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**84 DLR A-3**

*Labor Department*

**Senate OKs Two Labor Department Nominees, One OSHRC Nomination**

Two Labor Department nominees and one Occupational Safety and Health Review Commission nominee were approved May 1 by the Senate by voice vote.

The following nominees were approved: Brian Kennedy to be an assistant secretary of labor for congressional and intergovernmental affairs; T. Michael Kerr to be an assistant secretary of labor for administration and management; and Thomasina Rogers to be a member of the Occupational Safety and Health Review Commission.

Kennedy currently serves as general counsel to the House Education and Labor Committee. He served as labor coordinator and chief labor counsel when the committee was known as the House Committee on Education and the Workforce.

In the Senate, Kennedy worked on the Committee on Labor and Human Resources as subcommittee chief counsel and staff director. He also worked as general counsel to Sen. Harry Reid (D-Nev.) from 1987 to 1989. Kennedy previously worked at the Labor Department as deputy national director of the Job Corps.

The Office of Congressional and Intergovernmental Affairs acts as the department's liaison to Congress as well as to state and local officials. Kennedy graduated summa cum laude with a political science degree from James Madison University. He also earned a law degree from the University of Virginia and is admitted to practice law in Washington, D.C., and Virginia.

**SEIU Staffer to DOL**

Kerr currently works at the Service Employees International Union as an assistant to Secretary-Treasurer Anna Burger in charge of finance and administration.

During the Clinton administration, he served eight years at the Labor Department, first in the secretary's office and then in the Employment Standards Administration as deputy assistant secretary for workers' compensation programs and as administrator of the Wage and Hour Division.

During the Carter administration, he served in the White House Office of Consumer

Affairs and the Health and Human Services Department.

Kerr also has worked for the American Federation of State, County, and Municipal Employees. He holds a bachelor's degree from Tufts University and a master's in city planning from the Massachusetts Institute of Technology. In 2005 he was elected a fellow of the National Academy of Public Administration.

### **OSHRC Pick**

President Obama Feb. 17 designated Rogers as acting chairman of the Occupational Safety and Health Review Commission (34 DLR A-10, 2/24/09). The longest serving member of the commission, Rogers began her work with the commission in 1998, and her term expired April 27. She served as chairman from 1999 until 2002.

Prior to joining OSHRC, she chaired the Administrative Conference of the United States and was legal counsel to the Equal Employment Opportunity Commission.

There are three seats on OSHRC; currently, however, there are only two members serving on the panel. Under the Occupational Safety and Health Act of 1970, the commission may take official action only with the affirmative vote of two commissioners, thus the two-member panel cannot decide a case unless both commissioners agree on the outcome.