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June 30 1940

MONTHLY REPORT OF MAJOR OPERATING STATISTICS

WAGE AND HOUR DIVISION

JUNE 30, 1940

Prepared by
Research and Statistics Branch
Wage and Hour Division
July 30, 1940

(5104)

SUMMARY OF OPERATIONS OF THE WAGE AND HOUR DIVISION
As of June 30, 1940

Beginning with this issue of the monthly report, data on operations of the Division in the territory of Puerto Rico are incorporated. The totals in this report, therefore, now represent complete operations of the field staff in all offices. Data relating to enforcement activity in Alaska and Hawaii have always been included in these reports as part of the activity of Region XV.

During the first year of the enforcement of the Fair Labor Standards Act, practically all of the inspections were complaint inspections. Complaint inspections are those which are initiated as a result of the filing of complaints which, upon analysis, indicate apparent violations of the Act. In addition to the investigation of establishments against which complaints have been filed, the Division is now approaching the problem of enforcement and the securing of compliance by conducting industry drives, as well as by regular routine inspections.

It has always been the objective of the Division to work towards a program of inspecting, on a systematic basis, the establishments of all employers subject to the provisions of the Act. Industry drives are the first step toward the accomplishment of this objective. As a result of industry-wide inspections, the conscientious and complying employer may be alleviated from the sufferings which he might otherwise have to endure from the competition of his non-complying competitors.

The lumber industry, a low wage industry, is now being inspected on an industry-drive basis. In the near future, other low wage industries will be subject to industry-wide drives.

From the viewpoint of operating statistics, the effect of industry drives, as well as routine inspections which are being made in conjunction with the continued investigation of establishments which have been complained against, will be the eventual automatic reduction of the complaint case backlog. The complaint case inspection backlog has increased from month to month because the additional monthly volume of receipt of complaints, reduced to complaint cases requiring inspection after analysis, exceeded the monthly inspection output. Heretofore it was possible to measure the accomplishment of the staff by considering the change in the backlog as one of the factors. However, with the inauguration of industry-wide drives and routine inspections, these factors will make it necessary to pay more attention to accomplishments, and to realize that change in backlog will be of less significance.

Every time a routine inspection is made, the time required to make it is diverted from the efforts of making complaint case inspections. Thus, if the backlog does not appear to be decreasing as rapidly as might be anticipated, larger strides in the field of enforcement are being accomplished nevertheless, because of the wider scope of establishments which are being brought into compliance.

Inspection on an industry-wide basis also has the effect of curtailing non-compliance and thus forestalling the future filing of complaints by employees in many establishments which might otherwise have been in violation. Examination of preceding reports will reveal that while the rate of complaint inspections has increased from month to month, the complaint inspection backlog has also increased. The industry drives and routine inspections being made in conjunction with the continued investigation of complaint inspection cases will therefore have the effect of automatically reducing the complaint case backlog.

Table A:--Summary of inspections, completed, cases closed and restitution secured ^{a/} as of June 30, 1940

Item	During this month	Cumulative total	
		Number or Amount	Per cent
<u>Total inspections completed</u>	<u>1,360</u>	<u>6,443</u> ^{b/}	<u>100.0</u>
Complaint inspections	1,240	6,211 ^{b/}	97.9
Routine inspections	120	232	2.1
<u>Cases closed</u> ^{c/}	<u>1,214</u>	<u>4,673</u>	<u>100.0</u>
By settlement	807	3,381	72.3
No violations found	209	734	15.7
No covered employees	198	558	12.0
Restitution in cases closed by settlement	\$363,141	\$2,161,707	
Employees receiving back payments	11,178	91,350	
Average amount paid per employee		\$23.77	

^{a/} Data on operations in Puerto Rico now included in United States total.

^{b/} Increased by 149 inspections completed in Region XIII not included in data reported by this region.

^{c/} Includes routine inspections reported.

During the month of June, the Division took final action on 1,214 cases, making a total of 4,673 cases which have been finally acted on to date. During the same period, 1,360 completed case reports were received by the Washington office for review. The cumulative number of completed case reports received for review as of June 30th is 6,443. ^{1/}

^{1/} For breakdown by regions, see appendix table 4, page 20.

