

**PART 1222—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS**

**Subpart 1222.1—Basic Labor Policies**

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AUTHORITY: 5 U.S.C. 301; 41 U.S.C. 418(b); 48 CFR 3.1.

SOURCE: 59 FR 40279, Aug. 8, 1994, unless otherwise noted.

**Subpart 1222.1—Basic Labor Policies**

**1222.101 Labor relations.**

**1222.101-70 Admittance of union representatives to DOT installations.**

(a) It is the policy of DOT to admit labor union representatives of contractor employees to DOT installations to visit work sites and transact labor union business with contractors, their employees, or union stewards pursuant to existing union collective bargaining agreements. Their presence shall not interfere with the contractor's work progress under a DOT contract nor violate the safety or security regulations that may be applicable to persons visiting the installation. The union representatives will not be permitted to conduct meetings, collect union dues, or make speeches concerning union matters while visiting a work site.

(b) Whenever a union representative is denied entry to a work site, the person denying entry shall make a written report to the DOT labor coordinator (i.e., Director, Office of Economics (P-35), Office of the Secretary) or OA labor advisor, if any, within two working days after the request for entry is denied. The report shall include the reason(s) for the denial, the name of the representative denied entry, the union affiliation and number, and the name

and title of the person that denied the entry.

**1222.101-71 Contract clauses.**

(a) The contracting officer, may, when applicable, insert the clause at (TAR) 48 CFR 1252.222-70, Strikes or Picketing Affecting Timely Completion of the Contract Work, in solicitations and contracts.

(b) The contracting officer may, when applicable, insert the clause at (TAR) 48 CFR 1252.222-71, Strikes or Picketing Affecting Access to a DOT Facility, in solicitations and contracts.

**Subpart 1222.4—Labor Standards for Contracts Involving Construction**

**1222.406 Administration and enforcement.**

**1222.406-9 Withholding from or suspension of contract payments.**

(c) *Disposition of contract payments withheld or suspended.* (1) *Forwarding wage underpayments to the Comptroller General.* The contracting officer shall ensure that a completed Form DOT F 4220.7, Employee Claim for Wage Restitution, is obtained from each employee claiming restitution under the contract. The Comptroller General (Claims Division) must receive this form with a completed SF 1093, Schedule of Withholding Under the Davis-Bacon Act and/or the Contract Work Hours and Safety Standards Act, before payment can be made to the employee.

**PART 1223—ENVIRONMENT, CONSERVATION, OCCUPATIONAL SAFETY, AND DRUG-FREE WORK-PLACE**

**Subpart 1223.3—Hazardous Material Identification and Material Safety Data**

Sec.

1223.303 Contract clause.

**Subpart 1223.70—Safety Requirements for Selected DOT Contracts**

1223.7000 Contract clauses.

AUTHORITY: 5 U.S.C. 301; 41 U.S.C. 418(b); 48 CFR 3.1.