

Notice to Employees Working on Government Contracts

Must be posted by Employers holding federal contracts or subcontracts.

Download posting from:

<http://www.dol.gov/whd/regs/compliance/posters/sca.htm>

Or request a copy from

Cleveland District Office
 AJC Federal Building
 1240 E. Ninth St., Ste. 3001
 Cleveland, OH 44199

Cincinnati Area Office
 550 Main St., 10th Floor
 Cincinnati, OH 45202
 (513) 684-2851

EMPLOYEE RIGHTS ON GOVERNMENT CONTRACTS

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

This establishment is performing Government contract work subject to (check one)

- SERVICE CONTRACT ACT (SCA) or
- PUBLIC CONTRACTS ACT (PCA)

- MINIMUM WAGES** Your rate must be no less than the Federal minimum wage established by the Fair Labor Standards Act (FLSA).
 A higher rate may be required for SCA contracts if a wage determination applies. Such wage determination will be posted as an attachment to this Notice.
- FRINGE BENEFITS** SCA wage determinations may require fringe benefit payments (or a cash equivalent). PCA contracts do not require fringe benefits.
- OVERTIME PAY** You must be paid 1.5 times your basic rate of pay for all hours worked over 40 in a week. There are some exceptions.
- CHILD LABOR** No person under 16 years of age may be employed on a PCA contract.
- SAFETY & HEALTH** Work must be performed under conditions that are sanitary, and not hazardous or dangerous to employees' health and safety.
- ENFORCEMENT** Specific DOL agencies are responsible for the administration of these laws. To file a complaint or obtain information for: Contact the Wage and Hour Division by calling its toll-free help line at 1-866-4-USWAGE (1-866-487-9243), or visit its Web site at www.wagehour.dol.gov.
 Contact the Occupational Safety and Health Administration (OSHA) by calling 1-800-321-OSHA (1-800-321-6742), or visit its Web site at www.osha.gov.

For additional information:

1-866-4-USWAGE  **WHD**
 (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Employment Standards Administration | Wage and Hour Division

U.S. Department of Labor

The purpose of this discussion poster is to advise contractors which are subject to the Walsh-Healey Public Contracts Act or the Service Contract Act of the principal provisions of those acts.

Walsh-Healey Public Contracts Act

General Provisions — This Act applies to contracts which exceed or they exceed \$50,000 entered into by any agency or instrumentality of the United States for the manufacture or supply of materials, supplies, articles, or equipment. The act establishes minimum wages, maximum hours, and safety and health standards for work on such contracts, and prohibits the employment of certain work of certain labor parties outside certain areas and children under 18 years of age. The registration of contractors permit exemptions with children employed under the provisions of Regulations, 29 CFR Part 802 in a contract contract is not provided.

In addition to the coverage of this act, certain, the act under certain circumstances applies to secondary contractors performing work under contracts awarded by the Government plus contractor.

All provisions of the act except the safety and health requirements are administered by the Wage and Hour Division.

Minimum Wages — Covered employees must generally be paid not less than the Federal minimum wage established in section 6(a)(1) of the Fair Labor Standards Act.

Overtime — Covered workers must be paid at least one and one-half times their basic rate of pay for all hours worked in excess of 40 a week. Exemptions do not apply for the bulk of the job type agreed to in contract, Government and non-Government, performed by the employee in any unit in which covered work is performed.

Child Labor — Employers may not knowingly employ substantial child laborers by violating conditions of age, term employment or age overtime are applicable.

Safety and Health — No person may be performed in places, buildings, or surroundings or under work conditions that are unhealthy or hazardous or dangerous to the health and safety of the employees engaged in the performance of the contract. The safety and health provisions of the Walsh-Healey Public Contracts Act are administered by the Occupational Safety and Health Administration.

Posting — Only the principal contract work is being performed on a contract subject to the act, the contractor has the right to place to employees working on Government Contracts in a sufficient number of places to permit employees to obtain a copy on the way in or from their place of employment.

Responsibility for Secondary Contractors — Prime contractors are liable for violation of the act committed by their covered secondary contractors.

Service Contract Act

General Provisions — The Service Contract Act applies to every contract entered into by the United States or the District of Columbia, the principal purpose of which is to furnish services in the United States through the use of service employees. Contractors and subcontractors performing on such Federal contracts must observe minimum wage and safety and health standards, and must provide certain benefits, unless a specific exemption applies.

Wages and Fringe Benefits — Every service employee performing any of the Government services under a service contract in excess of \$5,000 must be paid not less than the minimum wages, and must be furnished the fringe benefits, which the Secretary of Labor has determined to be prevailing in the locality for the classification in which the employee is working or the wage rate and fringe benefit prevailing in the area or area where work is being performed in a comparable contractor's contract. The wage rate and fringe benefits specified in the contract but in no case may employees doing work necessary for the performance of the contract be paid less than the minimum wage established in section 6(a)(1) of the Fair Labor Standards Act.

Service contracts which do not exceed \$5,000 are not subject to prevailing rate determinations or to the safety and health requirements of the act. However, the act does require that employees performing work on such contracts be paid not less than the minimum wage rate established in section 6(a)(1) of the Fair Labor Standards Act.

Overtime — The Fair Labor Standards Act and the Contract Work Hours and Holiday Standards Act may require the payment of overtime at time and one-half the regular rate of pay for all hours work on the contract in excess of 40 a week. The Contract Work Hours and Holiday Standards Act is more limited in scope than the Fair Labor Standards Act and generally applies to Government contracts in excess of \$100,000 that require or involve the registration of laborers, mechanics, janitors, or cleaners.

Safety and Health — The act provides that no work on the contract is to be performed in buildings or surroundings or under working conditions, provided for or under the control of the contractor or subcontractor, which are unhealthy or hazardous or dangerous to the health or safety of service employees engaged in such the contract. The safety and health provisions of the Service Contract Act are administered by the Occupational Safety and Health Administration.

Notice to Employees — On the date a service employee commences work on a contract in excess of \$5,000, the contractor (or subcontractor) must provide the employee with a notice of the compensation required for the act. The notice of the act, which specifies wage determination contained in the contract in a location where it may be seen by all employees performing on the contract will satisfy this requirement.

Notice to Subcontractors — The contractor is required to insert in all subcontracts the labor standards clauses specified by the regulations in 29 CFR Part 4 for Federal service contracts exceeding \$5,000.

Responsibility for Secondary Contractors — Prime contractors are liable for violation of the act committed by their covered subcontractors.

Other Obligations — Observance of labor standards of this act does not release the employer of any obligation he may have under any other laws or agreements providing for higher labor standards.

Additional Information — Additional information and copies of the act and applicable regulations and interpretations may be obtained from the nearest office of the Wage and Hour Division or the nearest OSHA office in Washington, D.C. Information regarding safety and health standards may be obtained from the nearest office of the Occupational Safety and Health Administration or the nearest OSHA office in Washington, D.C.

U.S. Department of Labor
 Employment Standards Administration
 Wage and Hour Division