Thus, 21 per cent of all of the inspection cases for which reports have been submitted, since the beginning of the enforcement of the Act, were submitted during the month of June. Several factors may have caused this increased production, one of these being the increase in the size of the inspection staff, another the decrease in the average time required for case inspections. It is also possible that a large number of inspections, which had been completed in preceding months, had finally been reviewed in the field and the case reports transmitted to the Central Office for review. The 1,360 case reports submitted during June represent an increase of 483 cases over the number transmitted during the month of May.^{1/}

Of the total cases for which reports have been received, 6,211, or approximately 98 per cent, are classified as complaint inspections and 232, or 2 per cent, as routine inspections. The high percentage of complaint inspections indicates the concentration of effort that has been placed on this type of inspection heretofore. It may be anticipated that the ratio of routine inspections completed to the total of all inspections completed will increase from the present two per cent, a negligible factor, to a substantial percentage, and in fact, the major type. While a considerable number of additional routine inspections are in process, data for these do not appear in this report because the final case reports have not yet been received.

Of the 1,214 cases closed in June, 807 were settled by payment of back wages, with the exception of a few cases where the violations were minor and no payments made. The cases closed by settlement during June resulted in the payment of \$363,141 to 11,178 employees. To date, a

^{1/} For breakdown by regions, see appendix table 5, page 21.

total of \$2,161,707 in back wages has been paid to 91,350 employees in 3,381 cases which have been closed by settlement. This represents an average of \$23.77 paid to each employee.^{1/}

Action taken on cases closed indicates that 72 per cent were closed by settlement, 16 per cent were closed after the inspection disclosed that the firms were in compliance, and 12 per cent after the inspection disclosed that the establishments were not engaged in interstate commerce, or were exempted from coverage for other reasons.

Table B:--Complaint inspections required and completed^{a/}
By months, January through June, 1940

Month	Complaint inspections required		Complaint inspections completed ^{c/}		Ratio of inspections completed to inspections required ^{d/}
	During the month	Cumulative total	During the month	Cumulative total	
January	2,355	20,172	256	2,595	12.9 %
February	2,109	22,281	343	2,938	13.2 %
March	2,493	24,774	559	3,497	14.1 %
April	2,466	27,240	647	4,144	15.2 %
May	2,591 ^{b/}	29,831 ^{b/}	827	4,971	16.7 %
June	2,449 ^{b/}	32,280 ^{b/}	1,240	6,211	19.2 %
Average for six months	2,411	--	645	--	--

a/ Data on operations in Puerto Rico now included in these totals.

b/ Reduced by 471 routine inspections in Region XIII for which complaints were erroneously processed.

c/ Figures revised to exclude 64 branch plant inspections reported by Region XIII in February, March and April; and to include 59 inspections completed in March, April and May in this region but not included in data reported by it.

d/ For breakdown by regions, see Chart C, page 19.

1/ For breakdown by regions, see appendix table 8, page 25.

Table B shows the number of complaint inspections required and the number of complaint inspections completed for the six-month period ending June 30, 1940. It will be noted that while the number of complaint inspections completed during this six-month period has shown an increase in each succeeding month, the number of additional complaint inspections required each month has remained at a fairly constant but considerably larger amount. This has resulted in the upward trend from 13 per cent to 19 per cent in the ratio of the total number of inspections completed to the total number of inspections required.

During the six months, an average of 2,411 complaint inspections per month were required and 645 complaint inspections per month were completed. In June, 1,240 complaint case inspections were completed as compared to 827 during the month of May and 627 during the month of April. However, in June there was an average of 421 inspectors on active duty as compared to 401 in May and 283 in April.

