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*"Rummaging in the government's attic"*

Description of document: Department of Labor (DOL) table of contents of the Office of Administrative Law Judges Intranet site (OALJNET) 2023

Requested date: 29-June-2023

Release date: 05-September-2023

Posted date: 26-February-2024

Source of document: Freedom of Information Request  
Department of Labor  
Office of the Solicitor  
Division of Management and Administrative Legal Services  
200 Constitution Ave NW  
Room N-2420  
Washington, DC 20210  
Fax: 202-693-5389 (address to "FOIA Staff")  
[Department of Labor eFOIA Portal](#)  
Email: [foiarequests@dol.gov](mailto:foiarequests@dol.gov)

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**U.S. Department of Labor**

Office of Administrative Law Judges  
800 K Street, NW, Suite 400-N  
Washington, DC 20001-8002

(202) 693-7300  
(202) 693-7365 (FAX)



September 5, 2023

Subject: FOIA Request No. 2023-F-10660

This letter is in response to your Freedom of Information Act ("FOIA") request with the U.S. Department of Labor, Office of Administrative Law Judges ("OALJ"), tracking number 2023-F-10660. Your request was received by OALJ on June 29, 2023. You requested:

A copy of the OALJ primary Intranet site home page (<http://oaljnet.oalj.dol.gov/>) and a copy of the table of contents (or A-Z contents page or similar) of the OALJ intranet home page. If there is no table of contents or similar, . . . a copy of each page linked to the OALJ intranet home page by one click (i.e. one level down).

I performed a search of OALJ's records. Because there is no table of contents associated with OALJ's intranet site, I have identified each page linked to the homepage by one click. I have identified 76 pages of responsive documents. I have redacted copyrighted information pursuant to Exemption 4, 5 U.S.C. § 552(b)(4), as well as certain information under Exemption 5, 5 U.S.C. § 552(b)(5). Exemption 5 protects internal federal government documents which are both pre-decisional and deliberative. In addition, the attorney work-product privilege, the attorney-client privilege, and judicial privilege have been incorporated into this exemption. I have determined that the deliberative nature of this information outweighs the public's interest in seeing this information. The exemptions are marked on each page.

If you need further assistance or would like to discuss any aspect of your request, please do not hesitate to contact me at FOIA2@dol.gov or at (202) 693-7347.

Sincerely,

/s/ Alyssa Kaercher  
FOIA Disclosure Officer

**NOTICE OF OPPORTUNITY TO REQUEST THE ASSISTANCE OF THE DOL FOIA PUBLIC LIAISON OR THE OFFICE OF GOVERNMENT INFORMATION SERVICES NATIONAL ARCHIVES AND RECORDS ADMINISTRATION:** If you need any further assistance or would like to discuss any aspect of your request, please do not hesitate to contact the DOL FOIA Public Liaison, Thomas Hicks, at 202-693-5427. Alternatively, you may contact the Office of Government Information Service National Archives and Records Administration (OGIS) to inquire the mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. You can also reach that office by e-mail at [ogis@nara.gov](mailto:ogis@nara.gov), by phone at 202-741-5770, by fax at 202-741-5769, or by calling toll-free at 1-877-686-6448.

**NOTICE OF APPEAL RIGHTS:** You may file an appeal of this decision with the Solicitor of Labor within 90 days from the date of this letter. The appeal must state, in writing, the grounds for the appeal, including any supporting statement or arguments. In order to facilitate processing of the appeal, please include your mailing address and daytime telephone number, as well as a copy of the initial request and this letter. The envelope and letter of the appeal should be clearly marked "Freedom of Information Act Appeal." Any amendment to the appeal must be made in writing and received prior to a decision. The appeal should be addressed to the Solicitor of Labor, Division of Management and Administrative Legal Services, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room N-2420, Washington, D.C. 20210. Appeals may also be submitted by email to [foiaappeal@dol.gov](mailto:foiaappeal@dol.gov). Appeals submitted to any other email address will not be accepted.

# OALJNET

## DISCLAIMER:

**PLEASE BE AWARE THAT DECISIONS AND ORDERS ISSUED AFTER MAY 26, 2023 ARE NOT APPEARING IN THE OALJNET KEYWORD SEARCH RESULTS AT THIS TIME.**

## NOTICE: CONTROLLED CLASSIFIED INFORMATION

*OALJNet, including any attachments, is intended only for internal OALJ use. Users may not further disseminate this information without express permission. This website may contain sensitive information that is confidential, sensitive, work product, attorney-client privileged, or protected by Federal law, including protection from public disclosure under the Freedom of Information Act (FOIA), 5 U.S.C. 552. Accordingly, the use, dissemination, distribution, or reproduction of this information to unauthorized recipients may be unlawful.*

[CLICK HERE TO WATCH THE KEYWORD OR CASE NUMBER SEARCH TRAINING VIDEO](#)

[REMOTE WORK RESOURCES FROM OALJ IT](#)

[NOTICE TO EMPLOYEES FROM THE FEDERAL LABOR RELATIONS AUTHORITY](#)

## Frequently Used Links

- |  |  |  |   |  |
|--|--|--|---|--|
| <ul style="list-style-type: none"><li>▪ CTS</li><li>▪ DOL Phone Directory</li><li>▪ OALJ Staff Directory</li></ul> | <ul style="list-style-type: none"><li>▪ Fact Sheets</li><li>▪ Cross-Cutting Legal Issues</li><li>▪ Enterprise Service Desk</li></ul> | <ul style="list-style-type: none"><li>▪ E2 Solutions</li><li>▪ WebTA</li><li>▪ Learning Link</li></ul> | <ul style="list-style-type: none"><li>▪ LEXIS Advance</li><li>▪ Westlaw</li><li>▪ National Office Training</li><li>▪ Program Drop-ins</li></ul> | <ul style="list-style-type: none"><li>▪ myEPP</li><li>▪ Official Personnel Folder (e-OPF)</li><li>▪ Brown Bag Page</li></ul> |
|--|--|--|---|--|



# Administrative and Program Operations

Ex 4



## ADMINISTRATIVE

Case Processing and Standard Operating Procedures

Last Updated 12-16-2022

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Ex 4



## FOIA & RECORDS

FOIA and Records Retention Procedures

Last Updated 7-5-2022

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Ex 4



Ex 4

## ALTERNATIVE DISPUTE RESOLUTION

Mediation and Settlement Judge Procedures and Tools

Last Updated 7-26-2019

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Ex 4

## 508 ACCESSIBILITY and IT

Training Materials **Ex 5** and Standard Operating Procedures

Last Updated 4-5-2023

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## Legal Program Areas

Ex 4

## BLACK LUNG

Training Materials, Ex 5

Last Updated 6-3-2019

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Ex 4

## LONGSHORE

Training Materials, Ex 5

Last Updated 8-26-2022

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Ex 4

## IMMIGRATION

Training Materials, Ex 5

Last Updated 4-11-2023

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Ex 4

## **WHISTLEBLOWER & TRADITIONAL**

Training Materials, Sample Decisions

Last Updated 6-8-2022

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## **District Office Resources**

Ex 4



## **BOSTON, MA**

District Chief Judge Jonathan C. Calianos

Last Updated 4-2-2020

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Ex 4



## **CHERRY HILL, NJ**

District Chief Judge Theresa C. Timlin

Last Updated 4-2-2020

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Ex 4



## **CINCINNATI, OH**

District Chief Judge John Paul Sellers III

Last Updated 10-26-2022

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Ex 4



Ex 4

## COVINGTON, LA

District Chief Judge Patrick Rosenow

Last Updated 11-2-2018

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Ex 4

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## **NEWPORT NEWS, VA**

District Chief Judge Paul C. Johnson, Jr.

Last Updated 11-21-2018

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Ex 4

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## **PITTSBURGH, PA**

District Chief Judge Drew A. Swank

Last Updated 4-2-2020

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Ex 4

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## **SAN FRANCISCO, CA**

District Chief Judge Richard Manuel Clark

Last Updated 10-26-2021



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Ex 4

**WASHINGTON, D.C.**

District Chief Judge Theresa Timlin

Last Updated 1-6-2023

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# OALJNET

## HELPFUL LINKS

- [Document Preparation - Technical Assistance](#)
- [Ethics, Hatch Act, Pro Bono, Etc.](#)
- [FOIA](#)
- [Records](#)
- [DOL Public Affairs Office](#)

If you receive a media inquiry on a case, refer the inquiry to the appropriate DOL Public Affairs Office

- [International Visitors and Meeting Requests](#)  
All meeting requests made by or on behalf of international visitors should be referred to Patricia Butler, ILAB's International Visitors Coordinator, (202) 693-4793 or [butler-patricia@dol.gov](mailto:butler-patricia@dol.gov)
- [Homeland Security](#)
- [OALJ Information Technology Page](#)
- [Letterhead and DOL Seal](#)
- [Settlement Judges and Mediation](#)
- [Translation and Interpretation Services/Accommodations for Persons With Disabilities](#)
- [Travel and Courtroom Space](#)
- [Wirtz Labor Library](#)

## STANDARD OPERATING PROCEDURES

- [Procedures for Confidential and Mixed Media SharePoint Sites](#) (Dec. 2022)
- [Procedures to Certify Case Files to and from the ARB and for Archiving Case Files to a Federal Records Center and NARA](#) (2020)
- [Interpreter and Translation Services](#)
- [Processing Freedom of Information Act \(FOIA\) Requests](#) (Feb. 5, 2015)
- [Administrative Processing of Student Volunteers](#) (Mar. 28, 2013)
  - [Student Volunteer Agreement](#) (Form DL1-6082)
  - [5 U.S.C. § 3111](#) (on acceptance of volunteer service)
- [Setting Up Brown Bags and Other WebEx or Audio-only Presentations](#)
- [Law Clerk Recruiting Procedures Memorandum](#) (Oct. 2021)
- [How to Docket Immigration Case Types](#) (June 2023)

## TRAVEL

- [E2Solutions](#) (Travel Authorization and Approval System)
- [Hearings and Events Calendar](#) (OALJ Sharepoint Site) (updated Mar. 7, 2016)
- [Hearing Space Directory](#) (Word Document)

## TIME AND ATTENDANCE

- [WebTA](#) (DOL's Official Time and Attendance System)
- [myEPP](#) (USDA National Finance Center)

## PRIVACY

- [Defense Base Act: Protecting the Safety of Claimants](#) (Chief ALJ Feb. 1, 2007)
- [Reminder: Avoiding Accidental Disclosure of SSNs in Decisions](#) (Chief ALJ Aug. 14, 2006)
- [Pizzella Email on Safeguarding Personally Identifiable Information](#) (May 26, 2006)
- Privacy Act -- OALJ's Systems of Records
  - [All Department of Labor Systems](#)
  - [DOL/OALJ-1--Office of Administrative Law Judges Case Tracking System](#)
  - [DOL/OALJ-2--Office of Administrative Law Judges Case Files](#)
- [USDOD, Defense Privacy and Civil Liberties Division](#) (good collection of information on privacy)

# OALJNET

FOIA | RECORDS

## FOIA

### 2022 DOL FOIA Training Conference - May 17-19, 2022

- [Training Manual](#)

### 10th Annual FOIA Training Conference, Office of the Solicitor Office of Information Services

- [Training Manual](#)

### Special Assistants' Business Meeting - April 18, 2017

- [PowerPoint slides](#) (Smyth Apr. 19, 2017)
- Handouts:
  - [Invitation to USDOL's 9th Annual FOIA Training Conference](#)

The Department of Labor's annual internal FOIA training was May 2, 3 and 4, 2017. Materials from the program have been posted on LaborNet:

- [FOIA Conference Training Manual](#) (PDF)
- [Conference Video Presentations](#)

- [Department of Labor, FOIA Best Practices Guide](#) (SOL/MALS - Office of Information Services Aug. 9, 2013)

This is a Guide developed by OIS for FOIA processing at DOL. [REDACTED]

Ex 5 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

- [Final Rule, Revision of FOIA Regulations](#), 29 CFR Part 70, 82 Fed. Reg. 7666 (Jan. 23, 2017)

Ex 5 [REDACTED]

- [Guidance on FOIA Processing and Implementation of Best Practices -Requirement to Notify Requesters of Delays, and to Document Rationales for Delays in SIMS-FOIA](#) (Solicitor of Labor Aug. 16, 2016)

Ex 5

- Email distributing Notice from the Office of the Solicitor of New Notice Requirements (Sept. 16, 2016)

Ex 5

- FOIA Bulletin 16-04, New Requirements for FOIA Response Letters pursuant to the FOIA Improvement Act of 2016

Ex 5 DOL FOIA Public Liaison)

Ex 5

- Standard Operating Procedure for Processing Freedom of Information Act (FOIA) Requests (OALJ Ver.1 Feb. 5, 2015)

Ex 5

## Revised FOIA Regulations

On January 23, 2017, the Department of Labor published a Final Rule amending the Department's FOIA regulations. The amendments update and streamline several provisions and incorporate changes required by the Open Government Act of 2007 and the FOIA Improvement Act of 2016. The regulations were also updated to incorporate changes in the agency's administrative structure. Office of the Secretary, Final Rule, Revision of FOIA Regulations, 29 CFR Part 70, 82 Fed. Reg. 7666 (Jan. 23, 2017)

Ex 5

## Procedures for Handling Coordinated or Consolidated FOIA Requests

- Standard Operating Procedures - Solicitor Transmittal Memo (Apr. 30, 2019)
- Departmental Procedures for Handling Coordinated and/or Consolidated FOIA Requests (Apr. 30, 2019)

## FOIA Improvement Act of 2016

On June 30, 2016 President Obama signed into law the FOIA Improvement Act of 2016. The Act codifies the foreseeable harm standard in disclosures; expands the role of the Chief FOIA Officer and the Departmental FOIA Public Liaison; expands the role of the Office of Government Information Services (OGIS); mandates public disclosures in an electronic format; creates a 25-year sunset on invoking the deliberative process privilege under exemption (b)(5); and adds two new elements to agency Annual FOIA Reports.

