

**SUBCHAPTER D—SOCIOECONOMIC PROGRAMS  
PART 822—APPLICATION OF LABOR LAWS TO GOVERNMENT  
ACQUISITIONS**

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AUTHORITY: 29 CFR 5.15(d); 40 U.S.C. 121(c); 48 CFR 1.301-1.304.

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**SUBPART 822.3 – CONTRACT WORK HOURS AND SAFETY STANDARDS ACT****822.304 Variations, tolerances, and exemptions.**

When issuing a contract for nursing home care, a contracting officer may exempt a contractor from certain requirements of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708) regarding the payment of overtime (see 29 CFR 5.15(d)(2) and 852.222-70).

**822.305 Contract clause.**

The contracting officer shall insert the clause at 852.222-70, Contract Work Hours and Safety Standards Act— nursing home care contract supplement, in solicitations and contracts for nursing home care when the FAR clause at 52.222-4, Contract Work Hours and Safety Standards Act—Overtime Compensation, is included.

**SUBPART 822.4 – LABOR STANDARDS FOR CONTRACTS INVOLVING CONSTRUCTION****822.406 Administration and enforcement.****822.406-11 Contract terminations.**

(a) Contracting officers must submit any proposed termination of a contract based on violations of the labor standard provisions of the contract to OGC for review and comment prior to taking final action. The submittal must include a detailed explanation of the facts and circumstances involved. Contracting officers, except those in the Office of Construction and Facilities Management, shall forward the submittal to OGC through the DSPE. Contracting officers in the Office of Construction and Facilities Management shall forward the submittal to OGC through the Director, Office of Construction and Facilities Management.

(b) If the contract is to be terminated, the DSPE or the Director, Office of Construction and Facilities Management, must submit the reports required by 29 CFR 5.7(d) over the signature of the SPE.

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