Table C:--Total number of inspections completed and number of inspector days required per inspection by months, January through June, 1940

Month	Average number of inspectors on duty	Total inspections completed <u>a/</u>	Number of inspector days required per inspection <u>b/</u>	
			Month	Three month average
January	245	256	26	--
February	257	350	18	--
March	263	590	12	16
April	283	679	11	13
May	401	877	12	11
June	421	1,360	8	10

a/ Includes complaint and routine inspections.

b/ Based on number of working days per month, including Saturday as a full day.

Although the volume of inspections in May exceeded that of April, the per capita accomplishment per inspector was smaller than during the preceding month, notwithstanding the fact that there was an increased number of inspectors assigned to the field offices. This per capita decrease in output was largely attributable to the devotion of a considerable part of the inspectors' time to training.

The per capita production of the 421 inspectors during June, converted to an expression of the number of inspection days required for an inspection, indicates (See Table C) an increase in the rate of production of approximately 33 per cent. In January the average inspection required 26 days. This time was gradually reduced to 11 days in April. In May, the time required increased slightly. The marked degree of increase in the rate of making inspections is indicated by the fact that during the month of June an average of four days, or approximately one-third of the time required during May, has been eliminated. Expressed in terms of a three-month moving average, the trend indicates a decrease of from 16 days per case during the first quarter of the year to only 10 days per case for the second quarter ending June 30th.^{1/} It must be remembered that these estimates of time relate primarily to complaint case inspections and are not at all indicative of the time that may be required for each establishment investigated by means of industry drives or routine inspections where the technique of inspection differs. It may be safely assumed, however, that the present downward trend in the time required per case inspection will continue because of the inauguration of new methods of inspection which eliminate much of the laborious record analysis requirements heretofore part of the inspectors' function.

^{1/} For breakdown by regions, see appendix table 6 and Chart D, pages 22 and 23, respectively.

also

It must/be remembered that these averages do not necessarily represent the time required to make the actual inspection but also include the elapsed time consumed after the inspection report has been submitted by the inspector before it is reviewed and transmitted to the Central Office for action.

Another consideration that must be given to these averages is that they represent the aggregate time of all inspectors for all cases.

Table D:--Summary of work pending completion
as of June 30, 1940 a/

Item	Number	Per cent
Establishments complained against	42,476	
Complaint inspections required	32,280	
<u>Complaint inspections pending completion</u>	<u>26,069</u>	<u>100.0</u>
Inspections in process	7,301	28.0
Inspections pending	18,768	72.0
<u>Completed case inspections pending final action</u>	<u>1,770</u>	<u>100.0</u>
Under review by field staff or Central Office	885	48.3
In process of further inspection	771	43.6
Under review by Legal Branch	80	4.5
In process of legal action	64	3.6

a/ Data on operations in Puerto Rico now included in United States total.

Of the 42,476 establishments complained against, 32,280 required complaint inspection. Data indicate that 26,069 complaint inspections are pending completion; 7,301 of these, or 28 per cent of the total, are in process of inspection; and 18,768, or 72 per cent, have not yet been assigned for inspection.^{1/}

In addition there are 1,769 cases for which the inspections have been completed but for which final action has not yet been taken; 48 per cent of these, or 885 cases, are under review by the field staff or by the Central Office; 44 per cent, or 771 cases, are in process of further inspection; 4.5 per cent, or 80 cases, are under review by the Legal Branch; and 5.5 per cent, or 64 cases, are in the process of legal action.

Table E:--Summary of Legal Action Taken
As of June 30, 1940

Item	During this month	Cumulative total
<u>Legal actions completed</u>	<u>81</u>	<u>447</u> a/
Civil	69	370 a/
Criminal	12	77
<u>Legal actions pending completion</u>		<u>64</u> a/
Civil		32 a/
Criminal		32
<u>Fines Imposed</u>	<u>\$24,925</u>	<u>\$343,025</u> b/
Collected	\$17,925	\$200,675 b/
Suspended	\$ 7,000	\$142,350

a/ Hawkoye Pearl Button Case, for which an injunction was denied, is now remanded to a lower court. This decreases the number of legal actions completed by one and increases cases pending by one.

b/ Cumulative total revised.

^{1/} For regional breakdown, see appendix table 3, page 18 and Chart C, page 19.

