



PilieroMazza Webinar

How Federal Contractors Can Survive During and
After the Government Shutdown

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About PilieroMazza

PilieroMazza PLLC is a full-service law firm with offices in Washington, DC and Boulder, CO. We are most well known as a government contracting firm and for 25 years we have helped our clients navigate the complexities of doing business with the federal government. We also provide a full range of legal services including advice on corporate, labor and employment, SBA procurement programs, and litigation matters. Our clients value the diverse array of legal guidance they receive from us and our responsiveness as we guide their growth and secure their success.

Our primary practice areas are:

- Government Contracting
- Small Business Programs
- Labor & Employment
- Business & Corporate
- Litigation

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Introduction

- GSA has recommended legislation to stop shutdowns for years...
- The Stop STUPIDITY (Shutdowns Transferring Unnecessary Pain and Inflicting Damage In The Coming Years) Act would protect federal workers from being used during policy negotiations.
- Government employees will be getting back pay...
- Contractors? Maybe...bills have been introduced to give some level of compensation but unclear if that will pass or what the final bill would look like.
- So we are stuck here...what do we do now and in the future?

**Can I stop paying essential employees
just like the government?**

**I didn't receive a stop work order. Am
I required to continue performing?
Can I?**

What if I have employees who find another job?

My contract is subject to an availability of funds, limitation of funds, or a limitation of cost clause. Am I at risk if I keep performing?

Can I enforce non-compete agreements to keep personnel?

What if my CO directs me to continue working? Can I bill now or will I get compensated after the shutdown ends?

**What happens if cash flow is short
and I can't pay people?**

Does it matter what kind of contract I have? Are the rules for a firm-fixed-price contract different than the rules for a cost-reimbursement contract?

Can I pay salaried employees for partial weeks of work?

We're still performing, but government personnel involved with the contract are furloughed. Does this create any concerns?

Can I require employees to take paid time off?

We received a stop work order and have not been working ever since. Will we get paid when the shutdown ends?

How can I minimize employee-related costs?

What about subcontractors? Are they required to perform if the prime isn't getting paid?

What should I be prepared to do when the shutdown ends?

I want to submit a request for equitable adjustment or a claim when the government reopens. Can I do that? What should I be doing now?

Questions?

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