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SEMI-MONTHLY REPORT OF MAJOR OPERATING STATISTICS
WAGE AND HOUR DIVISION
FEBRUARY 29, 1940

Prepared by
Research and Statistics Branch
Wage and Hour Division
March 14, 1940

(3681)

Feb 29 1940

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WAGE AND HOUR DIVISION
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INTRODUCTION

This semi-monthly report of major operating statistics covers the period from February 16 through February 29, 1940, inclusive, and presents salient information covering operations for the period. Cumulative data from the beginning of the Act through February 29, 1940 are also presented. Certain of the data on enforcement and litigation, presented in Sections A to I, inclusive, are also presented in a series of appendix tables which show regional as well as summary totals. These tables are numbered to correspond with the sections of the report which they amplify.

Several of the tables in the appendix now afford a quick comparison of the net change in the activity reported, cumulatively from one report to another and separately from one reporting interval to another. The figures in Region VI for this period and the previous reporting period have been revised to include complete data on the operations of the North Carolina State Department of Labor, which is cooperating with the Division in enforcement of the Act. This is the first cooperating agency ^{1/} to report its activities in connection with the enforcement of the Fair Labor Standards Act. Cumulative totals for Regions III and V have been adjusted to allow for the shift of Brooke, Hancock, Ohio and Marshall counties in West Virginia from Region V to Region III. ^{2/}

The sections on exemptions for handicapped workers have been revised. Former Section M, showing decisions made after reconsideration of applications, has been replaced by new Sections M and N. New Section M shows the proportion of applications granted on first consideration without further action, the proportion granted on reconsideration after having been denied on first consideration, etc. New

^{1/} Other cooperating agencies are District Minimum Wage Board; Wisconsin Industrial Commission; Connecticut State Department of Labor; and Illinois State Department of Labor. Complete data on the activities of these agencies are not yet available.

^{2/} Establishments in these counties in West Virginia will be inspected by inspectors operating out of the Pittsburgh, Pa. branch office.

Section N shows similar data for denials. By relating action on reconsideration to original actions, more significance is given the data.

VOLUME OF WORK

Final action was taken on 208 cases during this semi-monthly period. This represents an increase of 28 per cent over the 162 cases finally acted on during the first half of February. At the same time only 954 additional establishments were found to require inspection during this half month, as compared with 1,119 additional establishments found to require inspection during the preceding half month. As a result there was an increase of only 746 cases pending final action during this period, as compared with an increase of 957 during the previous period. The rate of increase in the cases pending final action during this half month was only four per cent, as compared with five per cent for the first half of this month.

This is the second successive reporting period in which the rate of increase of the number of cases pending final action has shown a decline. While this decline has been partially due to the increased number of cases on which final action has been taken, it has been due chiefly to the decline in cases found to require inspection.

Region XIII reported 52 cases closed or dropped during this period and contributed largely to the total number of cases on which final action had been taken. Region XIII accounted for exactly 25 per cent of the cases closed or dropped. As a result of the activity in the Region, the number of cases pending final action on February 29th was 10 less than on February 15th (as shown in Table D-1a, column 10). This is the first reporting period in which the cases pending final action have decreased during the period in any region.

Complaints were received against 1,198 establishments, making a total of 31,641 establishments complained against to date. This represented a slight decrease of 77 establishments or six per cent from the 1,298 establishments complained against during the previous period. Based on the analysis of complaints through February 29th, there have been 22,600 establishments found to require inspection.

STATUS OF INSPECTIONS

Of the 22,600 inspections required by the complaints presumed to be valid, 2,887 or 13 per cent of them have been completed, and 19,713 or 87 per cent are pending completion. During this reporting period 152 inspection assignments were completed or 23 less than the 175^{a/} completed during the preceding period. During the entire month of February, however, 327 inspections were completed as compared with 256 in January. This represents a gain in February over January of 71 inspections completed, or an increase of 28 per cent.

Of the 19,713 inspections pending completion, 4,718 or 24 per cent are in the process of inspection and 14,995 or 76 per cent are pending assignment. The inspections in process include those which are being held by the inspector while he completes his previous assignments, those on which the inspector is actually working, and those on which the inspector has completed his report but which are awaiting review before being forwarded to Washington.^{3/}

The 152 inspection assignments completed represent an average of six-tenths of an inspection assignment completed per inspector during this reporting period for the 263 inspectors on duty, as compared with seven-tenths of an inspection assignment completed by the 251 inspectors on duty during the previous half month.

STATUS OF INSPECTIONS

Inasmuch as final action was taken on 208 cases during this period, it would appear that the field staff had devoted its time to cleaning up a number of cases previously reported but for which further inspection had been necessary.

Of the 22,600 inspections required by the complaints presumed to be valid, 2,887 or 13 per cent of them have been completed, and 19,713 or 87 per cent are pending completion. During this reporting period 152 inspection assignments were completed or 23 less than the 175^{a/} completed during the preceding period. During the entire month of February, however, 327 inspections were completed as compared with the preceding half month when there was an average of 16 inspections per inspector in process and an average of 57 inspections per inspector pending assignment. Compared with 256 in January, this represents a gain in February over January of 71 inspections completed, or an increase of 28 per cent.

There is an average of 18 inspections in process in the hands of each inspector and an average of 57 inspections per inspector pending assignment. Compared with the preceding half month when there was an average of 16 inspections per inspector in process and an average of 59 inspections per inspector pending assignment, it would appear that the inspections in process per inspector had been increased by two and the inspections pending assignment per inspector had decreased by two.

Of the 19,713 inspections pending completion, 4,718 or 24 per cent are in the process of inspection and 14,995 or 76 per cent are pending assignment. The inspections in process include those which are being held by the inspector while he completes his previous assignments, those on which the inspector is actually working,

^{a/} Revised figure which the inspector has completed his report but which are awaiting review before being forwarded to Washington.

