

**PART 5201—SUPPLEMENTAL STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE DEPARTMENT OF LABOR**

Sec.

5201.101 General.

5201.102 Designation of separate agency components.

5201.103 Fundraising activities.

5201.104 Additional rules for Office of the Inspector General employees.

5201.105 Additional rules for Mine Safety and Health Administration employees.

AUTHORITY: 5 U.S.C. 301, 7301, 7353; 5 U.S.C. App. (Ethics in Government Act); E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p. 215, as modified by E.O. 12731, 55 FR 42547, 3 CFR, 1990 Comp., p. 306; 5 CFR 2635.105, 2635.203(a), 2635.403(a), 2635.803.

SOURCE: 61 FR 57284, Nov. 6, 1996, unless otherwise noted.

**§ 5201.101 General.**

In accordance with 5 CFR 2635.105, the regulations in this part apply to employees of the Department of Labor (Department) and supplement the Standards of Ethical Conduct for Employees of the Executive Branch contained in 5 CFR part 2635.

**§ 5201.102 Designation of separate agency components.**

(a) *Separate agency components of the Department of Labor.* Pursuant to 5 CFR 2635.203(a), each of the ten components of the Department listed below is designated as an agency separate from each of the other nine listed components and, for employees of that component, as an agency distinct from the remainder of the Department. However, the components listed below are not deemed to be separate agencies for purposes of applying any provision of 5 CFR part 2635 or this part to employees of the remainder of the Department:

- (1) Benefits Review Board;
- (2) Employees Compensation Appeals Board;
- (3) Mine Safety and Health Administration (MSHA);
- (4) Veterans' Employment and Training Service;
- (5) Occupational Safety and Health Administration (OSHA);
- (6) Employee Benefits Security Administration (EBSA);

(7) Bureau of International Labor Affairs;

(8) Bureau of Labor Statistics;

(9) Employment and Training Administration (ETA); and

(10) Employment Standards Administration (ESA).

(b) *Separate agency subcomponents of ESA.* Pursuant to 5 CFR 2635.203(a), each of the four subcomponents of the Employment Standards Administration (ESA) listed in this paragraph is designated as an agency separate from each of the other three listed components and, for employees of that subcomponent, as an agency distinct from the remainder of ESA. However, the components listed in this paragraph are not deemed to be separate agencies for purposes of applying any provision of 5 CFR part 2635 or this part to employees of the remainder of ESA:

(1) Wage and Hour Division;

(2) Office of Federal Contract Compliance Programs;

(3) Office of Workers Compensation Programs; and

(4) Office of Labor-Management Standards.

(c) *Definitions*—(1) *Remainder of the Department* means employees in the Office of the Secretary and any other employee of the Department not in one of the 10 components designated as separate agencies in paragraph (a) of this section.

(2) *Remainder of ESA* means employees in the Office of the Assistant Secretary for Employment Standards and any other ESA employee not in one of the four subcomponents designated as separate agencies in paragraph (b) of this section.

(d) *Applicability of separate agency designations.* The designations in paragraphs (a) and (b) of this section identify an employee's "agency" for purposes of:

(1) Determining when a person is a prohibited source within the meaning of 5 CFR 2635.203(d) for purposes of applying the regulations at subpart B of 5 CFR part 2635 governing gifts from outside sources;

(2) Determining whether teaching, speaking or writing relates to the employee's official duties within the meaning of 5 CFR 2635.807(a)(2)(i); and