
On an intermittent basis, submission of time and attendance.	D
On an intermittent basis, manage emergency phone calls.	D

**Brief Summary of significant agency activities that will cease during a lapse:**

All agency adjudicatory activities and support activities will cease.

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Angel Perez, Director of Operations ([perez.angel.1@dol.gov](mailto:perez.angel.1@dol.gov), 240-714-1867)



## Office of Congressional and Intergovernmental Affairs (OCIA)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	21
Total number of agency employees full-time during a lapse:	2
Total number of agency employees expected to be furloughed under the plan	19

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	1
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

**Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:**

<b>Activity</b>	<b>Category of Furlough Exemption</b> (A through F, listed above)
To provide congressional, intergovernmental, and oversight activity support to the Secretary, OCIA’s functions are critical in serving the Secretary who, in turn, is advising the President during the appropriation of funding deliberation with Congress. OCIA also serves as the Secretary’s liaison with Members of Congress, White House staff, officials at the Office of Management and Budget, House and Senate leadership, and Committees of jurisdiction, as well as other Federal, State and local government agencies.	D
The OCIA will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D
The Assistant Secretary for Congressional and Intergovernmental Affairs is Presidentially-Appointed, Senate confirmed (PAS) and not subject to furlough.	A

**Brief Summary of significant agency activities that will cease during a lapse:**

Trade Adjustment Assistance determination notifications

Congressional Notifications

Congressional Correspondence

Intergovernmental Engagement & Correspondence

Tribal Engagement & Correspondence

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Jenny Waits, Deputy Assistant Secretary for Congressional and Intergovernmental Affairs,  
(202-693-4600)

## Office of Disability Employment Policy (ODEP)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	64
Total number of agency employees full-time during a lapse:	1
Total number of agency employees expected to be furloughed under the plan	63

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Disability Employment Policy is Presidentially-Appointed, Senate confirmed (PAS) and not subject to furlough.	A
The ODEP will suspend all operations. On an intermittent basis, ODEP will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	A

Should the position of the Assistant Secretary become vacant, another senior level employee will be excepted on an intermittent basis for the purposes of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D
--	---

**Brief Summary of significant agency activities that will cease during a lapse:**

ODEP's mission is to develop and influence policies and practices to increase employment opportunities for people with disabilities.

ODEP conducts research and evaluation, provides expertise and leadership, and partners within the Department of Labor (DOL), across federal agencies, and with employers and key stakeholders to develop and advance effective policies and practices, to promote disability awareness, overcome barriers in employment and create inclusive workplaces, and expand jobs and apprenticeships for people with disabilities.

ODEP will completely cease operations, other than orderly shutdown activities, in the event of a lapse.

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Taryn Williams, Assistant Secretary, ([odep@dol.gov](mailto:odep@dol.gov), 202-693-7880)  
 Jennifer Sheehy, Deputy Assistant Secretary  
 Melissa Turner, Executive Officer

## Office of the EEOICPA Ombudsman

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	6
Total number of agency employees full-time during a lapse:	6
Total number of agency employees expected to be furloughed under the plan	0

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	6
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Office of the Ombudsman will continue to provide information on the benefits available under Parts B and E of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) and on the requirements and procedures applicable to the provision of such benefits. The Office will also continue to receive complaints, grievances, and requests for assistance from claimants and potential claimants.	B

**Brief Summary of significant agency activities that will cease during a lapse:**

The Office of Ombudsman would not travel to attend outreach efforts during a lapse.

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Amanda Fallon, Ombudsman, ([Fallon.Amanda.M@dol.gov](mailto:Fallon.Amanda.M@dol.gov), 202-693-5896)

## Office of Federal Contract Compliance Programs (OFCCP)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	489
Total number of agency employees full-time during a lapse:	0
Total number of agency employees expected to be furloughed under the plan	489

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Office of Federal Contract Compliance Programs (OFCCP) will suspend all operations. On an intermittent basis, OFCCP will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D

**Brief Summary of significant agency activities that will cease during a lapse:**

The OFCCP will suspend all operations, including conducting compliance evaluations, complaint investigations, and outreach to external stakeholders.

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Michele Hodge, Acting OFCCP Director (1-800-397-6251)



## Office of the Inspector General (OIG)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	315
Total number of agency employees full-time during a lapse:	159
Total number of agency employees expected to be furloughed under the plan	156

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	24
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	154

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Inspector General is Presidentially-Appointed, Senate confirmed (PAS) and not subject to furlough.	A

Activity	Category of Furlough Exemption (A through F, listed above)
<b>Law Enforcement Activities</b> - The OIG conducts criminal investigations relating to alleged violations of Federal laws, rules or regulations related to DOL programs and operations, as well as investigations of allegations of misconduct on the part of DOL employees. The OIG also conducts criminal investigations to combat the influence of labor racketeering and organized crime in the nation's labor unions in the areas of employee benefit plans, labor-management relations, and internal union affairs. The OIG has excepted all GS-1811 criminal investigators.	F
<b>Activities to Support Law Enforcement Efforts</b> - Management, operational and legal activities necessary to support excepted law enforcement activities.	D
<b>Shut Down Activities</b> - The OIG will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D

**Brief Summary of significant agency activities that will cease during a lapse:**

Audits and Evaluations - The OIG conducts oversight of DOL program and operations. The audits and evaluations associated with the OIG's oversight will not occur during a lapse in funding.