- USDOJ Redline version of the FOIA - [www.justice.gov/oip/freedom-information-act-5-usc-552](http://www.justice.gov/oip/freedom-information-act-5-usc-552)
- USDOJ Summary of the amendments - [www.justice.gov/oip/oip-summary-foia-improvement-act-2016](http://www.justice.gov/oip/oip-summary-foia-improvement-act-2016)

## Links

- [DOL Guidance and Resources on LaborNet](#)
- [USDOJ Guide to the Freedom of Information Act](#) (the [Best](#) source for FOIA law)
- [USDOJ FOIA Reference Materials](#)
- [FOIA.gov](#) (general information from USDOJ on FOIA)
- [EPIC.org](#) (public interest Electronic Privacy Information Center)

## Memoranda and Manuals

- [Exemption 4 After the Supreme Court's Ruling in Food Marketing Institute v. Argus Leader Media](#) (USDOJ October 4, 2019)
- [Step-by-Step Guide for Determining if Commercial Financial Information Obtained from a Person is Confidential Under Exemption 4 of the FOIA](#) (USDOJ October 7, 2019)
- [Conference Book for the 8th Annual FOIA Training Conference](#) (USDOL Apr. 26-28, 2016)
- [Secretary's Information Management System for FOIA \(SIMS-FOIA\), User Guide](#) (2010)
- [Protocol for referring FOIA request to another agency](#) (SOL Aug. 26, 2015)
- [FOIA Bulletin - Guidance on "Still Interested" letters](#) (SOL July 6, 2015)
- [Standard Operating Procedure for Processing Freedom of Information Act \(FOIA\) Requests](#) (OALJ Ver.1 Feb. 5, 2015)
- [Revised Freedom of Information Act \(FOIA\) Appeals Language](#) (Jan. 20, 2015)
- [Guidance and Suggested Best Practices for Improving Transparency](#) (USDOJ, Office of Information Privacy Sept. 1, 2010)
- [Memorandum for Agency Heads, The Open Government Act of 2007](#) (Solicitor of Labor - Mar. 6, 2008)
- [Executive Order 13392 \("Improving Agency Disclosure of Information"\); Implementation of the Department of Labor's FOIA Improvement Plan](#) (Associate Solicitor for Legal Counsel Sept. 12, 2006)
- [Revised Appeal Paragraph \(Ex 5\)](#) of the Solicitor's Office - July 20, 2006)
- [Transcript Requests From Federal Agencies](#) (Chief ALJ Apr. 17, 2006)
- [Sample Paragraph: No Fee Waiver for Public Court Records](#)
- [Direct Costs under FOIA](#) (Chief ALJ - June 13, 2003)
- Guidance from the Solicitor's Office on FOIA Fees and Fee Waivers
  - [Memorandum from Co-Counsel for Administrative Law to FOIA Coordinators](#) (Sept. 26, 2002) [Word]
  - Attachments:
    - [Attachment A: Categories of Requesters and Fees](#) [Word]
    - [Attachment B: Application of FOIA's Fee Waiver Standard](#) [Word]
    - [Fee Waiver Form Letter](#) (1990) [PDF]
- [Use of Authorized Copy Service for FOIA](#) (July 9, 1998)
- [Reminder: Distribution of Decisions to Third Parties](#) (June 24, 1998) (do not include service sheet (all cases) or OWCP number (black lung cases))
- [Distribution of Decisions to Third Parties](#) (Chief ALJ - Apr. 28, 1998)

Ex 5

- [Treatment of Confidential Commercial Information Under FOIA](#) (Chief ALJ - Oct. 7, 1996) (whistleblower settlements)

Memo by Ass't Sec'y for ESA agreeing that ESA should make initial disclosure determination on NRC referrals (May 5, 1995)

- Memo by Acting Chief ALJ recommending that OALJ defer to ESA on disclosure determination referrals from NRC (May 5, 1995)
- DOJ Guidance - Can the identities of FOIA requesters be withheld under the FOIA (FOIA Update, Vol. VI, No. 1, at 6)

## Forms

- Predisclosure Notification Notice (used to mark an envelope containing FOIA Exemption 4 materials, (i.e., confidential financial or commercial information)
  - Word Version
  - PDF Version

Ex 4



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# RECORDS

[OALJ Records Schedule](#) | [NARA and DOL Links](#) | [Certification to ARB](#) | [Authentication](#) | [Privacy Act](#) | [Legal Holds](#) | [Email and Fax](#)

## OALJ RECORDS SCHEDULES AND RELATED DOCUMENTS

- [OALJ Litigation Hold Policy](#) (Aug. 31, 2020)
- [Department of Labor Litigation Hold Policy](#) (Aug. 12, 2020)
- [Department of Labor Litigation Hold Policy - Memo to Agency Heads](#) (Aug. 12, 2020)



- [Records Disposition Authority N1-174-00-4](#) (OALJ's general records retention schedule approved Dec. 2, 2001)
- [Records Disposition Authority N1-174-09-02](#) (OALJ's schedule for electronic records - approved Aug. 15, 2012)
- Designation of a Record for Permanent Retention (Apr. 13, 2018) (Guidance on when to designate a record for permanent retention under N1-174-00-4) [PDF Version](#) | [Word Version](#)
- [Legal Guidance from the Solicitor of Labor on Federal Records](#) (July 2004) (what constitutes a record, how to handle emails, etc.)
- [Records Disposition Authority DAA-0174-2018-001](#) (OALJ's records retention schedule for alternative dispute resolution - approved Dec. 18, 2018)
- [Retention of Interview Records](#) (webpage)

## LINKS

### *National Archives Archives and Records Centers Information System*

- [NARA Records Managers Page](#)
- [ARCIS Customer Portal](#)
- [General Instruction Manual](#)
- [Records Transfers Manual](#)

### *DOL Information*

- [DOL Records Management Help Center](#)

## CERTIFICATION OF RECORD TO THE ADMINISTRATIVE REVIEW BOARD

- [Procedures to Certify Case Files To and From the ARB and for Archiving Case Files to a Federal Records Center and NARA](#) (Mar. 2020)

## AUTHENTICATION OF RECORDS

- [DLMS 7 - Information Technology Chapter 1600 - Authentication of Documents](#)  
(DLMS Chapter on policy, procedures, and responsibilities for authentication of documents under the seal of the Department of Labor (DOL)).
  - The Chief Docket Clerk is the "Legal Custodian" and the Deputy Director is the "Authentication Officer"
- [OALJ Records Authentication Form](#) (PDF) (Revised Nov. 2021)  
(For use by the OALJ Authentication Officer to certify a document/record)
- Text of 29 C.F.R. § 70.40(h), which is the DOL FOIA regulation on authentication of records:

(h) *Authentication of copies*—(1) *Fees*. The FOIA does not require certification or attestation under seal of copies of records provided in accordance with its provisions. Pursuant to provisions of the general user-charger statute, 31 U.S.C. 9701 and Subchapter II of title 29 U.S.C., the following charges will be made when, upon request, such services are rendered by the agency in its discretion:

(i) For certification of true copies, \$10.00 each certification.

(ii) For attestation under the seal of the Department, \$10.00 each attestation under seal.

Ex 4

National Archives. Washington, DC (1939)

Library of Congress, Prints and Photographs Division

Harris & Ewing, photographer

LC-DIG-hec-27706

## PRIVACY

- [Defense Base Act: Protecting the Safety of Claimants](#) (Chief ALJ Feb. 1, 2007)
- [Reminder: Avoiding Accidental Disclosure of SSNs in Decisions](#) (Chief ALJ Aug. 14, 2006)
- [Pizzella Email on Safeguarding Personally Identifiable Information](#) (May 26, 2006)

## PRIVACY ACT -- OALJ'S SYSTEMS OF RECORDS

- [All Department of Labor Systems](#)
- [DOL/OALJ-1--Office of Administrative Law Judges Case Tracking System](#)
- [DOL/OALJ-2--Office of Administrative Law Judges Case Files](#)

## LEGAL HOLDS

- [Termination of the Tobacco Industry Litigation Hold](#) (Dec. 12, 2014)

## EMAILS AND FAXES

- [LaborNet guidance on managing email](#)
- Use of non-official email or electronic messaging accounts

Section 10 of the [Presidential and Federal Records Act Amendments of 2014](#), PL 113-187 (Nov. 26, 2014), to be codified at 44 U.S.C. 2911, prohibits Federal officers and employees from creating or sending a record using non-official email or other electronic messaging accounts unless they simultaneously copy an official Government email or other electronic messaging account, or, within 20 days forward a complete copy of the record to such an official account. Penalties may apply for not following these guidelines.

Legal Guidance from the Solicitor of Labor on Federal Records (July 2004) (what constitutes a record, how to handle emails, etc.)

- Chief Judge's E-Mail regarding the proper logging of E-Mails and Faxes (June 9, 2009)

# OALJNET

## MEDIATION

*Beth Slavet - 202-693-7339*

*Jashawn Stewart - 202-693-7369*

### Mediation Resources

- [OALJ Mediation Processing Tool](#)
- Mediation Checklist (August 21, 2018)  
[PDF](#) | [Word](#)
- Agreement to Mediate (November 7, 2016)  
[PDF](#) | [Word](#)
- Mediator Request Form  
[PDF](#) | [Word](#)
- American Bar Association, Section of Dispute Resolution, [Mediation Week Toolkit](#) (Oct 16-22, 2016) ( resources and sample materials for practitioners, organizations and bar associations)
- [Mediator's Report Form](#)
- Sample Email (following initial contact)  
[PDF](#) | [Word](#)
- [Sample Order \(Appointing Mediator\)](#) (PDF)
- Sample Orders (Supplemental Orders Concluding Mediation)  
[Successful Mediation](#) | [Return to ALJ's Docket](#)
- [Records Disposition Authority DAA-0174-2018-001](#) (OALJ's records retention schedule for alternative dispute resolution - approved Dec. 18, 2018)

## SETTLEMENT JUDGE PROGRAM

### Memorandum describing OALJ Settlement Policy and Procedure (July 13, 2001)

- [Cover Memo](#) [Word]
- [Policy Statement](#) [Word]
- [Settlement Judge Appointment Order Form](#) [Word]
- [Settlement Judge Appointment Memorandum Form](#) [Word]
- [Notice of Conclusion of Settlement Judge Proceeding Form](#) [Word]
- [Records Disposition Authority DAA-0174-2018-001](#) (OALJ's records retention schedule for alternative dispute resolution - approved Dec. 18, 2018)

### Forms

- [Current Settlement Judge Request Form](#)
- [Confidentiality Agreement](#) (HTML)
-

- Paragraph for Notice of Docketing

## BROWNBAGS ON OALJ ADR

### Handouts and Links for June 22, 2016 Brown Bag Session on the Settlement Judge and Mediation Process - Issues that Arise During and After the Mediation

#### 1. OUTLINE OF SESSION 2 (Word)

The link above contains the full outline. Here are the major topic headings:

I.	JOINT SESSIONS AND CAUCUSES
II.	EDUCATING THE PARTIES AND THE MEDIATOR
III.	PARTICULARLY CHALLENGING ISSUES
IV.	ROLE OF MEDIATOR IN DRAFTING OF AGREEMENT
V.	MEMORANDUM OF AGREEMENT : DIFFERING PERSPECTIVES/DIFFERENT PARTIES AND ISSUES OF LAW
VI.	RETENTION OF FILES

