

WORKER RIGHTS UNDER EXECUTIVE ORDER 14055

SERVICE CONTRACT EMPLOYEES ENTITLED TO OFFER OF EMPLOYMENT

The law requires certain federal contractors to display this information where employees can easily see it.

Notice to Service Contract Employees: Executive Order 14055 (“Nondisplacement of Qualified Workers Under Service Contracts”) and its implementing regulations generally require that qualified service employees on a covered federal service contract who would otherwise lose their jobs because of the award of a successor contract or the expiration of the contract under which the employees were working be given the right of first refusal of employment on the successor contract.

The contract for _____ services, currently performed by
_____ has been awarded to a new (successor) contractor:

The new contractor’s first date of performance on the contract will be / /

The new contractor is generally required to offer employment, in writing, to the employees who worked on the contract during the last 30 days of the current contract, except as follows:

- Employees who will not be laid off or discharged as a result of the new contract award are not entitled to an offer of employment.
- Managerial, supervisory, or non-service employees on the current contract are not entitled to an offer of employment.

The new contractor is permitted to reduce the size of the current workforce; in such circumstances, only a portion of the existing workforce may receive employment offers. However, the new contractor must offer employment to the displaced employees in positions for which they are qualified if any openings occur during the first 90 calendar days of performance on the new contract.

A successor contractor or subcontractor is not required to offer employment to an employee of the predecessor contractor if the successor contractor or any of its subcontractors reasonably believes, based on reliable evidence of the particular employee’s past performance, that there would be just cause to discharge the employee.

An employee hired to work under the current federal service contract and one or more nonfederal service contracts as part of a single job is not entitled to an offer of employment on the new contract, provided that the existing contractor did not deploy the employee in a manner that was designed to avoid the purposes of Executive Order 14055 or 29 CFR part 9.

TIME LIMIT TO ACCEPT OFFER: If you are offered employment on the new contract, you must be given at least 10 business days to accept the offer.

COMPLAINTS: Any employee(s) or authorized employee representative(s) of the predecessor contractor who believes that they are entitled to an offer of employment with the new contractor and who has not received an offer, may file a complaint, within 120 calendar days from the first date of contract performance, with the local Wage and Hour Division office.

FOR ADDITIONAL INFORMATION: 866-4US-WAGE (866-487-9243) or dol.gov/agencies/whd. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

866-487-9243
dol.gov/agencies/whd/government-contracts

