

## 22.1302 Policy.

(a) Contractors and subcontractors, when entering into contracts and subcontracts subject to the Act, are required to-

(1) List all employment openings, with the appropriate employment service delivery system where the opening occurs, except for-

(i) *Executive and senior management* positions;

(ii) Positions to be filled from within the contractor's organization; and

(iii) Positions lasting three days or less.

(2) Take affirmative action to employ, advance in employment, and otherwise treat qualified individuals, including *qualified disabled veterans*, without discrimination based upon their status as a *protected veteran*, in all employment practices;

(3) Undertake appropriate outreach and positive recruitment activities that are reasonably designed to effectively recruit *protected veterans*; and

(4) ) Establish a hiring benchmark and apply it to hiring of *protected veterans* in each establishment, on an annual basis, in the manner prescribed in the regulations of the Secretary of Labor.

(b) Except for contracts for *commercial products or commercial services*, or contracts that do not exceed the *simplified acquisition threshold*, *contracting officers must not obligate or expend funds appropriated for the agency for a fiscal year to enter into a contract for the procurement of personal property and nonpersonal services (including construction) with a contractor that has not submitted the required annual VETS-4212, Federal Contractor Veterans' Employment Report (VETS-4212 Report), with respect to the preceding fiscal year if the contractor was subject to the reporting requirements of [38 U.S.C. 4212\(d\)](#) for that fiscal year.*

**Parent topic:** [Subpart 22.13 - Equal Opportunity for Veterans](#)