

the Wage and Hour Division's (WHD) website at <http://www.dol.gov/whd/>. All comment submissions must include the agency name (Wage and Hour Division) and Regulatory Information Number (1235-AA24) for this NPRM. Response to this NPRM is voluntary. The Department requests that no business proprietary information, copyrighted information, or personally identifiable information be submitted in response to this NPRM. Submit only one copy of your comment by only one method (e.g., persons submitting comments electronically are encouraged not to submit paper copies). Please be advised that comments received will become a matter of public record and will be posted without change to <http://www.regulations.gov>, including any personal information provided. All comments must be received by 11:59 p.m. on the date indicated for consideration in this NPRM; comments received after the comment period closes will not be considered.

Commenters should transmit comments early to ensure timely receipt prior to the close of the comment period. Electronic submission via <http://www.regulations.gov> enables prompt receipt of comments submitted as the Department continues to experience delays in the receipt of mail in our area. For access to the docket to read background documents or comments, go to the Federal eRulemaking Portal at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Amy DeBisschop, Acting Director of the Division of Regulations, Legislation, and Interpretation, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW, Washington, DC 20210; telephone: (202) 693-0406 (this is not a toll-free number). Copies of the NPRM may be obtained in alternative formats (Large Print, Braille, Audio Tape, or Disc) upon request by calling (202) 693-0675 (this is not a toll-free number). TTY/TDD callers may dial toll-free 1 (877) 889-5627 to obtain information or request materials in alternative formats.

Questions of interpretation and/or enforcement of the agency's regulations may be directed to the nearest WHD district office. Locate the nearest office by calling WHD's toll-free help line at (866) 4US-WAGE ((866) 487-9243) between 8 a.m. and 5 p.m. in your local time zone, or log onto WHD's website at <http://www.dol.gov/whd/america2.htm> for a nationwide listing of WHD district and area offices.

**SUPPLEMENTARY INFORMATION:** On March 29, 2019, the Department published an NPRM and request for comments in the

**Federal Register** (84 FR 11888), proposing to update the regulations to provide clarity and better reflect the 21st-century workplace. The NPRM also requested public comments on the NPRM on or before May 28, 2019. In response to requests for extension of the comment period from commenters the Department has extended the period for submitting public comment to June 12, 2019.

The Department has received requests to extend the period for filing public comments from law firms, unions, and advocacy organizations, among others. Because of the interest that has been expressed in this matter, the Department has decided to provide an extension of the period for submitting public comment until June 12, 2019.

**Cheryl M. Stanton,**

*Administrator, Wage and Hour Division.*

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**BILLING CODE 4510-27-P**

**DEPARTMENT OF LABOR**

**Wage and Hour Division**

**29 CFR Part 971**

**RIN 1235-AA26**

**Joint Employer Status Under the Fair Labor Standards Act**

**AGENCY:** Wage and Hour Division, Department of Labor.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** This document extends the period for submitting written comments on the Notice of Proposed Rulemaking (NPRM) entitled "Joint Employer Status Under the Fair Labor Standards Act." The comment period now ends on June 25, 2019. The Department of Labor (Department) is taking this action to provide interested parties additional time to submit comments in response to requests for extension.

**DATES:** The comment period for the proposed rule published April 9, 2019, at 84 FR 14043, is extended. The period for public comments, which was set to close on June 10, 2019, will be extended to June 25, 2019. Comments must be received by 11:59 p.m. on June 25, 2019.

**ADDRESSES:** To facilitate the receipt and processing of written comments on this NPRM, the Department encourages interested persons to submit their comments electronically. You may submit comments, identified by Regulatory Information Number (RIN) 1235-AA26, by either one of the following methods:

**Electronic comments:** Follow the instructions for submitting comments on the Federal eRulemaking Portal <http://www.regulations.gov>.

**Mail:** Address written submissions to Amy DeBisschop, Acting Director of the Division of Regulations, Legislation, and Interpretation, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW, Washington, DC 20210.

**Instructions:** This NPRM is available through the **Federal Register** and the <http://www.regulations.gov> website. You may also access this document via the Wage and Hour Division's (WHD) website at <http://www.dol.gov/whd/>. All comment submissions must include the agency name (Wage and Hour Division) and Regulatory Information Number (1235-AA26) for this NPRM. Response to this NPRM is voluntary. The Department requests that no business proprietary information, copyrighted information, or personally identifiable information be submitted in response to this NPRM. Submit only one copy of your comment by only one method (e.g., persons submitting comments electronically are encouraged not to submit paper copies). Please be advised that comments received will become a matter of public record and will be posted without change to <http://www.regulations.gov>, including any personal information provided. All comments must be received by 11:59 p.m. on the date indicated for consideration in this NPRM; comments received after the comment period closes will not be considered. Commenters should transmit comments early to ensure timely receipt prior to the close of the comment period. Electronic submission via <http://www.regulations.gov> enables prompt receipt of comments submitted as the Department continues to experience delays in the receipt of mail in our area. For access to the docket to read background documents or comments, go to the Federal eRulemaking Portal at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Amy DeBisschop, Acting Director of the Division of Regulations, Legislation, and Interpretation, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW, Washington, DC 20210; telephone: (202) 693-0406 (this is not a toll-free number). Copies of the NPRM may be obtained in alternative formats (Large Print, Braille, Audio Tape, or Disc) upon request by calling (202) 693-0675 (this is not a toll-free number). TTY/TDD callers may dial toll-free 1 (877) 889-

5627 to obtain information or request materials in alternative formats.

