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[FR Doc. 95-9030 Filed 4-13-95; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### 20 CFR Part 638

##### Job Corps: Allowances and Allotments

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Final rule.

**SUMMARY:** Job Corps is amending its regulations on student allowances and allotments. The objectives are: to increase the length of enrollment requirements for readjustment allowance eligibility, in order to encourage students to lengthen their enrollment and maximize Job Corps offerings and benefits; and to amend the allotment section to coincide with revisions in readjustment allowance accrual.

**EFFECTIVE DATE:** May 15, 1995.

**FOR FURTHER INFORMATION CONTACT:** Dana Davidson Johnson, Office of Job Corps, Division of Program Management and Review. Telephone: (202) 219-6568 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** Job Corps is implementing a new pay and allotment system which will provide students with enough money to meet their basic needs, while adding greater incentives than are available in the current system to encourage student retention, performance, program completion, and length of enrollment. The rule enables the Job Corps Director to increase the number of paid days for eligibility for readjustment allowances. This will encourage students to stay in the program longer. Students thus can be better prepared for employment, particularly because this added time will encourage students to acquire social skills along with vocational and academic training.

Payroll will be conducted on a biweekly schedule versus the current twice-monthly procedure. The rule ties into the implementation of the new Student Pay, Allowance and Management Information System (SPAMIS) utilized by Job Corps. The

new pay system will be much more responsive than the current system, with individual student pay levels and leave status maintained on a current basis and status changes made by the Job Corps Centers as they occur. The rule allows the accrual of readjustment allowances to be set for each paid day and allotments to be processed on a biweekly basis.

This was published as a proposed rule, with a request for comments, on November 1, 1994, 59 FR 54539-54540. Only one comment was received in response to the proposed rule—the Georgia Department of Labor encourages Job Corps to promulgate the rule in final as proposed. The Department of Labor agrees and in this document is doing so.

This rule applies only to allowances and allotments for Job Corps students. The rule is not classified as a “significant regulatory action” under Executive Order 12866, “Regulatory Planning and Review”. It does not (1) materially alter the budgetary impact of entitlements or the rights and obligations of recipients thereof; or (2) raise novel legal or policy issues arising out of legal mandates in the President’s priorities. It is not likely (3) to result in having an annual effect on the economy of \$100 million or more; or (4) to create a serious inconsistency or interfere with action taken or planned by another agency. As required by the Regulatory Flexibility Act, the Department of Labor at the time the proposed rule was published, notified the Chief Counsel for Advocacy, Small Business Administration, and made the certification pursuant to 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

##### List of Subjects in 20 CFR Part 638

Contract programs, Labor, Training and employment programs.

##### Final Rule

Accordingly, 20 CFR part 638 is amended as follows:

1. The authority for part 638 continues to read as follows:

Authority: 29 U.S.C. 1579(a).

2. In § 638.524, paragraphs (b) and (c) are revised to read as follows:

##### § 638.524 Allowances and allotments.

\* \* \* \* \*

(b) The Job Corps Director shall ensure that each student receives a readjustment allowance for each paid day of satisfactory participation in Job Corps after termination from the program if he/she terminates after 210 days in pay status or after 180 days if

he/she is a maximum benefits or vocational completer. In the event that a student receives a medical termination, he/she shall be eligible for the accrued readjustment allowance, regardless of length of stay or other considerations. See also paragraph (d) of this section. (Section 429(c)).

(c) The Job Corps Director shall establish procedures to allow students to authorize deductions from their readjustment allowance, which shall be matched by an equal amount from Job Corps funds and sent biweekly as an allotment by the SPAMIS Data Center to the student’s spouse, child(ren) or other dependent, if such spouse, child(ren) or other dependent resides in any State in the United States.

\* \* \* \* \*

Signed at Washington, DC, this 3rd day of April 1995.

Robert B. Reich,  
*Secretary of Labor.*

[FR Doc. 95-9277 Filed 4-13-95; 8:45 am]

BILLING CODE 4510-30-M

## Occupational Safety and Health Administration

#### 29 CFR Part 1960

##### Basic Program Elements for Federal Employee Occupational Safety and Health Programs; Recordkeeping Requirements

**AGENCY:** Occupational Safety and Health Administration, Labor.

**ACTION:** Final rule.

**SUMMARY:** OSHA is amending the recordkeeping requirements of its basic program element for Federal employee occupational safety and health programs. The changes hereby being made in 29 CFR part 1960 reflect the reporting requirements for private sector employers set forth at 29 CFR 1904.8.

**EFFECTIVE DATE:** This regulation is effective April 14, 1995.

**FOR FURTHER INFORMATION CONTACT:** Mr. John E. Plummer, Director, Office of Federal Agency Programs, Room N3112, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C., 20210 (202-219-9329).

**SUPPLEMENTARY INFORMATION:** This modification to the requirements for reporting of fatalities and catastrophes occurring in Federal agencies set forth at 29 CFR 1960.70 is undertaken to make the reporting of such occurrences involving employees of the Federal government the same as those in private industry. The Federal workers should enjoy the same level of protection afforded an employee in the private

sector. This change will ensure the reporting of these serious incidents in a timely manner and enable OSHA to respond more quickly and efficiently.

