PART 5822 - APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS

Revised: April 2024

5822.001 Definitions

SUBPART 5822.1 – BASIC LABOR POLICIES

5822.101-3 Reporting Labor Disputes.

5822.001 Definitions

(S-90) Unless there is an associated service being offered with the telecommunications and that associated service is billed separately, the leasing/provisioning of the telecommunications circuit (commoditized bandwidth) is not a “service contract.” IAW FAR 22.001, a “service contract means any Government contract, or subcontract thereunder, the principal purpose of which is to furnish services in the United States through the use of service employees…”

(S-91) Unless there are services that are determined to be the principal purpose under the cloud contract, the purchase of cloud offerings is not a "service contract." IAW FAR 22.001, a “service contract means any Government contract, or subcontract thereunder, the principal purpose of which is to furnish services in the United States through the use of service employees…”

SUBPART 5822.1 – BASIC LABOR POLICIES

5822.101-3 Reporting Labor Disputes.

(S-90) After becoming aware of labor disputes (actual or potential) involving a contractor, the contracting officer shall take prompt action consistent with the following instructions:

(1) Notify local legal counsel and the HCO by the most expeditious means. When possible, the HCO should be given an in-depth briefing regarding the actual or potential labor disputes by the contracting officer.

(2) Notify the affected customers by message or letter of the actual or potential labor disputes that could delay, or threaten to delay the timely contract performance.

(S-91) Legal counsel, ICW the HCO, will furnish all pertinent information relating to actual or potential labor disputes promptly to the HCA and the DISA Labor Advisor. The Labor Advisor for DISA is the Associate General Counsel, Personnel and Employment Law.