

22.1022 Withholding of contract payments.

Any violations of the clause at 52.222-41, *Service Contract Labor Standards*, as amended, renders the responsible *contractor* liable for the amount of any deductions, rebates, refunds, or underpayments (which includes nonpayment) of compensation due employees performing the contract. The *contracting officer* may withhold-or, upon written request of the Department of Labor from a level no lower than that of Deputy Regional *Administrator, Wage and Hour Division*, Department of Labor, *shall* withhold-the amount needed to pay such underpaid employees from accrued payments due the *contractor* on the contract, or on any other prime contract (whether subject to the *Service Contract Labor Standards* statute or not) with the *contractor*. The agency *shall* place the amount withheld in a deposit fund. Such withheld funds *shall* be transferred to the Department of Labor for disbursement to the underpaid employees on order of the Secretary (or authorized representatives), and Administrative Law Judge, or the Administrative Review Board. In addition, the Department of Labor has given blanket approval to forward withheld funds pending completion of an investigation or other administrative proceeding when disposition of withheld funds remains the final action necessary to close out a contract.

Parent topic: [Subpart 22.10 - Service Contract Labor Standards](#)