

Wage Determination No. : 2022-0036

REGISTER OF WAGE DETERMINATIONS UNDER THE SERVICE CONTRACT ACT

By direction of the Secretary of Labor : Daniel W. Simms Director
Division of Wage Determinations

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
WAGE AND HOUR DIVISION
WASHINGTON D.C. 20210

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Header:

Note: Contracts subject to the Service Contract Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658.

If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:

- With certain exceptions, Executive Order 14026 applies to the contract.

- The contractor must pay all covered workers at least \$15.00 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2022.

If the contract was awarded on or between January 1, 2015 and January 29, 2022 , and the contract is not renewed or extended on or after January 30, 2022:

- With certain exceptions, Executive Order 13658 applies to the contract.

- The contractor must pay all covered workers at least \$11.25 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2022.

The applicable Executive Order minimum wage rate will be adjusted annually. Additional information on contractor requirements and worker protections under the Executive Orders is available at <https://www.dol.gov/agencies/whd/government-contracts>.

NATIONWIDE: This wage determination is applicable to the entire continental United States, Hawaii, and Alaska.

****Fringe Benefits Required Follow the Occupational Listing****

Employed on DCSA contract(s) for Background Investigation services.

Wage Determinants Table:

1. Background Investigator

Code	Title	Rate	Note
27006	Level I	23.30	
27006	Level II	28.50	
27006	Level III	34.47	
27006	Level IV	41.33	

Footer:

Level I Background Investigator Duties:

1. Under the close direction of a Supervisory Investigator, the incumbent trainee conducts and reports record searches and investigations. The work may require travel on detail or itinerary and requires efficient planning of work and the submission of timely and complete records for reimbursement and productivity evaluations.

Duties:

1. As a trainee investigator, the incumbent assists in conducting and conducts background investigations, which provide comprehensive coverage of basic suitability, loyalty and security, for approximately fifty Government agencies having some of the nation's most sensitive missions. These investigations are increasingly tailored to obtain specific information needed by the employing agency to make enlightened selection and/or security clearance determinations. May obtain special coverage for such diverse positions as attorneys, labor mediation officials, scientists employed by the Department of Energy, and U.S. Marshalls.
2. Conducts investigations initiated to resolve questions of employment eligibility developed by National Agency Checks and Inquiries or arising from employment applications. Is assigned the less complex cases which do not involve prominent subjects or derogatory information of a highly sensitive nature. Assignments are carried out under close supervision and detailed guidance is provided.
3. May conduct the less complex qualification investigations on candidates for top Federal administrative and executive positions. These cases must be completed on a high priority schedule and involve in-depth interviews with key executives at all levels of government, private industry, academia and the professions.
4. The incumbent conducts comprehensive interviews with employers, associates, references and other knowledgeable individuals and reviews appropriate records to obtain the facts needed to establish the background, reputation, character, suitability or qualifications of the subject under investigation. The investigator is responsible for determining the number and selection of witnesses and the approach and line of questioning for each. Incumbent explores the most significant or promising leads, notes all pertinent facts and records and, under supervisory guidance, enlarges, extends, cancels, or discontinues investigations, consistent with policies, procedures and instructions contained in the Investigator's Handbook. With similar guidance prepares clearly worded requests for extensions of investigations containing relevant information the receiving investigator must have to conduct a competent investigation. Records and organizes information obtained and prepares grammatically correct and factual reports according to established format.

Level II

Under the general direction of a Supervisory Investigator, the incumbent conducts and reports record searches and investigations. The work may require extensive travel on detail or itinerary and requires efficient planning of work and travel and the submission of timely and complete records for reimbursement and productivity evaluation.

Duties

1. As a trainee investigator, the incumbent assists in conducting and conducts background investigations, which provide comprehensive coverage of basic suitability, loyalty and security, for approximately fifty Government agencies having some of the nation's most sensitive missions. These investigations are increasingly tailored to obtain specific information needed by the employing agency to make enlightened selection and/or security clearance determinations. May obtain special coverage for such diverse positions as attorneys, labor mediation officials, scientists employed by the Department of Energy, and U.S. Marshalls.
2. Conducts investigations initiated to resolve questions of employment eligibility developed by National Agency Checks and Inquiries or arising from employment applications. Is normally assigned the less complex cases which do not involve prominent subjects or derogatory information of a highly sensitive nature.
3. May conduct special interviews designed to afford the subject of a suitability investigation full opportunity to explain or comment on derogatory or discrepant information. Skill, tact and discretion are necessary to assure protection of the subject's legal rights, while obtaining information needed to facilitate evaluation of the case. Interviews conducted involve cases in which the materials facts are well documented and the purpose of the interview is to obtain the well documented and the purpose of the interview is to obtain the subject's comments. Receives extensive briefing and consults closely with supervisor

on the formulation of special interview questions. Interviews are conducted together with the supervisor or a more experienced investigator.

