

DEPARTMENT OF LABOR

Employment Standards Administration

Wage and Hour Division

Minimum Wages for Federal and Federal Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedes decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29

CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, N.W., Room S-3014, Washington, D.C. 20210.

Modifications to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

Volume I

Maine

ME970005 (Feb. 14, 1997)
ME970010 (Feb. 14, 1997)
ME970022 (Feb. 14, 1997)
ME970037 (Feb. 14, 1997)

Volume II

District of Columbia

DC970001 (Feb. 14, 1997)
DC970003 (Feb. 14, 1997)

Maryland

MD970001 (Feb. 14, 1997)
MD970002 (Feb. 14, 1997)
MD970015 (Feb. 14, 1997)
MD970031 (Feb. 14, 1997)
MD970036 (Feb. 14, 1997)
MD970037 (Feb. 14, 1997)
MD970043 (Feb. 14, 1997)
MD970046 (Feb. 14, 1997)
MD970048 (Feb. 14, 1997)
MD970055 (Feb. 14, 1997)
MD970056 (Feb. 14, 1997)
MD970057 (Feb. 14, 1997)
MD970058 (Feb. 14, 1997)

Pennsylvania

PA970007 (Feb. 14, 1997)

PA970014 (Feb. 14, 1997)
PA970017 (Feb. 14, 1997)
PA970019 (Feb. 14, 1997)
PA970021 (Feb. 14, 1997)
PA970023 (Feb. 14, 1997)
PA970024 (Feb. 14, 1997)
PA970040 (Feb. 14, 1997)
PA970052 (Feb. 14, 1997)

Virginia

VA970005 (Feb. 14, 1997)
VA970025 (Feb. 14, 1997)
VA970052 (Feb. 14, 1997)
VA970078 (Feb. 14, 1997)
VA970079 (Feb. 14, 1997)
VA970104 (Feb. 14, 1997)
VA970105 (Feb. 14, 1997)
VA970108 (Feb. 14, 1997)

Volume III

Florida

FL970001 (Feb. 14, 1997)
FL970009 (Feb. 14, 1997)
FL970017 (Feb. 14, 1997)
FL970032 (Feb. 14, 1997)

Georgia

GA970022 (Feb. 14, 1997)
GA970032 (Feb. 14, 1997)
GA970050 (Feb. 14, 1997)
GA970053 (Feb. 14, 1997)
GA970065 (Feb. 14, 1997)
GA970073 (Feb. 14, 1997)
GA970093 (Feb. 14, 1997)
GA970094 (Feb. 14, 1997)

Volume IV

Michigan

MI970001 (Feb. 14, 1997)
MI970002 (Feb. 14, 1997)
MI970003 (Feb. 14, 1997)
MI970007 (Feb. 14, 1997)
MI970030 (Feb. 14, 1997)
MI970062 (Feb. 14, 1997)
MI970063 (Feb. 14, 1997)

Minnesota

MN970005 (Feb. 14, 1997)
MN970007 (Feb. 14, 1997)
MN970008 (Feb. 14, 1997)
MN970015 (Feb. 14, 1997)
MN970027 (Feb. 14, 1997)
MN970043 (Feb. 14, 1997)
MN970049 (Feb. 14, 1997)
MN970058 (Feb. 14, 1997)
MN970059 (Feb. 14, 1997)
MN970061 (Feb. 14, 1997)

Volume V

Iowa

IA970004 (Feb. 14, 1997)
IA970005 (Feb. 14, 1997)
IA970007 (Feb. 14, 1997)
IA970010 (Feb. 14, 1997)
IA970019 (Feb. 14, 1997)

Kansas

KS970006 (Feb. 14, 1997)
KS970007 (Feb. 14, 1997)
KS970010 (Feb. 14, 1997)
KS970011 (Feb. 14, 1997)
KS970013 (Feb. 14, 1997)
KS970019 (Feb. 14, 1997)
KS970021 (Feb. 14, 1997)
KS970023 (Feb. 14, 1997)
KS970026 (Feb. 14, 1997)
KS970029 (Feb. 14, 1997)
KS970035 (Feb. 14, 1997)

Nebraska

NE970007 (Feb. 14, 1997)
NE970025 (Feb. 14, 1997)

Volume VI

None.