#### 2. RECORDS RETENTION SCHEDULE (PDF)

Memorandum from former Chief ALJ Vittone explaining OALJ's Records Retention Schedule (July 18, 2002). [More information about Federal Records and records management.](#)

#### 3. LINK TO WWW.ADR.GOV GUIDANCE DOCUMENTS

This website contains several helpful guidance documents. Of particular relevance are two guidance documents regarding confidentiality:

- [Protecting the Confidentiality of Dispute Resolution Proceedings: A Guide for Federal Workplace ADR Program Administrators](#) (Apr. 2006) (PDF)
- [Guide to Confidentiality in Federal Alternative Dispute Resolution Programs](#) (guidance to assist federal agencies in developing ADR programs) (Dec. 29, 2000) (PDF)

#### 4. Risk Analysis Worksheet (PDF)

Ex 5

### Handouts for May 24, 2016 Brown Bag Session on the Settlement Judge and Mediation Process - Pre-Mediation Preparation

#### 1. LIST OF HAND-OUTS FOR SESSION 1: SETTLEMENT/MEDIATION BROWN BAG

#### 2. OUTLINE OF SESSION 1

3. SETTLEMENT JUDGE INTRO OF 5 PAGES
4. AGREEMENT TO MEDIATE
5. ORDER APPOINTING MEDIATOR
6. SUPPLEMENTAL ORDER CONCLUDING MEDIATION
7. ORDER SETTING SETTLEMENT CONFERENCE
8. NOTICE OF CONCLUSION OF SETTLEMENT JUDGE PROCEEDINGS
9. MEMORANDUM OF AGREEMENT
10. INTERNAL SLAVET/DABROWSKI SPREAD SHEET OF STATUS OF CASES

# Section 508 Accessibility

## ACCESSIBILITY RESOURCES

### DOL Section 508 Program Office

- [DOL Section 508 Program Office](#) (website)
- [DOL Section 508 Training Calendar](#)
  - Thursday, September 8, 2022, 1:00-1:45 pm - Creating Accessible Tables in MS Office Documents
  - Tuesday, September 13, 2022, 1:00-1:45 pm - Section 508 for Program Managers
  - Tuesday, September 20, 2022, 1:00-1:45 pm Section 508 at DOL
  - Thursday, September 22, 2022, 1:00-1:45 pm Basic Creation of PDF from Word
  - Tuesday, September 27, 2022, 1:00-1:45 pm - Alt Text for Documents
- [DOL 508 Program Office Virtual Office Hours, Tuesday & Thursday, 2:00-3:00 pm](#)
- [DOL Accessibility Awareness Day](#), April 25, 2023 11:00am - 4:00pm (EDT)

### Section 508 Law & Policy

- [DLMS 7-600: IT Accessibility Management](#)
- [Section 508 Law & Policy](#) (LaborNet)

## 508 COMPLIANT TEMPLATES AND DOCUMENTS

### BLACK LUNG

Ex 5

- [Sample BLA Decision - Ex 5](#) [D&O Awarding Benefits](#)

Ex 5

### IMMIGRATION

- [Sample TLC Notice of Assignment and Briefing Schedule for EAR Cases - Administrative File not Received](#)
- [Sample TLC Notice of Assignment and Briefing Schedule for EAR Cases - Administrative File Received](#)
- [Sample TLC Notice of Assignment and Order Setting Briefing Schedule - de novo Hearing](#)
- [Sample TLM Notice of Assignment and Order Setting Briefing Schedule - Administrative File Not Received](#)
- [Sample TLM Notice of Assignment and Order Setting Briefing Schedule - Administrative File Received](#)
- [Sample TLN Decision - D&O Affirming CO's Denial](#)
- [Sample TLN Notice of Assignment and Order Setting Briefing Schedule - Administrative File Not Received](#)



- [Sample TLN Notice of Assignment and Order Setting Briefing Schedule - Administrative File Received](#)

## GENERAL TOPICS

- [Ex 5](#)

# IT Resources

## RESOURCES FOR WORKING REMOTELY

- [Everbridge Notification System Emails](#) (April 7, 2020) (Steve Kentner)
- [Skype Meeting Setup Instructions](#) (April 2, 2020) (procedures for Skype meetings - DOL and external contacts) (Lauren Bullock and Judge Rosenow)
- [A Note on Telework and VPN Access](#) (March 19, 2020) (Steve Kentner)
- [Telework Resource Guide](#) (OCIO)
- [The Creation of District Office Email Boxes](#) (March 16, 2020) (Steve Kentner)
- [Teleworking and DOL Updates](#) (March 12, 2020) (Steve Kentner)
- [OALJ Telework Reference Guide](#) (March 11, 2020) (for first-time teleworkers) (Steve Kentner)
- [DOL Webmail and Multi-Factor Authentication](#) (Feb. 2, 2020) (Steve Kentner and OCIO)

## STANDARD OPERATING PROCEDURES

- [Index Purge Tool](#) (July 2019) (procedures for removing documents from the OALJ public website and intranet)

## PIV CARD LOGIN

- [PIV Card Implementation Postponed to later in FY2015](#)
- [Memorandum on PIV Card Computer Login Transition](#)

## MISCELLANEOUS

- [Self-Service Password Reset Tool](#) (OCIO)
- [Things to Know From OALJ IT](#) (Nov. 2019)
- [Enterprise Service Desk](#)
- [Cyber Security Tips](#)
- [Security and Protection of Government Equipment](#)

# OALJNET

## BLACK LUNG

### Resources

- [Bankruptcy Materials](#)
- [2016 Medical Disclosure Rule Materials](#)
- [Forms](#), **Ex 5**
- [Policies and Notices](#)
- [Reference Works](#)
- [Training Materials](#)
- [Black Lung Archive of Procedural Orders](#)

### Black Lung Related Fact Sheets

[BLA](#), [BLO](#), [BMO](#), [BTD](#) - Black Lung Benefits Act

[BLB](#) - Black Lung Benefits Act (SSA Subpart B Transfer)

Ex 4

WPA Poster

Library of Congress

Prints and Photographs Division

WPA Poster Collection

LC-USZC2-1167 DLC

# OALJNET

## LONGSHORE

### Resources

- [Forms](#), **Ex 5**
- [Reference Works](#)
- [Policies and Notices](#)
- [Training Materials](#)

### Department of Labor Contacts

- [Benefits Review Board](#)
- [OWCP Longshore District Offices and District Directors](#)
- [Office of the Solicitor National and Regional Offices](#)

### Longshore Related Fact Sheets

[DCW](#) - District of Columbia Workers' Compensation

[LDA](#) - Defense Base Act and Related Acts

[LHC](#) - Longshore and Harbor Workers' Compensation Act

Ex 4

Library of Congress  
Prints and Photographs Division  
Robert Muchley (artist)  
WPA Federal Art Project  
1936 or 1937  
LC-USZC2-1258 DLC

# OALJNET

## IMMIGRATION

### Overviews and Digests

- [TLN Procedural Overview](#)
- [TLN Digest](#)

### Operative TLC Resources

- [TLC Procedural Overview \(2022 H-2A Final Rule and 2010 H-2A Final Rule\) \(revised November 2022\)](#)
- [Ex 5](#)
- [Ex 5](#)
- [Checklist for Processing TLC Decisions \(2022 H-2A Final Rule\) \(revised November 2022\)](#)
- [Ex 5](#)
- [Ex 5](#)
- [TLC Briefing Schedule Order \(after conference\) Expedited Administrative Review \(2010 H-2A Final Rule\)](#)
- [TLC Decision and Order \(after de novo hearing\) \(2010 H-2A Final Rule\)](#)
- [TLC Decision and Order \(after de novo hearing\) \(2022 H-2A Final Rule\)](#)
- [TLC Decision and Order - Expedited Administrative Review \(2010 H-2A Final Rule\)](#)
- [TLC Decision and Order - Expedited Administrative Review \(2022 H-2A Final Rule\)](#)
- [TLC Digest \(2022 H-2A Final Rule\) \(revised November 2022\)](#)
- [TLC Notice of Docketing and Briefing Schedule \(no conference\) Expedited Administrative Review \(2010 H-2A Final Rule\)](#)
- [TLC Notice of Docketing and Briefing Schedule - Expedited Administrative Review \(2022 H-2A Final Rule\)](#)
- [TLC Notice of Docketing and Prehearing Order - De Novo Hearing \(2010 H-2A Final Rule\)](#)
- [TLC Notice of Docketing and Prehearing Order - De Novo Hearing \(2022 H-2A Final Rule\)](#)
- [TLC Notice of Docketing and Preliminary Order to Schedule Conference Call - Expedited Administrative Review \(2010 H-2A Final Rule\)](#)
- [TLC Notice of Telephonic or Video Hearing and Prehearing Order - De Novo Hearing \(2010 H-2A Final Rule\)](#)
- [TLC Notice of Telephonic or Video Hearing and Prehearing Order - De Novo Hearing \(2022 H-2A Final Rule\)](#)
- [TLN, TLC, TLM Expedited Timelines Chart \(2022 H-2A Final Rule\)](#)

### Information Resources

- [Forms](#), [Ex 5](#)
- [Reference Works](#)
- [Policies and Notices](#)

### Sharepoint Sites

▪

### OALJ Immigration/BALCA Sharepoint Site

The OALJ Immigration/BALCA Sharepoint Site contains research materials, decision shells, drafting tools, contract writer folders, assignment memoranda, and other materials.

### ▪ OFLC Appeals Sharepoint Site

The OFLC Appeals Sharepoint Site is used to transfer appeal files to OALJ/BALCA. A password is required, and access is limited to authorized personnel (mostly in the OALJ Docket and IT sections). Legal staff should use CTS/DMS2 to access files.

## Training Materials

- TLN Procedural Overview (Revised Aug. 2019)
- Temporary and Traditional Immigration Training PowerPoint (May 2022)
- Checklist for Processing TLC Decisions
- Checklist for Processing TLN Decisions
- Checklist for Processing TLM Decisions
- Different Types of Immigration Cases (June 8, 2023)
- Implementation of the Secretary's Discretionary Rule of BALCA (June 22, 2020)
- TLN, TLC, and TLM Expedited Timelines Chart (PDF)

## "TNE" Enforcement Actions Under 2008 H-2B Regulations - Update September 5, 2017

Ex 4

Ellis Island  
Library of Congress  
Prints and Photographs Division

**District Court decision in *Perez v. Perez*:** On March 4, 2015, the United States District Court for the Northern District of Florida ("District Court") issued an order ("Injunction") vacating and permanently enjoining the U.S. Department of Labor ("DOL") from enforcing the H-2B regulations promulgated at 73 Fed. Reg. 78020 ("2008 Rule"). *Perez v. Perez*, No. 3:14-cv-00682 (N.D. Fla. Mar. 4, 2015). The effective date of the Injunction was April 30, 2015. In a September 4, 2015 order ("Clarifying Order"), the District Court clarified that the Injunction "was not intended to, and does not, apply retroactively," thus allowing DOL to enforce the terms of labor certifications under the 2008 Rule. See *Perez* (Doc. No. 62).

**ARB decision in *Strates Shows*:** In *Administrator, Wage and Hour Division v. Strates Shows, Inc.*, ARB No. 15-069, ALJ No. 2014-TNE-00016 (June 30, 2017) ("Strates"), the ARB held that the Injunction "rendered [DOL's] legal authority for pursuing [H-2B enforcement] action[s] null and void" and that an ALJ had "no choice but to dismiss the action" for want of subject matter jurisdiction. The Office of the Solicitor filed an emergency motion requested that the ARB reconsider its decision. In *Administrator, Wage and Hour Div., USDOL v. Strates Shows, Inc.*, ARB No. 16-069, ALJ No. 2014-TNE-16 (ARB Aug. 16, 2017), the ARB granted the motion for reconsideration and vacated its June 30, 2017 decision. The ARB also issued an Amended Final Decision and Order in which it omitted "the characterization of the 2008 H-2B regulations as unenforceable."

**Continuing TNE enforcement authority:** Based on the foregoing, DOL may enforce the 2008 Rule for labor certifications issued before the injunction took effect on April 29, 2015. Cases involving a labor certification issued on or after April 29, 2015 are governed by the 2015 interim final rule and do not involve the *Strates Shows* case.

