



SCWA Legislative & Regulatory Update

September 18, 2024



REMINDER - Comment Period Open: Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings Rulemaking

SCWA has reported on this topic before – but want to remind you that the period is open for your comments.

On August 30, 2024, OSHA published in the Federal Register a Notice of Proposed Rulemaking (NPRM) for Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings.

The proposed standard would apply to all employers conducting outdoor and indoor work in all general industry, construction, maritime, agriculture **and car wash** sectors where OSHA has jurisdiction.

The standard would require employers to create a plan to evaluate and control heat hazards in their workplace. It would clarify employer obligations and the steps necessary to effectively protect employees from hazardous heat.

OSHA encourages the public to participate by submitting comments. Your input will help us develop a final rule that adequately protects workers, is feasible for employers, and is based on the best available evidence.

The NPRM is available on the Federal Register web page at <https://federalregister.gov/d/2024-14824> and at www.regulations.gov, which is the Federal e-Rulemaking Portal.

You may submit comments and attachments electronically at www.regulations.gov, Docket No. OSHA-2021-0009. Follow the instructions online for making electronic submissions.

Comments must be submitted by December 30, 2024. When submitting comments or recommendations, commenters should explain their rationale and, if possible, provide data and information to support their comments or recommendations.

All comments, including any personal information you provide, will be placed in the public docket without change and, with the exception of copyrighted materials, will be publicly available online at www.regulations.gov.

Therefore, OSHA cautions commenters about submitting information they do not want to be made available to the public or submitting materials that contain personal information (either about themselves or others) such as Social Security Numbers and birthdates.

All comments and submissions are listed in the www.regulations.gov index; however, some information (e.g., copyrighted material) is not publicly available to read or download through that website.

All submissions, including copyrighted material, are available for inspection at the OSHA Docket Office. Contact the OSHA Docket Office at 202-693-2350 (TTY number: 877-889-5627) for assistance in locating docket submissions.

For more information on how to provide comments at this stage of the process, visit <https://www.osha.gov/laws-regs/rulemakingprocess#v-nav-tab2>.

SCWA Backs Bipartisan CTA Delay Bill

SCWA has joined with 150 of its trade association allies to support new legislation to delay the Corporate Transparency Act's year-end reporting deadline.

The bill, H.R. 9278, was introduced by Iowa Congressman Zach Nunn (R) and enjoys bipartisan support. Its purpose is straightforward – provide much-needed relief to tens of millions of small businesses and other entities subject to the CTA's reporting requirements. As [the letter notes](#):

The CTA is unique in that it explicitly targets the very companies least equipped to shoulder its regulatory burdens. Among its various exemptions, the statute includes a carve out for entities whose revenue exceeds \$5 million and which employ more than 20 full-time employees. Companies not meeting those thresholds – essentially every small business currently operating in America today – must comply. FinCEN estimates that more than 32 million such entities will be affected by the new law just this year, with an additional 6 million each subsequent year as new businesses are formed.

Although filing under the CTA began at the start of this year, FinCEN reports it has received just 10 percent of required submissions. This compliance rate can be attributed directly to the general lack of awareness among the small business community when it comes to the new rules. Given this massive education gap, it is clear additional time is needed for regulators and other stakeholders to continue their outreach to affected small businesses.

The Nunn bill is in keeping with legislation (H.R. 5119) passed by the House last year in a near-unanimous vote of 420-1. So why the need for another bill?

Despite that overwhelming show of support, H.R. 5119 remains stalled in the Senate due to opposition from Banking Committee Chairman Sherrod Brown (D-OH).

While the courts may ultimately save the day and strike down the CTA for good, the Main Street business community can't afford to sit idly by and wait for that outcome.

The delay effort is important because it would allow the legal process to play out in full, while giving federal regulators additional time to educate businesses about the new law. It's a win-win, commonsense approach to this.



Chuck Space - SCWA Executive Director
4600 Spicewood Springs Road
Suite 103
Austin, TX 78759
(512) 343-9023