**Brief Summary of any change in activities if lapse is prolonged:**

Intermittent employees may need to become full time employees to ensure IT functions continue to operate at peak efficiency to support law enforcement activities.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Erin Zickafoose; Director Office of Congressional and Public Relations,  
[zickafoose@oig.dol.gov](mailto:zickafoose@oig.dol.gov)

## Office of Labor-Management Standards (OLMS)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	200
Total number of agency employees full-time during a lapse:	0
Total number of agency employees expected to be furloughed under the plan	200

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The OLMS will suspend all operations. On an intermittent basis, OLMS will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations	D
On an intermittent basis, investigators subpoenaed to testify before a federal or state court will continue to prepare and present testimony and travel to and from the court.	D

Activity	Category of Furlough Exemption (A through F, listed above)
On an intermittent basis, investigators conducting criminal investigations in jeopardy of being lost due to the statute of limitations will continue to work on those investigations.	D
On an intermittent basis, investigators performing election investigations required to be conducted within 60 days (absent a mutual agreement between the labor union and OLMS to extend the deadline) will continue to conduct those investigations.	D
On an intermittent basis, investigators would continue performing activities associated with a supervised election where postponement of the election would cause a violation of the statutory requirement with respect to the maximum time period for holding union officer elections or would result in a failure to meet a court-ordered deadline, absent an extension. Additionally, OLMS would continue coordination and management of the aforescribed activities as they are or become necessary.	D

**Brief Summary of significant agency activities that will cease during a lapse:**

Criminal and civil investigations that do not have statutory or court-imposed deadlines.  
 Public disclosure operations processing FOIA and Privacy Act requests.  
 Electronic filing support.  
 Receiving hard copy filings.  
 Compliance assistance activities.  
 Development of regulations.  
 Updating the OLMS website.  
 Providing technical assistance to filers.  
 Reviewing federal transit grants, and all other activities not specifically described above.

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Brian Pifer, Director Office of Field Operations, ([olms-public@dol.gov](mailto:olms-public@dol.gov))  
 Yolonda Robinson

## Office of Public Affairs (OPA)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	52
Total number of agency employees full-time during a lapse:	8
Total number of agency employees expected to be furloughed under the plan	44

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	7
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Public Affairs is Presidentially-Appointed (PA) and not subject to furlough.	A
OPA will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D

Activity	Category of Furlough Exemption (A through F, listed above)
Dissemination of public information that can be expected (1) to expeditiously inform employers/workers of a potentially life-threatening or maiming workplace hazard or risk to property or (2) to have the effect of deterring violations and enhancing compliance, during the period of a lapse in appropriations.	D
Dissemination of public information, web/social media and press support activities for the Secretary and for the Department with respect to the actual suspension of Departmental activities and its policy context.	D

**Brief Summary of significant agency activities that will cease during a lapse:**

Most OPA activities will cease, such as regular clearance of DOL news releases; processing of FOIA requests and DOL correspondence; and updating of agency content via social media channels, the dol.gov website, and DOL-NCC contact center service.

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Michael Trupo, Deputy Assistant Secretary, Office of Public Affairs [trupo.michael@dol.gov](mailto:trupo.michael@dol.gov)

## Office of the Assistant Secretary for Administration and Management (OASAM)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	1236
Total number of agency employees full-time during a lapse:	99
Total number of agency employees expected to be furloughed under the plan	1137

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	8
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	86
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	4

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary Administration and Management is Presidentially-Appointed (PA) and not subject to furlough.	A

Activity	Category of Furlough Exemption (A through F, listed above)
<p><b>Shutdown Activities:</b> OASAM will have key staff available in the National Office and regions to assist in supporting Departmental-wide shutdown activities. This includes the implementation of orderly shutdown and the resumption of operations, as well as internal and external coordination among exempt and excepted staff.</p>	D
<p><b>Human Resources (HR):</b> By maintaining a small staff of Office of Human Resource (OHR) managers and OHR specialists, OASAM will provide basic HR services to support excepted or exempt DOL personnel. OASAM requires additional HR staff to process payroll. In addition, minimal staff will be available on an as-needed basis to address and resolve any issues that may prevent payroll from properly running. This also includes labor-management relations services and HR systems services for excepted or exempt activities.</p>	D
<p><b>Information Technology (IT):</b> OASAM has identified a minimal IT staff in the Office of the Chief Information Officer (OCIO) who will ensure DOL’s technology services, applications, website management, and IT security responsibilities continue without disruption to support excepted and exempt staff from other DOL agencies. The services provided include e-mail, network, mobile devices, unified communications, help desks, and IT systems (financial, procurement, excepted activities).</p>	D
<p><b>Facilities Management (including minimal mail services):</b> In order to ensure the Department’s Frances Perkins Building is operational for excepted or exempt DOL personnel, three facilities operations specialists and one building management specialist will alternate shifts to monitor building operations, including heat, air conditioning, electricity, and sanitation services provided by contract staff. Additionally, one mail clerk will provide limited mail collection and delivery during a shutdown. One employee from each of OASAM’s regional offices will coordinate these functions in the field. This will involve coordinating with GSA or the building manager to ensure operations of excepted and exempt staff from other agencies is unimpeded.</p>	D
<p><b>Procurement / Finance (Region):</b> In addition to the Senior Procurement Executive, two Contracting Officers will be designated as excepted in order to provide contracting/procurement services as necessary in support of excepted and exempt staff. If, for example, an agency needs to modify a contract during the shutdown because of excepted activities, the Contracting Officer will execute the required modification. In the field, a Finance Manager will continue providing invoicing services in support of excepted employees.</p>	D



