

Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 693-0418, fax (202) 693-1451, E-mail [hbell@fenix2.dol-esa.gov](mailto:hbell@fenix2.dol-esa.gov). Please use only one method of transmission for comments (mail, fax, or Email).

#### SUPPLEMENTARY INFORMATION

##### I. Background

Sections 5, 6(a)(3) and 8 of the Fair Labor Standards Act (FLSA), administered by the Wage Hour Division, provide that covered, nonexempt employees in American Samoa may be paid a minimum wage rate established by a special industry committee. The committee is to recommend to the Secretary of Labor the highest minimum wage rate (not to exceed the rate required under section 6(a)(1) of the FLSA) that it will not substantially curtail employment in the industry and will not give any industry in American Samoa a competitive advantage over any other industry in the United States outside of American Samoa. The Secretary of Labor must submit to the industry committee economic data to enable the committee to recommend the industry wage rates. The Economic Survey Schedule (WH-1) is a voluntary use form completed by employers in American Samoa to disclose certain economic data concerning their establishment.

This information collection is currently approved for use through August 31, 2003.

##### II. Review Focus

The Department of Labor is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

##### III. Current Actions

The Department of Labor seeks approval for the extension of this information collection in order to gather information necessary to prepare the required economic report to be used by the committee to set industry wage rates in American Samoa.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* Economic Survey Schedule.

*OMB Number:* 1215-0028.

*Agency Number:* WH-1.

*Affected Public:* Business or other for-profit and State, Local or Tribal Government.

*Total Respondents:* 55.

*Total Responses:* 55.

*Time per Response:* 45 minutes.

*Frequency:* Biennially.

*Estimated Total Burden Hours:* 41.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintenance):* \$0.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: March 3, 2003.

**Sue Blumenthal,**

*Acting Chief, Branch of Management Review and Internal Control, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.*

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#### DEPARTMENT OF LABOR

##### Employment Standards Administration

##### Proposed Collection; Comment Request

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection

requirements on respondents can be properly assessed. Currently, the Employment Standards Administration is soliciting comments concerning the proposed collection: Wage Statement (WH-501 (English) and WH-501S (Spanish)). A copy of the proposed information collection request can be obtained by contacting the office listed below in the addresses section of this Notice.

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before May 6, 2003.

**ADDRESSES:** Ms. Hazel M. Bell, U.S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 693-0418, fax (202) 693-1451, E-mail [hbell@fenix2.dol-esa.gov](mailto:hbell@fenix2.dol-esa.gov). Please use only one method of transmission for comments (mail, fax, or E-mail).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Migrant and Seasonal Agricultural Worker Protection Act (MSPA) and its regulations 29 CFR part 500 requires that each Farm labor contractor, agricultural employer, and agricultural association that employs any migrant or seasonal worker, make, keep, and preserve itemized records for three years for each worker. These records include the basis on which earnings are paid, the number of piece work units earned, if applicable, the number of hours worked, the total pay period earnings, the specific sums withheld and the purpose of each sum withheld, and the net pay. It is also required that an itemized written statement of this information be provided to each worker each pay period. The WH-501 (English) and WH-501S (Spanish) are optional forms which an employer may use for this purpose. This information collection is currently approved for use through August 31, 2003.

##### II. Review Focus

The Department of Labor is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;