

AMENDMENT TO DIVISION A OF RULES
COMMITTEE PRINT 117-12
OFFERED BY MR. KELLER OF PENNSYLVANIA

Page 31, line 9, after “workplace:”, insert the following: “*Provided further*, That no funds made available by this Act may be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under such Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That no funds appropriated under this Act shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under such Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred (“DART”) occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of such Act, except (1) to provide, as authorized by such Act, consultation, technical assist-

ance, educational and training services, and to conduct surveys and studies; (2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found; (3) to take any action authorized by such Act with respect to imminent dangers; (4) to take any action authorized by such Act with respect to health hazards; (5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act; and (6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act: *Provided further*, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees:”.