Volume VII

California

CA970049 (Feb. 14, 1997)
 CA970050 (Feb. 14, 1997)
 CA970052 (Feb. 14, 1997)
 CA970054 (Feb. 14, 1997)
 CA970056 (Feb. 14, 1997)
 CA970065 (Feb. 14, 1997)
 CA970071 (Feb. 14, 1997)
 CA970072 (Feb. 14, 1997)
 CA970074 (Feb. 14, 1997)
 CA970075 (Feb. 14, 1997)
 CA970077 (Feb. 14, 1997)
 CA970079 (Feb. 14, 1997)

General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon and Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

The general wage determinations issued under the Davis-Bacon and related Acts are available electronically by subscription to the FedWorld Bulletin Board System of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at (703) 487-4630.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the seven separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates are distributed to subscribers.

Signed at Washington, DC this 25th day of July, 1997.

Carl J. Poleskey,*Chief, Branch of Construction Wage Determinations.*

[FR Doc. 97-20028 Filed 7-31-97; 8:45 am]

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DEPARTMENT OF LABOR**Pension and Welfare Benefits Administration**

[Application No. D-10261, et al.]

Proposed Exemptions; McCrosky, Feldman, Cochrane & Brock, P.C.

AGENCY: Pension and Welfare Benefits Administration, Labor.

ACTION: Notice of proposed exemptions.

SUMMARY: This document contains notices of pendency before the Department of Labor (the Department) of proposed exemptions from certain of the prohibited transaction restriction of the Employee Retirement Income Security Act of 1974 (the Act) and/or the Internal Revenue Code of 1986 (the Code).

Written Comments and Hearing Requests

All interested persons are invited to submit written comments or request for a hearing on the pending exemptions, unless otherwise stated in the Notice of Proposed Exemption, within 45 days from the date of publication of this **Federal Register** Notice. Comments and request for a hearing should state: (1) The name, address, and telephone number of the person making the comment or request, and (2) the nature of the person's interest in the exemption and the manner in which the person would be adversely affected by the exemption. A request for a hearing must also state the issues to be addressed and include a general description of the evidence to be presented at the hearing. **ADDRESSES:** All written comments and request for a hearing (at least three copies) should be sent to the Pension and Welfare Benefits Administration, Office of Exemption Determinations, Room N-5649, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Attention: Application No. stated in each Notice of Proposed Exemption. The applications for exemption and the comments received will be available for public inspection in the Public Documents Room of Pension and Welfare Benefits Administration, U.S. Department of Labor, Room N-5507, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Notice to Interested Persons

Notice of the proposed exemptions will be provided to all interested persons in the manner agreed upon by the applicant and the Department within 15 days of the date of publication in the **Federal Register**. Such notice shall include a copy of the notice of proposed exemption as published in the

Federal Register and shall inform interested persons of their right to comment and to request a hearing (where appropriate).

SUPPLEMENTARY INFORMATION: The proposed exemptions were requested in applications filed pursuant to section 408(a) of the Act and/or section 4975(c)(2) of the Code, and in accordance with procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, 32847, August 10, 1990). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Therefore, these notices of proposed exemption are issued solely by the Department.

The applications contain representations with regard to the proposed exemptions which are summarized below. Interested persons are referred to the applications on file with the Department for a complete statement of the facts and representations.

McCroskey, Feldman, Cochrane & Brock, P.C. Profit Sharing Plan and Trust (the Plan), Located in Muskegon, Michigan

[Application No. D-10261].

Proposed Exemption

The Department is considering granting an exemption under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, 32847, August 10, 1990). If the exemption is granted, the restrictions of sections 406(a) and 406(b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of sections 4975(c)(1) (A) through (E) of the Code, shall not apply to the proposed cash sale (the Sale) by the Plan of certain improved real property located at 1440 and 1442 Peck Street in Muskegon, Michigan (the Muskegon Property) to the McCroskey Development Partnership (the Partnership), a party in interest with respect to the Plan; provided that the following conditions are satisfied:

(A) All terms and conditions of the Sale are no less favorable to the Plan than those which the Plan could obtain in an arm's-length transaction with an unrelated party;

(B) The Sale is a one-time transaction for cash in which the Plan incurs no expenses;