- [September 5, 2017 email](#) update from Becky Nielsen on ARB's Amended Final Decision and Order
- [July 19, July 31, and August 23, 2017 emails](#) from Kevin Koll and Becky Nielsen explaining the status of H-2B enforcement actions
- [Administrator, Wage and Hour Division v. Strates Shows, Inc.](#), ARB No. 15-069, ALJ No. 2014-TNE-00016 (June 30, 2017)
- [Administrator, Wage and Hour Division v. Strates Shows, Inc.](#), ARB No. 15-069, ALJ No. 2014-TNE-00016 (July 20, 2017) (ARB's grant of emergency stay)
- [Administrator, Wage and Hour Div., USDOL v. Strates Shows, Inc.](#), ARB No. 16-069, ALJ No. 2014-TNE-16 (ARB Aug. 16, 2017) (ARB grant of motion for reconsideration and vacating of its June 30, 2017 decision)
- [Administrator, Wage and Hour Div., USDOL v. Strates Shows, Inc.](#), ARB No. 16-069, ALJ No. 2014-TNE-16 (ARB Aug. 16, 2017) (slip op.) (ARB's Amended Final Decision and Order)
- [Perez v. Perez](#), No. 3:14-cv-00682 (N.D. Fla. Mar. 4, 2015)
- [Plaintiff's motion to clarify permanent injunction in Perez v. Perez](#)
- [Order granting clarification in Perez v. Perez](#)

## Immigration Related Fact Sheets

- [ARN](#) - Nonimmigrant Nurses (H-1A and H-1C visas)
- [JSA](#) - Job Service Complaint System
- [JSW](#) - Job Service Complaint System Prevailing Wage LCA Appeal
- [LCA](#) - Labor Condition Applications (H-1B visas)
- [PED](#) - H-2A debarments and revocations
- [PED](#) - H-2B debarments

- PED - PERM debarments and revocations
- PER - Permanent Alien Labor Certification Appeals ("PERM")
- PWD - Prevailing Wage Determination appeal - H-1B, H-2B and PERM
- TAE - "Temporary alien employment" (H-2A visas -- Wage & Hour enforcement)
- TLC - "Temporary labor certification" (H-2A - ETA certifications)
- TLN - "Temporary labor certification" (H-2B visas -- ETA certifications)
- TNE - "Temporary nonagricultural alien employment" (H-2B visas -- Wage & Hour enforcement)



# OALJNET

WHISTLEBLOWER | TRADITIONAL

## WHISTLEBLOWER

### Whistleblower Related Fact Sheets

ACA - Affordable Care Act

AIR - Aviation Investment & Reform Act (AIR21)

CAA - Clean Air Act

CER - CERCLA

CFP - Consumer Financial Protection Act of 2010 (Dodd-Frank, § 1057)

CPS - Consumer Product Safety Improvement Act

ERA - Energy Reorganization Act

FDA - FDA Food Safety Modernization Act

FRS - Federal Rail Safety Act

MAP - Moving Ahead for Progress in the 21st Century Act (MAP21)

NTS - National Transit Systems Security Act of 2007

PSI - Pipeline Safety Improvement Act

SDW - Safe Drinking Water Act

SOX - Sarbanes-Oxley Act

SPA - Seaman's Protection Act

STA - Surface Transportation Assistance Act

SWD - Solid Waste Disposal Act

TSC - Toxic Substances Control Act

WPC - Federal Water Pollution Control Act

# OSHA® FactSheet

## Your Rights as a Whistleblower

You may file a complaint with OSHA if your employer retaliates against you by taking unfavorable personnel action because you engaged in protected activity relating to workplace safety or health, asbestos in schools, cargo containers, airline, commercial motor carrier, consumer product, environmental, financial reform, food safety, health insurance reform, motor vehicle safety, nuclear, pipeline, public transportation agency, railroad, maritime, motor vehicle safety, and securities laws.

### Whistleblower Laws Enforced by OSHA

Each law requires that complaints be filed within a certain number of days after the alleged retaliation.

- Asbestos Hazard Emergency Response Act (90 days)
- Clean Air Act (90 days)
- Comprehensive Environmental Response, Compensation and Liability Act (90 days)
- Consumer Financial Protection Act of 2010 (180 days)
- Consumer Product Safety Improvement Act (180 days)
- Energy Reorganization Act (180 days)
- Federal Railroad Safety Act (180 days)
- Federal Water Pollution Control Act (90 days)
- International Safe Container Act (90 days)
- Moving Ahead for Progress in the 21st Century Act (motor vehicle safety) (180 days)
- National Transit Systems Security Act (180 days)
- Occupational Safety and Health Act (90 days)
- Pipeline Safety Improvement Act (180 days)
- Safe Drinking Water Act (90 days)
- Surface Mining Control Act (180 days)
- Securities Protection Act (180 days)
- Section 402 of the FSB Food Safety Modernization Act (180 days)
- Section 552 of the Affordable Care Act (180 days)
- Solid Waste Disposal Act (90 days)
- Surface Transportation Assistance Act (180 days)
- Toxic Substances Control Act (90 days)
- Whistleblow, Post-Accident Investigation and Reform Act for the 21st Century (90 days)

### Unfavorable Personnel Actions

Your employer may be found to have retaliated against you if your protected activity was a

contributing or motivating factor in its decision to take unfavorable personnel action against you. Such actions may include:

- Applying or issuing a policy which provides for an unfavorable personnel action due to activity protected by a whistleblower law enforced by OSHA
- Backdating
- Demoting
- Denying overtime or promotion
- Disciplining
- Denying benefits
- Failing to hire or rehire
- Firing or laying off
- Intimidation
- Making threats
- Reassignment to a less desirable position, including one adversely affecting prospects for promotion
- Reducing pay or hours
- Suspension

### Filing a Complaint

If you believe that your employer retaliated against you because you exercised your legal rights as an employee, contact OSHA as soon as possible because you must file your complaint within the legal time limits.

An employee can file a complaint with OSHA by visiting or calling the local OSHA office or sending a written complaint to the closest OSHA regional or area office. Written complaints may be filed by facsimile, electronic communication, hand delivery during business hours, U.S. mail confirmation services recommended, or other third party commercial carrier. The date of the postmark, facsimile, electronic communication, telephone call, hand delivery, delivery to a third party commercial carrier, or in-person filing at an OSHA

## Resources

- [Forms](#), **Ex 5**
- [Reference Works](#)
- [Notices and Policies](#)
- [Training Materials](#)

## Certification of Record to Administrative Review Board

- [Standard Operating Procedure - Procedures to Certify Formal Case Files to and from the ARB](#)
- [Verification of Appeal File for Cases Sent to the ARB](#)

## TRADITIONAL

### Traditional Fact Sheets

- [CBV](#) - Collective Bargaining Variance
- [CCP](#) - Decertification proceedings under the Federal Unemployment Tax Act or the National Apprenticeship Act of 1937
- [DBA](#) - Davis-Bacon Act
- [FLS](#) - Fair Labor Standards Act
- [MSP](#) - Migrant and Seasonal Agricultural Worker Protection Act
- [OAA](#) - Older Americans Act
- [OFC](#) - Office of Federal Contract Compliance
- [RIS](#) - Employee Retirement Income Security Act
- [SCA](#) - Service Contract Act
- [SOC](#) - "Standards of Conduct" in federal labor unions under the LMRDA
- [WIA](#) - Workforce Innovation and Opportunity Act

## Resources

- [Forms](#), **Ex 5**
- [Training Materials](#)
- [Tutorials on Science and Technology](#) (Federal Judicial Center, 2018)
- [Reference Guide on Scientific Evidence](#) (Federal Judicial Center)

## Certification of Record to Administrative Review Board

- [Standard Operating Procedure - Procedures to Certify Formal Case Files to and from the ARB](#) (Ver. 7-7-2011)
- [Verification of Appeal File for Cases Sent to the ARB](#) (Chief ALJ June 28, 1999) (replaced July 12, 2011 by the new SOP)

# OALJNET

## BOSTON

### TRAINING RESOURCES

- [Longshore Training Memo](#)
- [Temporary Immigration Training Memo](#)
- [Whistleblower Overview](#)

### Black Lung

- [Black Lung Overview Memo](#)

Ex 5

- [Guide to BLA Case File Reviews](#)

### Additional Resources

- [Memo on Conducting Research](#)
- [Case Management Information](#)

### [National Office Program Training](#)

Geo. H. Walker & Co. (1902) Bird's eye view of Boston. Boston, Geo. H. Walker & Co. [[Map](#)] a Retrieved from the Library of Congress.

Ex 4



# OALJNET

## CHERRY HILL

### TRAINING RESOURCES

- [National Office Training Resources](#)
- [Cherry Hill Law Clerk Guide \(Summer 2018\)](#)
- [Cherry Hill Law Clerk Guide BINDER \(Summer 2018\)](#)

### STANDARD OPERATING PROCEDURES

- [Cherry Hill OALJ FOIA SOP](#)

Ex 4



Merry, F. C., Barnes, R. L., Vanderveer, L., Saunders, E. H., Friend & Aub & Wagner & M'Guigan. (1857) Map of Camden County, New Jersey. Philadelphia: R.L. Barnes ; Camden, N.J.: Lloyd Vanderveer. [[Map](#)] Retrieved from the Library of Congress,



# OALJNET

## CINCINNATI

### TRAINING RESOURCES

#### Black Lung

- [Intro to Black Lung Part I: Black Lung Adjudications and Elements of Entitlement](#) (PowerPoint)
- [Intro to Black Lung Part II: Interpreting and Weighing Medical Evidence](#) (PowerPoint)
- [Intro to Black Lung Part III: Evidentiary Limitations](#) (PowerPoint)
- [Intro to Black Lung Part IV: Types of Black Lung Claims](#) (PowerPoint)
- [Black Lung Attorney Fee Orders](#) (PowerPoint) (revised October 2022)

#### Temporary Labor Certification

- [Checklist for Processing TLN Decisions](#) (Word) (508 compliant) (revised Sept. 26, 2022)
- [Checklist for Processing TLM Decisions](#) (Word) (508 compliant) (revised Sept. 26, 2022)
- [New Regs Checklist for Processing TLC Decisions](#) (Word) (revised January 2023)
- [Comparison Chart Between New and Old TLC Regulations](#) (Word)
- [New Regs TLN, TLC, and TLM Expedited Timelines Chart](#) (Excel)

### TEMPLATES & DECISION SHELLS

#### Black Lung

- [REDACTED]
- [REDACTED]
- [Sample Medical Evidence Chart - Blank](#) (Word)
- [Sample Medical Evidence Chart - Completed](#) (Word)
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Ex 5


#### Temporary Labor Certification

- [New Regs Notice of TLC Teams Video Hearing and Pre-Hearing Order](#) (Word)
- [New Regs TLC NOA and Briefing Schedule for Admin Review - AF not received](#) (Word)
- [New Regs TLC NOA and Briefing Schedule for Admin Review - AF received](#) (Word)
- [New Regs TLC NOA for De Novo Hearing](#) (Word)
- [REDACTED]
- [REDACTED]

Ex 5

## HEARING AND ORGANIZATIONAL RESOURCES

Black Lung

- 
- [Black Lung Evidence Tracking Chart](#)
- [Black Lung Hearing Agenda](#)
- [Black Lung New File Summary Sheet](#)

Ex 5

## DIGESTS

- [U.S. Courts of Appeals Black Lung Case Digest](#) (508 compliant) (revised April 2023)
- [BL BRB Case Digest](#) (508 compliant) (revised March 2023)

[National Office Program Resources](#)

## DISTRICT CHIEF JUDGE JOHN PAUL SELLERS III

[Office Directory](#) (internal OALJ use only)

Ex 4



(ca. 1868) Cincinnati bridge / Engraved on wood by Jos. A. Williams, 128 W. 4th St. Cincinnati, O. Cincinnati Covington John A. Roebling Bridge Kentucky Ohio, ca. 1868. Cincinnati O.: Jos. A. Williams, 128 W. 4th St. Cincinnati, O., Mar. 11. [Photograph] Retrieved from the Library of Congress.

# OALJNET

## COVINGTON

### Training Resources

- [National Office Training Resources](#)

Ex 5

### Sample Orders

### Research Resources

## DISTRICT CHIEF JUDGE PATRICK ROSENOW

Ex 4

(ca. 1906) Motor cars crossing Bogye Falaya River. Covington Louisiana, ca. 1906.  
[Between and Ca. 1923] [\[Photograph\]](#) Retrieved from the Library of Congress.

## NEWPORT NEWS

### Training Resources

- [New Law Clerk Introduction](#)
- [General Expectations for New Law Clerks](#) (Nov. 2018)
- [Training Outline for New Law Clerks \(BLA\)](#) (rev. Oct. 2017)
- [Training Outline for New Law CLerks \(Email and Calendars\)](#)
- [Training Outline for New Law Clerks \(LHWCA\)](#) (rev. Nov. 2018)

### Research Resources

- [General Research Information](#)

### [National Office Program Resources](#)

## DISTRICT CHIEF JUDGE PAUL C. JOHNSON, JR.

Ex 4



# OALJNET

## PITTSBURGH

Office Directory (internal OALJ use only)

# TRAINING

## Training Videos

These training videos (7.5 hours) are a distillation of the four-day law clerk training conducted by the Pittsburgh OALJ District Office, in April 2015, along with additional segments which were provided for our ALJs in San Francisco. The videos are an ideal introduction to the Act, regulations and complexities of black lung practice, contain practice tips, and are designed for new law clerks, new judges, and portions may be helpful to paralegals.

