



National Prevailing Wage Center Updates

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**National Prevailing Wage Center
Office of Foreign Labor Certification
Employment and Training Administration
U.S. Department of Labor**



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Prevailing Wage Program

National Prevailing Wage Center Updates



- I. American Competitiveness and Workforce Improvement Act (ACWIA) Updates

- II. The Significance and Definition of Areas of Employment:
 - A. Metropolitan Statistical Areas (MSAs)

 - B. Non- Metropolitan Statistical Areas (Non-MSAs)

 - C. New England City and Town Areas (NECTAs)



Section I

American Competitiveness and Workforce Improvement Act (ACWIA) Updates

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Section I. ACWIA Updates



- ❖ OFLC is aware that the ACWIA SOC codes (e.g., 15-1034 – Software Developer, Applications, Non R&D) were not displayed on the issued Form ETA-9035. Instead, the non-ACWIA SOC code and title was displayed although the assigned wage was based on the ACWIA SOC code.
- ❖ OFLC is working to update the display of the ACWIA SOC on the Form ETA-9035.
- ❖ As of October 1, 2019, H-1B employers may submit the LCA Form ETA-9035 and select the occupation and wage in the FLAG System. However, there may be instances when an ACWIA eligible employer selects an SOC code to use, but a wage is not provided under the ACWIA OES dataset.



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Section I. ACWIA Updates (cont'd)

- ❖ NPWC is in the process of identifying a standard substitute of occupations to be used for an ACWIA wage when the aforementioned occurs. These updates will ensure that a wage can be provided to H-1B employers as they complete the Form ETA-9035 application.
- ❖ Additionally, NPWC wants to ensure that the SOC codes available within the Labor Conditional Application program are consistent with the SOC codes available within NPWC for ACWIA wages.

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Section I. ACWIA Updates (cont'd)



I. ACWIA Updates (cont'd)

- ❖ NPWC is currently reviewing the ACWIA FLAG System database records to ensure that NPWC maintains the most up to date information.
- ❖ As a result, employers will see an increase of RFIs to gather new documentation to ensure ACWIA records are accurate for employers.
- ❖ As NPWC prepares for the implementation of the revised Form ETA-9141 in FY 2020, the new form will capture specific ACWIA information when employers request ACWIA wage.

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Section II

The Significance and Definition of Areas of Employment

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Section II. Significance and Definition of Areas of Employment



A. Metropolitan Statistical Areas (MSAs)

Who Decides on MSAs

- ❖ OMB delineates Metropolitan Statistical Areas, Metropolitan Divisions, Metropolitan Statistical Areas, Combined Statistical Areas, and New England City and Town Areas for use in federal statistical activities. OMB issues periodic updates of the areas between decennial censuses based on Census Bureau data.

See 44 U.S.C. 3504(e)(3), 31 U.S.C. 1104(d), and Executive Order 10253 (June 11, 1951).

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Section II. Significance and Definition of Areas of Employment (Cont'd)



A. MSAs (cont'd)

Definition of MSAs

- ❖ MSAs have at least one urbanized area of 50,000 or more population, plus adjacent territory that has a high degree of social and economic integration with the core as measured by commuting ties. Also, MSAs have at least one urban cluster of at least 10,000 but less than 50,000 population, plus adjacent territory that has a high degree of social and economic integration with the core as measured by commuting ties.

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Section II. Significance and Definition of Areas of Employment (Cont'd)



B. Non- Metropolitan Statistical Areas (Non-MSAs)

Who Decides on Non-MSAs

- ❖ The Bureau of Labor Statistics (BLS) and BLS state partners determine what counties or towns are in a particular non-MSA.

