

(b) When the term “employer” is used in this chapter in relation to the Walsh-Healey Act [41 U.S.C. 35 et seq.] or Bacon-Davis Act [40 U.S.C. 276a et seq.] it shall mean the contractor or subcontractor covered by such Act.

(c) When the term “employee” is used in this chapter in relation to the Walsh-Healey Act [41 U.S.C. 35 et seq.] or the Bacon-Davis Act [40 U.S.C. 276a et seq.] it shall mean any individual employed by the contractor or subcontractor covered by such Act in the performance of his contract or subcontract.

(d) The term “Wash-Healey Act”¹ means the Act entitled “An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes”, approved June 30, 1936 (49 Stat. 2036), as amended [41 U.S.C. 35 et seq.]; and the term “Bacon-Davis Act” means the Act entitled “An Act to amend the Act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings”, approved August 30, 1935 (49 Stat. 1011), as amended [40 U.S.C. §276a et seq.].

(e) As used in section 255 of this title the term “State” means any State of the United States or the District of Columbia or any Territory or possession of the United States.

(May 14, 1947, ch. 52, §13, 61 Stat. 90.)

REFERENCES IN TEXT

The Fair Labor Standards Act of 1938, as amended, referred to in subsec. (a), is act June 25, 1938, ch. 676, 52 Stat. 1060, as amended, which is classified generally to chapter 8 (§201 et seq.) of this title. For complete classification of this Act to the Code, see section 201 of this title and Tables.

The “Bacon-Davis Act”, which is defined for purposes of this chapter in subsec. (d), is generally known as the “Davis-Bacon Act”. See Short Title note set out under section 276a of Title 40, Public Buildings, Property, and Works.

CHAPTER 10—DISCLOSURE OF WELFARE AND PENSION PLANS

§§ 301 to 309. Repealed. Pub. L. 93-406, title I, §111(a)(1), Sept. 2, 1974, 88 Stat. 851

Section 301, Pub. L. 85-836, §2, Aug. 28, 1958, 72 Stat. 997, set forth Congressional findings and policy with respect to welfare and pension plan disclosure. See section 1001 of this title.

Section 302, Pub. L. 85-836, §3, Aug. 28, 1958, 72 Stat. 997; Pub. L. 86-624, §21(d), July 12, 1960, 74 Stat. 417; Pub. L. 87-420, §§2-5, Mar. 20, 1962, 76 Stat. 35, provided definitions for this chapter. See section 1002 of this title.

Section 303, Pub. L. 85-836, §4, Aug. 28, 1958, 72 Stat. 998; Pub. L. 87-420, §6, Mar. 20, 1962, 76 Stat. 35, related to plans covered within chapter. See section 1003 of this title.

Section 304, Pub. L. 85-836, §5, Aug. 28, 1958, 72 Stat. 998; Pub. L. 87-420, §7, Mar. 20, 1962, 76 Stat. 36, related to duties of administrator and definition of “administrator”. See sections 1002(16)(A) and 1021 of this title.

Section 305, Pub. L. 85-836, §6, Aug. 28, 1958, 72 Stat. 999; Pub. L. 87-420, §8, Mar. 20, 1962, 76 Stat. 36, related to time for publication and contents of plan. See section 1022 of this title.

Section 306, Pub. L. 85-836, §7, Aug. 28, 1958, 72 Stat. 1000; Pub. L. 87-420, §§9-13, Mar. 20, 1962, 76 Stat. 36, 37,

related to time for publication, contents, etc., of annual reports. See section 1023 of this title.

Section 307, Pub. L. 85-836, §8, Aug. 28, 1958, 72 Stat. 1002; Pub. L. 87-420, §§14, 18, Mar. 20, 1962, 76 Stat. 37, 43, related to publication of description of plan and annual report. See section 1024 of this title.

Section 308, Pub. L. 85-836, §9, Aug. 28, 1958, 72 Stat. 1002; Pub. L. 87-420, §15, Mar. 20, 1962, 76 Stat. 37, related to enforcement provisions. See section 1131 et seq. of this title.

Section 308a, Pub. L. 85-836, §10, as added Pub. L. 87-420, §16(a), Mar. 20, 1962, 76 Stat. 38, related to reports as public information. See section 1026 of this title.

Section 308b, Pub. L. 85-836, §11, as added Pub. L. 87-420, §16(a), Mar. 20, 1962, 76 Stat. 38, related to retention of records. See section 1027 of this title.

Section 308c, Pub. L. 85-836, §12, as added Pub. L. 87-420, §16(a), Mar. 20, 1962, 76 Stat. 38, related to reliance on administrative interpretations and forms. See section 1028 of this title.

Section 308d, Pub. L. 85-836, §13, as added Pub. L. 87-420, §16(a), Mar. 20, 1962, 76 Stat. 39, related to bonding requirements. See section 1112 of this title.

Section 308e, Pub. L. 85-836, §14, as added Pub. L. 87-420, §16(a), Mar. 20, 1962, 76 Stat. 40, related to establishment, membership, duties, etc., of Advisory Council on Employee Welfare and Pension Benefit Plans. See section 1142 of this title.

Section 308f, Pub. L. 85-836, §15, as added Pub. L. 87-420, §16(a), Mar. 20, 1962, 76 Stat. 41, related to administration of provisions of chapter. See section 1137 of this title.

Section 309, Pub. L. 85-836, §16, formerly §10, Aug. 28, 1958, 72 Stat. 1002, renumbered and amended Pub. L. 87-420, §16(a), (b), Mar. 20, 1962, 76 Stat. 38, 41, related to effect of other laws on provisions of this chapter. See section 1144 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1975, except that chapter to remain applicable to any conduct and events which occurred before Jan. 1, 1975, see section 1031 of this title.

The Secretary of Labor was empowered, in the case of a plan which has a plan year which begins before Jan. 1, 1975, and ends after Dec. 31, 1974, to postpone by regulation the effective date of the repeal of any provision of this chapter until the beginning of the first plan year of such plan which begins after Jan. 1, 1975, pursuant to section 1031(b)(2) of this title.

CHAPTER 11—LABOR-MANAGEMENT REPORTING AND DISCLOSURE PROCEDURE

SUBCHAPTER I—GENERAL PROVISIONS

Sec.

401. Congressional declaration of findings, purposes, and policy.
- (a) Standards for labor-management relations.
 - (b) Protection of rights of employees and the public.
 - (c) Necessity to eliminate or prevent improper practices.

402. Definitions.

SUBCHAPTER II—BILL OF RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

411. Bill of rights; constitution and bylaws of labor organizations.
- (a)(1) Equal rights.
 - (2) Freedom of speech and assembly.
 - (3) Dues, initiation fees, and assessments.
 - (4) Protection of the right to sue.
 - (5) Safeguards against improper disciplinary action.
 - (b) Invalidity of constitution and bylaws.
412. Civil action for infringement of rights; jurisdiction.

¹ So in original. Probably should be “Walsh-Healey Act”.