



# OLMS Fact Sheet

## Obligation of Federal Contractors to Notify Employees of Their Rights Under Federal Labor Laws

Pursuant to Executive Order 13496 and its implementing regulations, 29 C.F.R. Part 471, Federal contractors and subcontractors, beginning on June 19, 2010, must notify employees about their rights under the National Labor Relations Act (NLRA). The NLRA is the primary law governing relations between unions and employers in the private sector, and guarantees the right of employees to organize and to bargain collectively with their employers, and to engage in other protected concerted activity with or without a union, or to refrain from all such activity. Additionally, Federal contracts and subcontracts must include a provision requiring Federal contractors and subcontractors to post the notice.

### Content of Notice

The required notice lists employees' rights under the NLRA to form, join, and support a union and to bargain collectively with their employer; provides examples of unlawful employer and union conduct that interferes with those rights; and indicates how employees can contact the National Labor Relations Board, the federal agency that enforces those rights, with questions or to file complaints.

The text of the employee notice and the provisions that must be inserted into federal contracts and subcontracts can be found at 29 CFR Part 471 Appendix A.

### Exceptions to Posting Requirements

The posting requirements do not apply to prime contracts under the Simplified Acquisition Threshold, which is currently set at \$100,000, and do not apply to subcontracts below \$10,000.

### Obtaining the Required Posters

Contractors and subcontractors can acquire the poster from: (1) the Federal contracting departments and agencies; (2) the Department of Labor's Office of Labor-Management Standards (OLMS) at (202) 693-0123 or [www.olms.dol.gov](http://www.olms.dol.gov); or (3) field offices of the Department of Labor's OLMS or Office of Federal Contract Compliance Programs (OFCCP).

### Physical and Electronic Posting

Contractors and subcontractors must post the employee notice conspicuously in and around their plants and offices so that it is prominent and readily seen by employees. In particular, contractors and subcontractors must post the notice where other notices to employees about their jobs are posted.

Additionally, contractors and subcontractors who post notices to employees electronically must also post the required notice electronically via a link to the OLMS website. When posting electronically, the link to the notice must be placed where the contractor customarily places other electronic notices to employees about their jobs. The link can be no less prominent than other employee notices. Electronic posting cannot be used as a substitute for physical posting.

### Acquiring Translated Posters

Where a significant portion of a contractor's or subcontractor's workforce is not proficient in English, they must provide the employee notice in languages spoken by employees. OLMS will provide translations of the employee notice that can be used to comply with the physical and electronic posting requirements.

### Filing Complaints Alleging Non-Compliance

Employees may file complaints with the Department about contractors and subcontractors who do not comply with the Labor Department's posting requirements or do not include the notice provision in contracts and subcontracts. Complaints should be sent to OLMS or OFCCP at 200 Constitution Avenue, NW., Washington, DC 20210, or to any OLMS or OFCCP field office.

Complaints must be in writing and include:

1. the employee's name, address, and telephone number;
2. the name and address of the contractor alleged to have violated the requirements;
3. an identification of the alleged violation and the establishment or construction work site;
4. any other pertinent information to assist the investigation; and
5. the signature of the employee filing the complaint.

### **Investigations and Sanctions for Non-Compliance**

OFCCP may conduct evaluations to determine compliance. Contractors who violate the regulations may be subject to sanctions for non-compliance, including suspension or cancellation of an existing contract; debarment from future Federal contracts and subcontracts; and inclusion on a list published and distributed by the Director of OLMS to all executive agencies listing the names of contractors and subcontractors declared ineligible for future contracts as a result of non-compliance with these requirements. A contractor will have an opportunity for a hearing and an appeal before the imposition of any sanctions.

## **Office of Labor-Management Standards Field Offices**

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Birmingham, AL	Dallas, TX	Kansas City, MO	New Orleans, LA	San Francisco, CA
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For the address and telephone number of our field offices, please consult local telephone directory listings under United States Government, Labor Department, Office of Labor-Management Standards, or view our online organizational listing at <http://www.dol.gov/olms/contacts/lmskeyp.htm>.

# **OLMS**

Office of Labor-Management Standards

U.S. Department of Labor

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Visit us at [www.olms.dol.gov](http://www.olms.dol.gov)

E-mail us at [olms-public@dol.gov](mailto:olms-public@dol.gov)

Call the DOL National Call Center at **1.866.487.2365**

**OMB Control Number: 1245-0004 (Expires 08/31/2019).** According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 1.28 hours per complaint, including composing a complaint containing the necessary information and sending that complaint to the Department. The obligation to respond to this collection is required to obtain relief, see 29 CFR part 471.11. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Andrew R. Davis, Chief of the Division of Interpretations and Standards, Office of Labor-Management Standards, U.S. Department of Labor, 200 Constitution Avenue N.W., Room N-5609, Washington, DC 20210 or email [olms-public@dol.gov](mailto:olms-public@dol.gov), and reference the OMB Control Number 1245-0004.