

Federal Government Contracts Must Now Provide Notice of Employee Rights to Organize

Beginning June 19, 2010, the U.S. Department of Labor, Office of Labor Management Standards (“OLMS”) will require most federal contractors and subcontractors to post a notice explaining: (a) employee rights under the National Labor Relations Act (“NLRA”) to join or not join a union; and (b) unlawful union and employer conduct.

All new nonexempt federal contracts and modifications also will have to include a provision requiring such posting, and these federal contractors and subcontractors will have to ensure that similar provisions are included in all federal subcontracts (i.e., flow down clauses).

This new poster is now available for public use at OLMS’s website, http://www.dol.gov/olms/regs/compliance/EmployeeRightsPoster11x17_Final.pdf. Both conspicuous physical postings and electronic postings are acceptable, as long as they comply with OLMS requirements.

After June 19, 2010, a federal contractor or subcontractor’s failure to comply with this new notice requirement may lead to a Department of Labor investigation or audit, the cancellation or suspension of the federal contract, or even debarment from future federal contracts and subcontracts.

While some limited exceptions apply, federal contractors and subcontractors should contact an experienced labor attorney before deciding whether or not they are covered by this regulation.

For more information on this new regulation, please feel free to contact the labor and employment attorneys at Robison, Curphey & O’Connell.

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