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## **DOL Issues Final Rule Requiring Federal Contractors to Post Notice of Employee Rights Concerning Unionization**

On May 20, the U.S. Department of Labor (DOL) issued its final rule requiring most<sup>1</sup> federal contractors to post an 11x17 poster notifying employees of their rights under the National Labor Relations Act (NLRA). The new poster must be placed conspicuously in all customary posting locations where employees do federal contracted work as well as electronically if an employer customarily distributes notices or policies through electronic means. The full text of the poster can be found at [www.ThompsonHine.com/publications/pdf/OLMS\\_NRAproposal.pdf](http://www.ThompsonHine.com/publications/pdf/OLMS_NRAproposal.pdf), [www.dol.gov/olms/regs/compliance/EmployeeRightsPoster11x17\\_Final.pdf](http://www.dol.gov/olms/regs/compliance/EmployeeRightsPoster11x17_Final.pdf) or [www.dol.gov/olms/regs/compliance/EmployeeRightsPoster2page\\_Final.pdf](http://www.dol.gov/olms/regs/compliance/EmployeeRightsPoster2page_Final.pdf).

In addition to posting notice, federal contractors must also include specific contract provisions **verbatim** in subcontracts.<sup>2</sup>

Under the rule, employees may file complaints with the DOL about contractors who do not post the notice, and **contractors who violate the regulation can have their federal contract suspended or canceled and can be debarred from future federal contracts.**

The final rule will go into effect 30 days from publication on June 21, 2010.

### **FOR MORE INFORMATION**

For more information, contact any Thompson Hine **Labor & Employment** or **Construction** lawyer.

If you do not wish to receive future communications by email, please send an email with "unsubscribe: Employment @lert" in the subject line to [Heidi.Moreno@ThompsonHine.com](mailto:Heidi.Moreno@ThompsonHine.com).

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<sup>1</sup> The posting requirements do not apply to prime contracts under the Simplified Acquisition Threshold, which is currently set at \$100,000, and do not apply to subcontracts below \$10,000.

<sup>2</sup> For the specific contract language, see the DOL's Final Rule, available at 29 C.F.R. 471, or contact a Thompson Hine Construction or Labor & Employment lawyer.