The outstanding accomplishment of the month of the Legal Branch was the remanding of the Hawkeye Pearl Button Case for retrial after an injunction had been denied. Two other cases for which injunctions have been denied are also pending appeal.

During the month, 81 legal actions were completed, 69 of these being civil suits and 12 criminal actions. In the civil suits, consent decrees were obtained in all cases. In two of the criminal actions, the defendants were found guilty after trial, and in the remaining 10 the defendants entered pleas of guilty. Fines of \$24,925 were imposed, of which \$17,925 were collected.

To date, a total of 447 legal actions have been completed, 370 of which were civil suits. There are pending in the courts 64 cases, 32 being civil suits and 32 being criminal actions. Legal actions taken are summarized in Table E on the preceding page.^{1/}

Table F:--Summary of applications received for exemptions for handicapped workers as of June 30, 1940

Item	During this month	Cumulative total	
		Number	Per cent
<u>Applications received</u>	<u>119</u>	<u>7,685</u>	<u>100.0</u>
Final action taken	107	6,533	85.0
Under consideration	12	1,152	15.0
<u>Applications on which final action has been taken</u>	<u>107</u>	<u>6,533</u>	<u>100.0</u>
Certificates granted	115	3,962	60.6
Applications denied	-8 ^{a/}	2,558	39.2
Certificates cancelled	0	13	0.2

^{a/} During June, seven applications for handicapped workers' certificates were denied and 15 previously denied were reversed and certificates granted, thus reducing the number of denials outstanding by eight.

^{1/} For breakdown by regions, see appendix table 9, page 26.

During June, 119 applications were received requesting exemptions for the employment of handicapped workers at a rate lower than the minimum prescribed by the Act. A large proportion of these applications originated in central Pennsylvania from workers engaged in the manufacturing of cigars.

During the month, 115 certificates were granted. Included in these 115 certificates were 15 which represented reversals of previous actions taken on the applications, at which time the applications had been denied.

To avoid hardship on the part of deserving applicants, a liberal policy in the issuance of certificates to handicapped workers is pursued by the Division. Often a handicapped worker, who has found employment, must be retained at such employment because if he loses it, he may experience considerable difficulty, due to his handicap, in finding other employment. Where possible, the conditions of employment of the handicapped workers are investigated to determine whether the certificates, if granted, should be allowed to stand. In cases where the applicant states a handicap which is not apparent, the Division requires medical certificates to accompany the application.

Age, coupled with other handicaps, appears to be the most common type of handicap indicated in the applications. A substantial proportion of handicaps are orthopedic. Eye defects, mental and nervous impairments, heart, circulatory and blood diseases constitute a fairly large proportion of the handicaps. Some applications received indicate "slowness" as a handicap. This alone is not considered a handicap entitling a person to a certificate.

Analysis of the certificates received indicates that the ratio of female applicants to male applicants is approximately three to one. The preponderant occupational class of handicapped workers fall in the so-called "semi-skilled" group.

Table G:--Summary of applications received for exemptions for learners as of June 30, 1940

Item	During this month	Cumulative total a/	
		Number	Per cent
<u>Applications received</u>	66	2,012	100.0
Final action taken	48	1,872	93.0
Applications withdrawn	0	16	0.8
Pending final action	-	124	6.2
<u>Applications on which final action has been taken</u>	48	1,872	100.0
Certificates granted	49	1,428	76.3
Applications denied	-1 b/	435	23.2
Certificates cancelled	0	9	0.5

a/ Cumulative totals revised.

b/ During June, one application for a certificate previously denied was granted, thus reducing the denials outstanding by one.

During the month of June, 66 applications have been received from establishments wishing to employ learners at less than the minimum rate. Applications for learners' certificates originate most frequently in those industries which have been subject to wage orders where the minimum rates range from $32\frac{1}{2}$ to 40 cents an hour. The predominant group of applications for learners' certificates originate in the hosiery, apparel, textile, knitwear, and glove industries.

