



In the Matter of:

**PILEDRIVERS, DIVERS, CARPENTERS,
BRIDGE, WHARF & DOCK BUILDERS
UNION, LOCAL NO. 34**

ARB CASE NO. 07-110

DATE: January 25, 2008

**General Decision Nos., CA-04
CA-09, CA-29, CA-32**

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

Appearances:

For Petitioner:

**Sandra Rae Benson, Esq., Patricia M. Gates, Esq., Roberta D. Perkins, Esq.,
Weinberg, Roger & Rosenfeld, Alameda, California**

For Respondent Administrator, Wage and Hour Division:

**Joanna Hull, Esq., William C. Lesser, Esq., Steven J. Mandel, Esq., Jonathan L.
Snare, Esq., United States Department of Labor, Washington, District of
Columbia**

**FINAL DECISION AND ORDER
DISMISSING APPEAL**

This case arose when the Piledrivers, Divers, Carpenters, Bridge, Wharf & Dock Builders Union, Local No. 34 (Local 34) petitioned for review of modifications to General Decision Nos. CA-04, CA-09, CA-29, and CA-32 issued by the Department of Labor's Wage and Hour Division (WHD) under the Davis-Bacon Act (DBA or the Act).¹

¹ 40 U.S.C.A. §§ 3141-3148 (West Supp. 2003). The regulations that implement the Act are found at 29 C.F.R. Part 1 (2007).

In response, the Administrative Review Board issued a Notice of Appeal and Order Establishing Briefing.²

On January 9, 2008, Local 34 filed “Piledrivers, Divers, Carpenters, Bridge, Wharf & Dock Builders Union, Local No. 34’s Unopposed Motion to Withdraw Its Petition for Review.” In support of the motion, Local 34 avers, “On December 21, 2007, the Administrator published modifications to the above-referenced wage determinations that satisfy the concerns that caused Petitioner to file this Petition before the Board. Petitioner hereby submits this motion to withdraw its Petition for Review in this matter pursuant to 29 C.F.R. 7.18(a).” Local 34 further stated that its counsel had conferred with counsel for the Administrator, WHD, the respondent in these proceedings, and that the Administrator does not object to the filing of this motion.

Accordingly, we **GRANT** Local 34’s Motion and we **DISMISS** its appeal.

SO ORDERED.

M. CYNTHIA DOUGLASS
Chief Administrative Appeals Judge

OLIVER M. TRANSUE
Administrative Appeals Judge

² The Administrative Review Board has jurisdiction to decide appeals from the Administrator’s final decisions concerning DBA wage determinations. 29 C.F.R. § 7.1(b)(2007). See Secretary’s Order 1-2002, 67 Fed. Reg. 64,272 (Oct. 17, 2002).