Activity	Category of Furlough Exemption (A through F, listed above)
<p><b>Security &amp; Emergency Management:</b> Even in the event of a shutdown, maintaining the safety and security of the Department’s excepted and exempt personnel, as well as securing the Department’s property, will be a high priority. Three federal employees will supervise a skeletal staff of contract security guards, three shifts per day – who will provide basic coverage in the Frances Perkins Building and South Garage for parking and adequate coverage at the main employee entrance and oversee emergency response activities in the National Office.</p> <p>Additionally, to ensure the Department receives timely notification from Federal law enforcement sources and the White House on any emergency situations and to manage national security communications, the Emergency Management Center will remain minimally operational both in Washington, DC and at the National Mine Health and Safety Academy.</p>	F
<p><b>Personnel Security Support to DOL Job Corps:</b> OASAM will continue to process background checks for the Job Corps program. DOL has determined that the continuation of Job Corps services is key to the safety and health of the students and prospective students.</p>	B
<p><b>Appropriations Guidance:</b> Departmental Budget Center will provide expertise for all budget matters for the Department, including monitoring and providing guidance on the appropriate use of funds during the shutdown and exempt/excepted work during the shutdown. They will ensure senior exempt and excepted staff are kept apprised of budget developments. Additional employees may be recalled as needed should appropriations and apportionment issues arise.</p>	D
<p>OASAM will also have staff on an Excepted Intermittent basis to support work across DOL that continues with multiyear non-lapsed funding. Some of these staff may not work on a full-time basis, and support to agencies may be covered by multiple people as the need arises.</p>	D

**Brief Summary of significant agency activities that will cease during a lapse:**

Beyond the minimal administrative support in support of the Department's shutdown activities and its excepted/exempted activities, OASAM's services will cease, including procurement services, staffing and recruitments services, and other administrative support services.

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Carolyn Angus-Hornbuckle, Assistant Secretary for Administration and Management,  
([Contact.OASAM@dol.gov](mailto:Contact.OASAM@dol.gov), 202-693-4040)

## Office of the Assistant Secretary for Policy (OASP)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	51
Total number of agency employees full-time during a lapse:	0
Total number of agency employees expected to be furloughed under the plan	51

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Policy is Presidentially-Appointed, Senate confirmed (PAS) and not subject to furlough.	A

<b>Activity</b>	<b>Category of Furlough Exemption</b> (A through F, listed above)
OASP will suspend all other operations. On an intermittent basis, OASP will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations. Should the position of the Assistant Secretary for Policy become vacant, another senior level employee will be excepted on an intermittent basis for the purpose of overseeing the agency's shutdown and other activities listed above.	D

**Brief Summary of significant agency activities that will cease during a lapse:**

OASP will suspend all operations and furlough all agency personnel when there is a lapse in government appropriations.

Significant OASP activities that will cease include the following: leading high priority regulatory initiatives through the Department and OMB; facilitating the execution of the Department’s regulatory agenda; coordinating policy development and economic analyses; supporting DOL’s work with research, evaluation and analysis activities; developing the Department’s Annual Evaluation Plan; improving Department data capacity by assisting in the development of new infrastructure for agencies and the public.

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Katelyn Walker-Mooney, Deputy Assistant Secretary for Policy, (202-693-5959)

## Office of the Chief Financial Officer (OCFO)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	89
Total number of agency employees full-time during a lapse:	10
Total number of agency employees expected to be furloughed under the plan	79

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	10
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Chief Financial Officer is Presidentially Appointed, Senate confirmed (PAS) and not subject to furlough.	A
OCFO will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D
Identify and manage funding for excepted activities.	D
Provide budget execution support for excepted activities.	D
Provide oversight for excepted activities.	D

Activity	Category of Furlough Exemption (A through F, listed above)
Provide support for grants and contracts systems for excepted activities and serve as the Senior Contracting Officer's Representative (COR) managing contractual activities that are deemed excepted.	D
Oversee systems security.	D
Provide travel support to excepted staff throughout the Department.	D
Process daily investments for the Energy, Long Shore, and District of Columbia Compensation Act (DCCA) Programs under OWCP.	D

**Brief Summary of significant agency activities that will cease during a lapse:**

Preparing and publishing the Agency's Financial Report (AFR) which presents the Department's financial statements, complying with necessary accounting standards and law.

Leading DOL's Enterprise Risk Management (ERM) Initiative providing senior leaders with an integrated, enterprise-wide view of risk, risk tolerances, and risk mitigation efforts to increase transparency and collaboration, reduce costs, and to more effectively manage risks to the DOL mission.

Providing accounting and invoice services to all Departmental Management (DM) agencies and other DOL component agencies.

Managing DOL-wide accounting operations, including maintenance and integrity of the Department's general ledger, cash and payroll reconciliation, and administration of the Department's Intra-Governmental Payment and Collection (IPAC) System, and canceled check programs.

Treasury/OMB required reporting would cease for the Governmentwide Treasury Account Symbol (GTAS), preparation of DOL's quarterly and annual financial statements, and DATA Act.