Certificates were granted either for plant expansion purposes or because of labor turnover in 49 cases. In one of these cases, the granting of a certificate constituted a reversal of a previous action wherein the application had been denied. As of June 30th, 1,428 certificates have been granted and 435 denials were outstanding; 9 certificates have been cancelled.

APPENDIX TABLES AND CHARTS FOLLOW ON SUBSEQUENT PAGES.

TABLE 1: ENFORCEMENT:

Establishments Complained Against and
Complaint Inspections Required
June 30, 1940
By Regions

Regions and Regional Offices	Establishments Complained Against			Complaint Inspections Required		
	June	Total Through June 30		June	Total Through June-30	
	Number	Number	Per Cent	Number	Number	Per Cent
(a)	(b)	(c)	(d)	(e)	(f)	(g)
TOTAL—ALL REGIONS	<u>2,672</u>	<u>42,476</u> a/	<u>100.0</u>	<u>2,449</u>	<u>32,280</u> a/	<u>100.0</u>
I Boston, Mass.	123	2,065	4.9	108	1,654	5.1
II New York, N. Y.	455	7,015	16.5	485	5,343	16.6
III Philadelphia, Pa.	196	3,173	7.5	142	2,173	6.7
IV Newark, N. J.	117	1,973	4.6	105	1,444	4.5
V Richmond, Va.	227	2,529	6.0	210	1,882	5.8
VI Charlotte, N. C.	68	1,538	3.6	77	1,149	3.6
VII Atlanta, Ga.	145	2,402	5.7	154	2,371	7.3
VIII Birmingham, Ala.	81	2,130	5.0	70	1,810	5.6
IX Nashville, Tenn.	100	1,717	4.0	79	1,126	3.5
X Cleveland, Ohio	218	2,824	6.6	163	2,190	6.8
XI Chicago, Ill.	336	5,713	13.5	295	4,011	12.4
XII Minneapolis, Minn.	55	893	2.1	37	676	2.1
XIII Kansas City, Mo.	235	3,234 a/	7.6	177	2,305 a/	7.1
XIV Dallas, Texas	183	3,100	7.3	160	2,419	7.5
XV San Francisco, Calif.	129	2,042	4.8	183	1,606	5.0
Terr. San Juan, P. R.	4	128	0.3	4	121	0.4

a/ Revised total; reduced by 471, the number of routine inspections in Region XIII for which complaints were erroneously processed.

