Public Law 94-489
94th Congress

An Act

Oct. 13, 1976
[H.R. 15246]

To amend the Service Contract Act of 1965 to provide that all employees, other than bona fide executive, administrative, or professional employees, shall be considered to be service employees for purposes of such Act, and for other purposes.

Service Contract Act of 1965, amendments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2(a) of the Service Contract Act of 1965 (41 U.S.C. 351 (a)) is amended by striking out ", as defined herein,";

(b) section 2(b) of the Service Contract Act of 1965 (41 U.S.C. 351(b)) is amended by striking out "as defined herein".

SEC. 2. Section (a) (5) of the Service Contract Act of 1965 (41 U.S.C. 351(a)(5)) is amended by inserting immediately after "section 5341" the following: "or section 5332".

SEC. 3. Section 8(b) of the Service Contract Act of 1965 (41 U.S.C. 357(b)) is amended to read as follows:

"Service employee."

"(b) The term 'service employee' means any person engaged in the performance of a contract entered into by the United States and not exempted under section 7, whether negotiated or advertised, the principal purpose of which is to furnish services in the United States (other than any person employed in a bona fide executive, administrative, or professional capacity, as those terms are defined in part 541 of title 29, Code of Federal Regulations, as of July 30, 1976, and any subsequent revision of those regulations); and shall include all such persons regardless of any contractual relationship that may be alleged to exist between a contractor or subcontractor and such persons.".

Approved October 13, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-1571 (Comm. on Education and Labor).
CONGRESSIONAL RECORD, Vol. 122 (1976):
Sept. 21, considered and passed House.
Sept. 30, considered and passed Senate.

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