The training consists of four DVDs [REDACTED]

Ex 5

[REDACTED] The views expressed are only the views of the speakers and not OALJ or the Department of Labor.

**These videos may not be copied or distributed outside of OALJ.** The four DVDs and their listed contents may be viewed separately. For example, should you wish to train paralegals on attorney fee petitions, they may view that short segment independently on DVD IV. However, each segment builds upon the earlier portions.

The videos are found at [BlackLungTraining](#). You will need to enter your network login information to access this page. The contents are:

- DVD I (2.5 hours): Pulmonologist talk on Pneumoconiosis; the ALJ's Role; Role of the Law Clerk; Introduction to the Black Lung Benefits Act (BLBA); Research Tools; Elements of a Claim; Claim Chronology & Forms.
- DVD II (2:11): Proving a Miner's BLBA Claim.
- DVD III (3:30): Advanced Principles of Weighing Evidence; Top 10 Disability Causation Rebuttal Arguments; Evidence Limitations; Calculating Years of Coal Mine Employment & Responsible Operator Designation.
- DVD IV (3:17): Dictionary of Occupational Titles; Proving a Survivor's Claim; Modifications and Subsequent Claims; Motions and Discovery; Overpayment Claims; Attorney Fee Petitions; PPACA; Conducting a BLBA Hearing (for ALJs); 20-Day Rule.

The videos are best viewed in conjunction with the Pittsburgh BLBA Training Binder (with CD) containing all the power point slides and the "dummy" Black Lung claim file provided to each OALJ Office. [REDACTED]

Ex 5

## National Office Program Resources

Ex 5

▪ [REDACTED]

- [BLA Notice of Hearing and Pre-Hearing Order](#) (Word) (rev. Jan. 27, 2015)

Ex 5

- [BLO Notice of Hearing and Pre-Hearing Order](#) (Word) (Jan. 27, 2015)

- [REDACTED]

- [Evidence Chart](#) (Word)

- [REDACTED]

- [Ruling and Order on Claimant's Motion to Compel and Employer's Motion for Protective Order](#) (Word)

(covers discovery generally, relevance, privilege regarding existence of matters, required extent or scope of description, work product privilege, "Substantial Need" and "Undue Hardship," protective order)

## DISTRICT CHIEF JUDGE DREW A. SWANK

Ex 4

Retrieved from the Library of Congress.

### Reference Works

- Black Lung Case Digest [REDACTED] (current through October 2017) [Word](#) | [PDF](#)

Ex 5

Archive of Procedural Orders



# OALJNET

## SAN FRANCISCO

### TRAINING RESOURCES

#### 2022 Law Clerk Training

- [Law Clerk Guide for San Francisco 2022](#)
- [Tab 01 \(OALJ Background\)](#)
- [Tab 02 \(Procedure\)](#)
- [Tab 03 \(Research and Writing\)](#)
- [Tab 04 \(Longshore\)](#)
- [Tab 05 \(LHWCA and DBA\)](#)
- [Tab 06 \(Black Lung\)](#)
- [Tab 07 \(Whistleblower\)](#)
- [Tab 08 \(Traditional\)](#)
- [Tab 09 \(Immigration\)](#)
- [Tab 10 \(Attorney Fee\)](#)
- [Tab 11 \(Ethics\)](#)
- [Tab 12 \(Contacts\)](#)

#### 2021 Law Clerk Training

- [2021 Orientation Memo](#)
- [Law Clerk Training Binder Guide](#)
- [Tab 01 \(OALJ Background\)](#)
- [Tab 02 \(Procedure\)](#)
- [Tab 03 \(Research and Writing\)](#)
- [Tab 04 \(Longshore\)](#)
- [Tab 05 \(LHWCA and DBA\)](#)
- [Tab 06 \(Black Lung\)](#)
- [Tab 07 \(Whistleblower\)](#)
- [Tab 08 \(Traditional\)](#)
- [Tab 09 \(Immigration\)](#)
- [Tab 10 \(Attorney Fee\)](#)
- [Tab 11 \(Ethics\)](#)
- [Tab 12 \(Contacts\)](#)

#### 2020 Law Clerk Training

- [2020 Orientation Memo](#)

- [Law Clerk Training Binder Guide](#)
- [Tab 01 \(OALJ Background\)](#)
- [Tab 02 \(Procedure\)](#)
- [Tab 03 \(Research and Writing\)](#)
- [Tab 04 \(Longshore\)](#)
- [Tab 05 \(LHWCA and DBA\)](#)
- [Tab 06 \(Black Lung\)](#)
- [Tab 07 \(Whistleblower\)](#)
- [Tab 08 \(Traditional\)](#)
- [Tab 09 \(Immigration\)](#)
- [Tab 10 \(Attorney Fee\)](#)
- [Tab 11 \(Ethics\)](#)
- [Tab 12 \(Contacts\)](#)

#### 2019 Extern Training (May 2019)

- [Extern Guide Cover Page](#)
- [Extern Guide for San Francisco](#)
- [Extern Guide Orientation Memo](#)
- [Tab 1](#)
- [Tab 2](#)
- [Tab 3](#)
- [Tab 4](#)
- [Tab 5](#)
- [Tab 6](#)
- [Tab 7](#)
- [Tab 8](#)
- [Tab 9](#)
- [Tab 10](#)
- [Tab 11](#)
- [Tab 12](#)

#### Attorney Fee Training (March 2018)

- [Attorney Fee Training \(PowerPoint\)](#)

#### [National Office Program Resources](#)

## DISTRICT CHIEF JUDGE RICHARD MANUEL CLARK

Ex 4



Francisco?] [[Map](#)] Retrieved from the Library of Congress.

## DIGESTS AND POTENTIALLY SIGNIFICANT BRB DECISIONS

### Digests

- [October 2020 Case Updates](#)
- [September 2020 Case Updates](#)
- [July/August 2020 Case Updates](#)
- [June 2020 Case Updates](#)
- [May 2020 Case Updates](#)
- [April 2020 Case Updates](#)
- [March 2020 Case Updates](#)
- [January 2020 Case Updates](#)
- [November and December 2019 Case Updates](#)

- [October 2019 Case Updates](#)
- [September 2019 Case Updates](#)
- [August 2019 Case Updates](#)
- [July 2019 Case Updates](#)
- [June 2019 Case Updates](#)
- [April 2019 Case Updates](#)
- [March 2019 Case Updates](#)
- [February 2019 Case Updates](#)
- [January 2019 Case Updates](#)
- [December 2018 Case Updates](#)
- [November 2018 Case Updates](#)
- [October 2018 Case Updates](#)
- [September 2018 Case Updates](#)
- [August 2018 Case Updates](#)
- [July 2018 Case Updates](#)
- [June 2018 Case Updates](#)
- [May 2018 Case Updates](#)

#### **Potentially Significant BRB Decisions**

- [June, July, and August 2020](#)
- [May 2020](#)
- [March and April 2020](#)
- [February 2020](#)
- [January 2020](#)
- [December 2019](#)
- [October and November 2019](#)
- [September 2019](#)
- [August 2019](#)
- [July 2019](#)
- [June 2019](#)
- [May 2019](#)
- [April 2019](#)
- [March 2019](#)
- [February 2019](#)
- [January 2019](#)
- [November 2018](#)
- [October 2018 Update](#)
- [July 2018](#)
- [April 2018](#)
- [March 2018](#)

# OALJNET

## WASHINGTON, D.C.

### BLACK LUNG

Ex 5

#### New Medical Disclosure Rule Materials

- [REDACTED]
- [REDACTED]

#### [REDACTED] Sample Orders

- [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]
- [REDACTED]
- [REDACTED]  
[REDACTED]
- [REDACTED]

#### National Office Program Resources

### ACTING DISTRICT CHIEF JUDGE DEIRDRA HOWARD

E. Sachse & Co. (1871) View of Washington City. [Baltimore: Lith. by E. Sachse & Co] [[Map](#)] Retrieved from the Library of Congress, .

# OALJNET

[FACT SHEETS](#) | [CASE TYPES](#)

## OALJNET FACT SHEETS

Captions, Service Sheets, and Notices of Appeal Rights

<b><u>ACA</u></b>	Affordable Care Act Whistleblower
<b><u>AIR</u></b>	Aviation Investment & Reform Act (AIR21) Whistleblower
<b><u>AML</u></b>	Anti-Money Laundering Act Whistleblower
<b><u>ARN</u></b>	Nonimmigrant Nurse (H 1A and H 1C visa)
<b><u>BCA</u></b>	Board of Contract Appeal
<b><u>BLA</u></b>	Black Lung Benefits Act
<b><u>BLB</u></b>	Black Lung Benefits Act (SSA Subpart B transfer)
<b><u>BLO</u></b>	Black Lung Benefits Act
<b><u>BMO</u></b>	Black Lung Benefits Act
<b><u>BTD</u></b>	Black Lung Benefits Act
<b><u>CAA</u></b>	Clean Air Act Whistleblower
<b><u>CAR</u></b>	Criminal Antitrust Anti Retaliation Act Whistleblower
<b><u>CBV</u></b>	"Collective Bargaining Variance" under the Service Contract Act

<b><u>CCP</u></b>	Decertification proceeding under the Federal Unemployment Tax Act or the National Apprenticeship Act of 1937
<b><u>CER</u></b>	CERCLA Whistleblower
<b><u>CET</u></b>	CETA
<b><u>CFP</u></b>	Consumer Financial Protection Act of 2010 (Dodd Frank, § 1057) whistleblower
<b><u>CLA</u></b>	Child Labor Provision of the Fair Labor Standard Act
<b><u>CPS</u></b>	Consumer Product Safety Improvement Act
<b><u>DBA</u></b>	Davis Bacon Act
<b><u>DCA</u></b>	Debt Collection Act
<b><u>DCW</u></b>	District of Columbia Workers' Compensation
<b><u>EAJA</u></b>	Equal Access to Justice Act
<b><u>EPP</u></b>	Employee Polygraph Protection Act
<b><u>ERA</u></b>	Energy Reorganization Act Whistleblower
<b><u>FDA</u></b>	FDA Food Safety Modernization Act Whistleblower
<b><u>FLS</u></b>	Fair Labor Standards Act
<b><u>FRS</u></b>	Federal Rail Safety Act
<b><u>INA</u></b>	Pre-PERM permanent alien labor certification
<b><u>JSA</u></b>	Job Service Complaint System

<b><u>JSW</u></b>	Job Service Complaint System Prevailing Wage LCA Appeal
<b><u>JTP</u></b>	Job Training Partnership Act
<b><u>LCA</u></b>	Labor Condition Applications (H-1B visas)
<b><u>LDA</u></b>	Defense Base Act and Related Acts
<b><u>LHC</u></b>	Longshore and Harbor Workers' Compensation Act
<b><u>MAP</u></b>	Moving Ahead for Progress in the 21st Century Act (MAP21)
<b><u>MSA</u></b>	Petition for modification of mine safety standard under the Federal Mine Safety & Health Act
<b><u>MSP</u></b>	Migrant and Seasonal Agricultural Worker Protection Act
<b><u>NTS</u></b>	National Transit System Security Act of 2007
<b><u>OAA</u></b>	Older Americans
<b><u>OFC</u></b>	Office of Federal Contract Compliance Programs
<b><u>OSH</u></b>	OSHA Rulemaking
<b><u>PED</u></b>	H-2A debarments and revocations
<b><u>PED</u></b>	H-2B debarments
<b><u>PED</u></b>	PERM debarment and revocation
<b><u>PER</u></b>	PERM permanent alien labor certification appeal
<b><u>PSI</u></b>	Pipeline Safety Improvement Act whistleblower
<b><u>PWD</u></b>	Prevailing Wage Determination appeal - H1B, H-2B and PERM