^{3/} An inspection is now considered completed when the report on the inspection is transmitted to Washington. Upon revision of the semi-monthly report, an inspection will be considered completed when the inspector turns in his case report to the supervising inspector for review. These data are not now reported.

of an inspection assignment completed per inspector during this reporting period.

for the 263 inspectors on duty, as compared with seven-tenths of an inspection assignment (3681)

CASES ON WHICH FINAL ACTION HAS BEEN TAKEN

During the last half of February final action was taken on 208 cases, making a total of 1,631 cases on which final action has been taken to date. Of this total, 1,446 or 89 per cent were found to come under the provisions of the Act and full inspection was made; and 185 were found not to be covered by the Act and were dropped. Of the 1,446 cases in which full inspection was made, 1,137 or 79 per cent were closed by settlement after violations had been found, and 309 or 21 per cent were closed after the employer was found to be in compliance. These facts would indicate that of establishments complained against which are in the enforcement area, four out of five are found to be violating the Act. Of the 180 inspections closed during the current period, 156 or approximately five out of six disclosed violations.

During the month 370 cases were closed or dropped. This represents an increase of 44 per cent over the 257 cases closed during January, and is over two and a half times the number of cases closed in December. The number of cases on which final action has been taken during the half month has substantially increased each reporting period since operations on a decentralized basis were begun.

RESTITUTION SECURED

During the half month restitution amounting to \$104,632.60 was secured for 4,959 employees in 156 cases. The total amount of restitution secured to date is \$746,070.61 to 38,310 employees in 1,137 cases which have been closed by settlement. In addition it is estimated that over \$50,000 has been made as partial payments on cases which have not yet been closed.

In addition to the restitution paid, there has been approximately \$1,100,000 in restitution which employers have agreed to pay, of which \$425,000 was agreed to as the result of court action, and \$675,000 was agreed to voluntarily after the field staff had made inspection.

It is also estimated that if all restitution which has been found due by the inspection staff is eventually paid, the amount will be over \$3,500,000. This figure does not include the Swift Company case which may, if the Division's interpretation of the Act is sustained, involve between \$3,000,000 and \$4,000,000 in back wages.^{4/}

^{4/} These data are based on special Field Office Report of February 23, 1940.

The average amount of restitution paid per case is \$656.17 and the average amount of restitution paid per employee is \$19.47. The average per case varies from a low of \$231.11 in Region III to a high of \$2,260.42 per case in Region VI. The average per case varies from \$8.58 in Region XIII to \$71.77 in Region XI.

LITIGATION

During the last half of February legal actions were instituted in 25 cases of which 19 were civil suits and six were criminal actions. Of the six criminal actions, four were instituted by information and two by indictment. During this period consent decrees were entered in 17 cases. In one criminal action the defendant plead guilty. In this case a fine of \$5,500 was imposed and collected.

To date there have been 230 legal actions instituted, of which 152 were civil suits and 78 were criminal actions. Of the 78 criminal actions, 24 have been instituted by information and 54 by indictment. There have been 184 cases in which legal action has been completed, 141 of which were civil actions, completed by the entering of consent decrees; and 43 were criminal actions, completed by the defendant entering a plea of guilty. In the criminal actions completed, a total of \$260,350 in fines has been imposed and \$128,000 of this amount has been collected. The balance of \$132,350 has been suspended upon the condition that the defendants make restitution to their employees in full.

Of the 2,887 inspections completed to date, legal action has been instituted on 230 or 8 per cent of them.

HANDICAPPED WORKERS' APPLICATIONS

During the past half month 92 applications for exemptions from the provisions of the Act for handicapped workers were secured, and final action was taken on 96. To date there have been 6,886 such applications received and final action has been taken on 5,845. Of the remaining 1,041 applications, 961 are pending the receipt of additional information and 80 are pending consideration. Of the 5,845 applications on which final action has been taken, requests for reconsideration have been received on 1,201 or 20.5 per cent of them. Reconsideration has been completed on 1,139 and 62 are pending completion of reconsideration.

Of the total applications on which final action has been taken, 5,790 have been either granted or denied, and 55 applications cancelled or withdrawn. Of the 5,790 applications granted or denied, 3,175 or 55 per cent have been granted and 2,615 or 45.2 per cent have been denied. The ratio of applications granted to applications denied is approximately six to five.

LEARNERS' APPLICATIONS

During this period 29 applications were received from establishments requesting exemptions from provisions of the Act for learners and final action was taken on the same number. To date 1,710 applications have been received and final action has been taken on 1,488. Of the 1,488 applications on which final action has been taken, 1,122 or 75 per cent have been granted, 357 or 24 per cent have been denied and 9 or six-tenths of one per cent have been cancelled or withdrawn.

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ENFORCEMENT

Item	Additional This Half Month	Cumulative Total
A. <u>Establishments Against Which Complaints Have Been Filed</u>		
1. Total establishments complained against	<u>1,198</u>	<u>31,641</u> ^{a/}
2. Establishments for which in- spections have been required <u>1/</u>		
Number	<u>954</u>	<u>22,600</u> ^{a/}
Per cent of total		<u>71.4%</u>
3. Establishments not requiring inspection <u>2/</u>		
Number	<u>61</u>	<u>5,121</u>
Per cent of total		<u>16.2%</u>
4. Establishments on which decision on inspection is pending <u>3/</u>		
Number	<u>183</u>	<u>3,920</u> ^{a/}
Per cent of total		<u>12.4%</u>

1/ Establishments require inspection when complaints filed against them are analyzed "violation indicated".

2/ Establishments are considered not to require inspection when the complaints filed against them are analyzed "no violation".

3/ Establishments on which decision on inspection is pending are those against which complaints have been filed which have not been finally classified.

a/ Revised figure.

