

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206-AJ64

Prevailing Rate Systems; Redefinition of the Scranton-Wilkes-Barre, PA, Appropriated Fund Wage Area

AGENCY: Office of Personnel Management.

ACTION: Proposed rule.

SUMMARY: The Office of Personnel Management is issuing a proposed rule to redefine Tioga County, Pennsylvania, from the Scranton-Wilkes-Barre, PA, appropriated fund Federal Wage System (FWS) wage area to the Rochester, New York, FWS wage area. This redefinition would reflect economic trends in the area that indicate a linkage exists between Tioga County and the Rochester wage area and would more accurately conform to the regulatory criteria we use to define FWS wage areas.

DATES: We must receive comments by September 3, 2002.

ADDRESSES: Send or deliver comments to Donald J. Winstead, Assistant Director for Compensation Administration, Workforce Compensation and Performance Service, Office of Personnel Management, Room 7H31, 1900 E Street NW., Washington, DC 20415-8200, or FAX: (202) 606-4264.

FOR FURTHER INFORMATION CONTACT: Chenty I. Carpenter at (202) 606-2838; FAX at (202) 606-4264; or e-mail at cicarpen@opm.gov.

SUPPLEMENTARY INFORMATION: The Office of Personnel Management (OPM) is proposing to redefine Tioga County, Pennsylvania, from the Scranton-Wilkes-Barre, PA, Federal Wage System (FWS) wage area to the Rochester, NY, FWS wage area. Tioga County is currently an area of application in the Scranton-Wilkes-Barre wage area. This change is necessary because economic

trends indicate more linkage between Tioga County and the Rochester survey area than to the Scranton-Wilkes-Barre survey area.

OPM considers the following regulatory criteria under 5 CFR 532.211 when defining FWS wage area boundaries:

- (i) Distance, transportation facilities, and geographic features;
- (ii) Commuting patterns; and
- (iii) Similarities in overall population, employment, and the kinds and sizes of private industrial establishments.

Based on our analysis of the regulatory criteria for defining appropriated fund FWS wage areas, we find that Tioga County would be more appropriately defined as part of the Rochester wage area. The distance criterion favors the Rochester wage area more than the Scranton-Wilkes-Barre wage area. The commuting patterns criterion favors the Rochester wage area. An additional factor we considered is that Tioga County is adjacent to the Rochester survey area, but not to the Scranton-Wilkes-Barre survey area. This change would affect about 10 employees in the Department of the Army and 1 employee in the Department of the Interior. These employees would be placed on the wage schedule for the Rochester wage area on the first day of the first applicable pay period beginning on or after 30 days following publication of the final regulations.

The Federal Prevailing Rate Advisory Committee (FPRAC), the national labor-management committee that advises OPM on FWS pay matters, reviewed and concurred by consensus with this change. Based on its review of the regulatory criteria for defining FWS wage areas, FPRAC recommended no other changes in the geographic definitions of the Rochester or Scranton-Wilkes-Barre FWS wage areas.

Regulatory Flexibility Act

I certify that these regulations would not have a significant economic impact on a substantial number of small entities because they would affect only Federal agencies and employees.

List of Subjects in 5 CFR Part 532

Administrative practice and procedure, Freedom of information, Government employees, Reporting and recordkeeping requirements, Wages.

Office of Personnel Management.

Kay Coles James,

Director.

Accordingly, the Office of Personnel Management proposes to amend 5 CFR part 532 as follows:

PART 532—PREVAILING RATE SYSTEMS

1. The authority citation for part 532 continues to read as follows:

Authority: 5 U.S.C. 5343, 5346; § 532.707 also issued under 5 U.S.C. 552.

2. In appendix C to subpart B, the wage area listing for the State of New York is amended by revising the listing for Rochester; and for the State of Pennsylvania, by revising the listing for Scranton-Wilkes-Barre, to read as follows:

Appendix C to Subpart B of Part 532—Appropriated Fund Wage and Survey Areas

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NEW YORK

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ROCHESTER

Survey Area

New York:
Livingston
Monroe
Ontario
Orleans
Steuben
Wayne

Area of Application. Survey area plus:

New York:
Allegany
Chemung
Genesee
Schuylar
Seneca
Wyoming
Yates
Pennsylvania:
Tioga

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PENNSYLVANIA

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SCRANTON-WILKES-BARRE

Survey Area

Pennsylvania:
Lackawanna
Luzerne
Monroe

Area of Application. Survey area plus:
Pennsylvania:

Bradford
Carbon
Lycoming (Excluding Allenwood Federal
Prison Camp)
Pike
Sullivan
Susquehanna
Wayne
Wyoming

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BILLING CODE 6325-39-P

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206-AJ63

Prevailing Rate Systems; Change in Federal Wage System Survey Job

AGENCY: Office of Personnel
Management.

ACTION: Proposed rule with request for
comments.