This revision is procedural in character, therefore, this rule is not classified as a "major rule" under Executive Order 12291 because it is not likely to result in (1) an annual effect on the economy of \$100 million or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of the United States based enterprises to compete with foreign based enterprises in domestic or export markets. Accordingly, no regulatory impact analysis is required.

This regulation changes the reporting requirements for fatalities and catastrophes in the Federal sector to reflect the requirements in the private sector. It does not add additional burden for the agencies. Therefore, it is not necessary to publish it for notice and comment pursuant to 5 U.S.C. 553(b).

Under authority granted by the United States Code, Title 5, sections 553 and 7902; the Occupational Safety and Health Act, sections 19 and 24; and Executive Order 12196, the Secretary of Labor is authorized to make these procedural revisions to 29 CFR part 1960.

Authority: This document was prepared under the direction of Mr. Joseph A. Dear, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

Accordingly, pursuant to sections 19 and 24 of the Occupational Safety and Health Act of 1970 (84 Stat. 1609, 1614; 29 U.S.C. 668, 673), 5 U.S.C. 553, Secretary of Labor's Order No. 1-90 (55 FR 9033), and Executive Order 12196, 29 CFR part 1960 is revised to make reporting requirements for fatalities and catastrophes in the Federal sector the same as those requirements in the private sector.

#### List of Subjects in 29 CFR Part 1960

Government employees, Occupational safety and health, Reporting and recordkeeping requirements.

Signed at Washington, DC, this 10th day of April 1995.

Joseph A. Dear,  
Assistant Secretary.

For the reason set forth in the preamble, part 1960 of chapter XVII of title 29 of the Code of Federal

Regulations is amended to read as follows:

#### **PART 1960—BASIC PROGRAM ELEMENTS FOR FEDERAL EMPLOYEE OCCUPATIONAL SAFETY AND HEALTH PROGRAMS**

1. The authority citation for part 1960 is revised to read as follows:

Authority: Sections 19 and 24 of the Occupational Safety and Health Act of 1970 (84 Stat. 1609, 1614; 29 U.S.C. 668, 673), 5 U.S.C. 553, Secretary of Labor's Order No. 1-90 (55 FR 9033), and Executive Order 12196.

2. Part 1960 of 29 CFR is amended by revising § 1960.70 to read as follows:

#### **§ 1960.70 Reporting of serious accidents.**

(a) Within 8 hours after the death of any employee from a work-related incident or the in-patient hospitalization of three or more employees as a result of a work-related incident, the Federal Agency head or his/her designee shall orally report the fatality/multiple hospitalization by telephone or in person to the Area Office of the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor, that is nearest to the site of the incident, or by using the OSHA toll-free central telephone number.

(b) This requirement applies to each such fatality or hospitalization of three or more employees which occurs within thirty (30) days of an incident.

(c) Exception: If the Federal Agency Head or designee does not learn of a reportable incident at the time it occurs and the incident would otherwise be reportable under paragraphs (a) and (b) of this section, the Federal Agency Head or designee shall make the report within 8 hours of the time the incident is reported to any agent or employee of the employer.

(d) Each report required by this section shall relate the following information: Establishment name; location of incident; time of the incident; number of fatalities or hospitalized employees; contact person; phone number; and a brief description of the incident.

(e) Agencies shall provide the Office of Federal Agency Programs with a summary report of each fatal and catastrophic accident investigation. The summaries shall address the date/time of accident, agency/establishment name and location, and consequences, description of operation and the accident, causal factors, applicable standards and their effectiveness, and agency corrective/preventive actions.

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#### **PENSION BENEFIT GUARANTY CORPORATION**

#### **29 CFR Parts 2610 and 2622**

#### **Late Premium Payments and Employer Liability Underpayments and Overpayments; Interest Rate for Determining Variable Rate Premium; Amendments to Interest Rates**

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Final rule.

**SUMMARY:** This document notifies the public of the interest rate applicable to late premium payments and employer liability underpayments and overpayments for the calendar quarter beginning April 1, 1995. This interest rate is established quarterly by the Internal Revenue Service. This document also sets forth the interest rates for valuing unfunded vested benefits for premium purposes for plan years beginning in February 1995 through April 1995. These interest rates are established pursuant to section 4006 of the Employee Retirement Income Security Act of 1974, as amended. The effect of these amendments is to advise plan sponsors and pension practitioners of these new interest rates.

**EFFECTIVE DATE:** April 1, 1995.

**FOR FURTHER INFORMATION CONTACT:** Harold J. Ashner, Assistant General Counsel, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005-4026; telephone 202-326-4024 (202-326-4179 for TTY and TTD). These are not toll-free numbers.

**SUPPLEMENTARY INFORMATION:** As part of title IV of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), the Pension Benefit Guaranty Corporation ("PBGC") collects premiums from ongoing plans to support the single-employer and multiemployer insurance programs. Under the single-employer program, the PBGC also collects employer liability from those persons described in ERISA section 4062(a). Under ERISA section 4007 and 29 CFR 2610.7, the interest rate to be charged on unpaid premiums is the rate established under section 6601 of the Internal Revenue Code ("Code"). Similarly, under 29 CFR 2622.7, the interest rate to be credited or charged with respect to overpayments or underpayments of employer liability is the section 6601 rate. These interest rates are published by the PBGC in appendix A to the premium regulation and appendix A to the employer liability regulation.