§ 1922.2 Purpose and scope.

Whenever any serious injury results from the employments covered by the Act or whenever it is otherwise appropriate, the Assistant Secretary may appoint a Board of Investigation to hold an investigational hearing during the course of any investigation made under section 41 of the Act. This part prescribes the manner in which any investigational hearings shall be conducted. This part does not apply to any adjudicative proceedings held under section 41(b)(5) of the Act.

§ 1922.3 Composition of the Board.

The Board shall be composed of three members appointed by the Assistant Secretary, one of whom shall be designated as Chairman. All members shall be employees of the United States Department of Labor, and shall have experience in the field of maritime safety.

§ 1922.4 Responsibilities of the Board; voting.

(a) Determinations and recommendations. To the extent possible, the Board shall determine the facts, conditions, and circumstances relating to any injury or condition which is the subject of investigation, the probable cause thereof, and shall recommend measures which will provide the best means of preventing future injuries or conditions of similar character. The determinations and recommendations shall be made after hearing such witnesses and receiving such documents and other data relating to the subject or subjects of investigation as may be found available as a result of preliminary investigation.

(b) Report. Upon completion of the investigational hearing, the Board shall file a report of its investigation with the Assistant Secretary. The report shall contain the determinations and recommendations required under paragraph (a) of this section. Any member may file a separate report in order to express determinations, recommendations, or reasons for determinations or recommendations which differ from those of a majority of the Board.
§ 1922.5 Voting. Actions of the Board, including the determinations and recommendations required under paragraph (a) of this section, shall require a vote of a majority of its members.

§ 1922.5 Notice of investigational hearings.

The Chairman of the Board shall give reasonable notice of the time and place of any investigational hearing to any person whose conduct is or may be pertinent to the subjects of investigation; to any prospective witnesses; and to any Federal or State agency engaged in similar investigative work.

§ 1922.6 Investigational hearings.

The Chairman shall regulate the course of the hearing; dispose of procedural requests, objections, and related matters; and confine the hearing to the matters for which the Board is responsible. In the performance of these duties, the Chairman may be assisted by counsel assigned by the Solicitor of Labor. In the discretion of the Board, the hearing may be stenographically reported. When the hearing is so reported, copies of the transcript may be obtained upon such terms as the Chairman may provide.

PART 1924—SAFETY STANDARDS APPLICABLE TO WORKSHOPS AND REHABILITATION FACILITIES ASSISTED BY GRANTS

AUTHORITY: Secs. 12, 13, Vocational Rehabilitation Act Amendments of 1965 (29 U.S.C. 41a, 41b).

§ 1924.1 Applicable safety standards.

The safety standards provided in 41 CFR part 50–204 shall have effect to the extent applicable to any workshop or rehabilitation facility assisted by a grant pursuant to section 12 or section 13 of the Vocational Rehabilitation Act Amendments of 1965, 79 Stat. 1284, 1286.


PART 1925—SAFETY AND HEALTH STANDARDS FOR FEDERAL SERVICE CONTRACTS

Sec.
1925.1 Scope and application.
1925.2 Safety and health standards.
1925.3 Records.


§ 1925.1 Scope and application.

(a) The McNamara-O’Hara Service Contract Act of 1965 (79 Stat. 1034, 41 U.S.C. 351, et seq.) requires that every contract entered into by the United States or the District of Columbia in excess of $2,500 (except as provided in section 7 of the Act), the principal purpose of which is to furnish services in the United States through the use of service employees, must contain, among other provisions, a stipulation that “no part of the services covered by this Act will be performed in buildings or surroundings or under working conditions, provided by or under the control or supervision of the contractor or any subcontractor, which are unsanitary or hazardous or dangerous to the health or safety of service employees engaged to furnish the services.” This part 1925 expresses certain minimum safety and health standards which will be applied in the administration and enforcement of the Act to determine whether services covered by the Act are being, or have been, performed in compliance with its safety and health requirements.

(b)(1) Investigators conducting investigations and all officers of the Department of Labor evaluating, reviewing and analyzing investigations, as well as officers of the Department determining whether there are or have been violations of the safety and health requirements of the Service Contract Act of 1965 or any contract subject thereto and the terms on which there may be a settlement of issues arising from an investigation without resort to administrative or judicial litigation, will consider a failure to comply with the safety and health measures provided in § 1925.2 to result in working conditions which are “unsanitary or hazardous or dangerous to the health or safety of service employees” within the meaning