Questions of interpretation and/or enforcement of the agency's regulations may be directed to the nearest WHD district office. Locate the nearest office by calling WHD's toll-free help line at (866) 4US-WAGE ((866) 487-9243) between 8 a.m. and 5 p.m. in your local time zone, or log onto WHD's website at <http://www.dol.gov/whd/america2.htm> for a nationwide listing of WHD district and area offices.

**SUPPLEMENTARY INFORMATION:** On April 9, 2019, the Department published an NPRM and request for comments in the *Federal Register* (84 FR 14043), proposing to update and clarify the Department's interpretation of joint employer status under the Fair Labor Standards Act. The NPRM also requested public comments on the NPRM on or before June 10, 2019.

The Department has received requests to extend the period for filing public comments from law firms, unions, and advocacy organizations, among others. Because of the interest that has been expressed in this matter, the Department has decided to provide an extension of the period for submitting public comment until June 25, 2019.

**Cheryl M. Stanton,**

*Administrator, Wage and Hour Division.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2019-0301]

RIN 1625-AA00

#### Safety Zone; Ohio River, Owensboro, KY

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard is proposing to establish a temporary safety zone for all navigable waters of the Ohio River, extending the entire width of the river, from mile marker (MM) 756.3 to MM 757.3. This action is necessary to provide for the safety of life on these navigable waters near Owensboro, Kentucky, during the Owensboro Convention Center fireworks display on June 15, 2019. This proposed rulemaking would prohibit persons and vessels from being in the safety zone unless authorized by the Captain of the

Ohio Valley or a designated representative. We invite your comments on this proposed rulemaking.

**DATES:** Comments and related material must be received by the Coast Guard on or before May 29, 2019.

**ADDRESSES:** You may submit comments identified by docket number USCG-2019-0301 using the Federal eRulemaking Portal at <https://www.regulations.gov>. See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this proposed rulemaking, call or email MST2 Craig Colton, Sector Ohio Valley, U.S. Coast Guard; telephone 502-779-5334, email [secohv-wvm@uscg.mil](mailto:secohv-wvm@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

#### I. Table of Abbreviations

CFR Code of Federal Regulations  
COTP Captain of the Port Sector Ohio Valley  
DHS Department of Homeland Security  
FR Federal Register  
MM Mile Marker  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

#### II. Background, Purpose, and Legal Basis

On April 1, 2019, the City of Owensboro notified the Coast Guard that it will be conducting a fireworks display from 10 p.m. to 10:30 p.m. on June 15, 2019, for a private event at the Owensboro Convention Center. The fireworks are to be launched from a barge in the Ohio River at approximately mile marker 756.8. Hazards from firework displays include accidental discharge of fireworks, dangerous projectiles, and falling hot embers or other debris. The Captain of the Port Sector Ohio Valley (COTP) has determined that a Safety Zone is necessary to protect the public from potential hazards associated with the fireworks display.

The purpose of this rulemaking is to ensure the safety of persons, vessels, and the marine environment on the navigable waters of the Ohio River before, during, and after the Owensboro Convention Center Fireworks Display. The Coast Guard is proposing this rulemaking under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231).

The Coast Guard encourages the public to participate in this proposed rulemaking through the comment process so that any necessary changes

can be identified and implemented in a timely and efficient manner. The Coast Guard will address all public comments accordingly, whether through response, additional revision to the regulation, or otherwise.

The Coast Guard is issuing this notice of proposed rulemaking (NPRM) with a 15-day prior notice and opportunity to comment pursuant to section (b)(3) of the Administrative Procedure Act (APA) (5 U.S.C. 553). This provision authorizes an agency to publish a rule in less than 30 days before its effective date for "good cause found and published with the rule." Under 5 U.S.C. 553(b)(3)(B), the Coast Guard finds that good cause exists for publishing this NPRM with a 15-day comment period because it is impractical to provide a 30-day comment period. The proposed regulated area is necessary to ensure the safety of vessels and persons during the fireworks display. It is impracticable to publish an NPRM with a 30-day comment period because the safety zone must be established by June 15, 2019.

#### III. Discussion of Proposed Rule

The COTP is proposing to establish a safety zone from mile marker (MM) 756.3 to MM 757.3 from 9 p.m. to 11 p.m. on June 15, 2019. The safety zone would cover all navigable waters of the Ohio River, extending the entire width of the river, between MM 756.3 and MM 757.3 in Owensboro, KY. The duration of the zone is intended to ensure the safety of vessels and these navigable waters before, during, and after the scheduled 10 p.m. to 10:30 p.m. fireworks display. No vessel or person would be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. The regulatory text we are proposing appears at the end of this document.

#### IV. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders and we discuss First Amendment rights of protestors.

##### A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This NPRM has not been designated a "significant