



In the Matter of:

WACKENHUT CORRECTIONS

ARB Case No. 97-084

**With respect to request for
review of Wage Determination
94-2044, Kern County, California**

DATE: April 25, 1997

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

ORDER OF REMAND

In response to the Petition for Review filed in the captioned matter, the Acting Administrator filed a "Motion to Dismiss Request for Board Review of March 19, 1997 Letter." The Acting Administrator argues that the Wage and Hour Division's March 19, 1997 letter is not a final and appealable ruling within the requirements of 29 C.F.R. § 4.55(b). Based on the Acting Administrator's argument and statements concerning the procedural history of this dispute, the Board has determined that this matter is not ripe for review pursuant to the McNamara-O'Hara Service Contract Act, as amended, 41 U.S.C. § 351 *et seq.* and 29 C.F.R. Part 8.

Counsel for the Acting Administrator further avers that Petitioner's request for review (and supporting materials) were forwarded to the Wage and Hour Division for consideration and

issuance of a final and appealable ruling.¹ Accordingly, this matter is dismissed without prejudice and remanded to the Wage and Hour Division for consideration and issuance of a final and appealable ruling **on or before May 23, 1997.**

SO ORDERED.

DAVID A. O'BRIEN
Chair

KARL J. SANDSTROM
Member

JOYCE D. MILLER
Alternate Member

¹ Counsel for the Acting Administrator states in the Motion to Dismiss that the Wage and Hour Division “will make every reasonable effort to issue a final ruling on the request by May 12, 1997.”