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ENFORCEMENT

Item	Additional This Half Month	Cumulative Total
B. Status of Inspections Required <u>(Based on Complaints)</u>		
1. Inspections required (Same as A-2)	<u>954</u>	<u>22,600</u> ^{a/}
2. Inspections completed <u>1/</u>		
Number	<u>152</u>	<u>2,887</u> ^{a/}
Per cent of total required		<u>12.8%</u>
3. Inspections pending completion		
Number	<u>802</u>	<u>19,713</u> ^{a/}
Per cent of total required		<u>87.2%</u>
a. Inspections in process <u>2/</u>		
Number	<u>626</u>	<u>4,718</u> ^{a/}
Per cent of total required		<u>20.9%</u>
Per cent of total pending completion		<u>23.9%</u>
b. Inspections pending assignment		
Number	<u>176</u>	<u>14,995</u>
Per cent of total required		<u>66.3%</u>
Per cent of total pending completion		<u>76.1%</u>

1/ An inspection is now considered completed when the report on the inspection is transmitted to Washington. Upon revision of the semi-monthly report, an inspection will be considered completed when the inspector turns in his case report to the supervising inspector for review. These data are not now reported.

2/ These data include inspection assignments on cases which have not yet become "active inspections".

a/ Revised figure

SEMI-MONTHLY REPORT OF MAJOR OPERATING STATISTICS--Continued
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ENFORCEMENT

Item	Additional This Half Month	Cumulative Total
C. Status of Inspections Reported to Washington		
1. Total inspections reported (Same as B-2)	<u>152</u>	<u>2,887</u> ^{a/}
2. Cases on which final action has been taken		
Number	<u>208</u>	<u>1,631</u>
Per cent of total reported		<u>56.5</u>
3. Cases in process of legal action <u>1/</u>		
Number	<u>7</u>	<u>46</u>
Per cent of total reported		<u>1.6%</u>
4. Cases in process of further inspection		
Number	<u>-54</u> ^{b/}	<u>799</u>
Per cent of total reported		<u>27.7%</u>
5. Cases under review by Legal Branch and Department of Justice <u>2/</u>		
Number	<u>-6</u> ^{c/}	<u>139</u>
Per cent of total reported		<u>4.8%</u>
6. Cases under review by Central Office or in transmission between Washington and Field		
Number	<u>-3</u> ^{d/}	<u>272</u>
Per cent of total reported		<u>9.4%</u>

1/ Includes cases on which legal action has been instituted but on which the court has not rendered a decision

2/ Includes cases being considered for legal action by the Legal Branch or the Department of Justice

a/ Revised figure

b/ During this half month 46 cases were assigned for further inspection and additional inspection was completed on 100 cases, thereby reducing the cases in process of further inspection by 54.

c/ During this half month the Legal Branch and the Department of Justice received 19 cases for consideration and acted on 25, thus reducing the number under consideration by 6.

d/ During this half month 152 cases were forwarded to Washington by the Field Staff and 155 cases were reviewed by the Central office thus reducing the number of cases in transmission to Washington or pending review by the Central office by 3.

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ENFORCEMENT

Item	Additional This Half Month	Cumulative Total
D. <u>Cases On Which Final Action Has Been Taken</u>		
<u>Classified By Type of Action Taken</u>		
1. Total on which final action has been taken (Same as C-2)	<u>208</u>	<u>1,631</u>
2. Closed		
Number	<u>180</u>	<u>1,446</u>
Per cent of total on which final action has been taken		<u>88.7%</u>
a. Closed by settlement		
Number	<u>156</u>	<u>1,137</u>
Per cent of total on which final action has been taken		<u>69.7%</u>
Per cent of total closed		<u>78.6%</u>
b. Closed because no violation was found		
Number	<u>24</u>	<u>309</u>
Per cent of total on which final action has been taken		<u>19.0%</u>
Per cent of total closed		<u>21.4%</u>
3. Dropped		
Number	<u>28</u>	<u>185</u>
Per cent of total on which final action has been taken		<u>11.3%</u>
E. <u>Summary of Restitution Made and Number of Employees Receiving Restitution</u> ^{1/}		
1. Number of cases closed by settlement (Same as D-2a)	<u>156</u>	<u>1,137</u>
2. Employees receiving back payment	<u>4,959</u>	<u>38,310</u>
3. Amount of restitution	<u>\$104,632.60</u>	<u>\$746,070.61</u>
4. Average amount of restitution per case		<u>\$ 656.17</u>
5. Average amount of restitution per employee		<u>\$ 19.47</u>

^{1/} Based on best data available. There is no complete record of the restitution made in cases closed during the early period of enforcement. Data on restitution are limited to actual payments of back wages. A survey indicates that well over \$3,000,000 in back wages have been found due in inspections made or in process.

SEMI-MONTHLY REPORT OF MAJOR OPERATING STATISTICS--Continued
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LITIGATION

Item	This Half Month	Cumulative Total
F. <u>Status of Cases Referred to Legal Branch for Enforcement Proceedings</u>		
1. Total	<u>19</u>	<u>552</u>
2. Total acted on:	<u>23</u>	<u>448</u>
a. Cases referred to Department of Justice (G-1 minus G-5)	<u>4</u>	<u>113</u>
b. Civil actions instituted	<u>19</u>	<u>152</u>
c. Cases returned to Cooperation and Inspection Branch	<u>0</u>	<u>183</u>
3. Pending action		<u>104</u>
G. <u>Status of Cases Referred to Department of Justice by Legal Branch</u>		
1. Total	<u>4</u>	<u>128</u>
2. Criminal actions instituted	<u>6</u>	<u>78</u>
a. By information	<u>4</u>	<u>24</u>
b. By indictment	<u>2</u>	<u>54</u>
3. Criminal actions closed	<u>1</u>	<u>43</u>
a. Defendant plead guilty	<u>1</u>	<u>43</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>\$5,500</u>	<u>\$260,350</u>
(1) Collected	<u>\$5,500</u>	<u>\$128,000</u>
(2) Suspended	<u>\$0.00</u>	<u>\$132,350</u>
4. Criminal actions pending		<u>35</u>
5. Number of cases returned to Legal Branch by Department of Justice	<u>0</u>	<u>15</u>
6. Number of cases under consideration by Department of Justice		<u>35</u>

