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WEEKLY REPORT OF MAJOR OPERATING STATISTICS

WAGE AND HOUR DIVISION

WEEK ENDING OCTOBER 24, 1939

Oct 24 1939

Prepared by  
Economic Section  
Wage-Hour Standards Branch  
Wage and Hour Division  
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## INTRODUCTORY NOTES

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Complete operating statistics are now available on all major phases of operations of the Wage and Hour Division. The data on the operations of the Cooperation and Inspection Branch presented in this report are based on the Weekly Field Office Activity Reports, Form CI-42,<sup>1/</sup> for the week ending October 14th, except for the data covering the examination of reports by the Examining Unit in the central office, Item E. The data for this Unit are based on reports for the week ending with the close of business October 24th. Activity for the Legal Branch is based on the weekly report for the week ending October 21st. The data for the units in the Hearings and Exemptions Section are based on central office reports for the week ending with the close of business October 24th.

A new classification "Dropped Complaints" has been added to Item B, "Complaints Analyzed Classified by Type". Complaints are considered "dropped" if after being classified as "requiring more information" and every effort has been made to obtain the necessary information, such information has not been forthcoming and a period of 30 days has elapsed. Complete information on "dropped complaints" is not yet available because all offices are not yet reporting this class of complaints.

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<sup>1/</sup> Submitted by the 16 Regional and 10 branch field offices.

Since the Cooperation and Inspection Branch has been operating on a decentralized basis, a large number of complaints have been submitted as a result of personal calls at the field offices during which the complainants discussed their grievances with representatives of the Wage and Hour Division. As a result, the proportion of complaints which can be finally classified has increased. On September 12th, when the Complaint Analysis Unit of the central office stopped analyzing complaints, the proportion of complaints "finally classified" was 78.6 per cent of the total analyzed. After more than a month of analyzing complaints in the field offices, the proportion of complaints finally analyzed is now 85.8 per cent.

There have been 15,724 complaints which have been found to indicate violations and these require the inspection of 12,283 establishments. Of these 12,283 inspections required, 2,617 or 21.3 per cent have been assigned, and 9,666 or 78.7 per cent are pending inspection. Almost 27 per cent, or 702 of the 2,617 cases assigned, have been carried through to a final stage where they could be closed or dropped.

The number of cases closed or dropped has increased rapidly within the last three and a half months. On June 30th only 298 cases had been closed or dropped. By October 14th an additional 404 cases had been closed or dropped, one and a third times as many as had been closed or dropped during the first eight months of operation. This has been due in part to the fact that since July 15th the field staff has



had authority under certain conditions to settle cases involving restitution of not more than \$1500.00 without prior reference to the central office.

The effectiveness of this procedure is also indicated in the proportion of cases closed or dropped which have been closed by settlement. On June 30th only 106 cases, or 36 per cent of the total cases closed or dropped, had been closed by settlement. On October 14th, 427 cases, or 61 per cent of the total closed or dropped, had been closed by settlement.

There have now been 38 civil suits won by the Legal Branch and 25 criminal prosecutions successfully completed. To date only two cases have resulted in adverse decisions, both in civil actions, and one of these is being appealed.

The Handicapped Workers Unit of the Hearings and Exemptions Section has acted on 5,365 applications or 98.1 per cent of the total received. Certificates for 2,253 applications providing for employment at less than the minimum rate for handicapped workers have been granted, and certificates for 2,486 applications have been denied. Of the remainder, 613 applications have been suspended, pending the receipt of further information necessary for the determination of what action shall be taken and 13 applications have been cancelled or withdrawn.

The Learners Unit of the Hearings and Exemptions Section has acted on 827 applications or 76 per cent of the total received. Of the 827

applications for certificates for employment at less than the minimum rate for learners, 601 have been granted, 163 denied, 53 suspended pending the results of industry hearings or findings, and 10 have been cancelled or withdrawn. A large proportion of the applications for learners certificates originate in the hosiery industry.

WEEKLY REPORT OF  
MAJOR OPERATING STATISTICS

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WEEKLY REPORT OF MAJOR OPERATING STATISTICS  
Cooperation and Inspection Branch  
Week Ending October 24, 1939

Item	This Week	Cumulative Total
<b>A. <u>Status of Complaints Received for Analysis 1/</u></b>		
1. Total received	<u>697</u>	<u>24,417</u>
a. Establishments complained against	<u>471</u>	<u>19,204</u>
b. Multiple complaints	<u>226</u>	<u>5,213</u>
2. Analyzed	<u>848</u>	<u>22,412</u>
3. Per cent of receipts analyzed		<u>91.8%</u>
4. In process of analysis or on hand at close of business	<u>2,005</u>	
<b>B. <u>Complaints Analyzed Classified by Type 1/</u></b>		
1. Total analyzed (Same as A-2)	<u>848</u>	<u>22,412</u>
2. Violations indicated		
a. Number	<u>713</u>	<u>15,724</u>
b. Per cent of total analyzed		<u>70.2%</u>
3. No violations indicated		
a. Number	<u>262</u>	<u>3,502</u>
b. Per cent of total analyzed		<u>15.6%</u>
4. More information required		
a. Number	<u>-136</u>	<u>2,099</u>
b. Per cent of total analyzed		<u>9.4%</u>
5. Doubtful		
a. Number	<u>9</u>	<u>857</u>
b. Per cent of total analyzed		<u>3.8%</u>
6. Dropped		
a. Number	<u>0</u>	<u>230</u>
b. Per cent of total analyzed		<u>1.0%</u>

1/ Data presented is based on the CI-42 Reports received from Field Offices for the week ending October 7, 1939, the latest data available.

