

PUTNEY, TWOMBLY, HALL & HIRSON LLP

DANIEL F. MURPHY, JR.
MICHAEL T. McGRATH
THOMAS A. MARTIN
WILLIAM M. POLLAK
JAMES E. McGRATH, III
CHRISTOPHER M. HOULIHAN
THOMAS M. LAMBERTI
STEPHEN J. MACRI
HARVEY I. SCHNEIDER
MARY ELLEN DONNELLY
JOSEPH B. CARTAFALSA
GEOFFREY H. WARD
ANDREA HYDE
E. PARKER NEAVE
MARK A. HERNANDEZ
JAMES M. STRAUSS
PHILIP H. KALBAN
SEAN H. CLOSE
LANSING R. PALMER
JEROME P. COLEMAN
BARBARA M. MAISTO

ESTABLISHED 1866
COUNSELORS AT LAW
521 FIFTH AVENUE
NEW YORK, NEW YORK 10175
(212) 682-0020
TELEFAX: (212) 682-9380
PUTNEYLAW.COM

120 WOOD AVENUE SOUTH
SUITE 600
ISELIN, NEW JERSEY 08830
(732) 632-2505
TELEFAX: (732) 632-2506
1205 FRANKLIN AVENUE
GARDEN CITY, NY 11530
(516) 746-0070
TELEFAX: (516) 746-0599
2500 NORTH MILITARY TRAIL
SUITE 200
BOCA RATON, FLORIDA 33431
(800) 935-8480
TELEFAX: (561) 613-4100
COUNSEL
CHARLES J. GROPPE
ALEXANDER NEAVE
DUSTAN T. SMITH
SPECIAL COUNSEL
JUDITH M. BANDLER

August 18, 2009

CLIENT ALERT

**U.S. Department of Labor Proposes Rule
Requiring Federal Contractors and Sub-Contractors to Notify
Employees of their Rights under the National Labor Relations Act**

On August 3, 2009, the U.S. Department of Labor (“DOL”) proposed a rule (“the Proposed Rule”) requiring certain federal contractors and sub-contractors to notify employees of their rights under the National Labor Relations Act (“NLRA”). The Rule was issued to implement Executive Order 13496 (“the Order”), which was signed by President Obama on January 30, 2009. The Order requires all government departments and agencies to include within their government contracts specific provisions requiring that contractors and subcontractors post notices informing their employees of their rights as employees under the NLRA. The Order expressly excepts contracts involving purchases below the simplified acquisition threshold, currently \$100,000, from the notice requirements.

The Proposed Rule sets out the content, form and size of the required notice and also includes provisions regarding sanctions that may be imposed if the contractor fails to comply with its obligations under the Order. The DOL proposes that the notice contain a portion of the text of the NLRA and a list of NLRA rights, derived from National Labor Relations Board (“NLRB”) or court decisions. The notice must be posted at the place of operation where employees are likely to see it. If the Proposed Rule is finalized, the required notice will be available at <http://www.olms.dol.gov>. Sanctions for violations may include the cancelation of the relevant contract or debarment from future government work.

If you should have any questions regarding the Proposed Rule, please contact us.

PUTNEY, TWOMBLY, HALL & HIRSON LLP