



OSHA Key Player in DOL Deregulation Wave: A Snapshot of Workplace Safety Initiatives and What Employers Should Do Next

Insights

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OSHA just issued a heap of new proposed rules and took other agency actions as part of broader deregulatory efforts at the U.S. Department of Labor (DOL) – which are being called one of the most ambitious federal red tape rollbacks in recent decades. Here’s what employers need to know about the July 1 workplace safety compliance updates and what you should do next.

Snapshot of OSHA’s July 1 Deregulation Efforts

On July 1, the DOL quietly launched one of the most sweeping deregulatory efforts in recent memory, including more than 20 new OSHA initiatives. Below are the key proposals impacting workplace safety compliance.

Proposed Changes to OSHA Regulations

- **Major Limit on Enforcing General Duty Clause Violations.** OSHA’s proposed rule would restrict its own ability to regulate inherently risky work, signaling a major shift in how the agency would apply the broad “General Duty Clause” in the sports, entertainment, and other industries. If finalized, it could shield entire industries (including motorsports, animal handling, hazard-based journalism, and more) from enforcement actions that threaten their core business models. For a deeper dive on this proposal and what it means for employers in high-risk industries, read this FP insight.
- **Removal of Some Respiratory Protection Requirements.** Another proposed rule would remove medical evaluation requirements for filtering facepiece respirators (FFR) and loose-fitting powered air-purifying respirators (PAPR). Currently, the medical evaluation requirement is a key component of the respiratory standard for all respirators. These proposed updates are based on the agency’s preliminary determination that using a respirator may place a physiological burden on employees that varies with the type of respirator worn, the job and workplace conditions in which the respirator is used, and the medical status of the employee.
- **Streamlining of Formaldehyde Standard.** Proposed changes would eliminate the Formaldehyde standard’s seemingly duplicative requirements regarding when employers must provide an employee an appropriate respirator and instead require respirator use when the employer

determines that they are necessary to protect the health of an employee (consistent with the Respiratory Protection standard).

- **Other Changes to Substance-Specific Respirator Standards.** Other proposed rules would amend various standards (including the Vinyl Chloride, Inorganic Arsenic, Methylene Chloride, Lead, Acrylonitrile, Butadiene, Ethylene Oxide, 13 Carcinogens, 1,2-Dibromo-3-Chloropropane, Benzene, Methylenedianiline, Cadmium, Cotton Dust, and Coke Oven Emissions standards) to allow different types of respirators to be used and for better alignment with OSHA's Respiratory Protection standard.

Proposed Rescissions of OSHA Regulations

OSHA is proposing to remove regulations relating to:

- **Farm Labor Enforcement Coordination.** A proposed rule would remove regulations issued in 1980 that establish the DOL's internal procedures for the coordination of enforcement activities by OSHA, the Wage and Hour Division (WHD), and the Employment and Training Administration (ETA) relating to migrant farmworkers. The DOL said that it believes rescinding 29 CFR part 42 in its entirety would be a "reasonable and effective means of maintaining its responsibilities for coordinated enforcement, while improving efficiencies and removing unnecessary restrictions on the Department."

Migrant Farmworker Protections Remain a DOL Priority. The agency noted in its proposed rule that "the need for coordinated migrant farmworker labor law enforcement for the protective statutes has not changed and continues to be a priority for the Department."

- **Construction Illumination.** Another proposed rule would rescind OSHA's construction illumination requirements (29 CFR 1926.26 and 1926.56), which require construction areas, aisles, stairs, ramps, runways, corridors, offices, shops, and storage areas where work is in progress are lighted with either natural or artificial illumination. OSHA said it is proposing this removal because it "does not reduce a significant risk to workers."
- **COVID-19 Recordkeeping and Reporting in Healthcare Settings.** OSHA is proposing to remove the COVID-19 Emergency Temporary Standard, including recordkeeping and reporting provisions that are still in effect.

Final Revocation of Regulations and Withdrawal of a Proposed Rule

- **Revocation of Rulemaking Procedures for Construction Standards.** Effective July 1, OSHA revoked a final regulation that required its Assistant Secretary to consult with the Advisory Committee on Construction Safety and Health in the formulation of rules to promulgate, modify, or revoke standards applicable to construction work. The agency cited the DOL's "interest in moving forward quickly with deregulatory actions" as the reason for the revocation.

- **OSHA 300 Log Proposal Withdrawn.** OSHA withdrew a longtime proposal to amend the OSHA 300 Log by adding a column that employers would use to record work-related musculoskeletal disorders. Withdrawing this proposal does not change any aspect of an employer's reporting obligations; it merely means the proposed column will not go into effect. The withdrawal took effect July 1.

What Should Employers Do?

Stay tuned to these developments. Employers in affected industries should also submit comments to OSHA on these rules and consider reaching out to the FP Advocacy team to help best strategies for having your voice heard. As just one example, employers in the sports, entertainment, and amusement park industries should submit comments supporting how critical the proposed limitation on enforcement of General Duty Clause violations will be to protect their core business models from being impacted by an adventurous enforcement action from an OSHA regional office. The comment period is open through September 2, 2025.

Conclusion

If you have any questions about OSHA compliance, contact the authors of this Insight, your Fisher Phillips attorney, or any attorney on our Workplace Safety team. Make sure you are subscribed to Fisher Phillips' Insight System to get the most up-to-date information.

Related People



Todd B. Logsdon

Partner

502.561.3971

Email





Jane Waterman-Joyce

Associate

303.218.3674

Email



Kristin R.B. White

Partner

303.218.3658

Email

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