



CUPA-HR Washington Update

Thursday, January 18, 2023 | 12:00 p.m. ET

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CUPA-HR Webinar

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Agenda

1. Independent Contractor Final Rule
2. Fall 2023 Regulatory Agenda
3. Immigration Update
4. House Education & Workforce Markup of Workforce Development Legislation



Independent Contractor Final Rule

1. Final Rule to take effect March 11
 - a) DOL will utilize a nonexhaustive, six-factor framework to classify a worker as an independent contractor
 - b) Rule rescinds current “core factors” method

Fall 2023 Regulatory Agenda

1. Overtime Final Rule
 - a) Targeted for April 2024 release
2. Title IX Final Rule
 - a) Targeted for March 2024 release
3. Pregnant Workers Fairness Act Final Rule
 - a) Sent to OIRA on December 27

Immigration Update

1. Comments on H-1B modernization
 - a) CUPA-HR signed on to higher ed and multisector comment letters
2. Proposed rule on labor certification for permanent employment of foreign workers
 - a) DOL seeks input on adding STEM and non-STEM jobs to Schedule A for permanent certification
 - b) Comments close February 20

Immigration Update

1. DOS Nonimmigrant Visa Announcement
 - a) Certain categories of nonimmigrant visas may have their in-person interview requirement waived
 - b) Effective as of January 1, 2024
2. DOS Pilot Program for Domestic Renewal of H-1B Visas
 - a) Eligible H-1B visa holders given chance to renew visas within the US, bypassing requirement for in-person interview at a consulate or embassy
 - b) Online applications will begin January 29, 2024

House Ed & Workforce Markup of Workforce Development Legislation

1. Bipartisan Workforce Pell Act
 - a) Pell Grants applicable to 8-week or longer programs when programs meet specific criteria
 - b) Passed through Committee, 37-8
2. A Stronger Workforce for America Act
 - a) WIOA amended to enhance skills development and fortify employer-employee ties
 - b) Passed through Committee, 44-1

Have a Question?



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