controlled. More levels of supervision tend to be associated with a greater number of crafts supervised.

One employee asked how the four levels for Supervisors I-IV fit into the survey process. As explained in § 532.285 (b) and (c)(3) of the final regulation, survey jobs representing positions at up to four levels will be tailored to correspond to the positions of each covered supervisor in that area. They will be matched to private industry jobs in each special wage area. Special schedule rates for each position will be based on prevailing rates for that particular job in private industry. The special survey and wage schedule for a given area includes only those occupations and levels having employees in that area. The regulation was not changed in this respect.

5. An employee expressed concern that current supervisors would not be adequately compensated for their experience upon conversion to the new special schedule as compared to newly hired supervisors. The new special schedule provides special consideration to current supervisors in the first year of implementation. Under § 532.285(f)(2), current supervisors are placed in step 2 of the new special schedule, unless their rate of pay exceeds step 2, in which case they will be placed in step 3. Pay retention benefits will apply to any employee whose current rate of pay exceeds step 3. New employees will enter at step 1 of the grade, unless a higher rate is established in accordance with the advanced in-hire rate procedure. The new special schedule provides added compensation for the experience of current employees, and no changes are necessary.

6. Two employees recommended that the definition of compensation measured in industry surveys be expanded to include other company benefits, such as a company vehicle with gas provided to get to and from work, paid insurance coverage, company housing, and company stock purchase options. The regulation will not be modified in this regard. Under FWS statutes and practices, surveyed wages do include certain bonuses, incentive rates, and cost of living allowances. Surveying the additional benefits suggested would require a change in the law.

7. Finally, one employee commented that while the beginning month of the survey for each special area is specified in the rule, implementation or effective dates for the new schedules are not specified. No change is necessary because, as with the regular FWS, beginning dates for the special surveys are specified in the regulation, and by statute (5 U.S.C. 5344(a)) increases in rates of pay are effective not later than the first day of the first pay period beginning on or after the 45th day following the date the survey is ordered to be made.

Other Changes

The special schedule survey cycle in this rule has been changed from 3 years to 2 years because it has been determined that the 3-year proposal exceeded OPM's regulatory flexibility. The prevailing rate law grants OPM great flexibility to establish special schedules that differ from regular schedules in terms of wage area boundaries; industrial, geographic, and occupational survey coverage; step rate structures; and wage rate progressions. However, the regulatory flexibility to adjust the normal 2-year survey cycle allows only for more frequent, not less frequent full-scale surveys.

In § 532.285(f)(1), the reference to "fiscal year 1995" has been deleted because this final rule will not be effective until well into the fiscal year.

Regulatory Flexibility Act

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

2. Subpart B is amended by adding § 532.285 to read as follows:

§ 532.285 Special wage schedules for supervisors of negotiated rate Bureau of Reclamation employees.

(a) The Department of the Interior shall establish and issue special wage schedules for wage supervisors of negotiated rate wage employees in the Bureau of Reclamation. These schedules shall be based on annual special wage surveys conducted by the Bureau of Reclamation in each special wage area. Survey jobs representing Bureau of Reclamation positions at up to four levels will be matched to private industry jobs in each special wage area. Special schedule rates for each position will be based on prevailing rates for that particular job in private industry.

(b) Each supervisory job shall be described at one of four levels corresponding to the four supervisory situations described in Factor I and four levels of Subfactor IIIA of the FWS Job Grading Standard for Supervisors. They shall be titled in accordance with regular FWS practices, with the added designation of level I, II, III, or IV. The special survey and wage schedule for a given special wage area includes only those occupations and levels having employees in that area. For each position on the special schedule, there shall be three step rates. Step 2 is the prevailing rate as determined by the survey; step 1 is 96 percent of the prevailing rate; and step 3 is 104 percent of the prevailing rate.

(c) For each special wage area, the Bureau of Reclamation shall designate and appoint a special wage survey committee, including a chairperson and two other members (at least one of whom shall be a supervisor paid from the special wage schedule), and one or more two-person data collection teams (each of which shall include at least one supervisor paid from the special wage schedule). The local wage survey committee shall determine the prevailing rate for each survey job as a weighted average. Survey specifications are as follows for all surveys:

(1) Tailored to the Bureau of Reclamation activities and types of supervisory positions in the special wage area, private industry companies to be surveyed shall be selected from among the following Standard Industrial Classification Major Groups: 12 coal mining; 13 oil and gas extraction; 14 mining and quarrying of nonmettalic minerals, except fuels; 35 manufacturing industrial and commercial machinery and computer equipment; 36 manufacturing electronic and other electrical equipment and components, except computer equipment; 42 motor freight transportation and warehousing; 48 communications; 49 electric, gas, and sanitary services; and 76 miscellaneous repair services. No minimum employment size is required for surveyed establishments.

(2) Each local wage survey committee shall compile lists of all companies in the survey area known to have potential job matches. For the first survey, all companies on the list will be surveyed. Subsequently, companies shall be removed from the survey list if they