

Subpart 522.8 - Equal Employment Opportunity

Parent topic: [Part 522 - Application of Labor Laws to Government Acquisitions](#)

522.803 Responsibilities.

Contracting officers should submit questions on the applicability of EO 11246 and implementing regulations to assigned legal counsel.

522.804 Affirmative action programs.

522.804-1 Nonconstruction.

(a) The requirements of FAR 22.804 also apply to each contractor and subcontractor with 50 or more employees that either:

- (1) Serves as a depository of Government funds; or
- (2) Is a financial institution serving as an issuing and paying agent for U.S. savings bonds and savings notes.

(b) The contractors, subcontractors, and financial institutions described in [522.804-1\(a\)](#) must develop a written affirmative action compliance program for each of its establishments regardless of the contract or holding value, in accordance with 41 CFR 60-1.40.

522.804-2 Construction.

Construction contractors and subcontractors are required to set trade participation goals for minorities and women based on percentages established by the Director, Office of Federal Contract Compliance Programs (OFCCP), Department of Labor. The goals can be found on OFCCP's website at <https://www.dol.gov/agencies/ofccp/construction>.

522.805 Procedures.

(a) To determine whether the contract meets the threshold in FAR 22.805(a), contracting officers shall include the value of the basic contract plus priced options. A contract modification exercising a priced option is not a contract award under FAR 22.805(a)(1)(ii) and does not require a preaward clearance.

(b) Contracting officers shall submit preaward clearance requests directly to the appropriate OFCCP regional office. A list of OFCCP regional offices can be found on OFCCP's website at https://ofccp.dol-esa.gov/preaward/pa_reg.html.

(c) The EEO poster required by FAR 22.805(b) can be found at:
<https://www.dol.gov/agencies/ofccp/posters>.

522.807 Exemptions.

The agency labor advisor submits a request for exemption.