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LITIGATION

Item	This Half Month	Cumulative Total
<u>H. Status of Civil Actions Instituted by Legal Branch</u>		
1. Total (Same as F-2b)	<u>19</u>	<u>152</u>
2. Cases closed (in district courts)	<u>17</u>	<u>141</u>
a. Injunction granted	<u>17</u>	<u>139</u> a/
(1) Contested	<u>0</u>	<u>0</u>
(2) Uncontested (consent decree)	<u>17</u>	<u>139</u>
b. Injunction denied	<u>0</u>	<u>2</u> b/
3. Cases pending (in district courts)		<u>11</u>
 <u>I. Ratio of Legal Action Instituted to Inspections Made</u>		
1. Inspections completed	<u>152</u>	<u>2,887</u>
2. Cases on which legal action has been instituted	<u>25</u>	<u>230</u>
a. Criminal actions instituted (Same as G-2)	<u>6</u>	<u>78</u>
b. Civil actions instituted (Same as H-1)	<u>19</u>	<u>152</u>
3. Ratio of legal actions instituted to inspections completed		<u>8.0%</u>

a/ Includes one case in which two consent decrees were entered.

b/ One of the cases in which an injunction was denied is pending appeal.

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EXEMPTIONS
HANDICAPPED WORKERS' APPLICATIONS

Item	Additional This Half Month	Cumulative Total
J. <u>Status of Applications for Handicapped Workers' Certificates Received</u>		
1. Applications received	<u>92</u>	<u>6,886</u>
2. Applications on which final action has been taken		
Number	<u>96</u>	<u>5,845</u>
Per cent of total received		<u>84.9%</u>
3. Applications pending final action		
Number		<u>1,041</u>
Per cent of total received		<u>15.1%</u>
a. Pending receipt of additional information		
Number		<u>961</u>
Per cent of total received		<u>13.9%</u>
b. Pending consideration		
Number		<u>80</u>
Per cent of total received		<u>1.2%</u>
K. <u>Status of Requests for Reconsideration</u>		
1. Requests for reconsideration received	<u>8</u>	<u>1,201</u>
Per cent of total on which final action has been taken		<u>20.5%</u>
2. Applications on which reconsideration has been completed		
Number	<u>130</u>	<u>1,139</u>
Per cent		<u>94.8%</u>
3. Applications Pending Completion of Reconsideration		
Number		<u>62</u>
Per cent		<u>5.2%</u>
a. Pending receipt of additional information		
Number		<u>28</u>
Per cent		<u>2.3%</u>
b. Pending reconsideration		
Number		<u>34</u>
Per cent		<u>2.9%</u>

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EXEMPTIONS
HANDICAPPED WORKERS' APPLICATIONS

Item	Additional This Half Month	Cumulative Total
<u>L. Status of Applications On Which Final Action Has Been Taken</u>		
1. Total on which final action has been taken (Same as J-2)	<u>96</u>	<u>5,845</u>
2. Certificates granted or denied		
Number	<u>- 89</u>	<u>5,790</u>
Per cent of total acted on		<u>99.0%</u>
a. Certificates granted		
Number	<u>94</u>	<u>3,175</u>
Per cent of total acted on		<u>54.3%</u>
Per cent of total granted or denied		<u>54.8%</u>
b. Certificates denied		
Number	<u>- 5</u>	<u>2,615</u>
Per cent of total acted on		<u>44.7%</u>
Per cent of total granted or denied		<u>45.2%</u>
3. Applications cancelled or withdrawn, or found to require no certificate <u>a/</u>		
Number	<u>7</u>	<u>55</u>
Per cent of total acted on		<u>1.0%</u>
<u>M. Summary of Certificates Granted Classified by Action Taken</u>		
1. Total granted (Same as L-2a)	<u>94</u>	<u>3,175</u>
2. Granted on original consideration, reconsideration not requested		
Number	<u>73</u>	<u>2,497 a/</u>
Per cent of total granted		<u>78.7%</u>
3. Granted on original consideration; sustained on reconsideration		
Number	<u>13</u>	<u>52 a/</u>
Per cent of total granted		<u>1.6%</u>
4. Granted on original consideration; rate increased on reconsideration		
Number	<u>0</u>	<u>6</u>
Per cent of total granted		<u>0.2%</u>
5. Granted on original consideration; rate decreased on reconsideration		
Number	<u>0</u>	<u>37</u>
Per cent of total granted		<u>1.1%</u>
6. Denial reversed on reconsideration and certificate granted		
Number	<u>8</u>	<u>583</u>
Per cent of total granted		<u>18.4%</u>

a/ Cumulative total adjusted

SEMI-MONTHLY REPORT OF MAJOR OPERATING STATISTICS--Continued
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EXEMPTIONS
HANDICAPPED WORKERS' APPLICATIONS

Item	Additional This Half Month	Cumulative Total
N. <u>Summary of Certificates Denied</u> <u>Classified by Action Taken</u>		
1. Total denied (Same as L-2b)	<u>- 5</u> a/	<u>2,615</u>
2. Denied on first consideration, reconsideration not requested		
Number	<u>-42</u> a/	<u>2,166</u>
Per cent of total denied		<u>82.8%</u>
3. Denied on first consideration and denial sustained on re- consideration		
Number	<u>37</u>	<u>449</u>
Per cent of total denied		<u>17.2%</u>

a/ Represents decrease in number of denials issued on first consideration resulting from action on requests for reconsideration.