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WEEKLY REPORT OF MAJOR OPERATING STATISTICS  
Cooperation and Inspection Branch  
Week Ending October 24, 1939

Item	This Week	Cumulative Total
<b>E. Examination of Regular Inspection Reports</b>		
1. Total Regular Inspection Reports received	<u>39</u>	<u>2,298</u>
2. Total reports examined	<u>48</u>	<u>2,193</u>
a. Original reports	<u>40</u>	<u>1,646</u>
b. Additional reports <u>1/</u>	<u>8</u>	<u>547</u>
3. Balance on hand at close of business	<u>105</u>	
4. Percent of reports examined to total received		<u>95.4%</u>
5. Percent of reports returned for further investigation		<u>68.8%</u>
<b>F. Cases Closed or Dropped by Type of Action Taken</b>		
1. Total closed or dropped	<u>19</u>	<u>702</u>
2. Closed	<u>15</u>	
a. On authority of Field Staff	<u>6</u>	<u>427</u>
b. On authority of central office	<u>9</u>	<u>65</u>
3. Dropped	<u>4</u>	<u>275</u>
a. Because no violation was found	<u>3</u>	<u>173</u>
b. Because firms were not covered	<u>1</u>	<u>102</u>

1/ Additional reports are submitted on cases requiring further investigation after the original report on the inspection has been received.



WEEKLY REPORT OF MAJOR OPERATING STATISTICS--Continued  
 Cooperation and Inspection Branch  
 Week Ending October 24, 1939

Item	This Week	Cumulative Total
<u>G. Status of Cases Under Investigation, Closed, Dropped, or on Hand</u>		
1. Cases requiring inspection by complaints found valid <u>1/</u>	<u>334</u>	<u>12,283</u>
2. Cases assigned	<u>156</u>	<u>2,617</u>
3. Cases pending assignment	<u>9,666</u>	
4. Percent of assigned cases to total cases		<u>21.3%</u>
5. Cases closed or dropped	<u>19</u>	<u>702</u>
6. Assigned cases pending disposition	<u>1,915</u>	
7. Percent of assigned cases on which final action has been taken		<u>26.8%</u>
<u>H. Number of Employees Affected and Amount of Back Payment Made in Cases Under Investigation</u>		
1. Employees receiving back payment	<u>40</u>	<u>13,753</u>
2. Amount of back payment	<u>17,520</u>	<u>\$193,011</u>

1/ Since multiple complaints are filed against individual establishments, the number of inspections in G-1 will usually be less than the number of complaints found to indicate violations in B-2.

WEEKLY REPORT OF MAJOR OPERATING STATISTICS--Continued  
 Legal Branch  
 Week Ending October 24, 1939

Item	This Week	Cumulative Total
<b>I. <u>Status of Cases Referred to Legal Branch for Enforcement Proceedings</u></b>		
1. Total	<u>6</u>	<u>378</u>
2. Total acted on:	<u>2</u>	<u>279</u>
a. Cases referred to Department of Justice (J1 minus J5)	<u>1</u>	<u>74</u>
b. Civil actions instituted <u>1/</u>	<u>1</u>	<u>45</u>
c. Cases returned to Cooperation and Inspection Branch	<u>0</u>	<u>160</u>
3. Pending action at end of week	<u>99</u>	<u>100</u>
<b>J. <u>Status of Cases Referred to Department of Justice by Legal Branch</u></b>		
1. Total	<u>1</u>	<u>79</u>
2. Criminal actions instituted	<u>0</u>	<u>49</u>
a. By information	<u>0</u>	<u>10</u>
b. By indictment	<u>0</u>	<u>39</u>
3. Criminal actions closed	<u>1</u>	<u>25</u>
a. Defendant plead guilty	<u>1</u>	<u>25</u>
b. Defendant found guilty (after trial)	<u>0</u>	<u>0</u>
c. Defendant acquitted (after trial)	<u>0</u>	<u>0</u>
d. Fines imposed (approximate)	<u>\$73,500</u>	<u>\$448,600</u>
(a) Collected	<u>3,500</u>	<u>81,850</u>
(b) Suspended	<u>70,000</u>	<u>366,750</u>
4. Criminal actions pending	<u>24</u>	<u>7</u>
5. Number of cases returned to Legal Branch by Department of Justice	<u>0</u>	<u>5</u>
6. Number of cases under consideration by Department of Justice	<u>25</u>	<u>25</u>

1/ Includes cases returned to Legal Branch by Department of Justice because not suitable for criminal action.