4. After receiving formal training on the subject, incumbent may investigate complaints of discrimination pertaining to Equal Employment Opportunity in the Federal service. Normally, cases assigned do not involve complex issues or prominent individuals.

5. Occasionally conducts the less complex qualification investigations on candidates for top Federal administrative and executive positions. These cases must be completed on a high priority schedule and involve in-depth interviews with key executives at all levels of government, private industry, academia and the professions.

6. The incumbent conducts comprehensive interviews with employers, associates, references and other knowledgeable individuals and reviews appropriate records to obtain the facts needed to resolve all materials issues in a case or to establish the background, reputation, character, suitability or qualifications of the subject under investigation. The investigator is responsible for determining the number and selection of witnesses and the approach and line of questioning for each. Incumbent explores the most significant or promising leads, notes all pertinent facts and records and, under supervisory guidance, enlarges, extends, cancels, or discontinues investigations, consistent with policies, procedures and instructions contained in the Investigator's Handbook. Prepares clearly worded requests for extensions of investigations containing relevant information the receiving investigator must have to conduct a competent investigation. Records and organizes information obtained and prepares grammatically correct and factual reports according to established format.

Level III

Under the general direction of a Supervisory Investigator, the incumbent conducts and reports a variety of types of investigations primarily involving Federal personnel operations. The work may require extensive travel on detail or itinerary and requires efficient planning of work and travel and the submission of timely and complete records for reimbursement and productivity evaluation. Incumbent may be reassigned, within grade, to Case Control and Review functions as the Officers workload or incumbent's developmental and training need require.

Duties

1. Conduct full field character investigations, which provide comprehensive coverage of basis suitability, loyalty and security, for approximately fifty Government agencies having some of the nation's most sensitive mission. These investigations are increasingly tailored to cover specific information needed by the employing agency to make enlightened selection decisions about which applicants are best fitted for particular positions. May obtain special coverage for such diverse positions as White House Fellows, attorneys, labor mediation officials, scientists employed by ERDA contractors, USIA overseas personnel and U. S. Marshals.

2. Conducts suitability and limited suitability investigations initiated to resolve question of employment eligibility developed by National Agency Checks and Inquiries or arising from employment application.

Assigned cases are of average complexity and normally will not involve prominent subjects or derogatory information of a highly sensitive nature.

3. Conduct special interviews designed to afford the subject of a suitability investigation full opportunity to explain or comment on derogatory or discrepant information. Skill, tact and discretion are necessary to assure protection of the subject's legal rights, while obtaining information needed to facilitate evaluation of the case and protecting the identity of sources who have furnished information on the matter to the Commission.

Consults with supervisor on the formulation of special interview questions. Interviews conducted usually involve cases in which the materials facts are well documented and the primary purpose of the interview is to obtain subject's comments.

4. May investigate complaints of discrimination pertaining to Equal Employment Opportunity in the Federal service. Normally, cases assigned are not anticipated to involve unusually complex issues or highly prominent individuals.

5. Conducts competitive qualification investigations on candidates for top Federal administrative and executive positions. Investigative requirements vary on a case by case basis. These cases must be completed on a high priority schedule and involve in-depth interviews with key executives at all levels of government, private industry, academia and the professions.

6. The incumbent conducts comprehensive interviews with employers, associates, references and other knowledgeable individuals and reviews appropriate records to obtain the facts needed to resolve all material issues in a case or to establish

the background, reputation, character, suitability or qualifications of the subject under investigation. The investigator has principal responsibility for determining the number and selection of witnesses and the approach and line of questioning for each. Incumbent explores the most significant or promising leads, notes all pertinent facts and records and, enlarges, extends, cancels, or discontinues investigations as warranted, consistent with policies, procedures and instructions contained in the Investigator's Handbook. Prepares clearly worded requests for extensions of investigations containing relevant information the receiving investigator must have to conduct a competent investigation. Records and organizes information obtained and prepares grammatically correct and factual reports according to established format.

Level IV Under the general direction of a Supervisory Investigator, the incumbent conducts and reports a wide variety of types of investigations primarily involving Federal personnel operations. The work may require extensive travel on detail or itinerary and requires efficient planning of work and travel and the submission of timely and complete records for reimbursement and productivity evaluation. Incumbent may be reassigned, within grade, to Case Control and Review function as the Offices workload or incumbent's developmental and training need require.

