In the Matter of:

REVIEW AND RECONSIDERATION OF ARB CASE NO. 97-033
WAGE RATES FOR CAPTAIN AND FIRST DATE: January 23, 1998
OFFICER, WAGE DETERMINATION 95-0229 REV. 1, AS APPLIED TO UNITED STATES
REPRESENTATION OF EXPRES POSTAL SERVICE’S ANET AND WNET
TRANSPORTATION CONTRACTS FOR AIR TRANSPORTATION OF EXPRESS MAIL

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