

# Rules and Regulations

Federal Register

Vol. 60, No. 88

Monday, May 8, 1995

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.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 532

RIN 3206-AG53

#### Prevailing Rate Systems; Abolishment of New York, NY, Special Wage Schedules for Printing Positions

**AGENCY:** Office of Personnel Management.

**ACTION:** Final rule.

**SUMMARY:** The Office of Personnel Management is issuing a final rule to abolish the Federal Wage System special wage schedule for printing positions in the New York, New York, wage area. Printing and lithographic employees in New York, New York, will now be paid rates from the regular New York, New York, wage schedule.

**EFFECTIVE DATE:** June 7, 1995.

**FOR FURTHER INFORMATION CONTACT:** Paul Shields, (202) 606-2848.

**SUPPLEMENTARY INFORMATION:** On January 27, 1995, OPM published an interim rule to abolish the Federal Wage System special wage schedule for printing positions in the New York, New York, wage area. The interim rule provided a 30-day period for public comment. OPM received no comments during the comment period. Therefore, the interim rule is being adopted as a final rule.

#### 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.

Accordingly, under the authority of 5 U.S.C. 5343, the interim rule amending 5 CFR part 532 published on January 27, 1995 (60 FR 5312), is adopted as final without any changes.

Office of Personnel Management.

**Lorraine A. Green,**  
*Deputy Director.*

[FR Doc. 95-11178 Filed 5-5-95; 8:45 am]

**BILLING CODE** 6325-01-M

### 5 CFR Part 630

RIN 3206-AG45

#### Absence and Leave; Use of Restored Annual Leave

**AGENCY:** Office of Personnel Management.

**ACTION:** Final rule.

**SUMMARY:** The Office of Personnel Management is issuing final regulations to provide employees with additional time in which to use restored annual leave that was forfeited as a result of employment at a Department of Defense installation undergoing closure or realignment.

**EFFECTIVE DATE:** June 7, 1995.

**FOR FURTHER INFORMATION CONTACT:** Sharon Herzberg, (202) 606-2858.

**SUPPLEMENTARY INFORMATION:** On December 7, 1994, the Office of Personnel Management (OPM) published interim regulations (59 FR 62971) that provided relief to Federal employees at Department of Defense (DOD) installations undergoing closure or realignment who accumulate large amounts of restored annual leave under the provisions of section 4434 of Public Law 102-484, the National Defense Authorization Act for fiscal year 1993, and sections 341 and 2816 of Public Law 103-337, October 5, 1994, the National Defense Authorization Act for fiscal year 1995. These provisions of law amended 5 U.S.C. 6304(d) to provide that any annual leave in excess of the maximum limitation that is accrued by an employee at a DOD installation undergoing closure or realignment must be restored and credited to the employee in a separate leave account.

During the 60-day comment period, OPM received two comments, one from a labor organization and one from an individual. Following is a summary of the comments.

#### Time Limit for Using Restored Annual Leave

Employees remaining for several years at closing DOD installations or DOD installations undergoing realignment may accumulate large amounts of restored annual leave in their separate accounts established under 5 U.S.C. 6304(d)(3). After the employee leaves the DOD base undergoing closure or realignment, the employee and the employer are confronted with the prospect of the employee having to use sizable amounts of annual leave at the gaining agency or organization within a limited period of time. The interim regulations provided relief to affected employees by—

- Establishing a longer period of time for using annual leave restored under 5 U.S.C. 6304(d)(3), based on the amount of restored leave in the employee's separate leave account and using formulas similar to the formulas used in back pay computations under 5 CFR 550.805(g);
- Deferring the start of the time period for using restored annual leave under 5 U.S.C. 6304(d)(3) until the employee no longer works at a closing DOD installation or a DOD installation undergoing realignment; and
- Permitting the head of an agency to exempt covered employees who move during the leave year to an installation not undergoing closure or realignment from the requirement to schedule excess annual leave in advance in order for such leave to be considered for restoration.

Both the individual and the labor organization objected to OPM's formula for calculating the time limit for use of restored annual leave and suggested increasing the limit. The individual suggested that all employees be given 5 years to use restored annual leave. The labor organization also suggested that OPM allow employees 5 years to use the restored annual leave or that OPM designate base closures and realignments as "extended exigencies of the public business" and follow the procedures outlined in 5 CFR 630.309. The labor organization alternatively proposed that, under the procedures outlined for extended exigencies, affected employees be given 2 years to use excess annual leave for every year or portion of a year the employee was covered under 5 U.S.C. 6304(d)(3)—i.e., an employee covered under 5 U.S.C.