CHART A:--PER CENT DISTRIBUTION OF COMPLAINT INSPECTIONS REQUIRED
AS OF JUNE 30, 1940
BY REGIONS

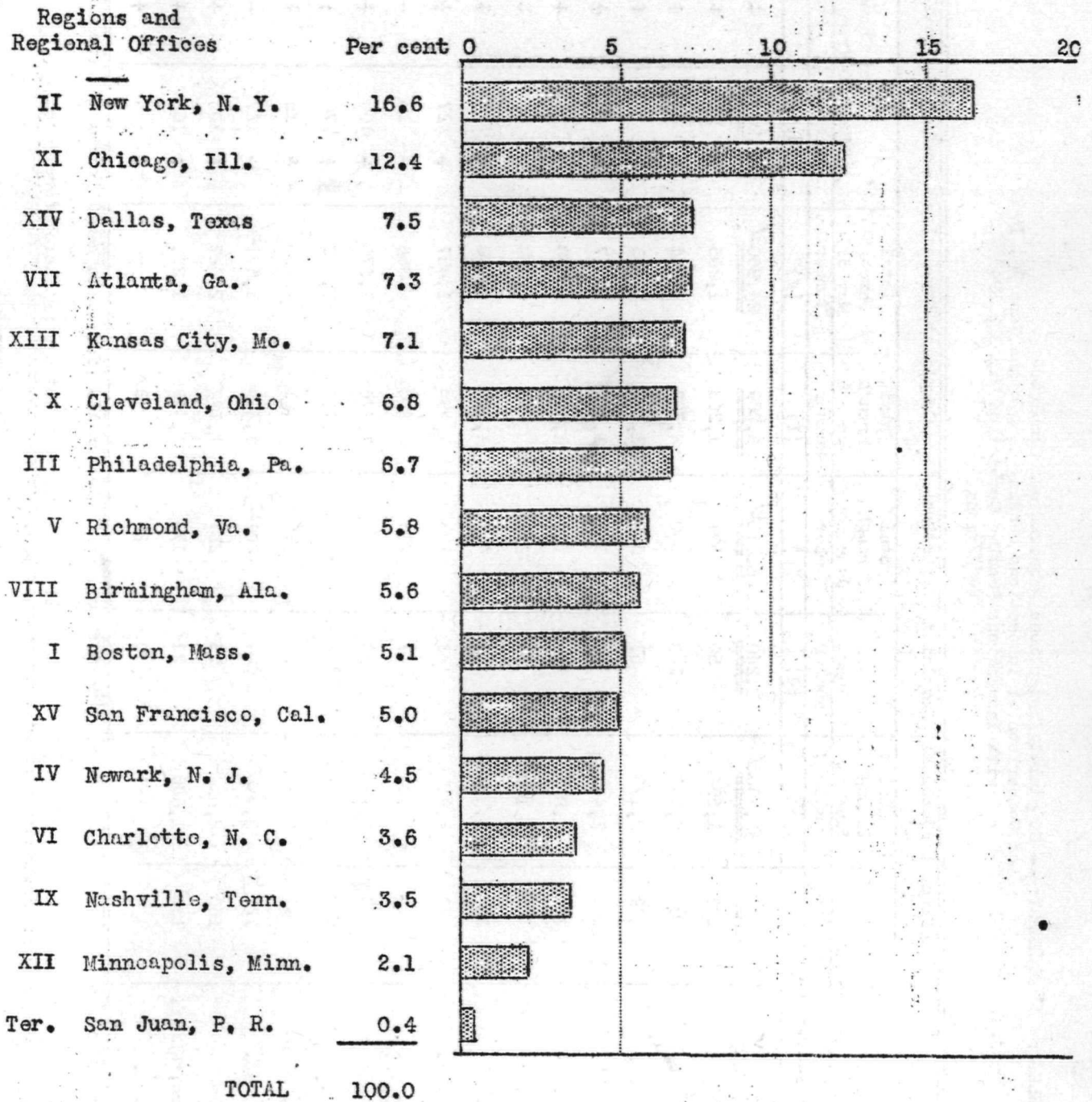


TABLE 2: ENFORCEMENT: — Complaint Inspections Required and Completed
and Comparison of Inspections Pending Completion June 30, 1940
with Inspections Pending Completion May 31, 1940
by Regions

Regions and Regional Offices	Complaint Inspections Required		Complaint Inspections Completed		Complaint Inspections Pending Completion			
	June	Total Through June 30	June	Total Through June 30	Total Through June 30	Total Through May 31	Net Change June 30 from May 31	
	Number	Number	Number	Number	Number	Number	Number	Per Cent
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)
TOTAL—ALL REGIONS	2,449	32,280 ^{a/}	1,240	6,211 ^{b/}	26,069	24,860 ^{c/}	+1,209	+ 4.9
I Boston, Mass.	108	1,654	50	391	1,263	1,205	+ 58	+ 4.8
II New York, N. Y.	485	5,343	148	640	4,703	4,366	+ 337	+ 7.7
III Philadelphia, Pa.	142	2,173	63	591	1,582	1,503	+ 79	+ 5.3
IV Newark, N. J.	105	1,444	37	329	1,115	1,047	+ 68	+ 6.5
V Richmond, Va.	210	1,882	115	529	1,353	1,258	+ 95	+ 7.6
VI Charlotte, N. C.	77	1,149	17	235	914	854	+ 60	+ 7.0
VII Atlanta, Ga.	154	2,371	80	467	1,904	1,830	+ 74	+ 4.0
VIII Birmingham, Ala.	70	1,810	43	326	1,484	1,457	+ 27	+ 1.9
IX Nashville, Tenn.	79	1,126	97	276	850	868	- 18	- 2.1
X Cleveland, Ohio	163	2,190	63	414	1,776	1,676	+ 100	+ 6.0
XI Chicago, Ill.	295	4,011	125	494	3,517	3,347	+ 170	+ 5.1
XII Minneapolis, Minn.	37	676	22	175	501	486	+ 15	+ 3.1
XIII Kansas City, Mo.	177	2,305 ^{a/}	304	861 ^{b/}	1,444	1,571 ^{c/}	- 127	- 8.1
XIV Dallas, Texas	160	2,419	55	287	2,132	2,027	+ 105	+ 5.2
XV San Francisco, Calif.	183	1,606	21	173	1,433	1,271	+ 162	+12.7
Ter. San Juan, P. R.	4	121	0	23	98	94	+ 4	+ 4.3

