

**Department of Defense**

**222.1303**

**Subpart 222.8—Equal Employment Opportunity**

**222.804 Affirmative action programs.**

**222.804-2 Construction.**

(b) Contracting officers forward requests for instructions directly to the servicing Office of Federal Contract Compliance Programs (OFCCP) regional office (see FAR 22.609).

**222.805 Procedures.**

(a)(2) See FAR 22.609 for a list of OFCCP regional offices.

**222.806 Inquiries.**

(b) Refer inquiries through the labor advisor.

**222.807 Exemptions.**

(c) Submit the request for exemption with a justification through contracting channels to the labor advisor who will forward them to the agency head. If the request is submitted under FAR 22.807(a)(1), the agency head shall act on the request. If the exemption is granted, the agency head shall notify the Director, OFCCP of such action within 30 days. If the request is submitted under FAR 22.807(a)(2) or (b)(5), the agency head will forward it to the Director, OFCCP for action.

**Subpart 222.10—Service Contract Act of 1965, as Amended**

**222.1003 Applicability.**

**222.1003-1 General.**

For contracts having a substantial amount of construction, alteration, renovation, painting, or repair work, see 222.402-70.

**222.1003-7 Questions concerning applicability of the Act.**

Contracting officers may contact the labor advisor by telephone for informal advice. Submit requests for formal determinations as to the Act's applicability to the labor advisor in writing through appropriate channels.

**222.1008 Procedures for preparing and submitting Notice (SF 98/98a).**

**222.1008-2 Preparation of SF 98a.**

(b)(1) The contracting officer shall secure the assistance of cognizant customer/technical personnel to ensure maximum use of the Service Contract Act Directory of Occupations (Directory) and incorporation of all service employee classes (Directory and non-directory) expected to be utilized.

(2)(A) When the statement of work job title, for which there is a Directory equivalent, differs from the Directory job title, make a written cross-reference either directly on the SF 98a file copy or on an attached sheet to the SF 98a file copy.

(B) Include and note as such any classifications and minimum hourly wage rates conformed under any predecessor contract. Where a previously conformed classification is not included in the Directory, attach the job description to the SF 98a.

**222.1008-7 Required time of submission of notice.**

(d) Submit requests for immediate wage determination responses for emergency acquisitions through the labor advisor. If the request is justified, the labor advisor will contact Department of Labor headquarters officials.

**222.1014 Delay of acquisition dates over 60 days.**

Send update requests in writing directly to the Wage and Hour Division and provide a copy to the labor advisor. The update request shall—

(1) State that one or more dates on the original notice have been delayed more than 60 days;

(2) List the new dates; and

(3) Include a copy of the original notice and SF 98a as enclosures.

**Subpart 222.13—Special Disabled and Vietnam Era Veterans**

**222.1303 Waivers.**

(c) The contracting officer shall submit a waiver request through contracting channels to the labor advisor.