SEMI-MONTHLY REPORT OF MAJOR OPERATING STATISTICS--Continued
February 29, 1940

EXEMPTIONS
LEARNERS' APPLICATIONS

Item	Additional This Half Month	Cumulative Total
O. <u>Status of Applications for Learner's Certificates Received</u>		
1. Received	<u>29</u>	<u>1,710</u>
2. Total acted on		
Number	<u>29</u>	<u>1,488</u> a/
Per cent of total		<u>87.0%</u>
3. Applications suspended awaiting industry hearings and findings		
Number	<u>0</u>	<u>13</u>
Per cent of total		<u>.8%</u>
4. Pending action		
Number	<u>0</u>	<u>209</u> a/
Per cent of total		<u>12.2%</u>
P. <u>Status of Applications On Which Final Action Has Been Taken</u>		
1. Total acted on (Same as N-2)	<u>29</u>	<u>1,488</u> a/
2. Certificates issued		
Number	<u>9</u>	<u>1,122</u> a/
Per cent of total acted on		<u>75.4%</u>
3. Applications denied		
Number	<u>20</u>	<u>357</u> a/
Per cent of total acted on		<u>24.0%</u>
4. Applications cancelled (invalid or withdrawn)		
Number	<u>0</u>	<u>9</u>
Per cent of total acted on		<u>.6%</u>

a/ Cumulative total adjusted.

SEMI-MONTHLY REPORT OF MAJOR OPERATING STATISTICS--Concluded
February 29, 1940

EXEMPTIONS
LEARNERS' APPLICATIONS

Item	Additional This Half Month	Cumulative Total
<u>Q. Status of Cases Held for Reconsideration After Approval or Denial</u>		
1. Held for reconsideration	<u>0</u>	<u>90</u>
2. Reconsideration cases acted on		
Number	<u>0</u>	<u>81</u>
Per cent of total held for reconsideration		<u>90.0%</u>
3. On hand for reconsideration		
Number	<u>0</u>	<u>9</u>
Per cent of total held for reconsideration		<u>10.0%</u>
<u>R. Decision After Reconsideration</u>		
1. Total cases acted on (Same as P-2)	<u>0</u>	<u>81</u>
2. Certificates affirmed		
Number	<u>0</u>	<u>26</u>
Per cent of total reconsidered		<u>32.1%</u>
3. Certificates withdrawn		
Number	<u>0</u>	<u>1</u>
Per cent of total reconsidered		<u>1.2%</u>
4. Denials affirmed		
Number	<u>0</u>	<u>16</u>
Per cent of total reconsidered		<u>19.8%</u>
5. Denials reversed		
Number	<u>0</u>	<u>38</u>
Per cent of total reconsidered		<u>46.9%</u>

TABLE A-1

ESTABLISHMENTS COMPLAINED AGAINST AND
INSPECTIONS REQUIRED
February 29, 1940
BY REGIONS

Regions and Regional Offices	Establishments complained against			Establishments for which inspection required		
	February 16-29	Total		February 16-29	Total	
	Number	Number	Per Cent	Number	Number	Per Cent
(1)	(2)	(3)	(4)	(5)	(6)	(7)
TOTAL — ALL REGIONS	<u>1198</u>	<u>31,641</u> a/	<u>100.0</u>	<u>954</u>	<u>22,600</u> a/	<u>100.0</u>
I Boston, Mass.	45	1,542	4.9	31	1,186	5.2
II New York, N. Y.	212	5,402	17.0	134	3,517	15.6
III Philadelphia, Pa.	108	2,377 a/	7.5	77	1,526 a/	6.8
IV Newark, N. J.	33	1,504	4.8	24	1,066	4.7
V Richmond, Va.	91	1,930 a/	6.1	70	1,358 a/	6.0
VI Charlotte, N. C.	28	1,137 a/	3.6	31	803 a/	3.6
VII Atlanta, Ga.	66	1,904	6.0	79	1,672	7.4
VIII Birmingham, Ala.	27	1,718	5.4	25	1,437	6.4
IX Nashville, Tenn.	36	1,327	4.2	21	818	3.6
X Cleveland, Ohio	94	2,070	6.5	115	1,609	7.1
XI Chicago, Ill.	249	3,919	12.4	145	2,707	12.0
XII Minneapolis, Minn.	35	630	2.0	23	460	2.0
XIII Kansas City, Mo.	54	2,453	7.8	42	1,584	7.0
XIV Dallas, Texas	88	2,313	7.3	74	1,791	7.9
XV San Francisco, Calif.	32	1,415	4.5	63	1,066	4.7

a/ Figures for Regions III, V, and VI adjusted.

TABLE B-1

STATUS OF INSPECTIONS REQUIRED BASED ON COMPLAINTS
February 29, 1940
BY REGIONS

Regions and Regional Offices	Inspections Required		Inspections Completed		Inspections Pending Completion					
	Number	Per Cent	Number	Per Cent of Total Required	Total		In Process		Pending Assignment	
					Number	Per Cent of Total Required	Number	Per Cent of Total Required	Number	Per Cent of Total Required
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
TOTAL—ALL REGIONS	22,600 a/	100.0	2,887 b/	12.8	19,713 a/	87.2	4,718	20.9	14,995	66.3
I Boston, Mass.	1,186	100.0	230	19.4	956	80.6	92	7.8	864	72.8
II New York, N. Y.	3,517	100.0	278	7.9	3,239	92.1	399	11.3	2,840	80.8
III Philadelphia, Pa.	1,526 a/	100.0	338	22.1	1,188 a/	77.9	446	29.2	742	48.7
IV Newark, N. J.	1,066	100.0	183	17.2	883	82.8	87	8.1	796	74.7
V Richmond, Va.	1,358 a/	100.0	287	21.1	1,071 a/	78.9	125	9.2	946	69.7
VI Charlotte, N. C.	803 a/	100.0	153 b/	19.1	650 a/	80.9	270	33.6	380	47.3
VII Atlanta, Ga.	1,672	100.0	311	18.6	1,361	81.4	492	29.4	869	52.0
VIII Birmingham, Ala.	1,437	100.0	131	9.1	1,306	90.9	116	8.1	1,190	82.8
IX Nashville, Tenn.	818	100.0	100	12.2	718	87.8	62	7.6	656	80.2
X Cleveland, Ohio	1,609	100.0	221	13.7	1,388	86.3	444	27.6	944	58.7
XI Chicago, Ill.	2,707	100.0	195	7.2	2,512	92.8	749	27.7	1,763	65.1
XII Minneapolis, Minn.	460	100.0	108	23.5	352	76.5	159	34.5	193	42.0
XIII Kansas City, Mo.	1,584	100.0	156	9.8	1,428	90.2	386	24.4	1,042	65.8
XIV Dallas, Texas	1,791	100.0	141	7.9	1,650	92.1	155	8.7	1,495	83.4
XV San Francisco, Calif.	1,066	100.0	55	5.2	1,011	94.8	736	69.0	275	25.8

a/ Figures for Regions III, V, and VI revised.

b/ Figures for Region VI revised.