Delay to Treasury mandated G-Invoicing initiative implementation.

Payment of invoices for commercial vendors.

**Brief Summary of any change in activities if lapse is prolonged:**

Payment of invoices for commercial vendors would have to resume to avoid large amounts of interest penalties that would be paid from agencies' appropriations in compliance.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Marella Turner, Administrative Officer, ([Turner.Marella@dol.gov](mailto:Turner.Marella@dol.gov))

## Office of the Secretary (OSEC)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	73
Total number of agency employees full-time during a lapse:	13
Total number of agency employees expected to be furloughed under the plan	60

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	12
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Secretary of Labor and Deputy Secretary of Labor are Presidentially-Appointed, Senate confirmed (PAS) members of the President's cabinet and perform statutory duties and fundamental responsibilities for, and on behalf of, the President.	A



Activity	Category of Furlough Exemption (A through F, listed above)
During a lapse in appropriations, the Secretary remains responsible for carrying out duties to and for the President and prescribed by law, including all activities related to the Department's "exempt" and "excepted" functions. Within the boundaries of applicable law, it is imperative that the Secretary have a minimal core of staff to support the Secretary and the Department in the performance of activities designated as "exempt" or "excepted," as described in this plan to include emergency circumstances.	D
The Deputy Secretary occupies a PAS position. During a lapse in appropriations, excepted staff in the Office of the Deputy Secretary will limit their activities to those that support Departmental excepted activities, activities arising from the fact that the funding lapse has occurred, and executive branch efforts to resolve the impasse with Congress.	D
The Office of the Executive Secretariat is charged with managing and implementing the Secretary's internal communications process. During a lapse in appropriations, this office, to the extent necessary to support departmental exempt and excepted activities, will (1) perform triage of correspondence and other communication for the appropriate Secretarial, PAS and staff attention, and (2) assume quality control and correspondence management for all written communications relating to the authorized functioning of the Department.	D

**Brief Summary of significant agency activities that will cease during a lapse:**

During a lapse in appropriations, the Diversity, Equity, Inclusion, and Accessibility activities would be suspended.

During a lapse in appropriations, the Office of Public Engagement Activities would be suspended.

**Brief Summary of any change in activities if lapse is prolonged:**

Additional staffing would be required on an intermittent basis should the lapse exceed five days or the volume of duties with respect to the lapse of appropriations warrant additional staffing. This would include the occurrence of a serious emergency or major initiative, e.g., legislative, legal, or programmatic subsequently authorized as an excepted activity.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Nikki McKinney, Associate Deputy Secretary

## Office of the Solicitor (SOL)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	630
Total number of agency employees full-time during a lapse:	83
Total number of agency employees expected to be furloughed under the plan	547

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	24
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	58
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
All: SOL staff will conduct orderly shutdown activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations [Antideficiency Act].	D
All: SOL will need sufficient exempt and excepted staff available to provide core legal services necessary to support exempt or excepted activities of the Secretary and client agencies that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds.	D

Activity	Category of Furlough Exemption (A through F, listed above)
All: SOL will need sufficient exempt and excepted staff available to provide legal services involving the safety of human life or the protection of property necessary during the period of a lapse in appropriation.	F
All: SOL will need sufficient exempt and excepted staff available to respond to agency requests for legal assistance relating to shutdown issues during the pendency of shutdown itself. This includes additional request for excepted functions or personnel for which SOL must be able to provide expedited approval for the Department to continue operations within the law.	D
Front Office: The Solicitor is a Presidentially Appointed and Senate Confirmed or PAS position and is exempt. Total: 1 exempt staff.	A
Front Office: Six (6) staff: The Deputy Solicitor, Deputy Solicitor for National Operations, Deputy Solicitor for Regional Enforcement, other attorneys, and administrative support staff, all performing administrative, support, and core legal services necessary to support exempt or excepted activities of the Secretary and client agencies that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds. In addition, staff may be required to provide legal services involving the safety of human life or the protection of property necessary during the period of a lapse in appropriation. Total: 6 excepted staff.	D
Federal Employees' and Energy Workers' Compensation Division: One (1) attorney (Associate Solicitor) on an excepted function basis to lead and provide core legal services necessary to support OWCP's exempt or excepted activities that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds. Total: 1 excepted staff.	D
Federal Employees' and Energy Workers' Compensation Division: All staff of the FECA Subrogation Unit directly funded by the Employees' Compensation Fund on an exempted function basis (including supervisor, attorneys, paralegals, legal assistants, and any administrative, support, and/or student interns), as funding for this function will continue; and staff of the Energy Unit directly funded by Energy Part E, which is a permanent indefinite appropriation. Total: 20 excepted (non-lapse funding) staff members, consisting of 6 attorneys and 14 paralegal and support staff.	B

