

Department of Labor

2026 Regulatory Plan

Executive Summary: Putting the American Worker First

The Department of Labor's mission is to foster, promote, and develop the welfare of America's wage earners, job seekers, and retirees; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights. The Department advocates for workers by ensuring that employers are held accountable for their legal obligations, while helping employers understand and comply with the many laws and regulations affecting their workplaces.

Under President Trump's leadership, the Department will continue to place American workers first by focusing on policies that protect American jobs, reduce unnecessary burdens on employers and workers alike, and ensure workers share in the benefits of a strong economy.

The Department's regulatory agenda is guided by the President's Executive Orders. Consistent with Executive Order EO 14192, *Unleashing Prosperity Through Deregulation*, the Department is rescinding and revising unlawful, unconstitutional, and overly burdensome rules that have stifled growth, imposed costs, and limited opportunity for workers and employers alike. Under the Executive Order *Restoring Merit-Based Opportunity*, the Department is proposing to end government mandates that pressured employers and contractors to make employment decisions based on race, sex, gender identity, and similar classifications. This includes eliminating divisive Diversity, Equity, and Inclusion (DEI) requirements that encouraged unlawful group preferences. The Department reaffirms the American principle that hiring, promotion, and opportunity should be based on merit, not identity politics.

Consistent with Executive Orders 13877, *Improving Price and Quality Transparency in American Healthcare to Put Patients First*, and 14274, *Lowering Drug Prices by Once Again Putting Americans First*, the Department will continue efforts to make health care coverage more affordable and understandable for workers and retirees. Finally, pursuant to Executive Order 14154, *Unleashing American Energy*, the Department is aligning workplace standards with the goals of energy independence and economic strength. A central part of this strategy is maintaining protections for miners while ensuring America's energy producers can expand operations without facing duplicative or unnecessary regulatory burdens.

The Department is committed to fully and fairly enforcing the laws under its jurisdiction. The vast majority of employers work hard to keep their workplaces safe and to comply with

wage and pension laws. Acknowledging this, the Department is working to provide compliance assistance, including through self-audit programs and the relaunch and expansion of the opinion letter program, to give employers the knowledge and tools they need to comply with their legal obligations.

The Department's Regulatory Plan to Accomplishing these Objectives

The Department's regulatory approach in 2026 will emphasize clarity, restraint, and accountability. The Department recognizes that workers benefit most from a strong and growing economy, and that excessive, unlawful, or poorly tailored regulation can reduce opportunity, raise costs, and weaken the very protections it was intended to promote.

To carry out its mission, the Department will rely on three core strategies. First, it will faithfully enforce the laws Congress has enacted, ensuring that employers who disregard their obligations are held accountable while providing compliance assistance to the vast majority of employers who want to do right by their employees. Second, it will rescind or revise rules that exceed statutory authority, conflict with constitutional principles, or impose unnecessary costs. Third, where regulation is needed, the Department will proceed through notice-and-comment to provide transparency, solicit public input, and ensure that rules are grounded in sound economic and scientific data.

This balanced approach will protect workers, retirees, and job seekers while giving employers certainty and flexibility. The Department will continue to prioritize deregulatory actions that deliver meaningful cost savings, streamline compliance, and unleash innovation, while also moving forward with targeted rulemakings that secure retirement savings, ensure safe workplaces, and promote true equal opportunity.

Through this plan, the Department of Labor is advancing the President's directives to unleash prosperity, restore merit, and put American workers first, ensuring that every regulatory action strengthens the economy, expands opportunity, and safeguards the rights and benefits of the American people.

