

## 28.309 Contract clauses for workers' compensation insurance.

(a) The *contracting officer shall* insert the clause at 52.228-3, *Workers' Compensation Insurance* (Defense Base Act), in *solicitations* and contracts when the Defense Base Act applies (see 28.305) and-

(1) The contract will be a public-work contract performed outside the *United States*; or

(2) The contract will be approved or financed under the Foreign Assistance Act of 1961 (Pub.L.87-195) and is not excluded by 28.305(b)(2).

(b) The *contracting officer shall* insert the clause at 52.228-4, *Worker's Compensation and War-Hazard Insurance Overseas*, in *solicitations* and contracts when the contract will be a public-work contract performed outside the *United States* and the Secretary of Labor waives the applicability of the Defense Base Act (see 28.305(d)).

**Parent topic:** Subpart 28.3 - Insurance