

DEPARTMENT OF LABOR

Office of the Secretary

**Bureau of International Labor Affairs;
U.S. National Administrative Office;
North American Agreement on Labor
Cooperation; Hearing on Submission
#9703**

AGENCY: Office of the Secretary, Labor.
ACTION: Notice of hearing.

SUMMARY: The purpose of this notice is to announce a hearing, open to the public, on Submission #9703.

Submission #9703, was filed with the U.S. National Administrative Office (NAO) on December 15, 1998, by the Echlin Workers Alliance, a group that includes the Teamsters; the Canadian Auto Workers; the Union of Needletrades and Industrial Textile Employees (UNITE); the United Electrical, Radio and Machine Workers of America; the Paperworkers; and the Steelworkers. Twenty-four other organizations, including non-governmental organizations, human rights groups and labor unions from the three NAFTA countries are cited as concerned organizations in the submission. The submission was accepted for review by the NAO on January 30, 1998, and a Notice of acceptance for review was published in the **Federal Register** on February 4, 1998.

Article 16(3) of the North American Agreement on Labor Cooperation (NAALC) provides for the review of labor law matters in Canada and Mexico by the NAO in accordance with U.S. domestic procedures. Revised procedural guidelines pertaining to the submission, review, and reporting process utilized by the Office were published in the **Federal Register** on April 7, 1994 (59 FR 16660). The guidelines provide for a discretionary hearing as part of the review.

DATES: The hearing will be held on March 23, 1998, commencing at 9:00 a.m. Persons desiring to present oral testimony at the hearing must submit a request in writing, along with a written statement or brief desiring the information to be presented or position to be taken.

ADDRESSES: The hearing will be held at the Department of Labor, 200 Constitution Ave., N.W., Room C-5515 1A and 1B, in Washington, D.C. Written statements or briefs and requests to present oral testimony may be mailed or hand delivered to the U.S. National Administrative Office (NAO), Department of Labor, 200 Constitution Avenue, N.W., Room C-4327,

Washington, D.C. 20210. Requests to present oral testimony and written statements or briefs must be received by the NAO no later than close of business, March 13, 1998.

FOR FURTHER INFORMATION CONTACT:
Irasema T. Garza, Secretary, U.S. National Administrative Office, Department of Labor, 200 Constitution Avenue, N.W., Room C-4327, Washington, D.C. 20210. Telephone: (202) 501-6653 (this is not a toll free number).

SUPPLEMENTARY INFORMATION:**I. Nature and Conduct of Hearing**

As set out in the notice published in the **Federal Register** on February 4, 1998, the objective of the NAO's review of the submission is to gather information to better understand and publicly report on the Government of Mexico's promotion of, compliance with, and effective enforcement of, its labor law through appropriate government action, among them its laws relating to freedom of association and the right to bargain collectively as well as its labor laws relating to the prevention of occupational injuries and illnesses in violation of the NAALC article 3(1). The review will also address the composition of the labor tribunal in this case in view of its compliance with Article 5(4) of the NAALC which commits the Parties to ensuring that tribunals that conduct review proceedings are impartial and independent and do not have any substantial interest in the outcome of the matter.

The hearing will be conducted by the Secretary of the NAO or the Secretary's designee. It will be open to the public. All proceedings will be conducted in English, with simultaneous translation in English and Spanish provided. The public files for the submission, including written statements, briefs, and requests to present oral testimony, will be made a part of the appropriate hearing record. The public files will also be available for inspection at the NAO prior to the hearing.

The hearing will be transcribed. A transcript of the proceeding will be made available for inspection, as provided for in Section E of the procedural guidelines, or may be purchased from the reporting company.

Disabled persons should contact the Secretary of the NAO no later than March 17, 1998 if special accommodations are needed.

II. Written Statements or Briefs and Requests to Present Oral Testimony

Written statements or briefs shall provide a description of the information

to be presented or position taken and shall be legibly typed or printed. Requests to present oral testimony shall include the name, address, and telephone number of the witness, the organization represented, if any, and any other information pertinent to the request. Five copies of a statement or brief and a single copy of a request to present oral testimony shall be submitted to the NAO at the time of filing.

No request to present oral testimony will be considered unless accompanied by a written statement or brief. A request to present oral testimony may be denied if the written statement or brief suggests that the information sought to be provided is unrelated to the review of the submission or for other appropriate reasons. The NAO will notify each requester of the disposition of the request to present oral testimony.

In presenting testimony, the witness should summarize the written statement or brief, may supplement the written statement or brief with relevant information, and should be prepared to answer questions from the Secretary of the NAO or the Secretary's designee. Oral testimony will ordinarily be limited to a ten minute presentation, not including the time for questions. Persons desiring more than ten minutes for their presentation should so state in the request, setting out reasons why additional time is necessary.

The requirements relating to the submission of written statements or briefs and requests to present oral testimony may be waived by the Secretary of the NAO for reasons of equity and public interest.