<b><u>RIS</u></b>	Employee Retirement Income Security Act
<b><u>SCA</u></b>	Service Contract Act
<b><u>SDW</u></b>	Safe Drinking Water Act whistleblower
<b><u>SOC</u></b>	"Standards of Conduct" in federal labor unions under the LMRDA
<b><u>SOX</u></b>	Sarbanes-Oxley Act whistleblower
<b><u>SPA</u></b>	Seaman's Protection Act whistleblower
<b><u>STA</u></b>	Surface Transportation Assistance Act whistleblower
<b><u>SWD</u></b>	Solid Waste Disposal Act whistleblower
<b><u>TAE</u></b>	"Temporary alien employment" (H-2A visas -- Wage & Hour enforcement)
<b><u>TAX</u></b>	Taxpayer First Act Whistleblower
<b><u>TLC</u></b>	"Temporary labor certification" (H-2A - ETA certifications)
<b><u>TLN</u></b>	"Temporary labor certification" (H-2B visas -- ETA certifications)
<b><u>TNE</u></b>	"Temporary nonagricultural alien employment" (H-2B visas -- Wage & Hour enforcement)
<b><u>TSC</u></b>	Toxic Substances Control Act whistleblower
<b><u>UIA</u></b>	Federal State Extended Unemployment Tax Act
<b><u>UMC</u></b>	United States-Mexico-Canada Agreement Implementation Act
<b><u>WIA</u></b>	Workforce Innovation and Opportunity Act
<b><u>WPA</u></b>	Wagner-Peyser Act (Job Service Complaint System)

<b><u>WPC</u></b>	Federal Water Pollution Control Act whistleblower
<b><u>WTW</u></b>	"Welfare to Work" cases under the Social Security Act

CASE TYPES

Case Types

# OALJNET

## CROSS-CUTTING LEGAL ISSUES

- Attorney's Fees Materials
- Bankruptcy
- Rules of Practice and Procedure for OALJ Hearings, 29 C.F.R. Part 18
  - Administrative Notice, Effective Date of Final Rule and Clarification on Technical Errors (Acting Chief ALJ June 11, 2015) (revised rules apply in all pending or newly commenced proceedings insofar as just and practicable; notice that Final Rule had four cross-reference errors that will be corrected in a subsequent Federal Register).
  - Administrative Notice, Implementation of New Subpoena Forms (Acting Chief ALJ May 29, 2015) (parties may continue to use old subpoena forms for subpoenas served on or before Friday, July 17, 2015, but must otherwise comply with notice and service requirements of new Section 18.56 for subpoenas served on or after June 18, 2015)
- Subpoenas
- International Service of Process: A Guide for Judges (Federal Judicial Center)
- Attorney and Lay Representative Discipline Digest - Zaslavskaya, Manno, Smyth (Jan. 2022)

### PDF Tips and Trick Brown Bag Materials (August 19, 2021)

- PDF (and Excel) Tips and Tricks (Aug. 2021) (PowerPoint)
- Excel Tips and Tricks - Butya (PowerPoint)
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- OALJ Custom Tool - Bergel

Ex 5

### Recently Published BRB Decisions and their Effect on Black Lung RO Issues (December 20, 2022) (PowerPoint)

### Intersection of Protective Orders and FOIA Responsibilities

Ex 5

- ALJ order [REDACTED]  
[REDACTED]

### ALJ Appointments

- Executive Orders, documents related to *Lucia*, relevant court decisions, and information regarding the ratification of ALJ appointments can be found on the public website.

### BRBS Commentary on *Lucia*

- *Lucia at the Department of Labor, A Six Month Review* (Michael Perry, Feb. 2019)

[REDACTED]

Ex 5

- [REDACTED]

Ex 5

Ex 5

- NOTICE AND ORDER (Boston)

Ex 5

- GENERAL ORDER (Cincinnati)

Ex 5

### Self-Represented Litigants

- Tips for Handling Cases with Self-represented Litigants (Judge Gee, July 2019 NJC Presentation)
- **Legal Aid Interagency Roundtable: Self-Represented Litigants**

In September 2015, a Presidential Memorandum formally established the White House Legal Aid Interagency Roundtable (WH-LAIR). The U.S. Department of Labor is a member of the WH-LAIR, and OALJ, together with other agencies within the Department, have a responsibility to collaborate regarding the provision of legal services in support of equal access to justice. For OALJ, this policy mostly presents itself in regard to self-represented litigants.

Robust caselaw and practice establish that OALJ has long been committed to fair treatment of self-represented litigants, to affording such litigants a reasonable degree of judicial latitude, and to encouraging such litigants to obtain legal representative if possible.

Ex 5



Ex 5



#### Administrative Procedure Act

- Current Administrative Procedure Act (2013)
- Original Administrative Procedure Act (June 11, 1946)

- [Legislative History of the Administrative Procedure Act](#) (links to USDOJ website)
- Attorney General's Manual on the Administrative Procedure Act (USDOJ 1947) [PDF](#) | [HTML](#)
- Attorney General's Committee on Administrative Procedures (1941).
  - [Final Report](#) (Includes a Letter of Submittal, Letter of Transmittal, Exhibit I, Additional Views and Appendix B ("**Federal Administrative Activity Affecting Private Interests by Rule Making or Adjudication**"). (January 24, 1941).
  - [Appendix A](#): Origin and Progress of the Attorney General's Committee on Administrative Procedure
  - [Appendix C](#): The Origins of Existing Federal Administrative Agencies
  - [Appendix D](#): Institution of Formal Administrative Disciplinary Action for Violations of Statutes or Regulations
  - [Appendix E](#): Procedures in Default Cases
  - [Appendix F](#): The Volume of Business of Administrative Agencies
  - [Appendix G](#): Time Consumed in Reaching Administrative Decisions
  - [Appendix H](#): Hearing Officers
  - [Appendix I](#): Utilization of Material Not Offered as Evidence
  - [Appendix J](#): Utilization of Written Evidence Not Subject to Cross-Examination
  - [Appendix K](#): Procedure for Issuance of Subpenas
  - [Appendix L](#): Form and Content of Intermediate Reports and Final Administrative Decisions
  - [Appendix M](#): Reliance Upon Precedents by Administrative Agencies

## Reference Works

- [The Sedona Conference Publications](#) (discovery, case management, and public access issues often encountered by ALJs; especially helpful on issues involving electronic documents)
- [Report to Congress on the Use of Administrative Subpoena Authorities by Executive Branch Agencies and Entities](#) (USDOJ, Office of Legal Policy 2002) (discussion of source and scope of subpoena authority; enforcement; safeguards; standards; list of administrative subpoena authorities held by the USDOL in Appendix A, pages 121-138)
- [Adjudication Under the Administrative Procedure Act](#) (ABA Draft Feb. 19, 2002) (legislative history and definition of "adjudication" under the APA)
- See the Federal Judicial Center's [Publications Page](#) for a variety of information about judicial procedure.
  - Federal Judicial Center, [The Elements of Case Management: A Pocket Guide for Judges](#) (2006).
  - Federal Judicial Center, [Managing Discovery of Electronic Information: A Pocket Guide for Judges](#) (Feb 2007).
- Morell E. Mullins, Professor of Law, University of Arkansas at Little Rock [Manual for Administrative Law Judges](#) (2001 Interim Internet Edition)
- Bellis, [Statutory Structure and Legislative Drafting Conventions: A Primer for Judges](#) (Federal Judicial Center 2008)

Ex 5

- Federal Judicial Center, [The Elements of Case Management: A Pocket Guide for Judges](#) (2006).
- Federal Judicial Center, [Managing Discovery of Electronic Information: A Pocket Guide for Judges](#) (Feb 2007).
- ABA Section of Litigation, [Civil Discovery Standards](#) (Aug. 2004) (includes updates to deal with e-discovery)
- The National Judicial College, [Science Bench Book for Judges](#) (released June 2019)
- [Procedural Reference Chart](#) (last updated August 16, 2011; replaced by [OALJNet FactSheets](#))

# OALJNET

[Brown Bag Archives](#)

[District Office Pages](#)

[Training Archives](#)

## Training

### MAY 2022 ALJ TRAINING

#### BLACK LUNG

- [Part I - Introduction to Black Lung](#)
- [Part II - Elements of Entitlement \(2021\)](#)
- [Part III - Interpreting and Weighing Medical Evidence \(2022\)](#)
- [Part IV - Evidentiary Eliminations \(2021\)](#)
- [Part V - Types of Claims \(2022\)](#)
- [Part VI - Research Tools & Black Lung Resources](#)

#### LONGSHORE

- [8\(i\) Checklist](#)
- [Medical Opinion Evidence \(2020\) \(PowerPoint\)](#)
- [Attorney Fees \(2018\) \(PowerPoint\)](#)
- [Attorney Fees \(2015\) \(PowerPoint\)](#)
- [LHC Training \(2022\) \(PowerPoint\)](#)
- [BRB Deskbook Table of Contents](#)
- [Training Nutshell](#)
- [Research Tips](#)
- [Training Attachments](#)
- [Training Packet \(2020\)](#)

#### IMMIGRATION

- [Temporary and Traditional Immigration Training \(May 2022\) \(PowerPoint\)](#)

#### WHISTLEBLOWER

- [Whistleblower Training \(May 2022\) \(PowerPoint\)](#)

#### MEDIATION

- [Mediation Program \(May 2022\) \(PowerPoint\)](#)

#### ETHICS

- [Social Media, Personal Email, and the Federal Ethics Rules](#)
- [How to Keep Out of Trouble \(2022\)](#)
- [Seeking and Post-Employment Guidance \(2022\)](#)
- [Political Activities and the Hatch Act](#)

## CASE MANAGEMENT TIPS & SELF-REPRESENTED LITIGANTS

- [Case Management, Tips, and Materials Portfolio](#)
- [Self-Represented Litigant Example Portfolio](#)
- [Self-Represented Litigants \(PowerPoint\)](#)
- [Judge Calianos Pending Cases \(May 2022\) \(Excel\)](#)

## USING AN ELECTRONIC RECORD & PDF TIPS AND TRICKS

- [REDACTED]
- [Excel Tips and Tricks \(Butya\) \(2020 Brown Bag\)](#)
- [Excel Tips and Tricks \(Butya\)](#)
- [REDACTED]
- [REDACTED]
- [REDACTED]

Ex 5

## DRAFTING ATTORNEY FEE ORDERS

- [REDACTED]
- [Black Lung Attorney Fee Orders \(no notes\) \(PowerPoint\) \(2022\)](#)
- [Black Lung Attorney Fee Orders \(PowerPoint\) \(2022\)](#)
- [Sample Attorney Fee Petition](#)
- [REDACTED]
- [REDACTED]

## SYNTHESIS OF MEDICAL RECORDS

- [Synthesis of Medical Records \(PowerPoint\)](#)

## PROCEDURAL AND EVIDENTIARY RULES

- [Procedural and Evidentiary Rules \(PowerPoint\)](#)

## SEPTEMBER 2019 ATTORNEY-ADVISOR TRAINING

### Black Lung

- *PowerPoints*
  - [Intro to Black Lung Part I: Black Lung Adjudications and Elements of Entitlement \(PowerPoint\)](#)
  - [Intro to Black Lung Part II: Interpreting and Weighing Medical Evidence \(PowerPoint\)](#)
  - [Intro to Black Lung Part III: Evidentiary Limitations \(PowerPoint\)](#)
  - [Intro to Black Lung Part IV: Types of Black Lung Claims \(PowerPoint\)](#)
  - [History of the Black Lung Benefits Act \(PowerPoint\)](#)
  - [Research Tools and Black Lung Resources \(PowerPoint\)](#)

### *Other Documents*

- [REDACTED]
- [REDACTED]

Ex 5



- Sample Medical Evidence Chart - Blank (Word)
- Sample Medical Evidence Chart - Completed (Word)

## Longshore

See the Longshore Training Materials page.

## Whistleblower, Traditional, and Immigration

- Introduction to Whistleblower Protection Statutes, Traditional Cases, and Temporary and Traditional Immigration (PowerPoint)

## JULY 2019 ALJ CONFERENCE IN RENO

### Ethics

- Annual Ethics Training for Public Financial Disclosure Filers (2019) (PowerPoint)
- Post-Employment Guidance (2019) (PDF)
- Post-Employment Chart and Model Rule 1.11 (Word)

## NOVEMBER 2018 NEW JUDGES' TRAINING

### Agenda

- New Judge Orientation - Session I (November 6, 2018)

#### Attendees:

- Theodore W. Annos [Washington, DC]
  - Francine L. Applewhite [Washington, DC]
  - Patricia J. Daum [Pittsburgh]
  - Angela F. Donaldson [Covington]
  - John A. Henderson [Covington]
  - Susan L. Hoffman [San Francisco]
  - Sean M. Ramaley [Pittsburgh]
  - Jennifer Whang [Washington, DC]
- New Judge Orientation - Session II (November 27-29, 2018)

#### Attendees:

- Stewart F. Alford, IV [San Francisco]
- Noran J. Camp [Boston]
- Loranzo Fleming [Newport News]

### Program Operations

▪

## Presentation of Office of Program Operations [PowerPoint]

- Mission Statement
- District Office Goals - FY2019 (October)
- Geographic Areas of Responsibility (2018-2019)
- Dispositions by Office and Case Type (FY2015-FY2019)
- OALJ Numbers 2005-2018
- E2 Tips and Tricks
- Case Tracking System Presentation

### **Overview**

- Overview Part I
- Overview Part II

### **Black Lung**

- *PowerPoints*
- Federal Coal Mine Health and Safety Act of 1969
- Research Materials
- Regulatory Amendments
- Introduction to Black Lung Part I (Black Lung Adjudications and Elements of Entitlement)
- Introduction to Black Lung Part II (Interpreting and Weighing Medical Evidence)
- Introduction to Black Lung Part III (Evidentiary Limitations)
- Introduction to Black Lung Part IV (Types of Black Lung Claims)
- 

#### *Word Documents*

- Digital X-Ray Flowchart

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

#### *PDFs*

- **Ex 5** Director's Exhibits **Ex 5**
- BLBA Evidence Summary Form

### **Longshore**

See the Longshore Training Materials page.