<b>Activity</b>	<b>Category of Furlough Exemption</b> (A through F, listed above)
Mine Safety and Health Division: Four (4) attorneys (Associate Solicitor, Deputy Associate Solicitor, and two counsels) on an excepted basis to support MSHA continuing functions, including leading attorneys to lead and provide core legal services necessary to support MSHA's exempt or excepted activities that continue during a lapse in annual appropriations. Total: 4 excepted staff.	D
Occupational Safety and Health Division: One (1) attorney (Associate Solicitor) to support OSHA's continuing functions to lead and provide core legal services necessary to support OSHA's exempt or excepted activities that continue during a lapse in annual appropriations. Total: 1 excepted staff.	D
Employment and Training Legal Services Division: One (1) attorney (Associate Solicitor) on an excepted function basis to support continuing functions, exempt or excepted, of all the division's client agencies (ETA, VETS, and ILAB), and to recall other staff as needed from the excepted intermittent list. In addition, staff may be required to provide legal services involving the safety of human life or the protection of property necessary during the period of a lapse in appropriation. Total: 1 excepted staff.	D
Plan Benefits Security Division: One (1) attorney (Associate Solicitor) on an excepted function basis to support continuing exempt or excepted functions of EBSA, including those funded under the No Surprises Act/Transparency (NSAT) multiyear appropriation, and to recall other staff as needed from the excepted intermittent list. Other staff, including those paid by continuing NSAT funds, will be recalled as needed from the excepted intermittent list. Total: 1 excepted staff.	D
Fair Labor Standards Division: One (1) attorney (Associate Solicitor) on an excepted function basis to support continuing exempt or excepted functions of WHD, and to recall other staff as needed from the excepted intermittent list. Other staff will be recalled as needed from the excepted intermittent list. Total: 1 excepted staff.	D

Activity	Category of Furlough Exemption (A through F, listed above)
<p>Management and Administrative Legal Services Division: Seven (7) staff total to provide legal support for all of the Department’s continuing exempt, excepted, and lapse-related activities, and to support SOL’s continuing exempt or excepted activities. In addition, staff may be required to provide legal services involving the safety of human life or the protection of property necessary during the period of a lapse in appropriation. The total number of seven includes one Associate Solicitor/Administrative Officer, two appropriations law attorneys, two employment law/labor relations attorneys, one contracts/procurement attorney, and one legal technology/litigation support services staff. Total: 7 excepted staff.</p>	D
<p>Office of Legal Counsel: One (1) excepted attorney (Associate Solicitor) to provide core legal services necessary to support exempt or excepted activities of the Secretary and client agencies that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds. Total: 1 excepted staff.</p>	D
<p>Black Lung and Longshore Legal Services: One (1) excepted attorney (Associate Solicitor) to provide core legal services necessary to support OWCP's exempt or excepted activities that continue during a lapse in annual appropriations, including based on the availability of non- lapsed multi-year funds. Total: 1 excepted staff</p>	D
<p>Civil Rights and Labor Management: One (1) excepted attorney to provide core legal services necessary to support exempt or excepted activities of the Secretary and client agencies (OASAM CRC, ODEP, and OFCCP) that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds. Total: 1 excepted staff.</p>	D
<p>Generally, each Region will have as full-time excepted staff three (3) attorneys for each Region, one (1) additional attorney for each Sub-regional Office in that Region, and one (1) administrative support staff person for each Region, to provide core legal services necessary to support exempt or excepted regional activities of the Secretary and client agencies that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds. In addition, staff may be required to provide legal services involving the safety of human life or the protection of property necessary during the period of a lapse in appropriation. Some Regions will have a larger number of attorneys and support staff may be located in any of a Region’s offices. Additional staff, including some paid by continuing NSAT funds, will be recalled as needed from the excepted intermittent list. Total: 33 excepted staff.</p>	D

Activity	Category of Furlough Exemption (A through F, listed above)
Of the Regional Office staff, there will be a small number of staff to provide core legal services necessary to support exempt or excepted regional activities of the Secretary and client agencies that continue during a lapse in annual appropriations, who continue to work full-time based on continuing NSAT funds. Total: 3 excepted (non-lapse funding) staff.	B
*A number of intermittent excepted staff will be rotated or recalled, as necessary, or have extended orderly shutdown periods.	D
*In emergency situations that may develop during the period of a lapse in appropriation, some of these or other staff may be returned to paid status for the period necessary to meet the exigency.	D

**Brief Summary of significant agency activities that will cease during a lapse:**

Court litigation: It is unknown whether the federal judiciary will continue to operate during a shutdown; SOL will identify and place additional SOL staff on the excepted intermittent list to meet potential litigation demands during shutdown, that will be required to provide core legal services necessary to support exempt or excepted activities of the Secretary and client agencies that continue during a lapse in annual appropriations, including based on the availability of non-lapsed multi-year funds.

Legal Advice: SOL will not provide legal advice or assistance to DOL staff, except for the work that can be conducted by the limited number of exempt and excepted staff identified in this plan.

Rulemaking: SOL will not be able to support DOL rulemaking, except for the work that can be conducted by the limited number of exempt and excepted staff identified in this plan.

