

Rules and Regulations

Federal Register

Vol. 72, No. 219

Wednesday, November 14, 2007

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206-AL43

Prevailing Rate Systems; Definition of the Municipality of Bayamon, Puerto Rico, to a Nonappropriated Fund Federal Wage System Wage Area

AGENCY: U.S. Office of Personnel Management.

ACTION: Interim rule with request for comments.

SUMMARY: The U.S. Office of Personnel Management is issuing an interim rule to define the municipality of Bayamon, Puerto Rico, as an area of application to the Guaynabo-San Juan, PR, nonappropriated fund (NAF) Federal Wage System (FWS) wage area. This change is necessary because there are NAF FWS employees working in the municipality of Bayamon and the municipality is not currently defined to an NAF wage area.

DATES: This regulation is effective on November 14, 2007. We must receive comments on or before December 14, 2007.

ADDRESSES: Send or deliver comments to Charles D. Grimes III, Deputy Associate Director for Performance and Pay Systems, Strategic Human Resources Policy Division, U.S. Office of Personnel Management, Room 7H31, 1900 E Street, NW., Washington, DC 20415-8200; e-mail pay-performance-policy@opm.gov; or Fax: (202) 606-4264.

FOR FURTHER INFORMATION CONTACT: Madeline Gonzalez, (202) 606-2838; e-mail pay-performance-policy@opm.gov; or Fax: (202) 606-4264.

SUPPLEMENTARY INFORMATION: The U.S. Office of Personnel Management (OPM) is redefining the Guaynabo-San Juan, Puerto Rico, nonappropriated fund

(NAF) Federal Wage System (FWS) wage area to add the municipality of Bayamon, PR, as an area of application. Rio Bayamon Guest Housing, which is part of U.S. Coast Guard Family Housing, now employs three NAF FWS employees in the municipality of Bayamon. Under section 532.219 of title 5, Code of Federal Regulations, each NAF wage area "shall consist of one or more survey areas, along with nonsurvey areas, if any, having nonappropriated fund employees."

The municipality of Bayamon does not meet the regulatory criteria under 5 CFR 532.219 to be established as a separate NAF wage area; however, nonsurvey counties may be combined with a survey area to form a wage area. Section 532.219 lists the regulatory criteria that OPM considers when defining FWS wage area boundaries:

- (i) Proximity of largest facilities activity in each county;
- (ii) Transportation facilities and commuting patterns; and
- (iii) Similarities of the counties in:
 - (A) Overall population;
 - (B) Private employment in major industry categories; and
 - (C) Kinds and sizes of private industrial establishments.

Based on an analysis of the regulatory criteria for defining NAF wage areas, OPM is defining the municipality of Bayamon, PR, as an area of application to the Guaynabo-San Juan, PR, NAF FWS wage area. The Guaynabo-San Juan NAF FWS wage area is the only NAF wage area in Puerto Rico. The U.S. Coast Guard Family Housing is located approximately five miles from Fort Buchanan, the wage area's host activity, and the municipality of Bayamon is adjacent to both Fort Buchanan and the municipality of Guaynabo.

In the Guaynabo-San Juan NAF wage area, the survey area will consist of two municipalities (Guaynabo and San Juan) and the area of application will consist of eight municipalities (Aguadilla, Bayamon, Ceiba, Isabela, Ponce, Salinas, Toa Baja, and Vieques) plus the U.S. Virgin Islands of St. Croix and St. Thomas. The Federal Prevailing Rate Advisory Committee, the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, reviewed and recommended this change by consensus.

Waiver of Notice of Proposed Rulemaking and Delay in Effective Date

Pursuant to 5 U.S.C. 553(b)(3)(B) and (d)(3), I find that good cause exists to waive the general notice of proposed rulemaking. Also pursuant to 5 U.S.C. 553(d)(3), I find that good cause exists for making this rule effective in less than 30 days. This notice is being waived and the regulation is being made effective in less than 30 days because it is necessary to define the municipality of Bayamon, PR, to an NAF wage area as soon as possible to cover existing employees under an appropriate wage schedule.

Regulatory Flexibility Act

I certify that these regulations will not have a significant economic impact on a substantial number of small entities because they will 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.

U.S. Office of Personnel Management.

Linda M. Springer,
Director.

■ Accordingly, the U.S. 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.

■ 2. Appendix D to subpart B is amended by revising the wage area listing for the Guaynabo-San Juan, Puerto Rico, NAF wage area to read as follows:

Appendix D to Subpart B of Part 532— Nonappropriated Fund Wage and Survey Areas

* * * * *

PUERTO RICO
Guaynabo-San Juan
Survey Area

Puerto Rico: (municipalities):
Guaynabo
San Juan

Area of Application. Survey area plus:
Puerto Rico: (municipalities):

Aguadilla
 Bayamon
 Ceiba
 Isabela
 Ponce
 Salinas
 Toa Baja
 Vieques
 U.S. Virgin Islands
 St. Croix
 St. Thomas

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[FR Doc. E7-22262 Filed 11-13-07; 8:45 am]

BILLING CODE 6325-39-P

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206-AL44

Prevailing Rate Systems; Abolishment of Rock Island, IL, as a Nonappropriated Fund Federal Wage System Wage Area

AGENCY: U.S. Office of Personnel
 Management.

