In the Matter of:

WACKE NHUT 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
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 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

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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.”