Definition of Non-MSAs

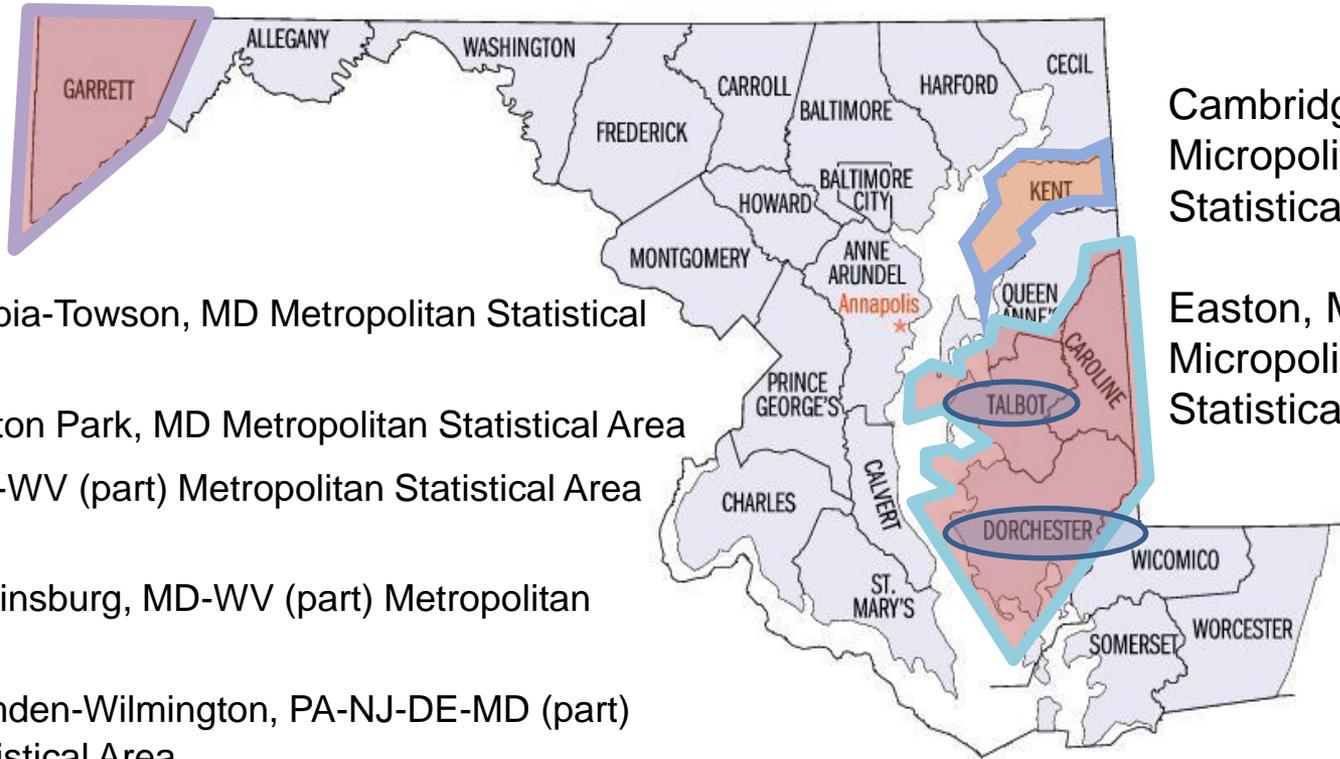
- ❖ Unlike MSAs, there is no formal definition for non-MSAs.
 - Non-MSA are not necessarily contiguous.
 - Non-MSAs may contain MSAs.



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Section II. Significance and Definition of Areas of Employment (Cont'd)

Maryland Non-MSA and other BLS Areas



Cambridge, MD
Micropolitan
Statistical Area

Easton, MD
Micropolitan
Statistical Area

Baltimore-Columbia-Towson, MD Metropolitan Statistical Area

California-Lexington Park, MD Metropolitan Statistical Area

Cumberland, MD-WV (part) Metropolitan Statistical Area

Hagerstown-Martinsburg, MD-WV (part) Metropolitan Statistical Area

Philadelphia-Camden-Wilmington, PA-NJ-DE-MD (part) Metropolitan Statistical Area

Salisbury, MD-DE (part) Metropolitan Statistical Area

Washington-Arlington-Alexandria, DC-VA-MD-WV (part) Metropolitan Statistical Area

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Section II. Significance and Definition of Areas of Employment (Cont'd)



C. New England City and Town Area (NECTA)

Who Decides on NECTA

- ❖ NECTAs is a geographic and statistical entity defined by a variety of federal and local government resources for use in the six-state New England region of the United States. The six states are Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.
- ❖ OMB and its predecessor agencies have a longstanding history of delineating statistical areas on a city and town basis in these six states.

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Section II. Significance and Definition of Areas of Employment (Cont'd)



C. NECTAs (cont'd)

Definition of NECTA

- ❖ In New England, towns are a much more important level of government than counties. Because towns are smaller than counties, a NECTA usually provides a much closer approximation to the real metropolitan area than a metropolitan statistical area does.
- ❖ NECTAs use metropolitan and micropolitan statistical geographic areas to determine populations 50,000 or more (metro) or an urban cluster of at least 10,000, but less than 50,000 (micro).
- ❖ Large NECTAs (with population greater than 2.5 million) may be subdivided into smaller groupings known as NECTA Divisions.

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Section II. Significance and Definition of Areas of Employment (Cont'd)



C. NECTAs (cont'd)

BLS provides OFLC wage information based upon the NECTA, with out the county. In previous years they had both. The City/Town determines the area (MSA, et al.), not the county.

July 2018 to June 2019	July 2019 to June 2020	BLS Area
BARNSTABLE (PROVINCETOWN)	Provincetown	Massachusetts nonmetropolitan area
BARNSTABLE (BARNSTABLE)	Barnstable city	Barnstable Town, MA
FAIRFIELD (BETHEL)	Bethel town	Danbury, CT
BENNINGTON (MANCHESTER TOWN)	Manchester town	Southern Vermont nonmetropolitan area

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Section II. Significance and Definition of Areas of Employment (Cont'd)



C. NECTAs (cont'd)

- ❖ In the FLAG System, Filers in New England will need to determine which of the town/townships is closest to the worksite location(s) when completing their application.