ACTION: Interim rule with request for
 comments.

SUMMARY: The U.S. Office of Personnel
 Management is issuing an interim rule
 to abolish the Rock Island, Illinois,
 nonappropriated fund (NAF) Federal
 Wage System (FWS) wage area and
 redefine Rock Island County, IL, and
 Johnson County, Iowa, as areas of
 application to the Lake, IL, NAF FWS
 wage area. Carroll County, IL, will no
 longer be defined. These changes are
 necessary because employment has
 significantly declined in the Rock Island
 NAF wage area.

DATES: *Effective date:* This regulation is
 effective on November 14, 2007. We
 must receive comments on or before
 December 14, 2007. *Applicability date:*
 FWS employees remaining in Rock
 Island County, IL, and Johnson County,
 IA, will be transferred to the Lake, IL,
 NAF wage area schedule on the first day
 of the first applicable pay period
 beginning on or after December 15,
 2007.

ADDRESSES: Send or deliver comments
 to Charles D. Grimes III, Deputy
 Associate Director for Performance and
 Pay Systems, Strategic Human
 Resources Policy Division, U.S. Office of
 Personnel Management, Room 7H31,
 20415 E Street, NW., Washington, DC
 20415-8200; e-mail *pay-performance-*
policy@opm.gov; or FAX: (202) 606-
 4264.

FOR FURTHER INFORMATION CONTACT:
 Madeline Gonzalez, (202) 606-2838; e-

mail *pay-performance-policy@opm.gov*;
 or FAX: (202) 606-4264.

SUPPLEMENTARY INFORMATION: The Rock
 Island, Illinois, nonappropriated fund
 (NAF) Federal Wage System (FWS)
 wage area is presently composed of one
 survey county, Rock Island County, IL,
 and two area of application counties,
 Carroll County, IL, and Johnson County,
 Iowa. Under section 532.219 of title 5,
 Code of Federal Regulations, the U.S.
 Office of Personnel Management (OPM)
 may establish an NAF wage area when
 there are a minimum of 26 NAF wage
 employees in the survey area, the local
 activity has the capability to host annual
 local wage surveys, and the survey area
 has at least 1,800 private enterprise
 employees in establishments within
 survey specifications. The Department
 of Defense (DOD) notified OPM that a
 reduction in NAF employment in the
 Rock Island wage area has left only 14
 NAF FWS employees in Rock Island
 County and 9 NAF FWS employees in
 Johnson County. DOD recommended
 that OPM abolish the Rock Island NAF
 FWS wage area and redefine Rock
 Island and Johnson Counties as areas of
 application to the Lake, IL, NAF FWS
 wage area.

Since Rock Island and Johnson
 Counties will have continuing NAF
 employment and do not meet the
 regulatory criteria under 5 CFR 532.219
 to be separate survey areas, they must be
 areas of application. In defining
 counties as area of application counties,
 OPM considers the following criteria:

- (i) Proximity of largest facilities
 activity in each county;
- (ii) Transportation facilities and
 commuting patterns; and
- (iii) Similarities of the counties in:
 - (A) Overall population;
 - (B) Private employment in major
 industry categories; and
 - (C) Kinds and sizes of private
 industrial establishments.

In selecting a wage area to which
 Rock Island and Johnson Counties
 should be redefined, proximity favors
 the Lake NAF wage area. All other
 criteria are inconclusive. Based on the
 application of the regulatory criteria,
 OPM is defining Rock Island and
 Johnson Counties as areas of application
 to the Lake NAF wage area.

OPM is removing Carroll County from
 the wage area definition. There are no
 longer NAF FWS employees working in
 Carroll County. Under 5 U.S.C.
 5343(a)(1)(B)(i), NAF wage areas "shall
 not extend beyond the immediate
 locality in which the particular
 prevailing rate employees are
 employed." Therefore, Carroll County
 should not be defined as part of an NAF
 wage area.

The Lake NAF wage area will consist
 of one survey county, Lake County, and
 eight area of application counties: Cook,
 Rock Island, and Vermilion Counties,
 IL; Johnson County, IA; Dickinson and
 Marquette Counties, Michigan; and
 Dane and Milwaukee Counties,
 Wisconsin. FWS employees remaining
 in the Rock Island wage area will be
 transferred to the Lake wage area
 schedule on the first day of the first
 applicable pay period beginning on or
 after December 15, 2007. The Federal
 Prevailing Rate Advisory Committee,
 the national labor-management
 committee responsible for advising
 OPM on matters concerning the pay of
 FWS employees, has reviewed and
 recommended this change by
 consensus.

Waiver of Notice of Proposed Rulemaking and Delay in Effective Date

Pursuant to 5 U.S.C. 553(b)(3)(B) and
 (d)(3), I find that good cause exists to
 waive the general notice of proposed
 rulemaking. Also pursuant to 5 U.S.C.
 553(d)(3), I find that good cause exists
 for making this rule effective in less
 than 30 days. This notice is being
 waived and the regulation is being made
 effective in less than 30 days because of
 the need to transfer the remaining NAF
 FWS employees in Rock Island and
 Johnson Counties to a continuing wage
 area as soon as possible.

Regulatory Flexibility Act

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

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