

Rules and Regulations

Federal Register

Vol. 68, No. 3

Monday, January 6, 2003

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-AJ64

Prevailing Rate Systems; Redefinition of the Scranton-Wilkes-Barre, PA, Appropriated Fund Wage Area

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management is issuing a final rule to redefine Tioga County, Pennsylvania, from the Scranton-Wilkes-Barre, PA, appropriated fund Federal Wage System (FWS) wage area to the Rochester, New York, FWS wage area. This redefinition will better reflect economic trends in the area, which indicate that a linkage exists between Tioga County and the Rochester wage area. The change also will conform more accurately to the regulatory criteria we use to define FWS wage areas.

DATES: Effective Date February 5, 2003. Affected employees will be moved to the wage schedule for the Rochester wage area on the first day of the first applicable pay period beginning on or after the effective date of this final rule.

FOR FURTHER INFORMATION CONTACT: Chenty I. Carpenter at (202) 606-2838; FAX at (202) 606-4264; or e-mail at cicarpen@opm.gov.

SUPPLEMENTARY INFORMATION: On August 1, 2002, the Office of Personnel Management (OPM) published a proposed rule to redefine Tioga County, Pennsylvania, from the Scranton-Wilkes-Barre, PA, appropriated fund Federal Wage System (FWS) wage area to the Rochester, New York, FWS wage area (67 FR 49878). The proposed rule provided a 30-day period for public comment, during which OPM received no comments.

Tioga County is currently an area of application in the Scranton-Wilkes-Barre wage area. This change to redefine the county to the Rochester wage area is necessary because economic trends indicate more linkage between Tioga County and the Rochester survey area than between Tioga County and the Scranton-Wilkes-Barre survey area.

OPM considers the following regulatory criteria in 5 CFR 532.211 when defining FWS wage area boundaries:

- (i) Distance, transportation facilities, and geographic features;
- (ii) Commuting patterns; and
- (iii) Similarities in overall population, employment, and the kinds and sizes of private industrial establishments.

Based on our analysis of the regulatory criteria for defining appropriated fund FWS wage areas, we find that Tioga County would be more appropriately defined as part of the Rochester wage area. The distance criterion favors the Rochester wage area more than the Scranton-Wilkes-Barre wage area. The commuting patterns criterion favors the Rochester wage area. An additional factor we considered was that Tioga County is adjacent to the Rochester survey area, but not to the Scranton-Wilkes-Barre survey area. This change will affect about 10 Department of the Army employees and 1 Department of the Interior employee.

The Federal Prevailing Rate Advisory Committee (FPRAC), the national labor-management committee that advises OPM on FWS pay matters, recommended this change by consensus. Based on its review of the regulatory criteria for defining FWS wage areas, FPRAC recommended no other changes in the geographic definitions of the Rochester or Scranton-Wilkes-Barre FWS wage areas.

Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities because it affects 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.

Office of Personnel Management.

Kay Coles James,
Director.

Accordingly, the 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. In appendix C to subpart B, the wage area listing for the State of New York is amended by revising the listing for Rochester; and for the State of Pennsylvania, by revising the listing for Scranton-Wilkes-Barre, to read as follows:

Appendix C to Subpart B of Part 532—Appropriated Fund Wage and Survey Areas

* * * * *

New York

* * * * *

Rochester

Survey Area

New York:
Livingston
Monroe
Ontario
Orleans
Steuben
Wayne

Area of Application. Survey Area Plus

New York:

Allegany
Chemung
Genesee
Schuyler
Seneca
Wyoming
Yates

Pennsylvania:

Tioga
* * * * *

Pennsylvania

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Scranton-Wilkes-Barre

Survey Area

Pennsylvania:
Lackawanna
Luzerne
Monroe

Area of Application. Survey Area Plus

Pennsylvania:

Bradford

Carbon

Lycoming (Excluding Allenwood Federal
Prison Camp)

Pike

Sullivan

Susquehanna

Wayne

Wyoming

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[FR Doc. 03-215 Filed 1-3-03; 8:45 am]

