

AUTHORITY: 29 U.S.C. 793; 38 U.S.C. 4211 and 4212; Executive Order 11758 (3 CFR, 1971-1975 Comp., p. 841).

SOURCE: 43 FR 49268, Oct. 20, 1978, unless otherwise noted.

Subpart A—Preliminary Matters, Affirmative Action Clause, Compliance

§ 60-250.1 Purpose and application.

The purpose of the regulations in this part is to assure compliance with section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, which requires government contractors and subcontractors to take affirmative action to employ and advance in employment qualified disabled veterans and veterans of the Vietnam era. The regulations in this part apply to all government contracts and subcontracts for the furnishing of supplies or services or for the use of real or personal property (including construction) for \$10,000 or more.

§ 60-250.2 Definitions.

Act means the Vietnam Era Veterans Readjustment Assistance Act of 1974, Pub. L. 93-508, as it amends 38 U.S.C. 2012, the Vietnam Era Veterans Readjustment Assistance Act of 1972.

Affirmative action clause means the contract provisions set forth in § 60-250.4.

Agency means any contracting agency of the government.

Assistant Secretary means the Assistant Secretary of Labor for Employment Standards or his or her designee.

Construction means the construction, rehabilitation, alteration, conversion, extension, demolition, or repair of buildings, highways, or other changes or improvements to real property, including facilities providing utility services. The term also includes the supervision, inspection, and other onsite functions incidental to the actual construction.

Contract means any government contract.

Contracting agency means any department, agency, establishment or instrumentality of the United States, including any wholly owned Government corporation, which enters into contracts.

Contractor means, unless otherwise indicated, a prime contractor or subcontractor.

Director means the Director of the Office of Federal Contract Compliance Programs of the United States Department of Labor or his/her designee.

Disabled veteran means a person entitled to disability compensation under laws administered by the Veterans Administration for disability rated at 30 per centum or more, or a person whose discharge or release from active duty was for a disability incurred or aggravated in the line of duty.

Government means the Government of the United States of America.

Government contract means any agreement or modification thereof between any contracting agency and any person for the furnishing of supplies or services or for the use of real or personal property including lease arrangements. The term "services", as used in this section includes, but is not limited to the following services: Utility, construction, transportation, research, insurance, and fund depository, irrespective of whether the government is the purchaser or seller. The term "government contract" does not include (1) agreements in which the parties stand in the relationship of employer and employee, and (2) federally assisted contracts.

Modification means any alteration in the terms and conditions of a contract, including supplemental agreements, amendments, and extensions.

Person means any natural person, corporation, partnership or joint venture, unincorporated association, State or local government, and any agency, instrumentality, or subdivision of such a government.

Prime contractor means any person holding a contract, and, for the purposes of Subpart B of this part, includes any person who has held a contract subject to the Act.

Qualified disabled veteran means a disabled veteran as defined in § 60-250.2 who is capable of performing a particular job, with reasonable accommodation to his or her disability.

Recruiting and training agency means any person who refers workers to any contractor or subcontractor, or who provides or supervises apprenticeship