

The Republican Shutdown Harms Workers, Leaves Workplace Discrimination Unchecked, and Lets Union-Busting Corporations Off the Hook

The **Department of Labor** (DOL) and its subagencies have [gone dark](#) due to the shutdown, leaving workers and their families to fend for themselves:

- **The Occupational Safety and Health Administration** (OSHA), which is tasked with protecting workers from dangerous working conditions, reduced its staff to 460 from 1,664—a **72 percent reduction**. During the shutdown, OSHA can only conduct emergency workplace inspections, otherwise the agency will not conduct regular safety inspections, compliance assistance, outreach or training programs, or regulatory efforts. Additionally, OSHA is charged with enforcing dozens of whistleblower laws, but during the Republican shutdown OSHA will cease administering those laws, save only for safety-related whistleblower claims. Whistleblowers and employers will be unable to secure reviews of decisions by the **Administrative Review Board**, which is also closed during the Republican shutdown.
- **The Mine Safety and Health Administration** (MSHA), which is responsible for protecting miners from dangerous working conditions that cause injury, illness, and death, reduced its staff from 1,590 to 879—a **45 percent decrease**. Even though MSHA will conduct required inspections, the shutdown will halt compliance assistance efforts, safety trainings, and collection of civil monetary penalties, among other activities.
- **The Wage and Hour Division** (WHD) is responsible for enforcing wage theft and child labor laws, in addition to other protections, and has cut its active workforce to 65 from 1,270—a **95 percent reduction**. During the shutdown, the agency will continue enforcement in cases involving child labor, H-1B visas, and farmworker transportation and housing safety, but it will stop all regulatory efforts, educational programming, and processing of 14(c) and farm labor certification.
- **The Employment and Training Administration** (ETA) will reduce its staff to 31 employees from 980, which is a **97 percent reduction**. During the shutdown, registered apprenticeship standards will not be processed, prevailing wage determinations and labor certification applications will not be processed, and labor certifications for employment visas may slow down.
- **The Employee Benefits Security Administration** (EBSA)—responsible for regulating more than 150 million people's health and retirement benefit plans—will shrink its staff to 164 employees from 668, which is a **75 percent reduction**. During the shutdown, EBSA will cease its regulatory and research activities, audits, and compliance assistance.

- The **Office of Workers' Compensation Programs (OWCP)** reduced its staff to 1,182 from 1,340—which is roughly a **12 percent reduction**. It will continue to issue payments and assess new claims in most of the federal workers' compensation programs, but it will cease accepting new reimbursement claims under the *War Hazards Compensation Act* for federal contractors injured overseas as a result of a war-related hazard. Closure of the **Benefits Review Board** and **Employees' Compensation Appeals Board** will shut down the ability of injured federal workers, miners with black lung, and longshore and harbor workers to seek review if their claims are improperly denied.

The **Equal Employment Opportunity Commission (EEOC)** **reduced** its staff to 128 employees from 1,814, which is a **93 percent reduction**. During the shutdown, EEOC will not investigate new charges, answer questions from the public, respond to correspondence from the public, litigate cases in federal courts insofar as the courts grant the EEOC's requests for extensions of time, hold mediations or sector hearings, hear federal employees' appeals of discrimination complaints, hold outreach and education events, or process FOIA requests. (EEOC will continue to litigate cases where an extension is not granted by the courts.)

The **National Labor Relations Board (NLRB)** has largely **ceased operations and furloughed** 1,181 employees, accounting for **nearly 99 percent** of the agency's workforce due the shutdown. This leaves millions of private sector workers without a way to protect their rights to organize a union and collectively bargain, while anti-union employers can engage in illegal union-busting with impunity. While the NLRB is shuttered, no unfair labor practice charges will be investigated, advanced, or resolved unless an action is required by a court or a charge is classified as an emergency, foreclosing workers from receiving the justice they deserve and holding law-breaking companies accountable. In addition, all union representation hearings and elections overseen by the NLRB are paused indefinitely, leaving workers seeking official recognition of their unions in limbo.