

22.802 General.

(a) Executive Order 11246, as amended, sets forth the *Equal Opportunity clause* and requires that all agencies-

(1) Include this clause in all nonexempt contracts and *subcontracts* (see [22.807](#)); and

(2) Act to ensure compliance with the clause and the regulations of the Secretary of Labor-

(i) To promote the full realization of equal employment opportunity for all persons, regardless of race, color, religion, sex, *sexual orientation*, *gender identity*, or national origin; and

(ii) To prohibit *contractors* from discharging, or in any other manner discriminating against, any employee or applicant for employment because the employee or applicant inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This prohibition against discrimination does not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the *contractor's* legal duty to furnish information.

(b) No contract or modification involving new *acquisition shall* be entered into, and no *subcontract shall* be approved by a *contracting officer*, with a person who has been found *ineligible* by the *Deputy Assistant Secretary* for reasons of noncompliance with the requirements of *E.O.11246*.

(c) No *contracting officer* or *contractor shall* contract for *supplies* or services in a manner so as to avoid applicability of the requirements of *E.O.11246*.

(d) *Contractor* disputes related to compliance with its obligation *shall* be handled according to the rules, regulations, and relevant orders of the Secretary of Labor (see 41 CFR60-1.1).

Parent topic: [Subpart 22.8 - Equal Employment Opportunity](#)