### **Immigration**

- Guide to Deciphering Types of Immigration Cases (revised Sept. 2015)
- TLC Digest

**Ex 5**

- [TLC Procedural Overview](#)
- [TLN Digest](#)
- [TLN Procedural Overview](#) (Dec. 2017)
- [PERM and Temporary Traditional Immigration](#) (PowerPoint)

### **Whistleblower and Traditional**

- [Introduction to Whistleblower and Traditional](#) (PowerPoint)
- [Traditional and Whistleblower Fact Sheet](#)

### **Mediation**

See the [Mediation](#) page.

### **Ethics**

- [Getting Serious about GOVERNMENT ETHICS](#) - U.S. Department of Labor - New Entrant Briefing - Office of Legal Counsel - SOL (2018) (PowerPoint)
- U.S. Department of Labor, Office of the Solicitor, Office of Legal Counsel, Counsel for Ethics [How To Keep Out Of Trouble -2018 Summary of the Ethics Rules](#) (Word)
- [Social Media Guidance and FAQ](#) (2018)
- [Political Activities Guidance](#) (2018)

## **SEPTEMBER 2018 JUDGES' CONFERENCE TRAINING - PHILADELPHIA**

- [Origin of the U.S. Department of Labor and Office of Administrative Law Judges](#) (Sept. 2018) (PowerPoint)
- [2018 Ethics Training for Public Filers](#) (Office of the Solicitor - Summer 2018) (PowerPoint)
- [How to Keep Out of Trouble - 2018 Summary of the Ethics Rules](#) (Aug. 2018) (PDF)
- [Black Lung Program Update](#) (Sept. 2018) (PowerPoint)

## **MAY 2018 REFRESHER TRAINING**

### **Black Lung**

- [Advanced Principles of Weighing Evidence](#) (Dec. 2017) (PowerPoint)
- [Miners, Operators, and Coal Mine Employment](#) (Mar. 2017)(PowerPoint)
- [Recent Black Lung Regulatory Changes](#) (Jan. 2018) (PowerPoint)
- [CM 933 X-ray Form](#) (PDF)
- [Digital X-ray Flowchart](#) (May 2018) (PDF)
- [Coal Mine \(BLBA\) Procedure Manual - Exhibit 609 - Wage Base History](#) (Apr. 2016) (PDF)
- [Coal Mine \(BLBA\) Procedure Manual - Exhibit 610 - Average Earnings of Employees in Coal Mining](#) (Apr. 2016) (PDF)

### **Longshore**

- [Conducting Research in LHC and LDA Cases](#) (May 2018) (Word)
- [Medical Opinion Evidence in Longshore and Related Cases: Disclosure and Discovery; Work Product Protection; and Evidentiary Weight Analysis](#) (May 2018) (PowerPoint)

### **Whistleblower and Traditional**

- [Whistleblower Refresher and Introduction to Traditional Cases](#) (May 2018) (PowerPoint)
- [Re-Introduction to OALJ's Temporary and Traditional Immigration Cases](#) (May 2018) (PowerPoint)

## TRAINING ARCHIVES

November 2015 New Judges Orientation

### Overview

- [Agenda](#) (Word)
- [History of DOL and OALJ; General Topics](#) (PowerPoint)

### Black Lung

- [History of the Act](#) (PowerPoint)
- [Research and Drafting Tools](#) (PowerPoint)
- [Claim Elements & Presumptions / Claim Chronology & Processing](#) (PowerPoint)
- [Proving a Living Miner's Claim](#) (PowerPoint)
- [Survivor's Claims Adjudications](#) (PowerPoint)
- [Modification Petitions & Subsequent Claims](#) (PowerPoint)
- [The PPACA Presumption](#) (PowerPoint)
- [Evidentiary Limitations](#) (PowerPoint)

### Immigration

- [Introduction to OALJ's Immigration-Related Cases](#) (PowerPoint)

### Longshore

- [Checklist for §8\(i\) Settlement Applications](#) (Word)
- [Benefits Review Board's Longshore Deskbook, Index of Revised Sections](#) (Word)
- [Conducting Research in LHC and LDA Cases](#) (Word)
- [Update on the Meaning and Proper Application of Section 6\(c\) of the Longshore and Harbor Workers' Compensation Act](#) (Word)
- [Compensable Disability Under the LHWCA](#) (PDF)
- [Sample Supplemental Decision and Order Awarding Attorney's Fees and Costs](#) (reduced fees) (Word)
- [Sample Supplemental Decision and Order Awarding Attorney's Fees and Costs](#) (unopposed fee petition) (Word)

### Whistleblower

#### Overview

- [Whistleblower Retaliation](#) (PowerPoint)

#### Subpoenas

- [Childers v. Carolina Power & Light Co.](#), ARB No. 98-077; ALJ No. 1997-ERA-32 (ARB Dec. 29, 2000) (PDF)
- [Bobreski v. EPA](#), 284 F. Supp. 2d 67 (D.D.C. Sept. 30, 2003) (PDF)
- [Immanuel v. United States DOL](#), 1998 U.S. App. LEXIS 5860 (4th Cir. Mar. 24, 1998) (unpublished) (PDF)

# OALJNET

## MONTHLY DROP-IN SESSIONS - DOCUMENTS AND SLIDES

### LONGSHORE

Wednesday, March 16, 2023	<b>Albonajim and the Calculation of the Average Weekly Wage in PTSD-Related Defense Base Act Claims</b> Eric Bergel, Senior Staff Attorney, Cherry Hill District Office  <u><a href="#">Albonajim PowerPoint Slides</a></u>
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February 16, 2023	<b>DC/Cherry Hill Brown Bag Series - Third-country Security Contractors: Labor Rights</b> Mari Quenemoen, Attorney Advisor, DC District Office  <u><a href="#">PowerPoint Slides</a></u>
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### BLACK LUNG

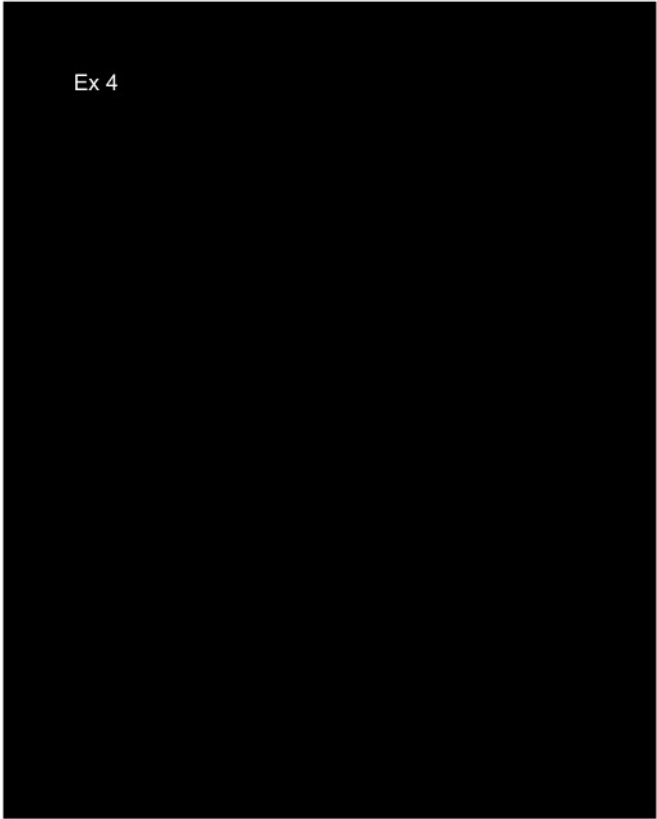
Wednesday, June 7, 2023	<u><a href="#">PowerPoint Slides shared in chat during drop-in:</a></u>  <b><u>Recent Published BRB Decisions &amp; Their Effect on Black Lung RO Issues</u></b> - Nick Barata (Dec. 2022)
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### IMMIGRATION

### WHISTLEBLOWER AND TRADITIONAL

June 28, 2023	<u><a href="#">PowerPoint Slides shown during drop-in:</a></u>  <b><u>Extending the filing deadline in whistleblower claims - equitable estoppel &amp; equitable tolling</u></b> - Josh Van Cleave - June 28, 2023
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Ex 4



Library of Congress  
Prints and Photographs Division  
LC-USZC4-9021

# OALJNET

## BROWN BAG SERIES

### MONTHLY BROWN BAGS OFFICE OF ADMINISTRATIVE LAW JUDGES SCHEDULE AND TOPICS

The schedule for OALJ's Brown Bag series is found below. Beth Slavet and Alyssa Kaercher are the coordinators. Please let Beth or Alyssa know if you have ideas for topics for future sessions.

#### 2023 BROWN BAGS

Tuesday, September 19, 2023, 12:00 pm (EDT)	<b>Assistant Secretary of Labor for Occupational Safety and Health</b> Douglas L. Parker  <a href="#">Click here to join the Teams meeting</a>
Thursday, July 27, 2023, 12:00 pm (EDT)	<b>Pleading and Winning Against Sovereign Citizens</b> Judge Evan Nordby  <a href="#">Click here to join the Teams meeting</a>
Thursday, June 8, 2023, 12:00 pm (EDT)	<b>Office of Legal Counsel, Department of the Navy</b> Associate Counsel Karissa Getz  <a href="#">Click here to join the Teams meeting</a>
Wednesday, April 19, 2023, 1:00 pm (EDT)	<b>Director, Office of Labor-Management Standards</b> Jeffrey Freund  <a href="#">Click here to join the Teams meeting</a>
Tuesday, March 21, 2023, 12:00 pm (EDT)	<b>Underground Mining Processes</b> Judge Willow Fort

Monday, February 6, 2023,  
12 00 EST

**The Ins and Outs of the ARB**

Judge Heather Leslie will be speaking about how the ARB works and will be sharing decision writing tips from an appellate perspective.

**The Ins and Outs of the ARB**

Judge Heather Leslie will be speaking about how the ARB works and will be sharing decision writing tips from an appellate perspective.

2022 BROWN BAGS

Thur day, October 13,  
2022, 12:00-1:00

**ALJ Adjudications at the Department of Energy**

Administrative Law Judge Steven Fine of the Department of Energy, Office of Hearing and Appeals will be presenting a brown bag about the types of proceedings that DOE ALJs preside over.

**ALJ Adjudications at the Department of Energy**

Administrative Law Judge Steven Fine of the Department of Energy, Office of Hearing and Appeals will be presenting a brown bag about the types of proceedings that DOE ALJs preside over.

Tuesday, March  
29-30, 2022, 12:30-  
2:00

## Two-Part Statistics Training

Wendy Martinez, Donna LaLonde, and Regina Nuzzo of BLS and the American Statistical Association (ASA) will be presenting a statistics training developed for OALJ judges. The emphasis of the training will be on the evaluation of statistical evidence in OFC matters.

[Introduction to Adjusting for Variables with Regression](#) (PowerPoint)

**Two-Part Statistics Training**

Wendy Martinez, Donna LaLonde, and Regina Nuzzo of BLS and the American Statistical Association (ASA) will be presenting a statistics training developed for OALJ judges. The emphasis of the training will be on the evaluation of statistical evidence in OFC matters.