BILLING CODE 6325-39-P

**OFFICE OF PERSONNEL
MANAGEMENT****5 CFR Part 532**

RIN 3206-AJ63

**Prevailing Rate Systems; Change in
Federal Wage System Survey Job****AGENCY:** Office of Personnel
Management.**ACTION:** Final rule.**SUMMARY:** The Office of Personnel
Management is issuing a final rule that
will allow the Department of Defense to
use the Maintenance Mechanic Federal
Wage System (FWS) survey job without
having to seek OPM's approval on a
case-by-case basis. This change will
improve the local FWS wage survey
process.**DATES:** Effective Date February 5, 2003.**FOR FURTHER INFORMATION CONTACT:**
Chenty I. Carpenter, (202) 606-2848,
FAX: (202) 606-0824, or e-mail
cicarpen@opm.gov.**SUPPLEMENTARY INFORMATION:** On August
1, 2002, the Office of Personnel
Management (OPM) issued a proposed
rule to permit the Department of
Defense (DOD) to use the Maintenance
Mechanic Federal Wage System (FWS)
survey job on an optional basis without
having to seek OPM's advance approval.
The Maintenance Mechanic survey job
is now used routinely in many FWS
wage areas because of changes in the
structure of both Federal and private
sector maintenance work. The proposed
rule provided a 30-day period for public
comment, during which OPM received
no comments.OPM's regulations contain required
and optional survey jobs. If a particular
survey job does not appear on either list,
but is needed for a local wage survey,
an agency must request OPM's written
approval. The Federal Prevailing Rate
Advisory Committee (FPRAC)
established a Survey Job Work Group
(SJWG) to review FWS survey jobdescriptions. The SJWG recommended
that OPM add the Maintenance
Mechanic survey job to the list of
optional FWS survey jobs. Adding the
Maintenance Mechanic survey job to the
list of optional survey jobs would enable
DOD to use the survey job at its
discretion without having to ask OPM
for prior approval. This will allow DOD
to save time when conducting FWS
wage surveys. FPRAC agreed with its
working group and recommended that
OPM make this change.**Regulatory Flexibility Act**I certify that this regulation will not
have a significant economic impact on
a substantial number of small entities
because it will affect only Federal
agencies and employees.**Executive Order 12866, Regulatory
Review**This rule has been reviewed by the
Office of Management and Budget in
accordance with Executive Order 12866.**List of Subjects in 5 CFR Part 532**Administrative practice and
procedure, Freedom of information,
Government employees, Reporting and
recordkeeping requirements, Wages.

Office of Personnel Management.

Kay Coles James,*Director.*Accordingly, the 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.**§ 532.217 [Amended]**2. In § 532.217, paragraph (c) is
amended by adding the job
"Maintenance Mechanic" and grade
"10" after Television Station Mechanic.
[FR Doc. 03-216 Filed 1-3-03; 8:45 am]

BILLING CODE 6325-39-P

DEPARTMENT OF AGRICULTURE**Food Safety and Inspection Service****9 CFR Parts 317 and 381**

[Docket No. 02-0251F]

RIN 0583-AC93

**Food Labeling; Nutrient Content
Claims, Definition of the Term: Healthy****AGENCY:** Food Safety and Inspection
Service, USDA.**ACTION:** Interim final rule.**SUMMARY:** The Food Safety and
Inspection Service (FSIS) is extending
until January 1, 2006, the effective date
for the requirements: That individual
meat and poultry products bearing the
claim "healthy" (or any other derivative
of the term "health") contain no more
than 360 milligrams (mg) of sodium;
and that meal-type products bearing the
claim "healthy" (or any other derivative
of the term "health") contain no more
than 480 mg of sodium.**DATES:** Effective date: January 6, 2003.Comment date: Written comments
must be received February 5, 2003.**ADDRESSES:** Submit written comments
to the FSIS Docket Clerk, Docket #02-
0251F, 300 12th Street, SW., Room 102
Cotton Annex Building, Washington, DC
20250-3700. All comments submitted in
response to this interim final rule will
be made available for public inspection
in the Docket Clerk's office between
8:30 a.m. and 4:30 p.m., Monday
through Friday.**FOR FURTHER INFORMATION CONTACT:**
Robert Post, Ph.D., Director, Labeling
and Consumer Protection Staff, Office of
Policy and Program Development, Food
Safety and Inspection Service, 300 12th
Street, SW., Room 602 Cotton Annex
Building, Washington, DC 20250-3700,
(202) 205-0279.**SUPPLEMENTARY INFORMATION:****Background**On May 10, 1994, FSIS published a
final rule to establish a definition of the
term "healthy" or any other derivative
of the term "health" and similar terms
on meat and poultry product labeling
(59 FR 24220).¹ Under 9 CFR
317.363(b)(3) and 381.463(b)(3), after
November 10, 1997, an individual meat
or poultry product qualifying to use the
term "healthy" or any other derivative¹ Final Rule, Nutrition Labeling; Use of "Healthy"
and Similar Terms on Meat and Poultry Product
Labeling, 59 FR 24220-24229, May 10, 1994. This
document may be viewed in the FSIS Docket Room
Monday through Friday from 8:30 a.m. until 4:30
p.m., or accessed via the World Wide Web at
<http://www.access.gpo.gov>.