

## § 1922.5

(c) *Voting.* Actions of the Board, including the determinations and recommendations required under paragraph (a) of this section, shall require a vote of a majority of its members.

### § 1922.5 Notice of investigational hearings.

The Chairman of the Board shall give reasonable notice of the time and place of any investigational hearing to any person whose conduct is or may be pertinent to the subjects of investigation; to any prospective witnesses; and to any Federal or State agency engaged in similar investigative work.

### § 1922.6 Investigational hearings.

The Chairman shall regulate the course of the hearing; dispose of procedural requests, objections, and related matters; and confine the hearing to the matters for which the Board is responsible. In the performance of these duties, the Chairman may be assisted by counsel assigned by the Solicitor of Labor. In the discretion of the Board, the hearing may be stenographically reported. When the hearing is so reported, copies of the transcript may be obtained upon such terms as the Chairman may provide.

## PART 1924—SAFETY STANDARDS APPLICABLE TO WORKSHOPS AND REHABILITATION FACILITIES ASSISTED BY GRANTS

AUTHORITY: Secs. 12, 13, Vocational Rehabilitation Act Amendments of 1965 (29 U.S.C. 41a, 41b).

### § 1924.1 Applicable safety standards.

The safety standards provided in 41 CFR part 50-204 shall have effect to the extent applicable to any workshop or rehabilitation facility assisted by a grant pursuant to section 12 or section 13 of the Vocational Rehabilitation Act Amendments of 1965, 79 Stat. 1284, 1286.

[32 FR 3052, Feb. 18, 1967. Redesignated at 32 FR 4170, Mar. 17, 1967. Further redesignated at 36 FR 25232, Dec. 30, 1971]

## 29 CFR Ch. XVII (7-1-06 Edition)

## PART 1925—SAFETY AND HEALTH STANDARDS FOR FEDERAL SERVICE CONTRACTS

Sec.

1925.1 Scope and application.

1925.2 Safety and health standards.

1925.3 Records.

AUTHORITY: Service Contracts Act of 1965 (41 U.S.C. 351, et. seq.); 5 U.S.C. 301.

### § 1925.1 Scope and application.

(a) The McNamara-O'Hara Service Contract Act of 1965 (79 Stat. 1034, 41 U.S.C. 351, et seq.) requires that every contract entered into by the United States or the District of Columbia in excess of \$2,500 (except as provided in section 7 of the Act), the principal purpose of which is to furnish services in the United States through the use of service employees, must contain, among other provisions, a stipulation that "no part of the services covered by this Act will be performed in buildings or surroundings or under working conditions, provided by or under the control or supervision of the contractor or any subcontractor, which are unsanitary or hazardous or dangerous to the health or safety of service employees engaged to furnish the services." This part 1925 expresses certain minimum safety and health standards which will be applied in the administration and enforcement of the Act to determine whether services covered by the Act are being, or have been, performed in compliance with its safety and health requirements.

(b)(1) Investigators conducting investigations and all officers of the Department of Labor evaluating, reviewing and analyzing investigations, as well as officers of the Department determining whether there are or have been violations of the safety and health requirements of the Service Contract Act of 1965 or any contract subject thereto and the terms on which there may be a settlement of issues arising from an investigation without resort to administrative or judicial litigation, will consider a failure to comply with the safety and health measures provided in § 1925.2 to result in working conditions which are "unsanitary or hazardous or dangerous to the health or safety of service employees" within the meaning

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of section 2(a)(3) of the Act and the contract stipulation it requires.

(c) [Reserved]

(d) The standards expressed in this part 1925 are for application to ordinary employment situations, and do not preclude proof or recognition of the necessity for additional standards in employment situations of extraordinary hazard. Neither do the standards expressed in this Part 1925 purport to cover all of the working conditions which are unsanitary or hazardous or dangerous to the health or safety of service employees. Other working conditions may be found to be unsanitary or hazardous or dangerous to the health or safety of such employees on evidence to that effect.

(e) Compliance with the standards expressed in this part 1925 will not relieve anyone from any obligation he may have to comply with any stricter

standard, such as state or local law or ordinance or collective bargaining agreement.

[32 FR 21036, Dec. 30, 1967, as amended at 36 FR 9866, May 29, 1971. Redesignated at 36 FR 25232, Dec. 30, 1971]

**§ 1925.2 Safety and health standards.**

Every contractor and subcontractor shall comply with the safety and health standards published in 41 CFR part 50-204, including any matters incorporated by reference therein.

[36 FR 9866, May 29, 1971. Redesignated at 36 FR 25232, Dec. 30, 1971]

**§ 1925.3 Records.**

Every contractor or subcontractor shall comply with the recordkeeping requirements of 29 CFR part 1904.

[40 FR 3593, Jan. 23, 1975]