

1422.406-9

1422.406-9 Withholding from or suspension of contract payments.

HCA's shall establish procedures for collection and disposition of funds withheld under FAR 22.406-9, including liquidated damages.

1422.406-13 Semiannual enforcement reports.

PAM is responsible for submitting the report required by FAR 22.406-13 to DOL. In accordance with DOL memoranda, PAM requires bureaus to submit the required reports by April 15 and October 15 for the reporting periods of October 1 through March 31 and April 1 through September 30, respectively.

Subpart 1422.6—Walsh-Healey Public Contracts Act

1422.604 Exemptions.

1422.604-2 Regulatory exemptions.

The AS/PMB is authorized to request the Secretary of Labor to exempt contracts from the Walsh-Healey Public Contracts Act under FAR 22.604-2(b). A written finding justifying the exemption shall be prepared by the CO and submitted by the HCA to the Director, PAM for further action.

Subpart 1422.8—Equal Employment Opportunity

1422.803 Responsibilities.

The CO shall forward matters involving the applicability of EO 11246 to the HCA for resolution. This authority is granted to the HCA without the power of redelegation.

1422.804 Affirmative action programs.

1422.804-2 Construction.

Bureau contracting offices are responsible for maintaining (including updates and revisions) lists of geographic areas subject to affirmative action requirements.

1422.805 Procedures.

Copies of the poster "Equal Employment Opportunity is the Law" (National Stock No. 7690-00-926-8988) may be ordered from the GSA supply depot.

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1422.807 Exemptions.

(a) The Director, PAM shall make the determination that a contract is essential to the national security and that the award of the contract without complying with one of the requirements of FAR 22.8 is necessary to national security.

(b) Requests for exemptions shall be submitted in writing by the CO, through the HCA, to the Director, PAM.

Subpart 1422.10—Service Contract Act of 1965, as Amended

1422.1003 Applicability.

1422.1003-4 Administrative limitations, variations, tolerances and exemptions.

The CO shall submit requests for determination regarding application of the Service Contract Act and exemptions directly to DOL, Administrator of the Wage and Hour Division.

Subpart 1422.13—Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans

1422.1305 Waivers.

(a) The Director, PAM is authorized to:

(1) Waive any or all terms of the clause at FAR 52.222-35, Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans, under the conditions prescribed in FAR 22.1305(a), and

(2) Waive any requirement in FAR Subpart 22.13 as prescribed in FAR 22.1305(b).

(b) Requests for waivers, under paragraph (a) of this section, shall be made in writing by the CO through the HCA to the Director, PAM for further action.

Subpart 1422.14—Employment of Workers with Disabilities

1422.1403 Waivers.

The Director, PAM is authorized to waive any or all of the terms of the