



In the Matter of:

**UNITED GOVERNMENT SECURITY  
OFFICERS OF AMERICA,**

**ARB Case No. 00-040**

**DATE: March 22, 2000**

***In re:* Application of Wage Determination**

**Nos: 94-2441, rev. 11, 8/19/98;  
94-2309, rev. 14, 7/27/98;  
94-2425, rev. 07, 9/28/98;  
94-2333, rev. 13, 7/28/98;  
94-2067, rev. 11, 9/24/98;  
94-2433, rev. 12, 6/01/98;  
94-2495, rev. 13, 7/23/98;**

**for the provision of court security services  
contracted by the General Security Services  
Corporation for the U.S. Marshal's Service.**

**BEFORE: THE ADMINISTRATIVE REVIEW BOARD**

**Appearances:**

*For the Petitioner:*

Bruce C. Cohen, Esq., *Clayton, Missouri*

### **DISMISSAL ORDER**

Pursuant to the McNamara-O'Hara Service Contract Act of 1965 (SCA), as amended, 41 U.S.C. §351 *et seq.*; the Contract Work Hours and Safety Standards Act, as amended, 40 U.S.C. §§327-32; and 29 C.F.R. Part 8, United Government Security Officers of America (Security Officers) petitioned the Administrative Review Board (Board) for review of a letter dated December 2, 1999, from Ken Hogan, an Investigator in the Department of Labor's Wage and Hour Division Minneapolis District Office. Security Officers previously had challenged the applicability of several wage determinations to various government contracts for security services with the U.S. Marshal's Service. In each instance, the challenged wage determination was based on collectively-bargained rates that had been negotiated between Security Officers and a signatory employer, General Security Services Corporation.

On February 22, 2000, the Board issued an order directing Security Officers to show cause why the appeal should not be dismissed for failure to comply with 29 C.F.R. §§4.56(a)(1) and (b)

and 29 C.F.R. §§8.1(b), 8.3. The Board noted that pursuant to 29 C.F.R. §8.1(b), the Board only has jurisdiction over the Wage and Hour Administrator's final decisions and that appeals of such decisions rendered pursuant to 29 C.F.R. §4.56(a)(1) must be appealed within 20 days of issuance. The Board observed that the letter from which Security Officers seeks review neither purports to be, nor even suggests that it is a **final** decision of the Administrator and in any event, the appeal of this letter was filed more than 20 days after Hogan "issued" the letter.

Security Officers failed to respond to the Board's Show Cause Order. Accordingly, we **DISMISS** Security Officers' petition for review.

**SO ORDERED.**

**PAUL GREENBERG**

Chair

**E. COOPER BROWN**

Member

**CYNTHIA L. ATTWOOD**

Member