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OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206-AH59

Prevailing Rate Systems; Abolishment of San Joaquin, California, Nonappropriated Fund Wage Area

AGENCY: Office of Personnel Management.

ACTION: Interim rule with request for comments.

SUMMARY: The Office of Personnel Management (OPM) is issuing an interim rule to abolish the San Joaquin, CA, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and redefine its sole county (San Joaquin County) as an area of application to the Sacramento, CA, NAF wage area for pay-setting purposes.

DATES: This interim rule becomes effective on September 17, 1996. Comments must be received by October 17, 1996. Employees currently paid rates from the San Joaquin, CA, NAF wage schedule will continue to be paid from that scheduled until their conversion to the Sacramento, CA, NAF wage schedule on April 18, 1997, 1 day before the effective date of the next Sacramento, CA, wage schedule.

ADDRESSES: Send or deliver comments to Donald J. Winstead, Assistant Director for Compensation Policy, Human Resources Systems Service, Office of Personnel Management, Room 6H31, 1900 E Street NW., Washington, DC 20415, or FAX: (202) 606-0824.

FOR FURTHER INFORMATION CONTACT: Angela Graham Humes, (202) 606-2848.

SUPPLEMENTARY INFORMATION: The Department of Defense recommended to OPM that the San Joaquin, CA, FWS NAF wage area be abolished and that the sole remaining county (San Joaquin County) be added as an area of

application to the Sacramento, CA, NAF wage area. This change is necessary because the Stockton Naval Communication Station, host installation for the wage area, will close on September 30, 1996. The remaining installation in the area, the Defense Distribution Region West, has approximately 18 FWS employees and no longer meets the minimum FWS employment criterion (26 employees) required to be a survey area.

As required in regulation, 5 CFR 532.219, the following criteria were considered in redefining these wage areas:

- (1) Proximity of largest activity in each county;
- (2) Transportation facilities and commuting patterns; and
- (3) Similarities of the counties in:
 - (i) Overall population;
 - (ii) Private employment in major industry categories; and
 - (iii) Kinds and sizes of private industrial establishments.

Proximity, similarities in overall population and total private sector employment, and the kinds and sizes of private industrial establishments all favor redefining San Joaquin County to the Sacramento, CA, NAF wage area. Of the regulatory criteria, only commuting patterns favor the Alameda-Contra Costa, CA, NAF wage area. Overall, the criteria support the redefinition of San Joaquin County to the Sacramento, CA, wage area.

The Federal Prevailing Rate Advisory Committee reviewed this recommendation and by consensus recommended approval.

Waiver of Notice of Proposed Rulemaking and Delayed Effective Date

Pursuant to 5 U.S.C. 553(b)(3)(B), I find that good cause exists for waiving the general notice of proposed rulemaking. Also, pursuant to section 553(d)(3) of title 5, United States Code, I find that good cause exists for making this rule effective in less than 30 days. The notice is being waived and the regulation is being made effective in less than 30 days so that advance preparations otherwise required for the 1997 San Joaquin, CA, NAF wage area survey may be canceled.

Regulatory Flexibility Act

I certify that these regulations will not have a significant economic impact on a substantial number of small entities

because they affect 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.

Lorraine A. Green,

Deputy Director.

Accordingly, OPM 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.

Appendix B to Subpart B of Part 532— [Amended]

2. Appendix B to subpart B is amended by removing the entry for San Joaquin in the listing for the State of California.

3. Appendix D to subpart B is amended by removing the wage area listing for San Joaquin, California, and by revising the listing for Sacramento, California, to read as follows: Appendix D to Subpart B of Part 532—Nonappropriated Fund Wage and Survey Areas

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CALIFORNIA

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SACRAMENTO

Survey area

California:

Sacramento

Area of Application. Survey area plus:

California:

San Joaquin (Effective date April 19, 1997)

Yuba

Oregon:

Jackson

Klamath

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[FR Doc. 96-23780 Filed 9-16-96; 8:45 am]

BILLING CODE 6325-01-M