

22.1605 Contract clause.

(a) Insert the clause at [52.222-40](#), Notification of Employee Rights under the National Labor Relations Act, in all solicitations and contracts, including acquisitions for commercial items and commercially available off-the-shelf items, except acquisitions-

(1) *Under the simplified acquisition threshold.* For indefinite-quantity contracts, include the clause only if the value of orders in any calendar year of the contract is expected to exceed the simplified acquisition threshold;

(2) For work performed exclusively outside the United States; or

(3) Covered (in their entirety) by an exemption granted by the Secretary.

(b) A contracting agency may modify the clause at [52.222-40](#), if necessary, to reflect an exemption granted by the Secretary (see [22.1603\(b\)](#)).

Parent topic: [Subpart 22.16 - Notification of Employee Rights Under the National Labor Relations Act](#)