



(Please read below but **do not submit** with Payment Request Form)

## **ASSURANCES AS TO LABOR STANDARDS**

UNDER SECTION 5(m) AND SECTION 7(g) OF THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965, AS AMENDED

In consideration of a grant made under section 5 or 7 of the National Foundation on the Arts and the Humanities Act of 1965, as amended, and in order to satisfy the conditions expressed in section 5(m) or section 7(g) of that act so as to be eligible to receive the grant funds, Grantee does hereby make this contractually binding promise to the Secretary of Labor that:

- (1) all professional performers and related or supporting professional personnel (other than laborers or mechanics with respect to whom labor standards are prescribed in subsections 5(n) and 7(j) of the act) employed on projects or productions which are financed in whole or in part under such sections will be paid, without subsequent deduction or rebate on any account, not less than the prevailing minimum compensation for persons employed on similar activities; and
- (2) no part of any project or production which is financed in whole or in part under section 5 or section 7 of the National Foundation on the Arts and the Humanities Act of 1965, as amended, will be performed or engaged in under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the employee engaged in such project or production, including particularly, no work which is prohibited for safety or sanitary reasons by any of the contracts with labor organizations listed in 29 CFR 505.3 (a). Grantee further promises to keep the records and permit the inspections provided by 29 CFR 505.5(b). Receipt of a copy of 29 CFR Part 505 is hereby acknowledged. This promise may be enforced by the Secretary through any appropriate action at law or in equity in any court of competent jurisdiction.

U.S. Department of Labor  
ESA-38  
Rev. June 1988