**Brief Summary of any change in activities if lapse is prolonged:**

Selected activities may require additional excepted intermittent or full-time staff. Litigation before Federal courts or adjudicative bodies may continue and SOL must represent DOL if the Courts or adjudicative bodies continue to operate. Agencies will require more legal advice, including that regarding legal limitations for exempt and excepted work and staff under the Department's contingency planning.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Seema Nanda, Solicitor of Labor, (202-693-5260)

## Office of Workers' Compensation Programs (OWCP)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	1549
Total number of agency employees full-time during a lapse:	1316
Total number of agency employees expected to be furloughed under the plan	233

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	0
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	471
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	845
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
OWCP has some statutory authority to continue the payment of benefits for varying amounts of time during a lapse in annual appropriations in awarded claims under the Black Lung Benefits Act (BLBA), the Energy Employees Occupational Illness Compensation Program Act (EEOICPA), the Federal Employees' Compensation Act (FECA), the Longshore and Harbor Workers' Compensation Act (LHWCA) and its extensions, and the War Hazards Compensation Act (WHCA).	D

Activity	Category of Furlough Exemption (A through F, listed above)
1. BLBA: Part B benefits are paid from annual appropriations; OWCP expects to be able to continue paying Part B benefits indefinitely, because OWCP's appropriation provides an advance for benefits payable during the first quarter of the next Fiscal Year and OWCP does not expect to exhaust this funding in the near future.	D
2. BLBA: Part C benefits are paid from the Black Lung Disability Trust Fund (BLDTF). OWCP expects to be able to continue paying benefits from the BLDTF as long as the BLDTF contains sufficient funds to make payments. At this point, if there is lapse in appropriations, OWCP can continue paying benefits until such time as all funding is completely expended	D
3. EEOCIPA: OWCP expects to be able to continue paying all benefits due, whether under Part B or Part E, because benefits are paid from the Energy Employees Occupational Illness Compensation Fund, a permanent indefinite appropriation that is not dependent upon annual appropriations or authority provided in other appropriations laws.	B
4. FECA: OWCP expects to be able to continue paying all benefits as long as sufficient funds remain available in the Employees' Compensation Fund, a permanent appropriation. Although a significant portion of the money deposited into the Fund is from annual appropriations* received by employing agencies and transferred to the Fund pursuant to 5 U.S.C. 8147 (b), these funds do not expire and use of the funds to pay benefits is not dependent upon authority provided in annual appropriations. Upon a lapse in appropriations, OWCP can continue paying benefits for several months until such time as all available funding is expended. Estimates will be updated as transfers from other agencies are received. *Approximately 40% of the benefits paid from the fund consist of payments made to employees of the United States Postal Service (USPS). USPS reimburses the Fund for those payments from a revolving fund which is not subject to a lapse in annual appropriations.	B
5. LHWCA: OWCP expects to be able to continue paying any benefits due from the LHWCA Special Fund, as long as the Special Fund contains sufficient funds to make payments. At this time, OWCP expects to have sufficient funding in the Special Fund to continue paying benefits for approximately 12 months.	D



<b>Activity</b>	<b>Category of Furlough Exemption</b> (A through F, listed above)
6. WHCA: WHCA claims are paid from the Employees' Compensation Fund, discussed in Number 4 (above). As with FECA benefits, OWCP expects to be able to continue paying all benefits as long as sufficient funds remain available in the Employees' Compensation Fund, a permanent appropriation. OWCP expects to have sufficient funding in the fund to continue paying benefits consistent with number 4.	D
7. OWCP also will designate program officials for employees performing the excepted activities described above to provide essential executive, managerial and supervisory direction. This will ensure that the excepted activities as set forth above are provided appropriate supervision. Additionally, excepted employees will provide financial, contract management, and clerical duties in support of excepted activities; and appear in court pursuant to lawful subpoenas served on them in their capacity as Federal employees to ensure availability of the resources necessary to perform authorized functions. Information technology support and technical support functions are the responsibility of the Office of the Chief Information Officer and are/will be addressed in the Office of the Assistant Secretary for Administration & Management's contingency plan.	D
8. OWCP will designate employees who are paid out of annual appropriations and who process benefits for claims that are paid from funding sources that do not lapse which are identified above in items 1 to 6.	D
9. Some OWCP employees working on OWCP's IT Modernization project are funded through the Technology Modernization Fund, a non-appropriated account. These employees will be working on development plans and requirements, independent of OCIO.	B

**Brief Summary of significant agency activities that will cease during a lapse:**

**Black Lung Disability Trust Fund**

- After all funds available for benefits are expended, all benefit payments and claims processing work will cease
- Hearing preparation
- Policy development\determinations
- Review\approval of self-insurance applications\self-insured status
- IT system development\deployment (except for OWCP IT Modernization Project efforts)
- Post-entitlement activity to prevent improper benefit payments
- Support of ALJ\Benefits Review Board adjudication
- Accountability reviews
- Debt collection activity
- Technical assistance to insurers and employers

- Public communications\outreach including FOIAs and Privacy Act requests

#### Disabled Coal Miners

- After all funds available for benefits are expended, all benefit payments and claims processing work will cease
- Debt collection activity

#### Federal Employees' Compensation Act and War Hazards Compensation Act

- Hearings of claimant appeals\processing of WHCA reimbursement claims and appeals
- Technical assistance for claimants and employing agencies. This does NOT impact responses to claimants or employing agencies as they relate to case management.
- Policy development\determinations
- IT system development\deployment (exclusive of maintenance) (except for OWCP IT Modernization Project efforts)
- Public communications\outreach including FOIAs and Privacy Act requests and Congressional correspondence. Development of medical procedures, disability, etc. that is initiated by a Congressional inquiry should continue, the only preclusion is response to the Congressional office.
- Periodic Entitlement Reviews
- Processing of schedule awards for impairment
- Scheduling second opinion or referee examinations unless needed to perform excepted activities