a/ Revised total; reduced by 471, the number of routine inspections in Region XIII for which complaints were erroneously processed.

b/ Revised total; 149 inspections completed added to Region XIII, for which credit was not heretofore taken.

c/ Revised total, corrected for adjustments in footnotes (a) and (b).

CHART B:--PER CENT CHANGE JUNE 30, 1940 FROM MAY 31, 1940
IN THE NUMBER OF COMPLAINT INSPECTIONS PENDING COMPLETION
BY REGIONS

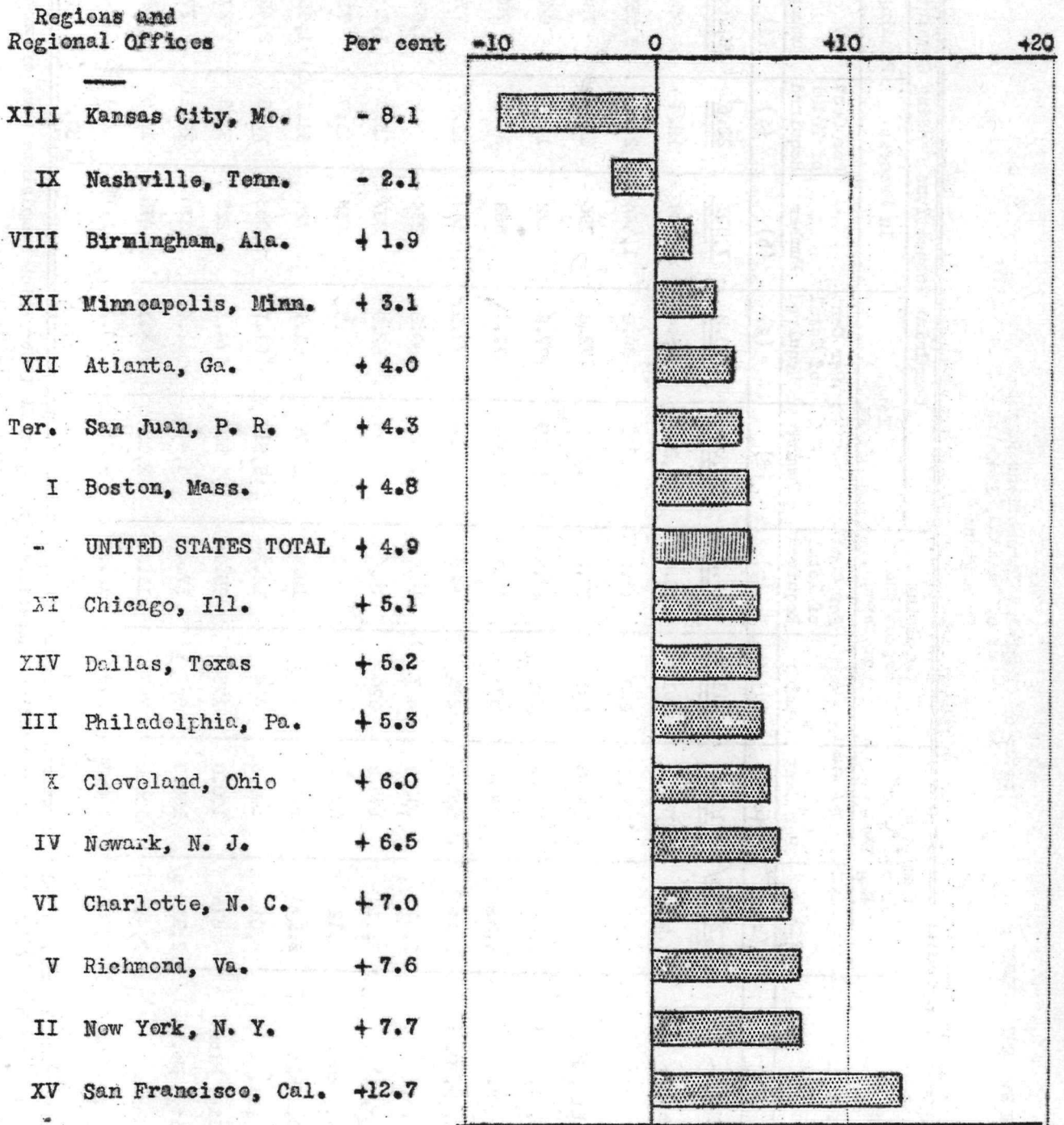


TABLE 3: ENFORCEMENT:

Status of Complaint Inspections Required
as of June 30, 1940
By Regions

Regions and Regional Offices	Complaint Inspections Required		Complaint Inspections Completed		Complaint 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
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
TOTAL—ALL REGIONS	<u>32,280</u> a/	<u>100.0</u>	<u>6,211</u> b/	<u>19.2</u>	<u>26,069</u>	<u>80.8</u>	<u>7,301</u>	<u>22.6</u>	<u>18,768</u>	<u>58.2</u>
I Boston, Mass.	1,654	100.0	391	23.6	1,263	76.4	304	18.4	959	58.0
II New York, N. Y.	5,343	100.0	640	12.0	4,703	88.0	1,144	21.4	3,559	66.6
III Philadelphia, Pa.	2,173	100.0	591	27.2	1,582	72.8	796	36.6	786	36.2
IV Newark, N. J.	1,444	100.0	329	22.8	1,115	77.2	172	11.9	943	65.3
