



Weekly Report June 9th, 2017

SMALL BUSINESS ADMINISTRATION

Rules of Procedure Governing Cases Before the Office of Hearings and Appeals

The U.S. Small Business Administration (“SBA”) has amended the rules of practice of its Office of Hearings and Appeals (“OHA”) to implement section 869 of the National Defense Authorization Act for Fiscal Year 2016 and section 1833 of the National Defense Authorization Act for Fiscal Year 2017. This legislation authorizes OHA to decide Petitions for Reconsideration of Size Standards (“Size Standard Petitions”). This rule also revises the rules of practice for OHA appeals of agency employee disputes. This rule is effective on July 3, 2017.

Applicability Date: Size Standard Petitions pertaining to size standards revised, modified, or established in a final rule published during the interval between November 25, 2015, and July 3, 2017 shall be considered timely if filed within 30 calendar days of July 3, 2017. [82 Fed. Reg. 25503](#).

LABOR AND EMPLOYMENT

US Secretary Of Labor Withdraws Joint Employment, Independent Contractor Informal Guidance, U.S. DEPARTMENT OF LABOR NEWS RELEASE (June 7, 2017)

<https://www.dol.gov/newsroom/releases/opa/opa20170607>

U.S. Secretary of Labor Alexander Acosta announced the withdrawal of the U.S. Department of Labor’s 2015 and 2016 informal guidance on joint employment and independent contractors. Removal of the administrator interpretations does not change the legal responsibilities of employers under the Fair Labor Standards Act and the Migrant and Seasonal Agricultural Worker Protection Act, as reflected in the department’s long-standing regulations and case law.