WEEKLY REPORT OF MAJOR OPERATING STATISTICS--Continued  
 Legal Branch  
 Week Ending October 24, 1939

Item	This Week	Cumulative Total
K. <u>Status of Civil Actions Instituted by</u> <u>Legal Branch</u>		
1. Total (Same as I.2b)	<u>1</u>	<u>45</u>
2. Cases closed (in district courts)	<u>0</u>	<u>40</u>
a. Injunction granted	<u>0</u>	<u>38</u>
(1) contested	<u>0</u>	<u>0</u>
(2) uncontested (consent decree)	<u>0</u>	<u>38</u>
b. Injunction denied	<u>1</u>	<u>2</u>
3. Cases pending (in district courts)	<u>5</u>	
4. Cases pending on appeal from adverse decisions	<u>0</u>	<u>1</u>
5. Appeals from adverse decisions under consideration	<u>0</u>	<u>1</u>



WEEKLY REPORT OF MAJOR OPERATING STATISTICS--Continued  
Hearings and Exemptions Section  
Handicapped Workers Unit  
Week Ending October 24, 1939

Item	This Week	Cumulative Total
<u>L. Status of Applications Received</u>		
1. Received	<u>127</u>	<u>5,467</u>
2. Total acted on	<u>68</u>	<u>5,365</u>
3. Pending action at end of week	<u>102</u>	
4. Percent of applications acted on		<u>98.1%</u>
<u>M. Status of Applications Acted on</u>		
1. Total number acted on (Same as L-2)	<u>68</u>	<u>5,365</u>
a. Certificates granted	<u>49</u>	<u>2,253</u>
b. Applications denied	<u>-22</u>	<u>2,486</u>
c. Applications suspended	<u>41</u>	<u>613</u>
d. Applications cancelled or withdrawn	<u>0</u>	<u>13</u>
<u>N. Requests for Reconsideration</u>		
(Figures used indicate number of employees involved)		
1. Received	<u>40</u>	<u>1,009</u>
2. Number reconsidered	<u>22</u>	<u>989</u>
3. Pending reconsideration at end of week	<u>20</u>	
4. Percent of requests for reconsideration acted on		<u>98.0%</u>

WEEKLY REPORT OF MAJOR OPERATING STATISTICS--Continued  
Hearings and Exemptions Section  
Handicapped Workers Unit  
Week Ending October 24, 1939

Item	This Week	Cumulative Total
0. <u>Decision After Reconsideration</u>		
1. Total reconsidered (Same as N-2)	<u>22</u>	<u>989</u>
a. Denials reversed	<u>22</u>	<u>503</u>
b. Denials sustained	<u>0</u>	<u>343</u>
c. Certificate cancelled	<u>0</u>	<u>8</u>
d. Certificate sustained	<u>0</u>	<u>34</u>
e. Certificate rate increased	<u>0</u>	<u>2</u>
f. Certificate rate decreased	<u>0</u>	<u>35</u>
g. Held for further information	<u>0</u>	<u>64</u>

WEEKLY REPORT ON OPERATING STATISTICS--Continued  
 Hearings and Exemptions Section  
 Learners' Application Unit  
 Week Ending October 24, 1939

Item	This Week	Cumulative Total
<b>P. <u>Status of Applications Received</u></b>		
1. Received	<u>29</u>	<u>1,088</u>
2. Total acted on	<u>35</u>	<u>827</u>
3. Pending action at end of week	<u>261</u>	
4. Percent of applications acted on		<u>76.0%</u>
<b>Q. <u>Action Taken on Original Applications</u></b>		
1. Total acted on (Same as P-2)	<u>35</u>	<u>827</u>
2. Certificates issued	<u>51</u>	<u>601</u>
3. Applications denied	<u>-16</u>	<u>163</u>
4. Applications suspended awaiting industry hearings or findings	<u>0</u>	<u>53</u>
5. Applications canceled (invalid or withdrawn)	<u>0</u>	<u>10</u>
<b>R. <u>Status of Cases Held for Reconsideration After Approval or Denial</u></b>		
1. Held for reconsideration this week	<u>11</u>	<u>90</u>
2. Reconsideration cases acted on	<u>20</u>	<u>48</u>
3. On hand for reconsideration at end of week	<u>42</u>	
4. Percent of cases held for reconsideration action		<u>53.3%</u>



WEEKLY REPORT ON OPERATING STATISTICS--Continued  
Hearings and Exemptions Section  
Learners' Application Unit  
Week Ending October 24, 1939

Item	This Week	Cumulative Total
<u>S. Decision after Reconsideration</u>		
1. Total cases acted on (Same as R-2)	<u>20</u>	<u>48</u>
2. Certificates affirmed	<u>0</u>	<u>8</u>
3. Certificates Reversed	<u>0</u>	<u>1</u>
4. Denials affirmed	<u>0</u>	<u>16</u>
5. Denials Reversed	<u>20</u>	<u>23</u>
<u>T. Conferences or Hearings Held</u>	<u>0</u>	<u>18</u>