#### Longshore and Harbor Workers' Compensation Act, as extended

- Processing cases under the Longshore and Harbor Workers' Compensation Act and its extensions, including the Defense Base Act", except those being paid or to be paid by the Longshore Special Fund.
- Assessment audits and collections
- Review and approval of insurance authority applications
- Monitoring adequacy of insurance securities
- Oversight of benefit delivery by covered employers and insurers
- Review and adjudication of disputed claims
- Dispute resolution
- Mediation
- Informal conferences
- Technical assistance to insurers and employers
- Assistance for claimants with claims processing, required reports and information, screening and referral for services
- Public communications\outreach including FOIAs and Privacy Act requests

#### Energy Employees Occupational Illness Compensation (Part B Funding)

Employees funded under Part B will not engage in the following:

- Public communications\outreach including FOIAs and Privacy Act requests.
- Policy development\determinations
- IT system development\deployment (other than IT maintenance) (except for OWCP IT Modernization Project efforts)
- Training development and delivery activities

### Energy Employees Occupational Illness Compensation (Part E Funding)

Part E funded employees are funded under a permanent appropriation and are therefore exempt employees, capable of performing their normal duties, even in the event of a lapse in annual appropriations. But, because separating activities between Part B and Part E claims is not always functionally possible, the following limitations will be placed on Part E funded employees in the event of a lapse in annual appropriation.

Employees funded under Part E will not engage in the following:

- Public communications/outreach including FOIAs and Privacy Act requests, if those activities require the involvement of Part B funded employees or contractors.
- Policy development/determinations, if those activities require the involvement of Part B funded employees or contractors.
- IT system development/deployment (other than IT maintenance) (except for OWCP IT Modernization Project efforts), if those activities require the involvement of Part B funded employees or contractors.

### **Brief Summary of any change in activities if lapse is prolonged:**

2. BLBA: Part C benefits are paid from the Black Lung Disability Trust Fund (BLDTF). OWCP expects to be able to continue paying any benefits fund from the BLDTF as long as the BLDTF contains sufficient funds to make payments. At this point, if there is lapse in appropriations, OWCP can continue paying benefits until such time as all funding is completely expended.

4. FECA: OWCP expects to be able to continue paying all benefits as long as sufficient funds remain available in the Employees' Compensation Fund, a permanent appropriation (estimated to be about 3 months). Although a significant portion of the money deposited into the Fund is from annual appropriations\* received by employing agencies and transferred to the Fund pursuant to 5 U.S.C. 8147 (b), these funds do not expire and use of the funds to pay benefits is not dependent upon authority provided in annual appropriations. Upon a lapse in appropriations, OWCP can continue paying benefits for several months until such time as all available funding is expended. Estimates will be updated as transfers from other agencies are received. \*Approximately 40% of the benefits paid from the fund consist of payments made to employees of the United States Postal Service (USPS). USPS reimburses the Fund for those payments from a revolving fund which is not subject to a lapse in annual appropriations.

5. LHWCA: OWCP expects to be able to continue paying any benefits due from the LHWCA Special Fund, as long as the Special Fund contains sufficient funds to make payments. At this time, OWCP expects to have sufficient funding in the Special Fund to continue paying benefits for approximately 12 months.

6. WHCA: WHCA claims are paid from the Employees' Compensation Fund, discussed in Number 4 (above). As with FECA benefits, OWCP expects to be able to continue paying all benefits as long as sufficient funds remain available in the Employees' Compensation Fund, a permanent appropriation. OWCP expects to have sufficient funding in the fund to continue paying benefits consistent with number 4.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Christopher Godfrey, Director, (202-343-5580)

## Veterans' Employment and Training Service (VETS)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	224
Total number of agency employees full-time during a lapse:	1
Total number of agency employees expected to be furloughed under the plan	223

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Assistant Secretary for Veterans Employment and Training is Presidentially-Appointed, Senate confirmed (PAS) and not subject to furlough.	A
VETS will conduct orderly shutdown of activities to the extent the activities are not otherwise excepted under the plan or necessary to resume orderly operations.	D

Activity	Category of Furlough Exemption (A through F, listed above)
The National Veterans' Training Institute (NVTI), which provides specialized training for veterans' service provider staff, is authorized to continue offering virtual and self-paced courses to grantees. The NVTI contract is fully funded and performance does not require federal government supervision. (Vendor: Management Concepts).	B
The TAP contract will be funded through February 2025. The vendor is authorized to continue providing Transition Assistance Program (TAP) trainings to military personnel. Performance does not require federal government supervision.	B

**Brief Summary of significant agency activities that will cease during a lapse:**

Complete Advisory Committee on Veterans Employment, Training, and Employer Outreach (ACVETEO) Annual Report to Congress (Due December 31st) through the VETS Office of Strategic Outreach.

Prepare for Honoring Investments in Recruiting and Employing American Military Veterans (AKA HIRE Vets Medallion Program) 2025 Open Season through VETS Office of Strategic Outreach.

Conduct all research, evaluation, and congressional affairs through VETS Office of Research and Policy.

Conduct strategic outreach and employer engagement activities through VETS Office of the Assistant Secretary, Office of Strategic Outreach, and Regional Offices.

Conduct Uniformed Services Employment and Reemployment Rights Act (USERRA) and Veteran's Preference (VP) investigations through VETS Office of National Programs.

Oversee Agency contracts through VETS Office of Agency Management and Budget and Office of National Programs.

Provide support to Agency Head, who is an exempted employee through VETS Office of the Assistant Secretary and the Office of Agency Management and Budget.

