

NATIONAL LABOR RELATIONS BOARD

29 CFR Part 102

RIN 3142—AA12

Representation Case Procedures

AGENCY: National Labor Relations Board.

ACTION: Final rule; delay of effective date.

SUMMARY: On December 18, 2019, the National Labor Relations Board (Board) published a final rule amending its representation case procedures. The Board hereby amends that rule to change the effective date from April 16, 2020, to May 31, 2020. The purpose of this amendment is to facilitate the resolution of the legal challenges with respect to the rule.

DATES: The effective date of the final rule published at 84 FR 69524, December 18, 2019, is delayed from April 16, 2020, to May 31, 2020.

FOR FURTHER INFORMATION CONTACT: Roxanne L. Rothschild, Executive Secretary, National Labor Relations Board, 1015 Half St. SE, Washington, DC 20570-0001, (202) 273-1940 (this is not a toll-free number), 1-866-315-6572 (TTY/TDD).

SUPPLEMENTARY INFORMATION: On December 18, 2019, the National Labor Relations Board published a final rule modifying various aspects of its representation case procedures to permit parties additional time to comply with various pre-election requirements instituted in 2015, to clarify and reinstate some procedures that better ensure the opportunity for litigation and resolution of unit scope and voter eligibility issues prior to an election, and to make several other changes the Board deems to be appropriate policy choices that better balance the interest in the expeditious processing of questions of representation with the efficient, fair, and accurate resolution of questions of representation.

On March 18, 2020, the U.S. District Court for the District of Columbia requested that the Board consider postponing the effective date of the rule in connection with a pending proceeding concerning the rule. The Board has determined that postponing

the effective date of the rule would facilitate the resolution of the legal challenges that have been filed with respect to the rule. Accordingly, the Board has decided to change the effective date of the rule from April 16, 2020, to May 31, 2020.

Dated: March 23, 2020.

Roxanne L. Rothschild,
Executive Secretary.

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DEPARTMENT OF LABOR

Office of Labor-Management Standards

29 CFR Part 403

RIN 1245-AA09

Labor Organization Annual Financial Reports for Trusts in Which a Labor Organization Is Interested, Form T-1; Correction

AGENCY: Office of Labor-Management Standards, Department of Labor.

ACTION: Final rule; correction.

SUMMARY: The Department of Labor, Office of Labor-Management Standards is correcting a final rule that appeared in the **Federal Register** of March 6, 2020. That document revised the forms required by labor organizations under the Labor-Management Reporting and Disclosure Act (“LMRDA” or “Act”). Under the rule, specified labor organizations file annual reports (Form T-1 Trust Annual Report) concerning trusts in which they are interested. The Form T-1 Instructions published with the final rule, however, provided inaccurate examples concerning the applicability dates of the final rule. This document corrects those omissions.

DATES: Effective April 6, 2020.

FOR FURTHER INFORMATION CONTACT: Andrew Davis, Chief of the Division of Interpretations and Standards, Office of Labor-Management Standards, U.S. Department of Labor, 200 Constitution Avenue NW, Room N-5609, Washington, DC 20210, (202) 693-0123 (this is not a toll-free number), (800) 877-8339 (TTY/TDD), OLMS-Public@dol.gov.

SUPPLEMENTARY INFORMATION:

Background

The final rule that is the subject of this correction appeared in the **Federal Register** of March 6, 2020 (85 FR 13414); the final rule revised the forms required by labor organizations under the Labor-Management Reporting and Disclosure Act (“LMRDA” or “Act”), 29 U.S.C. 431(b). Under the rule, specified labor organizations file annual reports (Form T-1 Trust Annual Report) concerning trusts in which they are interested. The final rule also sets forth the Department’s review of and response to comments on the proposed rule. Under this rule, the Department required a labor organization with total annual receipts of \$250,000 or more (and, which therefore is obligated to file a Form LM-2 Labor Organization Annual Report) to also file a Form T-1, under certain circumstances, for each trust of the type defined by section 3(l) of the LMRDA, 29 U.S.C. 402(l) (defining “trust in which a labor organization is interested”). The rule provided appropriate instructions and revised relevant sections relating to such reports. The Form T-1 Instructions, however, provided inaccurate examples of the rule’s applicability dates. See Form T-1 Instructions, Part II (When to File) at 85 FR 13451. The second through fourth examples indicated, incorrectly, that the first Form T-1 reports, in the examples, were due later than the operative language indicated they would in Part II of the Form T-1 Instructions. This correction remedies this error by inserting the appropriate dates to the examples, thereby ensuring consistency with the operative language in the instructions.

Need for Correction

As published, the final rule contained errors within the Form T-1 Instructions, at 85 FR 13451 (col. 2), which illustrates the prospective effect of the final rule.

Appendix [Corrected]

In FR Doc. 2020-03958, in the **Federal Register** of Friday, March 6, 2020, correct page 13451 to read as follows:

BILLING CODE 4510-86-P