

AK020006 (Mar. 1, 2002)  
 AK020008 (Mar. 1, 2002)  
 Idaho  
 ID020001 (Mar. 1, 2002)  
 Montana  
 MT020002 (Mar. 1, 2002)  
 Oregon  
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 OR020017 (Mar. 1, 2002)  
 Washington  
 WA020002 (Mar. 1, 2002)  
 WA020003 (Mar. 1, 2002)  
 WA020007 (Mar. 1, 2002)  
 WA020023 (Mar. 1, 2002)

#### Volume VII

None

#### General Wage Determination Publication

General wage determination 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.

General wage determinations issued under the Davis-Bacon and related Acts are available electronically at no cost on the Government Printing Office site at [www.access.gpo.gov/davisbacon](http://www.access.gpo.gov/davisbacon). They are also available electronically by subscription to the Davis-Bacon Online Service (<http://davisbacon.fedworld.gov>) of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1-800-363-2068. This subscription offers value-added features such as electronic delivery of modified wage decisions directly to the user's desktop, the ability to access prior wage decisions issued during the year, extensive Help desk Support, etc.

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Signed at Washington, DC, this 22nd day of August 2002.

**Carl J. Poleskey,**  
*Chief, Branch of Construction Wage  
 Determinations.*

[FR Doc. 02-21765 Filed 8-29-02; 8:45 am]

**BILLING CODE 4510-27-M**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### Notice of Signing of a Memorandum of Understanding Between the Federal Aviation Administration (FAA) and the Occupational Safety and Health Administration (OSHA)

August 30, 2002.

**AGENCIES:** Occupational Safety and Health Administration, Department of Labor and Federal Aviation Administration, Department of Transportation.

**SUMMARY:** The Federal Aviation Administration (FAA) and the Occupational Safety and Health Administration (OSHA) entered into a Memorandum of Understanding (MOU), effective March 22, 2002. The purpose of the MOU is to facilitate coordination and cooperation concerning the employee protection provisions of the Aviation Whistleblower Protection Program, 49 U.S.C. 42121. Both agencies agree that administrative efficiency and sound enforcement policies will be maximized by this cooperation and the timely exchange of information in areas of mutual interest. The text of the MOU is set forth below.

**FOR FURTHER INFORMATION CONTACT:** John Spear, Occupational Safety and Health Administration, Room N03468, 200 Constitution Avenue, NW., Washington, DC 20210, telephone (202) 693-2187. This is not a toll-free number.

**Authority:** 49 U.S.C. 42121; Secretary of Labor's Order No. 3-2000, 65 FR 50017 (August 16, 2000).

Signed at Washington, DC, this 15 day of August, 2002.

For the Occupational Safety and Health Administration.

**John L. Henshaw,**  
*Assistant Secretary, Occupational Safety and  
 Health Administration.*

#### Memorandum of Understanding Between The Federal Aviation Administration, U.S. Department of Transportation and The Occupational Safety and Health Administration, U.S. Department of Labor

##### I. Purpose

The purpose of this Memorandum of Understanding (MOU) is to facilitate coordination and cooperation concerning the protection of employees who provide air

safety information under the provisions of Section 519 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, 49 U.S.C. 42121.

##### II. Background

The Aviation Whistleblower Protection Program, 49 U.S.C. 42121, prohibits air carriers, air carrier contractors, and air carrier subcontractors from discharging an employee or otherwise discriminating against an employee with respect to compensation, terms, conditions, or privileges of employment because the employee (or any person acting pursuant to a request of the employee)—(1) Provided, caused to be provided, or is about to provide (with any knowledge of the employer) or cause to be provided to the employer or Federal Government information relating to any violation or alleged violation of any order, regulation, or standard of the Federal Aviation Administration (FAA) or any other provision of Federal law relating to air carrier safety under this subtitle or any other law of the United States; (2) has filed, caused to be filed, or is about to file (with any knowledge of the employer) or cause to be filed a proceeding relating to any violation or alleged violation of any order, regulation, or standard of FAA or any other provision of Federal law relating to air carrier safety under this subtitle or any other law of the United States; (3) testified or is about to testify in such a proceeding; or (4) assisted or participated or is about to assist or participate in such a proceeding.

FAA and the Secretary of Labor, through the Occupational Safety and Health Administration (OSHA), both have responsibilities related to 49 U.S.C. 42121. FAA has responsibility to investigate complaints related to air carrier safety and has authority under the FAA's statute to enforce air safety regulations and issue sanctions to airmen and air carriers for noncompliance with these regulations. FAA enforcement action may include air carrier and/or airman certificate suspension and/or revocation and/or the imposition of civil penalties. Additionally, FAA may issue civil penalties for violations of 49 U.S.C. 42121. OSHA has the responsibility to investigate employee complaints of discrimination and may order a violator to take affirmative action to abate the violation, reinstate the complainant to his or her former position with back pay, and award compensatory damages, including attorney fees.

Although FAA and OSHA will carry out their statutory responsibilities independently, the agencies agree that administrative efficiency and sound enforcement policies will be maximized by cooperation and the timely exchange of information in areas of mutual interest.

##### III. Process for Coordination

This MOU sets forth a process that FAA and OSHA agree to follow.

FAA and OSHA will establish a procedure for coordinating and supporting enforcement of 49 U.S.C. 42121. OSHA agrees to promptly notify the FAA national headquarters Whistleblower Protection Program point of contact of any discrimination complaints

filed with the Department of Labor (DOL) under 49 U.S.C. 42121. OSHA will promptly provide FAA with a copy of the complaint, findings and preliminary orders, investigation reports, and orders associated with any hearing or administrative appeal related to the complaint. OSHA will also keep FAA currently informed of the status of any administrative or judicial proceeding seeking review of an order of DOL issued under 49 U.S.C. 42121.