Signed at Washington, D.C. on February 13, 1998.

Irasema T. Garza,
Secretary, U.S. National Administrative Office.

[FR Doc. 98-4371 Filed 2-19-98; 8:45 am]

BILLING CODE 4510-28-M

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.

Withdrawn General Wage Determination Decision

This is to advise all interested parties that the Department of Labor is withdrawing from the date of this notice, General Wage Determination No. PA980068 dated February 13, 1998.

Agencies with construction projects pending, to which this wage decision would have been applicable, should utilize Wage Decision No PA980057 dated February 13, 1998. Contracts for which bids have been opened shall not be affected by this notice. Also, consistent with 29 CFR 1.6(c)(2)(i)(A), when the opening of bids is less than ten (10) days from the date of this notice, this action shall be effective unless the agency finds that there is insufficient time to notify bidders of the change and the finding is documented in the contract file.

New General Wage Determination Decisions

The number of the decisions added to the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" are listed by Volume and States:

Volume III:

Mississippi
MS980059 (Feb. 20, 1998)
MS980060 (Feb. 20, 1998)

Volume V:

Arkansas
AR980047 (Feb. 20, 1998)

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:

New Jersey

NJ980002 (Feb. 13, 1998)
NJ980003 (Feb. 13, 1998)
NJ980004 (Feb. 13, 1998)
NJ980005 (Feb. 13, 1998)
NJ980007 (Feb. 13, 1998)

Volume II:

Pennsylvania
PA980057 (Feb. 13, 1998)

Volume III:

Alabama
AL980034 (Feb. 13, 1998)

Florida

FL980009 (Feb. 13, 1998)
FL980017 (Feb. 13, 1998)
FL980032 (Feb. 13, 1998)
FL980045 (Feb. 13, 1998)
FL980096 (Feb. 13, 1998)

Georgia

GA970032 (Feb. 13, 1998)
GA980053 (Feb. 13, 1998)
GA980065 (Feb. 13, 1998)
GA980073 (Feb. 13, 1998)

Kentucky

KY980025 (Feb. 13, 1998)
KY980027 (Feb. 13, 1998)

North Carolina

NC980050 (Feb. 13, 1998)

South Carolina

SC980036 (Feb. 13, 1998)

Volume IV:

Illinois

IL980001 (Feb. 13, 1998)
IL980002 (Feb. 13, 1998)
IL980003 (Feb. 13, 1998)
IL980004 (Feb. 13, 1998)
IL980006 (Feb. 13, 1998)
IL980007 (Feb. 13, 1998)
IL980008 (Feb. 13, 1998)
IL980009 (Feb. 13, 1998)
IL980010 (Feb. 13, 1998)
IL980012 (Feb. 13, 1998)
IL980014 (Feb. 13, 1998)
IL980016 (Feb. 13, 1998)
IL980017 (Feb. 13, 1998)
IL980018 (Feb. 13, 1998)
IL980021 (Feb. 13, 1998)
IL980022 (Feb. 13, 1998)
IL980023 (Feb. 13, 1998)
IL980024 (Feb. 13, 1998)
IL980025 (Feb. 13, 1998)
IL980026 (Feb. 13, 1998)
IL980027 (Feb. 13, 1998)
IL980029 (Feb. 13, 1998)
IL980030 (Feb. 13, 1998)
IL980031 (Feb. 13, 1998)
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IL980036 (Feb. 13, 1998)
IL980037 (Feb. 13, 1998)
IL980038 (Feb. 13, 1998)
IL980040 (Feb. 13, 1998)
IL980042 (Feb. 13, 1998)
IL980043 (Feb. 13, 1998)
IL980044 (Feb. 13, 1998)
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IL980046 (Feb. 13, 1998)
IL980047 (Feb. 13, 1998)
IL980048 (Feb. 13, 1998)
IL980049 (Feb. 13, 1998)
IL980050 (Feb. 13, 1998)
IL980051 (Feb. 13, 1998)
IL980053 (Feb. 13, 1998)
IL980055 (Feb. 13, 1998)

IL980057 (Feb. 13, 1998)
 IL980061 (Feb. 13, 1998)
 IL980063 (Feb. 13, 1998)
 IL980065 (Feb. 13, 1998)
 IL980066 (Feb. 13, 1998)
 IL980067 (Feb. 13, 1998)
 IL980070 (Feb. 13, 1998)

Michigan

MI980003 (Feb. 13, 1998)
 MI980004 (Feb. 13, 1998)
 MI980017 (Feb. 13, 1998)
 MI980023 (Feb. 13, 1998)
 MI980034 (Feb. 13, 1998)
 MI980036 (Feb. 13, 1998)
 MI980039 (Feb. 13, 1998)
 MI980040 (Feb. 13, 1998)
 MI980064 (Feb. 13, 1998)
 MI980075 (Feb. 13, 1998)