TABLE B-1a
 INSPECTIONS REQUIRED AND COMPLETED
 AND COMPARISON OF INSPECTIONS PENDING COMPLETION FEBRUARY 29, 1940
 WITH INSPECTIONS PENDING COMPLETION FEBRUARY 15, 1940
 BY REGIONS

Regions and Regional Offices	Inspections Required		Inspections Completed		Inspections Pending Completion			
	February 16-29	Total Through Feb. 29	February 16-29	Total Through Feb. 29	Total Through Feb. 29	Total Through Feb. 15	Net Change	
	Number	Number	Number	Number	Number	Number	Number	Per Cent
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TOTAL—ALL REGIONS	954	22,600 a/	152	2,887 b/	19,713 a/	18,911 a/	+802	+4.2
I Boston, Mass.	31	1,186	9	230	956	934	+ 22	+2.4
II New York, N.Y.	134	3,517	12	278	3,239	3,117	+122	+3.9
III Philadelphia, Pa.	77	1,526 a/	8	338	1,188 a/	1,119 a/	+ 69	+6.2
IV Newark, N. J.	24	1,066	7	183	883	866	+ 17	+2.0
V Richmond, Va.	70	1,358 a/	19	287	1,071 a/	1,020 a/	+ 51	+5.0
VI Charlotte, N. C.	31	803 a/	2	153 b/	650 a/	621 a/	+ 29	+4.7
VII Atlanta, Ga.	79	1,672	4	311	1,361	1,286	+ 75	+5.8
VIII Birmingham, Ala.	25	1,437	7	131	1,306	1,288	+ 18	+1.4
IX Nashville, Tenn.	21	818	12	100	718	709	+ 9	+1.3
X Cleveland, Ohio	115	1,609	12	221	1,388	1,285	+103	+8.0
XI Chicago, Ill.	145	2,707	16	195	2,512	2,383	+129	+5.4
XII Minneapolis, Minn.	23	460	1	108	352	330	+ 22	+6.7
XIII Kansas City, Mo.	42	1,584	37	156	1,428	1,423	+ 5	+0.4
XIV Dallas, Texas	74	1,791	4	141	1,650	1,580	+ 70	+4.4
XV San Francisco, Calif.	63	1,066	2	55	1,011	950	+ 61	+6.4

a/ Figures for Regions III, V AND VI revised.

b/ Figures for Region VI revised.

TABLE B-1b

INSPECTIONS REQUIRED AND COMPLETED FEBRUARY 16-29, 1940
 COMPARED WITH INSPECTIONS REQUIRED AND COMPLETED FEBRUARY 1-15, 1940
 BY REGIONS

Regions and Regional Offices	Number of Inspections Required				Number of Inspections Completed			
	Total Through Feb. 29	February 16-29	February 1-15	Net Change	Total Through Feb. 29	February 16-29	February 1-15	Net Change
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TOTAL—ALL REGIONS	<u>22,600</u> a/	<u>954</u>	<u>1,155</u> a/	<u>-201</u>	<u>2,887</u> b/	<u>152</u>	<u>175</u> b/	<u>-23</u>
I Boston, Mass.	1,186	31	42	- 11	230	9	19	-10
II New York, N. Y.	3,517	134	156	- 22	278	12	14	- 2
III Philadelphia, Pa.	1,526 a/	77	91	- 14	338	8	15	- 7
IV Newark, N. J.	1,066	24	25	- 1	183	7	12	- 5
V Richmond, Va.	1,358 a/	70	7	+ 63	287	19	10	+ 9
VI Charlotte, N. C.	803 a/	31	42 a/	- 11	153 b/	2	6 b/	- 4
VII Atlanta, Ga.	1,672	79	86	- 7	311	4	6	- 2
VIII Birmingham, Ala.	1,437	25	72	- 47	131	7	12	- 5
IX Nashville, Tenn.	818	21	34	- 13	100	12	14	- 2
X Cleveland, Ohio	1,609	115	132	- 17	221	12	18	- 6
XI Chicago, Ill.	2,707	145	180	- 35	195	16	18	- 2
XII Minneapolis, Minn.	460	23	54	- 31	108	1	5	- 4
XIII Kansas City, Mo.	1,584	42	95	- 53	156	37	17	+20
XIV Dallas, Texas	1,791	74	96	- 22	141	4	8	- 4
XV San Francisco, Cal.	1,066	63	43	+ 20	55	2	1	- 1

a/ Figures for Regions III, V and VI revised.

b/ Figures for Region VI revised.