SUMMARY: The Office of Personnel
Management is issuing a proposed rule
that would permit the Department of
Defense to survey the Maintenance
Mechanic job on an optional basis rather
than having to seek OPM's permission
when it wants to add that job to
appropriated fund wage surveys.
Currently, OPM's regulations contain
required and optional survey jobs. If a
particular job does not appear on either
list, but is needed for a survey, an
agency must request OPM's written
approval. The Federal Prevailing Rate
Advisory Committee (FPRAC)
established a Survey Job Work Group to
review wage survey job descriptions in
general, and it recommended making
the Maintenance Mechanic job an
optional job. The FPRAC agreed with
the Work Group's recommendation,
which will save time and facilitate the
survey process.

DATES: Comments must be received on
or before September 3, 2002.

ADDRESSES: Send or deliver comments
to Donald J. Winstead, Assistant
Director for Compensation
Administration, Workforce
Compensation and Performance Service,
Office of 1 Personnel Management,
Room 7H31, 1900 E Street NW.,
Washington, DC 20415-8200, or FAX:
(202) 606-4264.

FOR FURTHER INFORMATION CONTACT:
Chenty I. Carpenter, (202) 606-2848,
FAX: (202) 606-0824, or e-mail
cicarpen@opm.gov.

SUPPLEMENTARY INFORMATION: The
Federal Prevailing Rate Advisory
Committee (FPRAC), the national labor-

management committee responsible for
advising the Office of Personnel
Management (OPM) on matters
concerning the pay of Federal Wage
System (FWS) employees, established a
Survey Job Work Group (SJWG) to
review the survey job descriptions used
by Federal agencies during FWS local
wage surveys to determine prevailing
rates of pay for FWS employees. The
SJWG reviewed many FWS jobs and
found that the Maintenance Mechanic
survey job description should be
changed, to better reflect the industry
standard wording for the job. The SJWG
also decided that it would be beneficial
to add the Maintenance Mechanic
survey job to the list of optional survey
jobs. The SJWG recommended these
changes to FPRAC because adding the
Maintenance Mechanic survey job to the
list of optional jobs would allow the
Department of Defense (DOD) the
opportunity to survey the job at its
discretion, without having to ask OPM
for prior approval. This change would
allow DOD more planning time when
conducting surveys, and the changed
job description, when surveyed, may
provide DOD with more job matches.
FPRAC agreed with the Work Group's
recommendations.

Regulatory Flexibility Act

I certify that this regulation would not
have a significant economic impact on
a substantial number of small entities
because it would affect only Federal
agencies and employees.

List of Subjects in 5 CFR Part 532

Administrative practice and
procedure, Freedom of information,
Government employees, Reporting and
recordkeeping requirements, Wages.

Office of Personnel Management.

Kay Coles James,

Director.

Accordingly, the Office of Personnel
Management is amending 5 CFR part
532 as follows:

PART 532—PREVAILING RATE SYSTEMS

1. The authority citation for part 532
continues to read as follows:

Authority: 5 U.S.C. 5343, 5346; § 532.707
also issued under 5 U.S.C. 552.

§ 532.217 [Amended]

2. In § 532.217, paragraph (c) is
amended by adding the job
"Maintenance Mechanic" and grade
"10" after Television Station Mechanic.

[FR Doc. 02-19463 Filed 7-31-02; 8:45 am]

BILLING CODE 6325-39-P

DEPARTMENT OF AGRICULTURE

Farm Service Agency

7 CFR Part 701

RIN 0560-AG26

Emergency Conservation Program

AGENCY: Farm Service Agency, USDA

ACTION: Proposed rule.

SUMMARY: This proposed rule would
revise the regulations for the
Agricultural Conservation Program
(ACP), the Forestry Incentives Program
(FIP) and the regulations for the
Emergency Conservation Program (ECP).
Existing ACP contracts would continue,
however, to be subject to the previously
published regulations. The ECP
revisions are those needed to reflect the
reorganization of this part. In addition,
the ECP regulation is proposed to be
updated regarding current policies.

DATES: Comments must be received on
or before September 30, 2002 to be
assured of consideration.

ADDRESSES: Comments should be
directed to Robert Stephenson, Director,
Conservation and Environmental
Programs Division, USDA, FSA, CEPD,
STOP 0513, 1400 Independence
Avenue, S.W., Washington, DC 20250-
0513, telephone 202-720-6221;
facsimile (202) 720-4619; or e-mail at
ecprule@wdc.usda.gov.

FOR FURTHER INFORMATION CONTACT:
Robert Stephenson, (202) 720-6221.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This proposed rule is issued in
conformance with Executive Order
12866 and has been determined to be
significant. It has been reviewed by the
Office of Management and Budget.

Federal Assistance Program

The titles and numbers of the Federal
Assistance Programs, as found in the
Catalog of Federal Domestic Assistance,
to which this rule applies are:
Agricultural Conservation Program
(ACP)—10.063; Emergency
Conservation Program (ECP)—10.054,
and Forestry Incentives Program (FIP)—
10.064.

Regulatory Flexibility Act

It has been determined that the
Regulatory Flexibility Act is not
applicable to this rule since the Farm
Service Agency (FSA) is not required by
5 U.S.C. 553 or any other provision of
law to publish a notice of proposed
rulemaking with respect to the subject
matter of this rule.