

## 22.1605 Contract clause.

(a) Insert the clause at [52.222-40](#), Notification of Employee Rights under the National Labor Relations Act, in all *solicitations* and contracts, including *acquisitions* for *commercial products*, *commercial services*, and commercially available off-the-shelf items, except *acquisitions-*

(1) *Under the simplified acquisition threshold*. For indefinite-quantity contracts, include the clause only if the value of orders in any calendar year of the contract is expected to exceed the *simplified acquisition threshold*;

(2) For work performed exclusively outside the *United States*; or

(3) Covered (in their entirety) by an exemption granted by the *Secretary*.

(b) A *contracting* agency may modify the clause at [52.222-40](#), if necessary, to reflect an exemption granted by the *Secretary* (see [22.1603\(b\)](#)).

**Parent topic:** [Subpart 22.16 - Notification of Employee Rights Under the National Labor Relations Act](#)