

December 7, 2012

VIA CERTIFIED MAIL

U.S. Department of Labor
Bureau of Labor Statistics
FOIA Disclosure Officer
Room 4080 Postal Square Building
2 Massachusetts Avenue, N.E.
Washington, DC 20212-0001

RE: Freedom of Information Act Request

Dear Sir or Madam:

Pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. §552, I am writing to request documents created over the past three (3) years which concern the calculation of prevailing wages in Alabama.

More specifically, I am requesting the following:

1. Any and all documents which reference, relate, or describe the manner in which data is collected for the purpose of calculating Alabama’s prevailing wages in the Department of Labor’s (“DOL”) Foreign Labor Certification (“FLC”) Program.
2. The names of all employers or entities in Alabama furnishing wage data used to calculate Alabama’s prevailing wages in DOL’s FLC program.
3. All questionnaires sent to employers or entities to solicit wage data used for the purposes of calculating Alabama’s prevailing wages in DOL’s FLC program.
4. The wage data reported by employers or entities used for the purposes of calculating Alabama’s prevailing wages in DOL’s FLC program.
5. Any and all documents which reference, relate, or describe the entity or entities responsible for collecting the data used in calculating Alabama’s prevailing wages in DOL’s FLC program.

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

6. Any and all documents which reference, relate, or describe the inclusion of cost-of-living allowances and incentive pay, including commissions and production bonuses, in prevailing wage estimates.
7. Any and all documents which reference, relate, or describe DOL's four wage levels, as enumerated in DOL's FLC program.
8. Any and all documents which reference, relate, or describe the methodology used to ensure that employer costs of non-wage benefits are not included in prevailing wage estimates.
9. Any and all documents which reference, relate, or describe how DOL determines prevailing wages in locations where insufficient wage data is available for an occupation.
10. Any and all documents which reference, relate, or describe the entity or entities responsible for data analysis.
11. Any and all documents which reference, relate, or describe the regression analysis that is utilized in calculating Alabama's prevailing wages in DOL's FLC program.
12. Any and all documents which reference, relate, or describe the independent variables and statistical methods used to calculate Alabama's prevailing wages in DOL's FLC program.
13. Any and all documents which reference, relate, or describe the weighting of the independent variables used to calculate Alabama's prevailing wages in DOL's FLC program.
14. Any and all documents which reference, relate, or describe the manner in which wage data from the "All Industries Database" and "ACWIA High Education Database" published by the FLC Data Center Online Wage Library is collected, analyzed, and subsequently disseminated for the purposes of calculating Alabama's prevailing wages in DOL's FLC program.
15. Any and all documents which reference, relate, or describe changes made to the manner in which data is collected or analyzed in DOL's FLC program.
16. Any and all documents which reference, relate, or describe DOL's policy not to release information related to the manner in which data is collected, analyzed, and subsequently disseminated for the purposes of calculating Alabama's prevailing wages in DOL's FLC program.

I request that the aforementioned documents be sent to me on CD-ROM.

If any records requested are considered exempt from disclosure, I request that DOL exercise its discretion to release them. If DOL withholds any of the documents requested, I respectfully ask that you describe the records or portions of records withheld and the reasons for withholding them.

I am aware that DOL may make reasonable charges for search and copying costs. Please contact me before incurring any costs, with an estimate of these costs, so that an agreement regarding such charges can be promptly made.

I look forward to hearing from you within twenty (20) working days or sooner if possible. Thank you for your assistance.

Sincerely,



Douglas Hauer

cc: FOIA Disclosure Officer,
Employment & Training Administration
U.S. Department of Labor – ETA
200 Constitution Avenue, N.W
Washington, D.C. 20210-0002

Attention: FOIA Request
Office of the Solicitor
Office of Information Services (OIS)
Division of Management and Administrative Legal Services
200 Constitution Avenue N.W, Room N-2420
Washington, D.C. 20210