[Introduction to Adjusting for Variables with Regression](#) (PowerPoint)

**Two-Part Statistics Training**

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[Introduction to Adjusting for Variables with Regression](#) (PowerPoint)

2021 BROWN BAGS








Wednesday,  
November 10,  
2021

Types of Challenges to ALJ Authority	Ex 5
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Types of Challenges to ALJ Authority	Ex 5
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Types of Challenges to ALJ Authority	Ex 5
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



Thursday, August 19, 2021	<b>Tips &amp; Tricks (Session One)</b>    <a href="#">PDF (and Excel) Tips and Tricks (Aug. 2021) (PowerPoint)</a> <a href="#">Excel Tips and Tricks - Butya (PowerPoint)</a> <div style="text-align: right;"><b>Ex 5</b></div>     <a href="#">OALJ Custom Tool - Bergel</a> <b>These materials are also available on the <a href="#">Cross-Cutting Legal Issues Page</a></b>
Thursday, June 24, 2021. 12:00 pm EDT	<b>Basic Online Research with LexisNexis</b> <a href="#">Custom Lexis page</a>

## 2019 BROWN BAGS

Wednesday, November 6, 2019. 12:30 pm EST	<b>Introduction to the Search Tools on the Website and OALJNet</b> Alyssa Kaercher will give a functional overview of the new search tools. Todd Smyth will give a tour of the websites, showcasing DMS search and the Case Status Lookup. <ul style="list-style-type: none"> <li>▪ <a href="#">Slides</a> (PowerPoint)</li> </ul>
Thursday, October 24, 2019. Noon to 1:15 pm EDT	<b>Bankruptcy Basics in Administrative Proceedings</b> Judge Calianos will be presenting a brown bag on how bankruptcy can affect cases before the OALJ. <ul style="list-style-type: none"> <li>▪ <a href="#">Slides</a> (PowerPoint)</li> </ul>
Wednesday, June 26, 2019. 12:00 pm EDT	<b>A Discussion about aviation and the interaction between FAA rules and AIR-21</b> <ul style="list-style-type: none"> <li>▪ <a href="#">Slides</a> (PowerPoint)</li> </ul>

Tuesday, February 26, 2019. Noon to 1:00 pm EDT	<p><b>A Discussion about Recent Requests to Depose Current and Former Department Officials in Black Lung Cases</b></p> <p>This brown bag will focus on the recent trend, in certain cases impacted by the <u>Patriot Coal Corp. bankruptcy</u>, of coal mine operators requesting to depose current and former Department officials in black lung cases. Alex Smith will provide an introduction, and Judge Jason Golden will relate his recent experience in presiding over two such depositions.</p> <ul style="list-style-type: none"> <li>▪ <u>Slides</u> (PowerPoint)</li> </ul>
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## 2018 BROWN BAGS

Thursday, May 17, 2018. Noon to 1:00 pm EDT.	<p><b>Career Development at the Department of Labor. Russell Scott, OASAM/Human Resources Center, Office of Employee Engagement/Training and Development.</b></p> <ul style="list-style-type: none"> <li>▪ <u>The Essentials of the Individual Development Plan</u> (PowerPoint)</li> <li>▪ <u>Career Series for Attorneys</u> (Word)</li> </ul>
Thursday, April 26, 2018. Noon to 1:00 pm EDT	<p><b>TEXT-PAINTNG IN MUSICAL COMPOSITIONS: A Look at Handel's Ev'ry Valley</b> Hunter A. Bayliss.</p>

## 2017 BROWN BAGS and AD HOC TRAINING SESSIONS

Tuesday, November 10, 2017.	<b>DIGITAL DIRECTOR'S EXHIBIT REFERRALS</b>
Wednesday, October 25, 2017	<b>OVERVIEW OF THE OALJ RULES OF PRACTICE AND PROCEDURE</b>
Tuesday, October 24, 2017	<p><b>U.S. SECURITIES AND EXCHANGE COMMISSION -- OFFICE OF THE WHISTLEBLOWER</b></p> <ul style="list-style-type: none"> <li>▪ Emily Pasquinelli, Deputy Chief, SEC, Office of the Whistleblower</li> <li>▪ Lisa Wardlaw, Senior Counsel, SEC, Office of the Whistleblower</li> <li>▪ Kelly Breakey, Senior Counsel, SEC, Office of the Whistleblower</li> </ul> <p><b>Documents:</b></p> <ul style="list-style-type: none"> <li>▪ <u>PowerPoint: SEC Whistleblower Program</u></li> <li>▪ <u>FY2016 annual report to Congress concerning the SEC's whistleblower program</u></li> </ul>

<p>Tuesday, September 19, 2017</p>	<p><b>WWII AND THE BATTLE OF THE BULGE: ONE GI'S PERSPECTIVE</b></p> <p>Beth Slavet's father, Joseph Slavet gave a presentation on his experiences in WWII involving the Battle of Normandy, the Liberation of Paris, the Battle of the Bulge, the Invasion of Germany, and the aftermath.</p> <p>The PowerPoint is on the network drive at  <div style="background-color: black; width: 600px; height: 1.2em; display: inline-block;"></div> <b>Ex 5</b></p>
<p>Wednesday, January 18, 2017, at 12:30 pm EDT</p>	<p><b>CALCULATING LENGTH OF COAL MINE EMPLOYMENT IN BLACK LUNG CASES</b></p> <p>On Wednesday, January 18, 2017, Eric Bergel, Attorney-Advisor, Cherry Hill, New Jersey, conducted a WebEx Brown Bag Session on calculating the length of coal mine employment in black lung cases. Here are links to the PowerPoint presentation, and the related Excel spreadsheet and footnotes:</p> <ul style="list-style-type: none"> <li>▪ <a href="#">Powerpoint</a> (needs revision)</li> <li>▪ <a href="#">Excel Spreadsheet</a></li> <li>▪ <a href="#">Footnotes in Word format</a> (need revision)</li> </ul> <div style="background-color: black; width: 680px; height: 1.2em; display: inline-block;"></div> <b>Ex 5</b> <div style="background-color: black; width: 780px; height: 1.2em; display: inline-block;"></div> <div style="background-color: black; width: 780px; height: 1.2em; display: inline-block;"></div> <div style="background-color: black; width: 650px; height: 1.2em; display: inline-block;"></div> <div style="background-color: black; width: 80px; height: 1.2em; display: inline-block;"></div>

## 2016 BROWN BAGS

<p>Wednesday, April 20, 2016, at 1:00 pm EDT</p>	<p><b>THE LAW OF EXCUSABLE NEGLIGENCE: JUDGE WILLIAM DORSEY</b></p> <p>The revised OALJ Rules of Practice and Procedure address extensions of time for filings. 29 C.F.R. ♦ 18.32(b)(1) authorizes the judge to extend the time for an act ♦[w]ith or without motion or notice♦ as long as the request comes ♦before the original time or its extension expires.♦ After the time for acting has expired, however, a party must file a motion and establish ♦excusable neglect♦ in order for the judge to extend the time for a filing. 29 C.F.R. ♦ 18.32(b)(2).</p> <p>Judge Dorsey will use, as a primary example, the impact of the excusable neglect standard on late fee petitions in Longshore matters. The discussion, however, will be informative to the general application of the excusable neglect standard.</p> <p>Judge Dorsey will present a PowerPoint. Teleconference and WebEx login information will be provided before the session.</p> <p>For additional information, see Judge Dorsey's BRBS Commentary, <a href="#">Do You Know When Your Fee Petition is Due? The Rocky Road Untimely Attorney's Fee Petitions Travel</a> (Apr. 2016) and PowerPoint <a href="#">Excusable Neglect - Many Things Can be Late - Not Everything Can be Fixed</a> (Apr. 2016).</p>
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<p>Tuesday, May 24, 2016 at 12:30 pm EDT</p>	<p><b>SETTLEMENT AND MEDIATION PROCESS: DIFFERENCES AND SIMILARITIES: SESSION 1: THE MECHANICS AND ISSUES IN PREMEDIATION PREPARATION</b></p> <p>Panel Moderator: Judge Colwell; Panel : Judges Calianos and Rosen ; Mediator Slavet</p> <p><u><a href="#">Handouts</a></u></p>
<p>Wednesday, June 22, 2016 at 12:30 pm EDT (tentative)</p>	<p><b>SETTLEMENT AND MEDIATION PROCESS: DIFFERENCES AND SIMILARITIES: SESSION 2: THE MEDIATION AND POST-MEDIATION ISSUES</b></p> <p>Panel Moderator: Judge Colwell; Panel : Judges Calianos and Rosen ; Mediator Slavet</p>








Wednesday, July  
13, 2016 at 12 30  
pm EDT


## THE NEW BLACK LUNG REGULATIONS

Alex Smith, Senior Attorney

The Department of Labor published a final rule on April 26, 2016 amending the regulations implementing the Black Lung Benefits Act. 81 Fed. Reg. 24464. The effective date for the final rule is May 26, 2016.

Generally, the final rule addresses four major points of interest:

- It requires parties to exchange all  medical information  that is developed in connection with a claim. The final rule also provides for the imposition of sanctions on parties or their attorneys for failing to properly disclose such  medical information.  Under proposed Section 725.413(e)(2), sanctions may include the following:
  - (i) Drawing an adverse inference against the non-disclosing party on the facts relevant to the disclosure;
  - (ii) Limiting the non-disclosing party's claims, defenses or right to introduce evidence;
  - (iii) Dismissing the claim proceeding if the non-disclosing party is the claimant and no payments prior to final adjudication have been made to the claimant unless the Director agrees to the dismissal in writing (see  725.465(d));
  - (iv) Rendering a default decision against the non-disclosing party;
  - (v) Disqualifying the non-disclosing party's attorney from further participation in the claim proceedings; and
  - (vi) Relieving a claimant who files a subsequent claim from the impact of  725.309(c)(6) if the non-disclosed evidence predates the denial of the prior claim and the non-disclosing party is the operator.
- It requires payment from a liable coal mine operator before the operator is allowed to challenge an award of benefits by way of modification.
- It clarifies that a physician's supplemental report is simply an extension of the original report for purposes of the evidentiary limitations.
- It allows the Director to submit medical evidence, up to the limits allowed a responsible operator under the evidence-limiting rules, when the identified responsible operator stops defending a claim during the course of litigation because of adverse financial developments, such as bankruptcy or insolvency. 

<p>Tuesday, November 22, at 12:30 EST</p>	<p><b>GUANTANAMO</b></p> <ul style="list-style-type: none"> <li>▪ Chief Judge Stephen Henley ♦ Former Judge for the Military Commissions</li> <li>▪ Judge Morris Davis ♦ Former Chief Prosecutor for the Military Commissions</li> </ul> <div data-bbox="345 247 1567 892">  <p>Ex 4</p> <p>On November 13, 2001, President George W. Bush signed an Order entitled ♦ Military Order ♦ Detention, Treatment, and Trial of Certain Non-Citizens in the War Against Terrorism ♦ authorizing trial by military commission for the first time since World War II. Fifteen years later, join Chief Judge Henley and Judge Davis as they discuss their experiences as participants in the Guantanamo military commissions.</p> </div>
<p><del>Wednesday, October 19, 2016 at 12:30 pm EDT (tentative)</del></p>	<p><del><b>IMMIGRATION : AN OVERVIEW OF THE LABOR PROVISIONS AND CHANGES</b></del>  <del>Charlene Giles, retired Certifying Officer, USDOL, Employment and Training Administration, Office of Foreign Labor Certification (invited)</del></p>
<p>November 2016 (date TBD)</p>	<p><b>EDGAR Training: SOX Resource</b>  EDGAR stands for "the Electronic Data Gathering, Analysis, and Retrieval system." EDGAR performs automated collection, validation, indexing, acceptance, and forwarding of submissions by companies and others who are required by law to file forms with the U.S. Securities and Exchange Commission (SEC). See <a href="http://www.sec.gov/edgar.shtml">www.sec.gov/edgar.shtml</a></p>

## 2015 BROWN BAGS

02/18/2015	<p><b>EXPERT TESTIMONY: JUDGE PAUL ALMANZA</b>  <a href="#">PowerPoint Slides</a></p>
03/18/2015	<p><b>LOOKING BACK: WHAT I KNOW NOW THAT I WISH I KNEW THEN</b>  Judges Linda Chapmand Richard T. Stansell-Gamm</p>
04/22/2015	<p><b>THE ARB ON WEIGHING OF EVIDENCE ON CONTRIBUTORY FACTOR CAUSATION; <i>POWERS v. UNION PACIFIC RAILROAD CO.</i>, ARB No. 13-034, ALJ No. 2010-FRS-30, (ARB Mar. 20, 2015) (en banc)</b></p>

05/20/2015	<b>BRB: THE VIEW FROM THE APPELLATE BRANCH</b> Gail Atwood, Shuba Bhatt and Alex Smith
06/17/2015	<b>CUBA: JUDGE DANIEL SOLOMON: CONFIRMED</b>
07/15/2015	<b>THE OFFICE OF THE SOLICITOR'S ROLE IN WHISTLEBLOWER CASES BEFORE OALJ</b> Megan Guenther (Division of Fair Labor Standards) and Mark Lerner (Division of Occupational Safety and Health)
09/16/2015	<b>THE OFFICE OF THE SOLICITOR'S ROLE IN LHWCA CASES</b> Mark Reinhalter (Counsel for Longshore, Office of the Solicitor, Division of Black Lung and Longshore Legal Services)
10/14/2015	<b>JUDGE DANA ROSEN: ANALYSING, WEIGHING, AND WRITING RE: MEDICAL EVIDENCE: CONFIRMED</b>

Ex 4