

# **PART 422—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS**

Authority: 5 U.S.C. 301 and 40 U.S.C. 486(c).

Source: 89 FR 81015, Oct. 7, 2024, unless otherwise noted.

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## Subpart 422.4—Labor Standards for Contracts Involving Construction

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**Parent topic:** SUBCHAPTER D—SOCIOECONOMIC PROGRAMS

## **Subpart 422.3—Contract Work Hours and Safety Standards Act**

### **422.302 Liquidated damages and overtime pay.**

The Mission Area senior contracting official is authorized to review determinations of liquidated damages due under section 104(c) of the Contract Work Hours and Safety Standards Act, and to recommend remedial action, if appropriate, in accordance with FAR 22.302(c). Contractors or subcontractors may request review of administrative determinations of liquidated damages by written notice to the contracting officer. The contracting officer shall promptly forward appeals of

liquidated damages determinations to the Mission Area senior contracting official.

## **Subpart 422.4—Labor Standards for Contracts Involving Construction**

### **422.404 Construction Wage Rate Requirements statute wage determinations.**

#### **422.404-6 Modifications of wage determinations.**

The Mission Area senior contracting official is authorized to process the request for extension of the 90-day period for award after bid opening as provided in FAR 22.404-6(b)(6).

#### **422.406 Administration and enforcement.**

#### **422.406-8 Investigations.**

The HCA is authorized to submit reports of violations to the agency head in accordance with FAR 22.406-8(d).

## **Subpart 422.8—Equal Employment Opportunity**

### **422.804 Affirmative action programs.**

#### **422.804-2 Construction.**

The Mission Area senior contracting official shall ensure that each contracting office awarding nonexempt construction contracts maintains a current listing of covered geographical areas subject to affirmative action requirements specifying goals for minorities and women in covered construction trades, as provided in FAR 22.804-2(b).

#### **422.807 Exemptions.**

The HCA oversees exemptions of all or part of the requirements of E.O. 11246 pursuant to FAR 22.807(c).

## **Subpart 422.13—Equal Opportunity for Veterans**

## **422.1305 Waivers.**

The Assistant Secretary for Administration (ASA) is authorized to make the waiver determination in FAR 22.1305(b) that a contract is essential to the national security. The waiver shall be prepared for the ASA's signature and submitted by the Mission Area senior contracting official to the SPE for referral to the ASA.

## **Subpart 422.14—Employment of Workers With Disabilities**

### **422.1403 Waivers.**

The ASA is authorized to make the waiver determinations under FAR 22.1403(a) and FAR 22.1403(b) with the concurrence of the Deputy Assistant Secretary for Federal Contract Compliance Programs, Department of Labor. The waiver shall be prepared for the ASA's signature and submitted by the Mission Area senior contracting official to the SPE for referral to the ASA.