

IN THE MATTER OF

FIBER OPTEK INTERCONNECT CORP.,  
FIBER OPTEK SERVICE CO. LTD.,  
MICHAEL S. PASCAZI AND FRANK P. ZARZEKA,  
AS OFFICERS AND SHAREHOLDERS OF THE CORPORATIONS

CONTRACTOR - RESPONDENT

A proceeding pursuant to article 8 of the Labor Law to determine whether a contractor paid the rates of wages or provided the supplements prevailing in the locality to workers employed on a public work project.

IN THE MATTER OF

POSITIVE ELECTRICAL ASSOCIATES, INC.  
PRIME CONTRACTOR

AND

FIBER OPTEK INTERCONNECT CORP.,  
FIBER OPTEK SERVICE CO. LTD.,  
MICHAEL S. PASCAZI AND FRANK P. ZARZEKA,  
AS OFFICERS AND SHAREHOLDERS OF THE CORPORATIONS

SUBCONTRACTOR - RESPONDENT

A proceeding pursuant to article 8 of the Labor Law to determine whether a contractor paid the rates of wages or provided the supplements prevailing in the locality to workers employed on a public work project.

**DETERMINATION  
&  
ORDER**

Prevailing Rate Case Nos.  
00-4020 Schoharie County  
04-8163 Westchester County  
(Case ID 38050003-1)  
04-8163 Westchester County  
(Case ID 38030033-1)  
04-8163 Nassau County  
(Case ID 38050082-1)  
05-3675 New York County  
05-3674 New York County  
98-8040 Rockland County

Prevailing Rate Case No.  
99-5490 Westchester County

WHEREAS a hearing was held in the above-captioned matter; and

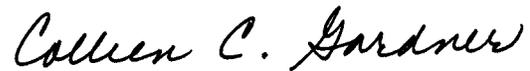
WHEREAS the Hearing Officer submitted the annexed Report &  
Recommendation dated October 25, 2011:

NOW, upon review of the entire record, and upon reading the Hearing Officer's Report & Recommendation, and due deliberation having been had thereon, it is

ORDERED that the Hearing Officer's findings of fact and conclusions of law be, and hereby are, adopted; and it is further

ORDERED that the Hearing Officer's recommended determinations and orders be, and hereby are, adopted, and they shall constitute the final **Determination & Order** of the Commissioner of Labor as if fully set forth herein.

Dated: November 7, 2011  
Albany, New York



---

Colleen Gardner  
Commissioner of Labor  
State of New York