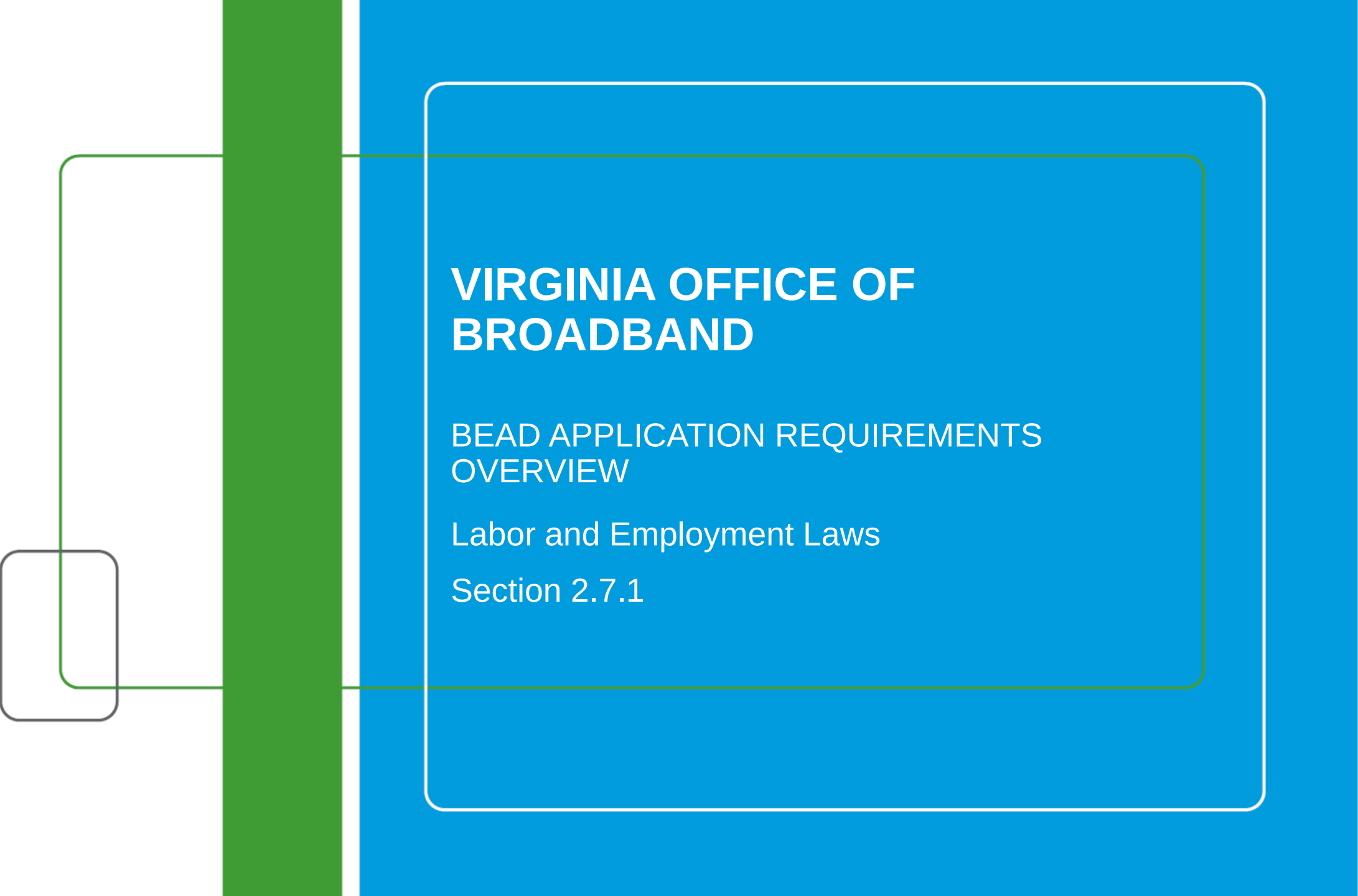




VIRGINIA OFFICE OF BROADBAND

BEAD APPLICATION REQUIREMENTS OVERVIEW

Labor and Employment Laws

Section 2.7.1

Section 2.7.1 Labor and Employment Laws Summary

1 DESCRIPTION: WHAT?

- Section 2.7.1 relates to requirements for applicants to report past compliance with federal labor and employment laws, as well as future compliance plans

2 RATIONALE: WHY?

- To ensure subgrantees are comply with all applicable federal labor and employment laws

3 ROLES AND RESPONSIBILITIES: WHO?

Applicant: Demonstrate and certify compliance
DHCD Office of Broadband: Evaluate applications

4 DESCRIPTION: HOW?

Applicants must provide records showing past compliance with applicable state and federal laws and provide a detailed a plan for ensuring future compliance

5 QUESTIONS?

Contact: broadband@dhcd.virginia.gov
Additional Resources: <https://www.dhcd.virginia.gov/bead>

6 ROADMAP: WHEN?

Milestone	Phase
Applicant to include all required information related to past and future compliance	Application
Applicant to certify understanding of and compliance with labor and employment laws	Application

Section 2.7.1 Labor and Employment Laws Breakdown

1. Compliance with all applicable Federal Labor and Employment Laws

The Office of Broadband is committed to ensuring that applicants demonstrate past and future compliance with labor and employment laws*.



Applicants (both parent companies and involved subsidiaries) must provide a record of past compliance with state and federal labor and employment laws, which:

- Must provide detailed information on these entities' compliance with state and federal labor and employment laws on broadband deployment projects in the last three years;
- Should include a certification from an Officer/Director-level employee (or equivalent) of the applicant evidencing consistent past compliance with federal labor and employment laws by the applicant, as well as all contractors and subcontractors;
- Should include written confirmation that the applicant discloses any instances in which it or its contractors or subcontractors have been found to have violated laws such as the Occupational Safety and Health Act, the Fair Labor Standards Act, or any other applicable labor and employment laws for the preceding three years.

Applicants (both parent companies and involved subsidiaries) must also provide their plans for ensuring compliance with federal labor and employment laws, which must address the following:

- How the applicant will ensure compliance with both its own labor and employment practices, as well as applicable state and federal labor and employment laws, while also ensuring compliance of their contractors and subcontractors, including
 - Information on applicable wage scales and wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the broadband network; and
 - How the applicant will ensure the implementation of workplace safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects
 - Provide a list of contractors and subcontractors
- **Certify that the applicant has complied with all applicable Federal Labor and Employment Laws in the past three years and commits to future compliance**
- **Certify that the applicant has complied with all occupational safety and health requirements**
- **Certify that the applicant's workers are permitted to create health and safety committees that management will meet upon reasonable request**
- **Certify that the applicant has included all necessary information required by the Office of Broadband and/or NTIA**



Section 2.7.1 Labor and Employment Laws Actions

The applicant is expected to complete the following task(s) to satisfy the requirements for Section 2.7.1 which are laid out on Page 56 – 58 [BEAD NOFO](#) and adopted by the Office of Broadband on Page 36 – 38 of their Initial Proposal Volume 2.

REQUIREMENTS

The Office of Broadband posted the requirement specifics in IPv2

Fall 2023



APPLICATION

Applicant to include all documentation, narratives, and certifications in the application

During
Application



PRE-CONTRACT

In the Post-Award but Pre-Contract phase, awardees will be asked to provide additional information

2024



SUBGRANTEE MONITORING

The Office of Broadband will monitor subgrantees to ensure compliance with ongoing requirements for this section

Ongoing

