



December 14, 2020

ALL AGENCY MEMORANDUM NUMBER 235

TO: All Contracting Agencies of the Federal Government and the District of Columbia

FROM: Cheryl M. Stanton, Administrator *Cheryl M Stanton*

SUBJECT: Rescission of All Agency Memorandum No. 212

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All Agency Memorandum (AAM) No. 212, dated March 22, 2013, addressed the applicability of Davis-Bacon labor standards to members of survey crews. Since the issuance of AAM 212, concerns have been raised that this guidance was issued without a sufficiently broad appreciation of the coverage issue it addressed, especially with respect to identifying the duties performed by, and training required of, survey crew members who perform work immediately prior to and during construction, in direct support of construction crews. Delay in implementing AAM 212, while providing an opportunity for such concerns to be raised, has caused further confusion for the regulated community. In particular, section 15e20 of the Field Operations Handbook (FOH) was not revised as provided for in the AAM and the Wage and Hour Division's implementation of this guidance remains incomplete. Accordingly, AAM 212 is rescinded effective immediately. This rescission is consistent with Executive Order 13891, *Promoting the Rule of Law Through Improved Agency Guidance Documents*.

Questions should be directed to the Division of Government Contracts Enforcement, Office of Policy, Wage and Hour Division, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, D.C. 20210; telephone number (202) 693-0064.

