



In the Matter of

**INTERNATIONAL ASSOCIATION
OF MACHINISTS AND AEROSPACE
WORKERS (IAM)**

ARB CASE NO. 13-086

DATE: February 27, 2015

**Dispute concerning the refusal to
promote employees from the classification
of Flight Service Specialist I to Flight Service
Specialist II and to pay wages accordingly.**

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

Appearances:

For the Petitioner:

**William H. Haller, Esq.; *International Association of Machinists and Aerospace
Workers*, Upper Marlboro, Maryland**

For the Principal Deputy Administrator, Wage and Hour Division:

**M. Patricia Smith, Esq.; Jennifer S. Brand, Esq.; William C. Lesser, Esq.; Jonathan
T. Rees, Esq.; Steven W. Gardiner, Esq.; *U.S. Department of Labor*, Washington,
District of Columbia**

**BEFORE: Paul M. Igasaki, *Chief Administrative Appeals Judge*; Luis Corchado,
Administrative Appeals Judge; and Lisa Wilson Edwards, *Administrative Appeals Judge*.**

FINAL DECISION AND ORDER

This case arises under the McNamara-O'Hara Service Contract Act (SCA), 41 U.S.C.A. § 6701, *et seq.*, (Thomson/Reuters 2011), and its implementing regulations, 24 C.F.R. Parts 4 and 6 (2014). On August 6, 2013, the International Association of Machinists and Aerospace Workers (IAM) petitioned the Administrative Review Board for review of a final written decision of the Principal Deputy Administrator of the Wage and Hour Division (Administrator). The Administrator denied IAM's request for reconsideration of a determination that Lockheed

Martin Services, Inc. did not violate the SCA by refusing to promote workers employed as flight service specialists and pay a higher wage rate.

On review of IAM's petition and the Administrator's Statement, we are persuaded that the Administrator's June 13, 2013, decision is "reasonable and consistent with law." *In re International Assoc. of Machinists and Aerospace Workers*, ARB No. 11-073, slip op. at 5-6 (Jan. 25, 2012). Accordingly, the Administrator's decision is **AFFIRMED**, and IAM's Petition for Review is **DENIED**.

SO ORDERED.

LISA WILSON EDWARDS
Administrative Appeals Judge

PAUL M. IGASAKI
Chief Administrative Appeals Judge

LUIS A. CORCHADO
Administrative Appeals Judge