Provide technical assistance to grantees through the Office of National Programs.

Update VETS Public Website through the Office of Strategic Outreach.

Provide timely responses to public inquiries through the Freedom of Information Act (FOIA) by the Office of Agency Management and Budget, Office of National Programs, and Regional Offices.

Work in support of and to monitor the Administrative Scorecard and Agency Management Plan (AMP) themes, performance measures, and milestones through the Office of Agency Management and Budget.

**Brief Summary of any change in activities if lapse is prolonged:**

VETS will delay the Funding Opportunity Announcement (FOA) in the Federal Register submission of the Homeless Veteran's Reintegration Program (HVRP).

VETS will delay the start of the HIRE Vets Medallion Program (HVMP) Open Season, which is required by Public Law 115-31 to be from January 31st through April 30th.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

J. Margarita Devlin, Deputy Assistant Secretary of Operations and Management,  
([Devlin.Juana.M@dol.gov](mailto:Devlin.Juana.M@dol.gov), 202-693-0327)

## Wage and Hour Division (WHD)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	1421
Total number of agency employees full-time during a lapse:	8
Total number of agency employees expected to be furloughed under the plan	1448

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	7

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Wage and Hour Director is Presidentially Appointed, Senate confirmed (PAS) and not subject to furlough.	A
Perform orderly shutdown activities.	D
Monitor incoming complaints and respond to emergencies in order to prevent irreparable harm.	F
Respond to and investigate any incidents involving child labor violations, including those that involve employment in occupations determined to be hazardous, serious injury or death of a minor.	F



Activity	Category of Furlough Exemption (A through F, listed above)
Respond to and investigate any transportation accident or allegations of housing safety violations involving serious injury or death of a farm worker.	F
Prepare for and/or participate at hearings or depositions scheduled by a court of law	D
Execute search warrants and/or deliver subpoenas and receive records	F

**Brief Summary of significant agency activities that will cease during a lapse:**

Significant activities that will cease during a lapse in funds include all regulatory work; enforcement activities that do not involve emergencies related to the safety of human life or protection of property; all outreach and education activities; and processing of 14 (c) and farm labor certifications.

**Brief Summary of any change in activities if lapse is prolonged:**

There will be no change in activities if the lapse is prolonged.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Teresa (Terri) Thomas, Associate Administrator for Administrative Operations, (202-693-4700)

## Women’s Bureau (WB)

### Lapse Plan Summary Overview

Estimated time (to nearest half day) required to complete shutdown activities: 0.5 days

Employee Status Type	Number of employees
Total number of agency employees expected to be on board before implementation of the plan:	62
Total number of agency employees full-time during a lapse:	1
Total number of agency employees expected to be furloughed under the plan	61

### Total number of employees to be retained under the plan by Category

Category	Number of employees to be retained
(A) Not subject to furlough - Exempt Presidential Appointees: <sup>1</sup>	1
(B) Not subject to furlough - Compensation is financed by a resource other than annual appropriations:	0
(C) Necessary to perform activities expressly authorized by law:	0
(D) Necessary to perform activities necessarily implied by law:	0
(E) Necessary to the discharge of the President's constitutional duties and powers:	0
(F) Necessary to protect life and property:	0

<sup>1</sup> Exempt Presidential Appointees are individuals appointed by the President, with or without Senate confirmation, who are not covered by the leave system in 5 U.S.C. chapter 63, or an equivalent formal leave system, are not subject to furlough.

### Summary of significant agency activities that will continue during a lapse because they are either financed by a resource other than annual appropriations or they are excepted activities:

Activity	Category of Furlough Exemption (A through F, listed above)
The Women's Bureau will suspend all operations. On an intermittent basis, the Women's Bureau will liaise with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D
The Director, Women’s Bureau is Presidentially-Appointed (PA) and not subject to furlough.	A

Activity	Category of Furlough Exemption (A through F, listed above)
Should the position of the Director become vacant, another senior level employee will be excepted on an intermittent basis for the purposes of liaising with Departmental senior management on matters related to the implementation of orderly shutdown, Departmental Operations, and actions necessary to resume orderly operations.	D

**Brief Summary of significant agency activities that will cease during a lapse:**

The WB will suspend all operations, to include major activities central to its mission of "formulat[ing] standards and policies to promote the welfare of wage-earning women, improv[ing] their working conditions, increas[ing] their efficiency, and advanc[ing] their opportunities for profitable employment." Major activities that would immediately cease operations include agency research, data gathering/analysis and policy analysis, grant making and administration, public outreach communications and regional stakeholder engagement.

**Brief Summary of any change in activities if lapse is prolonged:**

Prolonged delay in current grantee workplan execution would result in a failure to deliver complete training and technical assistance lifecycles to vulnerable worker populations and intermediaries, as well as women trainees and employers in non-traditional and apprenticeable occupations and industries and would likely contribute to prolonged periods of performance beyond the designated intervals and participant and supporting staff attrition. Critical original research and data analysis related to state implementation of paid leave programs would have to be suspended, and the agency's ability to contract for updated post-pandemic data collection to populate the National Database of Childcare Prices would be compromised. Robust travel relating to in-person technical assistance provision to foster equitable gender representation on large public infrastructure projects would also have to cease.

**DOL Agency Designee(s) responsible for developing, implementing, and adjusting agency lapse plan:**

Wendy Chun-Hoon, Director, (202-693-6710)