The Department's Regulatory Priorities

The Employee Benefits Security Administration (EBSA) will propose a rule responsive to Executive Order 14330, *Democratizing Access to Alternative Assets for 401(k) Investors*, that will clarify the duties that a fiduciary owes to plan participants under ERISA when deciding whether to make available to plan participants an asset allocation fund, including a fund that incorporates investments in alternative assets. Consistent with Executive Orders 13877, *Improving Price and Quality Transparency in American Healthcare to Put Patients First*, and 14273, *Lowering Drug Prices by Once Again Putting Americans First*, EBSA will work with the Departments of HHS and Treasury to propose rules designed to

improve transparency and reduce costs in health care. EBSA also will propose a rule to reaffirm that fiduciaries under ERISA must base their investment decisions on financial considerations relevant to risk-adjusted economic value. This approach ensures that retirement plans are not diverted by political or social agendas, but instead remain focused on maximizing security for American retirees.

The Office of Federal Contract Compliance Programs (OFCCP), consistent with Executive Order 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*, will issue a final rule based on its proposal to rescind regulations that pressured contractors to make employment decisions based on race, sex, or other similar classifications. These rules undermined equal employment opportunity by encouraging unlawful group preferences and perpetuating divisive DEI mandates. Their removal ensures that hiring and promotion in federal contracting is based on merit, not group identity. The Department is also removing other DEI-related rules across its programs, including regulations that imposed unlawful and unauthorized requirements on apprenticeship sponsors and grant recipients.

The Occupational Safety and Health Administration (OSHA) enforces a wide range of standards that are designed to reduce occupational deaths, injuries, and illnesses. OSHA is committed to establishing clear, common-sense standards to help accomplish this. OSHA will finalize the heat illness prevention standard first proposed in 2024, with a view toward avoiding excessive burdens that commenters identified. OSHA will also finalize a standard for emergency responders to ensure they are adequately protected while performing lifesaving duties. OSHA will also propose comprehensive safety rules for the tree care industry and to modernize the lockout/tagout standard to recognize new technologies that both improve safety and reduce costs, ensuring that regulatory requirements do not stand in the way of innovation.

The Wage and Hour Division (WHD) administers numerous laws that establish the minimum standards for wages and working conditions in the United States. WHD will issue a final rule based on a proposal to restore the statutory exemptions from minimum wage and overtime compensation requirements for home health workers, which, if finalized as proposed, could lower the cost of care for seniors and persons with disabilities. WHD has proposed and will finalize a rule that clarifies when a worker is an independent contractor under several of the laws it administers, which is intended to ensure that entrepreneurs and freelancers can work freely while businesses have legal certainty. Finally, WHD will also propose a rule to clarify joint employment under those laws, reducing litigation risk and encouraging job growth.

The Employment and Training Administration (ETA) oversees administration of federal job training and worker dislocation adjustment programs, federal grants to states for public employment service programs, unemployment insurance benefits, and foreign labor certifications. ETA will finalize the rescission of costly regulatory burdens on farmers who use the H-2A program while modernizing the methodology used to determine the adverse effect wage rate for the program. ETA proposed and will finalize reforms to the H-1B temporary nonimmigrant and permanent immigrant visa program to improve wage and employment protections for U.S. workers.

The Mine Safety and Health Administration (MSHA) is responsible for protecting the health and safety of the nation's miners. In 2026, MSHA will propose revisions to its respirable silica standard to address new developments in the mining industry and clarify existing requirements while maintaining strong protections for miners.

The Office of Labor-Management Standards (OLMS) promotes union democracy through standards for union officer elections and trusteeships over subordinate bodies. It also furthers financial integrity in labor unions and safeguards union assets, in part through reporting and disclosure requirements for labor unions and other entities. OLMS seeks to modernize the annual financial reports filed by labor organizations to ensure labor organizations are adhering to the highest standards of responsibility and ethical conduct.

Conclusion

The Trump Administration's 2026 DOL Regulatory Plan places America's workers first. By protecting retirement security, replacing divisive DEI requirements with meritocracy, and unleashing prosperity by reducing regulatory costs, the Department will strengthen America's workforce, increase opportunity, and ensure that every American worker has the chance to prosper.