

and Safety Standards Act (CWHSSA). Under DBRA, every contract subject to the Act must contain a provision (i.e., wage determination) stating the minimum wages and fringe benefits to be paid to various classes of laborers and mechanics employed on the contract. In order for the Wage and Hour Division (WHD) of the Department of Labor (DOL) to establish minimum rates for classes of employees omitted from wage determinations, employers must submit a Report of Conformed Classifications and Wage Rates for review and approval. Further, the Act provides that "wages" may include ". . . costs to the contractor or

subcontractor which may be reasonably anticipated in providing benefits to laborers or mechanics . . .". Where a benefit plan is not of the conventional type described in the Act and/or common in the construction industry, it is necessary to determine whether the benefit is a "bona fide" benefit under the Act. Therefore, contractors must request approval of such fringe benefit plans from the Wage and Hour Division.

## II. Current Actions

The Department of Labor (DOL) seeks extension of approval to collect this information in order to carry out its responsibility to meet the statutory requirements of the Act. The

information will be used by Wage and Hour to establish minimum wage rates for classes of employees not listed in a wage determination, and to determine whether a fringe benefit is "bona fide" fringe benefit within the definition of the Act.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* Information Collection Requirements in Regulations, 29 CFR Part 5.

*OMB Number:* 1215-0140.

*Affected Public:* Business or other for-profit; Federal Government, State, Local or Tribal Government.

Requirement	Total Respondents	Frequency	Total Responses	Average Time per Response	Hours
Conformance Report .....	2,500	On occasion .....	2,500	.25 hour .....	625
Unfunded Fringe Benefit Plans .....	6	On occasion .....	6	1 hour .....	6
Totals .....	2,506	.....	2,506	.....	631

*Total Burden Cost (capital/startup):* 0.

*Total Burden Cost (operating/maintenance):* \$801.92.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: November 24, 1997.

**Cecily A. Rayburn,**

*Director, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.*

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## DEPARTMENT OF LABOR

### Employment Standards Administration

#### Proposed Collection; Comment Request

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and

financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment Standards Administration, Office of Workers' Compensation Programs, Division of Federal Employees' Compensation is soliciting comments concerning the following information collection: Claim for Compensation by Dependents Information Reports. Copies of the proposed information collection request can be obtained by contacting the office listed below in the addressee section of this notice.

**DATES:** Written comments must be submitted to the office listed in the addressee section below on or before February 1, 1998. The Department of Labor is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated,

electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

**ADDRESSES:** Contact Ms. Patricia A. Forkel at the U.S. Department of Labor, 200 Constitution Avenue, N.W., Room S-3201, Washington, D.C. 20210, telephone (202) 219-8713. The Fax number is (202) 219-6592. (These are not toll-free numbers.)

#### SUPPLEMENTARY INFORMATION:

##### Background

The forms in this clearance request are used by Federal employees and their dependents to claim benefits, prove continued eligibility for benefits, and to show entitlement to the remaining compensation of a deceased beneficiary under the Federal Employees' Compensation Act. There are nine forms in this clearance request; they are the CA-5; CA-5b; CA-1031; CA-1085; CA-1093; CA-1615; CA-1617; CA-1618, and CA-1074.

##### Current Actions

The Department of Labor (DOL) seeks extension of approval to collect this information in order to carry out its responsibility to meet the statutory requirements of the Federal Employees' Compensation Act. The information contained in these forms is used by the Division of Federal Employees' Compensation to determine entitlement to benefits under the Act, to verify dependent status and to initiate,

continue, adjust or terminate benefits based on eligibility criteria.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.  
*Title:* Claim for Compensation By Dependents Information Reports.

*OMB Number:* 1215-0155.  
*Affected Public:* Individuals or households.

Report	Total respondents	Frequency	Total Responses	Average Min. per Response	Hours
CA-5 .....	235	Once .....	235	90	253
CA-5b .....	70	Once .....	70	90	105
CA-1615 .....	120	Once .....	120	30	60
CA-1617 .....	600	Semiannually .....	600	30	300
CA-1085 .....	450	Once .....	450	45	338
CA-1031 .....	1,700	Annually .....	1,700	15	425
CA-1074 .....	70	Once .....	70	60	70
CA-1093 .....	50	Once .....	50	30	25
CA-1618 .....	320	Semiannually .....	320	30	160
Totals .....	3,615		3,615	.....	1,835

*Total Burden Cost (capital/startup):* 0.  
*Total Burden Cost (operating/maintenance):* \$1,156.80.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: November 24, 1997.

**Cecily A. Rayburn,**

*Director, Division of Financial Management Office of Management, Administration and Planning, Employment Standards Administration.*

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## DEPARTMENT OF LABOR

### Employment Standards Administration Wage and Hour Division

#### Minimum Wages for Federal and Federally 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 Determination 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

Massachusetts:

MA970001 (Feb. 14, 1997)  
MA970002 (Feb. 14, 1997)  
MA970003 (Feb. 14, 1997)  
MA970006 (Feb. 14, 1997)  
MA970007 (Feb. 14, 1997)  
MA970008 (Feb. 14, 1997)  
MA970009 (Feb. 14, 1997)  
MA970012 (Feb. 14, 1997)