

OSHA Issues Final Rule on PPE Fit in Construction

Yesterday, the Occupational Safety and Health Administration (OSHA) issued a [final rule](#) updating its personal protective equipment (PPE) standard for construction (29 CFR 1926.95(c)), to explicitly require that PPE fit properly. This revision aligns the language in the PPE standard for construction with the corresponding language in OSHA's PPE standards for general industry and shipyards. The new PPE regulation goes into effect on Jan. 13, 2025.

The revision to the standard adds specific language requiring that employers provide PPE that properly fits construction industry workers. However, OSHA provides little explanation in the final rule on how employers should determine proper fit.

While NDA strongly supports existing OSHA PPE guidance to protect workers, NDA [submitted comments](#) to OSHA last year questioning the agency on how they would implement and enforce an ambiguous new regulation in geographically diverse and multifaceted construction work environments.

It is not clear whether the incoming Trump administration will try to alter or overturn the regulation after it goes into effect in January or how they intend to enforce it. NDA will be working with the Trump administration next year to seek additional guidance and clarity on enforcement for employers.

The text of OSHA's new PPE regulation can be [found here](#). A frequently asked questions guide from OSHA can be [found here](#). OSHA's general guidance on PPE in construction can be [found here](#).

NDA Urges Congressional Leaders to Pass Workforce Development Agreement

Earlier this month, members from the House and Senate workforce committees reached a bipartisan agreement on legislation to overhaul the federal workforce development system. Today, [NDA called on House and Senate leaders](#) to schedule a vote and pass this agreement before Congress adjourns at the end of the year.

The proposed legislation would reauthorize the Workforce Innovation and Opportunity Act (WIOA) for the first time in 10 years and make critical improvements to the workforce system to boost skills development for workers and help employers fill jobs.

While the agreement has broad bipartisan support in both chambers of Congress, it remains unclear whether Congressional leaders will try to force a vote on the legislation before the end of the year. NDA will continue to urge Congress to pass workforce legislation in the coming weeks.

Biden NLRB Nominee Fails in Senate Vote

On Wednesday, the U.S. Senate blocked President Biden's attempt to renominate Chairman Lauren McFerran to the National Labor Relations Board (NLRB) for another five-year term. Democratic Senators Kyrsten Sinema (D-AZ) and Joe Manchin (D-WV) joined every Republican to block the nomination by a 50-49 vote.

The NLRB is a five-member independent federal board that enforces U.S. labor laws and settles labor disputes under the National Labor Relations Act (NLRA). The president is tasked with nominating members to serve on the NLRB.

Chairman McFerran's departure on Dec. 16 will drop the NLRB to a 2-1 Democratic majority and leave two open board seats for President-elect Trump to fill next year. This will hand control of the NLRB over to Republicans in 2025 with a 3-2 majority.