When an individual directly notifies FAA of alleged discrimination that involves air carrier safety, FAA will investigate the safety complaint and will provide OSHA with a copy of the individual's allegations. FAA will inform the individual that a personal remedy for discrimination is available only through DOL and that the individual should personally contact DOL. FAA will provide the individual with the local address and telephone number of the nearest OSHA office and advise the individual that the law requires that complaints be filed with OSHA within ninety (90) days of the alleged discrimination.

FAA and OSHA agree to cooperate with each other to the fullest extent possible in every case of alleged discrimination involving an employee of air carrier or air carrier contractor or subcontractor of an air carrier. Each agency agrees to share all information it obtains relating to each complaint of discrimination and will adopt mutually agreeable procedures for the protection of information that either agency deems confidential.

Each agency shall designate and maintain points of contact within its national headquarters and regional offices for purposes of implementation of this MOU and continued program oversight. A national headquarters Aviation Whistleblower Protection Program point of contact will be established and identified by each agency within ten (10) days after the effective date of this agreement. Regional office points of contact for each agency will be identified within six (6) months after the effective date of this agreement. Matters affecting program procedures and policy issues will be handled by the respective national headquarters office of each agency.

#### IV. Implementation

The FAA official responsible for implementation of this Agreement is the FAA Administrator; the DOL official responsible for implementation of this Agreement is the OSHA Assistant Secretary.

#### V. Amendment and Termination

This Agreement may be amended or modified upon written agreement by both parties to the Agreement. The Agreement may be terminated upon ninety (90) days written notice by either party.

#### VI. Legal Effect

Nothing in this MOU is intended to diminish or otherwise affect the authority of either agency to implement its respective statutory functions, including the OSHA authority under the Occupational Safety and Health Act, 29 U.S.C. 651 *et seq.*, nor is it intended to create any right or benefit, substantive or procedural, enforceable at law

by a party against the United States, its agencies, its officers, or any other person. This MOU is effective upon signature by both parties.

Dated: March 11, 2002.

**Jane F. Garvey,**

*Administraton, Federal Aviation Administration, U.S. Department of Transportation.*

Dated: March 22, 2002.

**John L. Henshaw,**

*Assistant Secretary, Occupational Safety and Health, U.S. Department of Labor.*

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**BILLING CODE 4510-26-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. GE2002-1]

#### Request for Comments on Ergonomics for the Prevention of Musculoskeletal Disorders: Guidelines for Nursing Homes

**AGENCY:** Occupational Safety and Health Administration (OSHA); Department of Labor.

**ACTION:** Request for comments.

**SUMMARY:** The Department of Labor is inviting comments on its draft Ergonomics for the Prevention of Musculoskeletal Disorders: Guidelines for Nursing Homes (draft guidelines). The draft guidelines are available on OSHA's Web site and through its publications office. Interested persons may submit written comments on the draft guidelines. The Department will also hold a stakeholder meeting where the public will be invited to express its views on the draft guidelines.

**DATES: Written Comments:** Comments must be submitted by the following dates: *Hard Copy.* Your comments must be submitted (postmarked or sent) by September 30, 2002.

*Facsimile and electronic transmission:* Your comments must be sent by September 30, 2002.

(Please see the **SUPPLEMENTARY INFORMATION** below for additional information on submitting comments.)

*Stakeholder meeting.* A one-day stakeholder meeting will be held in the Washington, DC metropolitan area to discuss the draft guidelines. The exact location and date of the stakeholder meeting will be announced following the close of the comment period. OSHA requests that interested parties submit their intention to participate in the stakeholder meeting through express delivery, hand delivery, messenger

service, fax or electronic means by September 19, 2002.

#### ADDRESSES:

#### I. Submission of Comments and Intention To Participate in Stakeholder Meeting

*Regular mail, express delivery, hand-delivery, and messenger service:* You must submit three copies of your comments and attachments to the OSHA Docket Office, Docket No. GE2002-1, Room N-2625, Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, telephone (202) 693-2350. OSHA Docket Office and Department of Labor hours of operation are 8:15 a.m. to 4:45 p.m., EST. You must submit one copy of your intent to participate in the meeting by express deliver, hand deliver, or messenger service to the above address.

*Facsimile:* If your comments, including any attachments, are 10 pages or fewer, you may fax them to the OSHA Docket Office at (202) 693-1648. You must include the docket number of this document, Docket No. GE2002-1, in your comments. Intention to participate in the stakeholder meeting may also be faxed.

*Electronic:* You may submit comments (but not attachments) and your intention to participate in the stakeholder meeting through the Internet at <http://ecomments.osha.gov/>. (Please see the **SUPPLEMENTARY INFORMATION** below for additional information on submitting comments.)

#### II. Obtaining Copies of the Draft Guidelines

The draft guidelines for the nursing home industry are available for downloading from OSHA's Web site at [www.osha.gov](http://www.osha.gov). A printed copy of the draft guidelines is available from the OSHA Publications Office, Room N-3101, Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, or by telephone at (800) 321-OSHA (6742). You may fax your request for a copy of the draft guidelines to (202) 693-2498.

**FOR FURTHER INFORMATION CONTACT:** Steven F. Witt, OSHA Directorate of Standards and Guidance, Room N-3718, Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, telephone (202) 693-1950.

#### SUPPLEMENTARY INFORMATION:

#### I. Submission of Comments on This Notice and Internet Access to Comments

You may submit comments in response to this document by (1) hard copy, (2) fax transmission (facsimile), or