



In the Matter of:

**REVIEW AND RECONSIDERATION OF  
WAGE RATES FOR CAPTAIN AND FIRST  
OFFICER, WAGE DETERMINATION 95-0229  
REV. 1, AS APPLIED TO UNITED STATES  
POSTAL SERVICE'S ANET AND WNET  
CONTRACTS FOR AIR TRANSPORTATION  
OF EXPRESS MAIL**

**ARB CASE NO. 97-033**

**DATE: January 23, 1998**

**BEFORE: THE ADMINISTRATIVE REVIEW BOARD**

**ORDER**

On July 25, 1997, the Administrative Review Board remanded this matter to the Wage and Hour Division to develop a full record and make a determination whether pilots and first officers flying freighter aircraft under a United States Postal Service contract are professional employees exempt from the provisions of the McNamara-O'Hara Service Contract Act of 1965, as amended, 41 U.S.C. §§ 351-358 (1988). One of the parties in this matter, individual employee captain Hal Winters has moved the Board for an order setting explicit time limits for the Wage and Hour Division to comply with the Board's remand order.

The motion is denied. If the Wage and Hour Division does not act on the Board's remand Order within a reasonable period of time, any party may seek an appropriate order from the Board under the regulations. 29 C.F.R. Part 8 (1997).

**SO ORDERED.**

**DAVID A. O'BRIEN**  
Chair

**KARL J. SANDSTROM**  
Member