TABLE D-1

CASES ON WHICH FINAL ACTION HAS BEEN TAKEN
CLASSIFIED BY TYPE OF ACTION
February 29, 1940
BY REGIONS

Regions and Regional Offices	Total Cases On Which Final Action Has Been Taken		CASES CLOSED						Cases Dropped	
			Total		Closed By Settlement		Closed—No Violation Found			
	Num- ber (2)	Per Cent (3)	Num- ber (4)	Per Cent (5)	Num- ber (6)	Per Cent (7)	Num- ber (8)	Per Cent (9)	Num- ber (10)	Per Cent (11)
TOTAL—ALL REGIONS	<u>1,631</u>	<u>100.0</u>	<u>1,446</u>	<u>88.7</u>	<u>1,137</u>	<u>69.7</u>	<u>309</u>	<u>19.0</u>	<u>185</u>	<u>11.3</u>
I Boston, Mass.	113	100.0	108	95.6	94	83.2	14	12.4	5	4.4
II New York, N. Y.	157	100.0	142	90.4	100	63.7	42	26.7	15	9.6
III Philadelphia, Pa.	222	100.0	200	90.1	170	76.6	30	13.5	22	9.9
IV Newark, N. J.	106	100.0	102	96.2	67	63.2	35	33.0	4	3.8
V Richmond, Va.	177	100.0	159	89.8	140	79.1	19	10.7	18	10.2
VI Charlotte, N. C.	62	100.0	44	71.0	23	37.1	21	33.9	18	29.0
VII Atlanta, Ga.	78	100.0	62	79.5	40	51.3	22	28.2	16	20.5
VIII Birmingham, Ala.	62	100.0	46	74.2	38	61.3	8	12.9	16	25.8
IX Nashville, Tenn.	53	100.0	51	96.2	42	79.2	9	17.0	2	3.8
X Cleveland, Ohio	162	100.0	146	90.1	122	75.3	24	14.8	16	9.9
XI Chicago, Ill.	126	100.0	125	99.2	105	83.3	20	15.9	1	0.8
XII Minneapolis, Minn.	63	100.0	54	85.7	45	71.4	9	14.3	9	14.3
XIII Kansas City, Mo.	91	100.0	77	84.6	68	74.7	9	9.9	14	15.4
XIV Dallas, Texas	112	100.0	84	75.0	57	50.9	27	24.1	28	25.0
XV San Francisco, Calif.	47	100.0	46	97.9	26	55.3	20	42.6	1	2.1

TABLE D-1a

INSPECTIONS REQUIRED AND CASES ON WHICH FINAL ACTION HAS BEEN TAKEN,
AND COMPARISON OF CASES PENDING FINAL ACTION FEBRUARY 29, 1940
WITH INSPECTIONS PENDING FINAL ACTION FEBRUARY 15, 1940
BY REGIONS

Regions and Regional Offices	Inspections Required			Cases On Which Final Action Has Been Taken			Cases Pending Final Action			
	February 16-29	Total Through February 29	Per Cent	February 16-29	Total Through February 29	Per Cent	Total Through Feb. 29	Total Through Feb. 15	Net Change	
	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
(1) TOTAL—ALL REGIONS	954	22,600 a/	100.0	208	1,631	7.2	20,969	20,223 a/	+ 746	+3.7
I Boston, Mass.	31	1,186	100.0	15	113	9.5	1,073	1,057	+ 16	+1.5
II New York, N. Y.	134	3,517	100.0	17	157	4.5	3,360	3,243	+ 117	+3.6
III Philadelphia, Pa.	77	1,526 a/	100.0	10	222	14.5	1,304	1,237 a/	+ 67	+5.4
IV Newark, N. J.	24	1,066	100.0	8	106	9.9	960	944	+ 16	+1.7
V Richmond, Va.	70	1,358 a/	100.0	17	177	13.0	1,181	1,128 a/	+ 53	+4.7
VI Charlotte, N. C.	31	803 a/	100.0	14	62	7.7	741	724 a/	+ 17	+10.2
VII Atlanta, Ga.	79	1,672	100.0	0	78	4.7	1,594	1,515	+ 79	+ 5.2
VIII Birmingham, Ala.	25	1,437	100.0	6	62	4.3	1,375	1,356	+ 19	+ 1.4
IX Nashville, Tenn.	21	818	100.0	5	53	6.5	765	749	+ 16	+ 2.1
X Cleveland, Ohio	115	1,609	100.0	21	162	10.1	1,447	1,353	+ 94	+ 6.9
XI Chicago, Ill.	145	2,707	100.0	28	126	4.7	2,581	2,464	+117	+ 4.7
XII Minneapolis, Minn.	23	460	100.0	1	63	13.7	397	375	+ 22	+ 5.9
XIII Kansas City, Mo.	42	1,584	100.0	52	91	5.7	1,493	1,503	- 10	- 0.7
XIV Dallas, Texas	74	1,791	100.0	9	112	6.3	1,679	1,614	+ 65	+ 4.0
XV San Francisco, Calif.	63	1,066	100.0	5	47	4.4	1,019	961	+ 58	+ 6.0

a/ Figures for Regions III, V and VI revised.

TABLE D-1b

INSPECTIONS REQUIRED AND CASES ON WHICH
FINAL ACTION HAS BEEN TAKEN FEBRUARY 16-29, 1940
COMPARED WITH INSPECTIONS REQUIRED AND CASES ON WHICH
FINAL ACTION HAS BEEN TAKEN FEBRUARY 1-15, 1940
BY REGIONS

Regions and Regional Offices	Number of Inspections Required				Number of Cases On Which Final Action Has Been Taken			
	Total Through Feb. 29	February 16-29	February 1-15	Net Change	Total Through Feb. 29	February 16-29	February 1-15	Net Change
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TOTAL—ALL REGIONS	<u>22,600</u>	<u>954</u>	<u>1,119 a/</u>	<u>+ 165</u>	<u>1,631</u>	<u>208</u>	<u>162</u>	<u>+ 46</u>
I Boston, Mass.	1,186	31	42	- 11	113	15	6	+ 9
II New York, N. Y.	3,517	134	156	- 22	157	17	13	+ 4
III Philadelphia, Pa.	1,526	77	91	- 14	222	10	12	- 2
IV Newark, N. J.	1,066	24	25	- 1	106	8	17	- 9
V Richmond, Va.	1,358	70	7	+ 63	177	17	10	+ 7
VI Charlotte, N. C.	803	31	6 a/	+ 25	62	14	7	+ 7
VII Atlanta, Ga.	1,672	79	86	- 7	78	0	1	- 1
VIII Birmingham, Ala.	1,437	25	72	- 47	62	6	13	- 7
IX Nashville, Tenn.	818	21	34	- 13	53	5	16	- 11
X Cleveland, Ohio	1,609	115	132	- 17	162	21	21	0
XI Chicago, Ill.	2,707	145	180	- 35	126	28	22	+ 6
XII Minneapolis, Minn.	460	23	54	- 31	63	1	4	- 3
XIII Kansas City, Mo.	1,584	42	95	- 53	91	52	9	+ 43
XIV Dallas, Texas	1,791	74	96	- 22	112	9	10	- 1
XV San Francisco, Cal.	1,066	63	43	+ 20	47	5	1	+ 4