Minnesota

MN980003 (Feb. 13, 1998)
 MN980005 (Feb. 13, 1998)
 MN980007 (Feb. 13, 1998)
 MN980008 (Feb. 13, 1998)
 MN980015 (Feb. 13, 1998)
 MN980027 (Feb. 13, 1998)
 MN980031 (Feb. 13, 1998)
 MN980035 (Feb. 13, 1998)
 MN980039 (Feb. 13, 1998)
 MN980058 (Feb. 13, 1998)
 MN980059 (Feb. 13, 1998)
 MN980061 (Feb. 13, 1998)

Ohio

OH980001 (Feb. 13, 1998)
 OH980002 (Feb. 13, 1998)
 OH980003 (Feb. 13, 1998)
 OH980012 (Feb. 13, 1998)
 OH980014 (Feb. 13, 1998)
 OH980018 (Feb. 13, 1998)
 OH980026 (Feb. 13, 1998)
 OH980027 (Feb. 13, 1998)
 OH980028 (Feb. 13, 1998)
 OH980029 (Feb. 13, 1998)
 OH980032 (Feb. 13, 1998)
 OH980035 (Feb. 13, 1998)

Volume V:

Iowa

IA980002 (Feb. 13, 1998)
 IA980006 (Feb. 13, 1998)

Kansas

KS980006 (Feb. 13, 1998)
 KS980007 (Feb. 13, 1998)
 KS980008 (Feb. 13, 1998)
 KS980011 (Feb. 13, 1998)
 KS980012 (Feb. 13, 1998)
 KS980013 (Feb. 13, 1998)
 KS980015 (Feb. 13, 1998)
 KS980018 (Feb. 13, 1998)
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 KS980023 (Feb. 13, 1998)
 KS980025 (Feb. 13, 1998)
 KS980026 (Feb. 13, 1998)
 KS980028 (Feb. 13, 1998)
 KS980035 (Feb. 13, 1998)

Louisiana

LA980005 (Feb. 13, 1998)
 LA980009 (Feb. 13, 1998)
 LA980018 (Feb. 13, 1998)

Volume VI:

Colorado

CO980006 (Feb. 13, 1998)
 CO980008 (Feb. 13, 1998)

CO980009 (Feb. 13, 1998)
 CO980016 (Feb. 13, 1998)
 CO980018 (Feb. 13, 1998)
 CO980025 (Feb. 13, 1998)

North Dakota

ND980001 (Feb. 13, 1998)
 ND980003 (Feb. 13, 1998)
 ND980004 (Feb. 13, 1998)
 ND980005 (Feb. 13, 1998)

Washington

WA980002 (Feb. 13, 1998)
 WA980011 (Feb. 13, 1998)

Wyoming

WY980004 (Feb. 13, 1998)

Volume VII:

None

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, D.C. 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, D.C., this 13th day of February 1998.

Carl J. Poleskey,

Chief, Branch of Construction Wage Determinations.

[FR Doc. 98-4202 Filed 2-19-98; 8:45 am]

BILLING CODE 4510-27-M

DEPARTMENT OF LABOR**Mine Safety and Health Administration****The "Significant and Substantial" Phrase in Sections 104(d) and (e) of the Federal Mine Safety and Health Act of 1977; Interpretative Bulletin**

AGENCY: Mine Safety and Health Administration (MSHA), Labor.

ACTION: Notice, request for comments.

SUMMARY: MSHA is announcing a public comment period concerning the Interpretative Bulletin providing notice of the Secretary's interpretation of the statutory phrase "significant and substantial" appearing in sections 104(d) and (e) of the Federal Mine Safety and Health Act of 1977 (Mine Act). The Interpretative Bulletin was published in the **Federal Register** on February 5, 1998 (63 FR 6012). The Agency solicits public comment concerning the implementation and impact of the Secretary's interpretation of the "significant and substantial" phrase.

DATES: Comments must be submitted on or before April 21, 1998.

ADDRESSES: A copy of the Interpretative Bulletin may be obtained from the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, Virginia 22203.

Comments on the Interpretative Bulletin may be transmitted by electronic mail, fax, or mail, or dropped off in person at any MSHA office. Comments by electronic mail must be clearly identified as such and sent to this e-mail address:

comments@msha.gov. Comments by fax must be clearly identified as such and sent to: MSHA, Office of Standards, Regulations, and Variances, 703-235-5551. Send mail comments to: MSHA, Office of Standards, Regulations, and Variances, Room 631, 4015 Wilson Boulevard, Arlington, VA 22203-1984.

FOR FURTHER INFORMATION CONTACT: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 703-235-1910.

SUPPLEMENTARY INFORMATION: The purpose of the Interpretative Bulletin is to provide notice of the Secretary's interpretation of the statutory phrase "significant and substantial" appearing in sections 104(d) and (e) of the Mine Act. The Secretary's Interpretative Bulletin noted that "a violation must be found to be 'significant and substantial' as long as it is shown to present a hazard that is more than remote or speculative." The Interpretative Bulletin