

Unified Regulatory Plan of the Department of Labor and Industry for State Fiscal Year 2024-25

Prepared for June 30, 2024; revised submission July 31, 2024

The Department of Labor and Industry administers the programs for Virginia Occupational Safety and Health, Boiler and Pressure Vessel Safety, and Labor and Employment Law. Acting through the Commissioner, the Department is authorized to adopt regulations necessary and incidental to the performance of duties or execution of powers conferred by Title 40.1 of the Code of Virginia. The Department operates under the supervision of the Virginia Secretary of Labor.

Title of Proposed Regulatory Action or Guidance Document Representation Elections – 16 VAC 15-31		
Brief Overview		
The purpose of this chapter is to extend the requirements of 40.1-54.3B and 40.1-57.2A of the Code of Virginia to public employers; and to provide for the effective enforcement of 40.1-54.3B and 40.1-57.A of the Code of Virginia and thereby guarantee from infringement the fundamental right of employees to vote in union representation elections by secret ballot.		
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component		
Expected Date	Publication of NOIRA, August 2024	

Title of Proposed Regulatory Action or Guidance Document Public Employee Union Membership Authorization and Solicitation – 16 VAC 15-70		
Brief Overview		
The purpose of this chapter is to extend, by specific regulation of the Commissioner, the provisions of 40.1-29C of the Code of Virginia to public employers in the context of the withholding of labor organization dues from employee' wages or salaries.		
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute	<input type="checkbox"/> Discretionary action
Deregulatory Component		
Expected Date	Publication of NOIRA, August 2024	

Title of Proposed Regulatory Action or Guidance Document Amendments to Administrative Regulation of the Virginia Occupational Safety and Health Program – 16 VAC 25-60	
Brief Overview	
An amendment is needed to this regulation in response to the new OSHA Federal Worker Walkaround Representation Designation rule. Changes are required to Virginia regulation 16VAC25-60-240 Walkthrough section.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input checked="" type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input type="checkbox"/> Discretionary action
Deregulatory Component	
Expected Date	Publication of Exempt Action, November/December 2024