Duties

1. Conduct more complex full-field character investigations, which provide comprehensive coverage of basis suitability, loyalty and security, for approximately fifty Government agencies having some of the nation's most sensitive mission. These investigations are increasingly tailored to cover specific information needed by the employing agency to make enlightened selection decisions about which applicants are best fitted for particular positions. Obtain special coverage for such diverse positions as White House Fellows, attorneys, labor mediation officials, scientists employed by ERDA contractors, USIA overseas personnel and U. S.

Marshalls. The incumbent is normally assigned cases in which the subjects are known to have complex backgrounds, are controversial individuals or who are in the "public eye."

2. Independently conducts suitability and limited suitability investigations in cases involving prominent individuals or serious derogatory information (e.g. perversion or concealed dismissal from employment).

These investigations are initiated to resolve question of employment eligibility developed by National Agency Checks and Inquiries, or arising from employment application.

3. Conduct special interviews designed to afford the subject of a suitability investigation full opportunity to explain or comment on derogatory or discrepant information. A high degree of skill, tact and discretion is necessary to assure protection of the subject's legal rights, while obtaining information needed to facilitate evaluation of the case protecting the identity of sources who have furnished information on the matter to the Commission. Consults with supervisor on the phraseology of special interview questions in highly sensitive or controversial issues.

4. May investigate complaints of discrimination in cases where the issue is complex, where multiple bases of discrimination are alleged, or where difficulty is anticipated in obtaining sufficient information to permit adjudication of the complaint.

5. Investigates a variety of types of cases involving possible violations of the Merit System, including fraud or collusion in examination, bribery, purchase or sale of office or other violations of the Civil Service Rules and Regulations or pertinent section of the U.S. Code.

6. Conducts complex competitive qualification investigations on candidates for top federal administrative and executive positions. Investigative requirements vary on a case by case basis. These cases must be completed on a high priority schedule and involve in-depth interviews with key executives at all levels of government, private industry, academia and the professions.

7. The investigator has principal responsibility for obtaining sufficient coverage to develop the facts required for the type of case being investigated for determining the number and selection of witnesses and the approach and line of questioning for each. Incumbent explores the most significant or promising leads, notes all pertinent facts and records and, enlarges, extends, cancels, or discontinues investigations as warranted, consistent with policies, procedures and instructions contained in the Investigator's Handbook. Prepares clearly worded requests for extensions of investigations containing relevant information the receiving investigator must have to conduct a competent investigation. Records and organizes information obtained and prepares grammatically correct and factual reports according to established format.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors, applies to all contracts subject to the Service Contract Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they

work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is the victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:

HEALTH & WELFARE: \$4.60 per hour, up to 40 hours per week, or \$184.00 per week or \$797.33 per month

HEALTH & WELFARE EO 13706: \$4.23 per hour, up to 40 hours per week, or \$169.20 per week, or \$733.20 per month*

*This rate is to be used only when compensating employees for performance on an SCA-covered contract also covered by EO 13706, Establishing Paid Sick Leave for Federal Contractors. A contractor may not receive credit toward its SCA obligations for any paid sick leave provided pursuant to EO 13706.

VACATION: 2 weeks paid vacation after 1 year of service with a contractor or successor; 3 weeks after 8 years, 4 weeks after 15 years, and 5 weeks after 25 years. Length of service includes the whole span of continuous service with the present contractor or successor, wherever employed, and with the predecessor contractors in the performance of similar work at the same Federal facility. (Reg. 29 CFR 4.173)

HOLIDAYS: A minimum of eleven paid holidays per year: New Year's Day, Martin Luther King Jr.'s Birthday, Washington's Birthday, Memorial Day, Juneteenth National Independence Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day. (A contractor may substitute for any of the named holidays another day off with pay in accordance with a plan communicated to the employees involved.) (See 29 CFR 4.174) HEALTH & WELFARE (Hawaii): \$1.94 per hour, up to 40 hours per week, or \$77.60 per week, or \$336.27 per month for all employees on whose behalf the contractor provides health care benefits pursuant to the Hawaii prepaid Health Care Act. For those employees who are not receiving health care benefits mandated by the Hawaii prepaid Health Care Act, the new health and welfare benefit rate will be \$4.60 per hour, up to 40 hours per week.