a/ Figure for Region VI revised

TABLE E-1

SUMMARY OF RESTITUTION SECURED
AND NUMBER OF PERSONS RECEIVING PAYMENTS OF BACK WAGES
February 29, 1940
BY REGIONS

Regions and Regional Offices	Number of Cases Closed by Settlement		Number of Employees Receiving Payment of Back Wages		Amount of Restitution		Average Amount of Resti- tution Per Case	Average Amount of Resti- tution Per Employee
	February 16-29	Total Through Feb. 29	February 16-29	Total Through Feb. 29	February 16-29	Total Through Feb. 29		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TOTAL—ALL REGIONS	156	1,137	4,959	38,310	\$104,632.60	\$746,070.61	\$656.17	\$19.47
I Boston, Mass.	14	94	168	4,698	3,147.95	45,945.20	488.78	9.78
II New York, N. Y.	9	100	295	2,666	7,037.82	51,859.56	518.60	19.45
III Philadelphia, Pa.	4	170	43	3,368	646.94	39,288.41	231.11	11.67
IV Newark, N. J.	6	67	56	1,428	1,234.01	18,218.30	271.91	12.76
V Richmond, Va.	16	140	1,147	7,023	19,210.67	97,741.14	698.15	13.92
VI Charlotte, N. C.	2	23	31	607	1,149.75	12,081.75	525.29	19.90
VII Atlanta, Ga.	0	40	0	3,689	0.00	90,416.63	2,260.42	24.51
VIII Birmingham, Ala.	3	38	197	2,655	9,532.93	55,847.38	1,469.67	21.03
IX Nashville, Tenn.	4	42	81	1,501	5,122.00	21,553.66	513.18	14.36
X Cleveland, Ohio	20	122	318	3,565	6,495.25	49,411.75	405.01	13.87
XI Chicago, Ill.	22	105	459	2,731	36,003.86	196,012.75	1,866.79	71.77
XII Minneapolis, Minn.	1	45	12	466	375.50	16,573.24	368.29	35.56
XIII Kansas City, Mo.	48	68	1,969	2,684	9,703.96	23,026.45	338.62	8.58
XIV Dallas, Texas	3	57	70	594	1,986.31	16,515.16	289.74	27.80
XV San Francisco, Cal.	4	26	113	635	2,985.65	11,579.23	445.36	18.24

TABLE F-1

STATUS OF CASES ON WHICH LEGAL ACTION HAS BEEN TAKEN
February 29, 1940
BY REGION

Regions and Regional Offices	Number of Cases on Which Legal Action Has Been Instituted		Number of Cases on Which Legal Action Has Been Completed			Cases Pending Court Decision	
	February 16-29	Total Through Feb. 29	February 16-29	Total Through February 15			
				All Legal Actions	Civil Actions		Criminal Actions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
TOTAL—ALL REGIONS	<u>25</u>	<u>230</u>	<u>18</u>	<u>184</u>	<u>141</u>	<u>43</u>	<u>46</u>
I Boston, Mass.	2	37	1	32	17	15	5
II New York, N. Y.	2	30	2	25	19	6	5
III Philadelphia, Pa.	3	22	2	18	15	3	4
IV Newark, N. J.	0	13	0	9	8	1	4
V Richmond, Va.	0	11	0	10	8	2	1
VI Charlotte, N. C.	2	25	1	22	18	4	3
VII Atlanta, Ga.	2	22	0	11	9	2	11
VIII Birmingham, Ala.	5	12	5	10	10	0	2
IX Nashville, Tenn.	0	4	0	0	0	0	4
X Cleveland, Ohio	2	6	1	4	4	0	2
XI Chicago, Ill.	6	30	5	27	21	6	3
XII Minneapolis, Minn.	0	5	0	4	4	0	1
XIII Kansas City, Mo.	1	7	1	6	4	2	1
XIV Dallas, Texas	0	6	0	6	4	2	0
XV San Francisco, Calif.	0	0	0	0	0	0	0

TABLE Ia
 RATIO OF LEGAL ACTION INSTITUTED TO INSPECTIONS COMPLETED
 February 29, 1940
 BY REGIONS

Regions and Regional Offices (1)	Inspections Completed (2)	Cases On Which Legal Action Has Been Instituted (3)	Ratio of Legal Action Instituted to Inspections Completed (4)
TOTAL—ALL REGIONS	<u>2,887</u>	<u>230</u>	<u>8.0</u>
I Boston, Mass.	230	37	16.1
II New York, N. Y.	278	30	10.8
III Philadelphia, Pa.	338	22	6.5
IV Newark, N. J.	183	13	7.1
V Richmond, Va.	287	11	3.8
VI Charlotte, N. C.	153	25	16.3
VII Atlanta, Ga.	311	22	7.1
VIII Birmingham, Ala.	131	12	9.2
IX Nashville, Tenn.	100	4	4.0
X Cleveland, Ohio	221	6	2.7
XI Chicago, Ill.	195	30	15.4
XII Minneapolis, Minn.	108	5	4.6
XIII Kansas City, Mo.	156	7	4.5
XIV Dallas, Texas	141	6	4.3
XV San Francisco, Calif.	55	0	0.0