HEALTH & WELFARE (Hawaii EO 13706): \$1.63 per hour, up to 40 hours per week, or \$65.20 per week, or \$282.53 per month for all employees on whose behalf the contractor provides health care benefits pursuant to the Hawaii prepaid Health Care Act. For those employees who are not receiving health care benefits mandated by the Hawaii prepaid Health Care Act, the new health and welfare benefit rate will be \$4.23 per hour, up to 40 hours per week. *

*This rate is to be used only when compensating employees for performance on an SCA-covered contract also covered by EO 13706, Establishing Paid Sick Leave for Federal Contractors. A contractor may not receive credit toward its SCA obligations for any paid sick leave provided pursuant to EO 13706.

**** UNIFORM ALLOWANCE ****

If employees are required to wear uniforms in the performance of this contract (either by the terms of the Government contract, by the employer, by the state or local law, etc.), the cost of furnishing such uniforms and maintaining (by laundering or dry cleaning) such uniforms is an expense that may not be borne by an employee where such cost reduces the hourly rate below that required by the wage determination. The Department of Labor will accept payment in accordance with the following standards as compliance:

The contractor or subcontractor is required to furnish all employees with an adequate number of uniforms without cost or to reimburse employees for the actual cost of the uniforms. In addition, where uniform cleaning and maintenance is made the responsibility of the employee, all contractors and subcontractors subject to this wage determination shall (in the absence of a bona fide collective bargaining agreement providing for a different amount, or the furnishing of contrary affirmative proof as to the actual cost), reimburse all employees for such cleaning and maintenance at a rate of \$3.35 per week (or \$.67 cents per day).

However, in those instances where the uniforms furnished are made of "wash and wear" materials, may be routinely washed and dried with other personal garments, and do not require any special treatment such as dry cleaning, daily washing, or commercial laundering in order to meet the cleanliness or appearance standards set by the terms of the Government contract, by the contractor, by law, or by the nature of the work, there is no requirement that employees be reimbursed for uniform maintenance costs.

**** REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND WAGE RATE, Standard Form 1444 (SF-1444) ****

Conformance Process:

The contracting officer shall require that any class of service employee which is not listed herein and which is to be employed under the contract (i.e., the work to be performed is not performed by any classification listed in the wage determination), be classified by the contractor so as to provide a reasonable relationship (i.e., appropriate level of skill comparison) between such unlisted classifications and the classifications listed in the wage determination (See 29 CFR 4.6(b)(2)(i)). Such conforming procedures shall be initiated by the contractor prior to the performance of contract work by such unlisted class(es) of employees (See 29 CFR 4.6(b)(2)(ii)). The Wage and Hour Division shall make a final determination of conformed classification, wage rate, and/or fringe benefits which shall be paid to all employees performing in the classification from the first day of work on which contract work is performed by them in the classification. Failure to pay such unlisted employees the compensation agreed upon by the interested parties and/or fully determined by the Wage and Hour Division retroactive to the date such class of employees commenced contract work shall be a violation of the Act and this contract. (See 29 CFR 4.6(b)(2)(v)). When multiple wage determinations are included in a contract, a separate SF-1444 should be prepared for each wage determination to which a class(es) is to be conformed.

The process for preparing a conformance request is as follows:

- 1) When preparing the bid, the contractor identifies the need for a conformed occupation(s) and computes a proposed rate(s).
- 2) After contract award, the contractor prepares a written report listing in order the proposed classification title(s), a Federal grade equivalency (FGE) for each proposed classification(s), job description(s), and rationale for proposed wage rate(s), including information regarding the agreement or disagreement of the authorized representative of the employees involved, or where there is no authorized representative, the employees themselves. This report should be submitted to the contracting officer no later than 30 days after such unlisted class(es) of employees performs any contract work.
- 3) The contracting officer reviews the proposed action and promptly submits a report of the action, together with the agency's recommendations and pertinent information including the position of the contractor and the employees, to the U.S. Department of Labor, Wage and Hour Division, for review (See 29 CFR 4.6(b)(2)(ii)).
- 4) Within 30 days of receipt, the Wage and Hour Division approves, modifies, or disapproves the action via transmittal to the agency contracting officer, or notifies the contracting officer that additional time will be required to process the request.
- 5) The contracting officer transmits the Wage and Hour Division's decision to the contractor.
- 6) Each affected employee shall be furnished by the contractor with a written copy of such determination or it shall be posted as a part of the wage determination (See 29 CFR 4.6(b)(2)(iii)).

Information required by the Regulations must be submitted on SF-1444 or bond paper.

When preparing a conformance request, the "Service Contract Act Directory of Occupations" should be used to compare job definitions to ensure that duties requested are not performed by a classification already listed in the wage determination. Remember, it is not the job title, but the required tasks that determine whether a class is included in an established wage determination. Conformances may not be used to artificially split, combine, or subdivide classifications listed in the wage determination (See 29 CFR 4.152(c)(1)).