V Richmond, Va.	1,882	100.0	529	28.1	1,353	71.9	568	30.2	785	41.7
VI Charlotte, N. C.	1,149	100.0	235	20.5	914	79.5	144	12.5	770	67.0
VII Atlanta, Ga.	2,371	100.0	467	19.7	1,904	80.3	234	9.9	1,670	70.4
VIII Birmingham, Ala.	1,810	100.0	326	18.0	1,484	82.0	287	15.9	1,197	66.1
IX Nashville, Tenn.	1,126	100.0	276	24.5	850	75.5	134	11.9	716	63.6
X Cleveland, Ohio	2,190	100.0	414	18.9	1,776	81.1	724	33.1	1,052	48.0
XI Chicago, Ill.	4,011	100.0	494	12.3	3,517	87.7	1,063	26.5	2,454	61.2
XII Minneapolis, Minn.	676	100.0	175	25.9	501	74.1	225	33.3	276	40.8
XIII Kansas City, Mo.	2,305 a/	100.0	861 b/	37.4	1,444	62.6	670	29.1	774	33.5
XIV Dallas, Texas	2,419	100.0	287	11.9	2,132	88.1	475	19.6	1,657	68.5
XV San Francisco, Calif.	1,606	100.0	173	10.8	1,433	89.2	291	18.1	1,142	71.1
Terr. San Juan, P.R.	121	100.0	23	19.0	98	81.0	70	57.9	28	23.1

a/ Revised total; reduced by 471, the number of routine inspections in Region XIII for which complaints were erroneously processed.

b/ Revised total; 149 inspections completed added to Region XIII, for which credit was not heretofore taken.

CHART C:--COMPLAINT INSPECTIONS COMPLETED AS A PERCENTAGE OF
TOTAL COMPLAINT INSPECTIONS REQUIRED FOR EACH REGION
AS OF JUNE 30, 1940

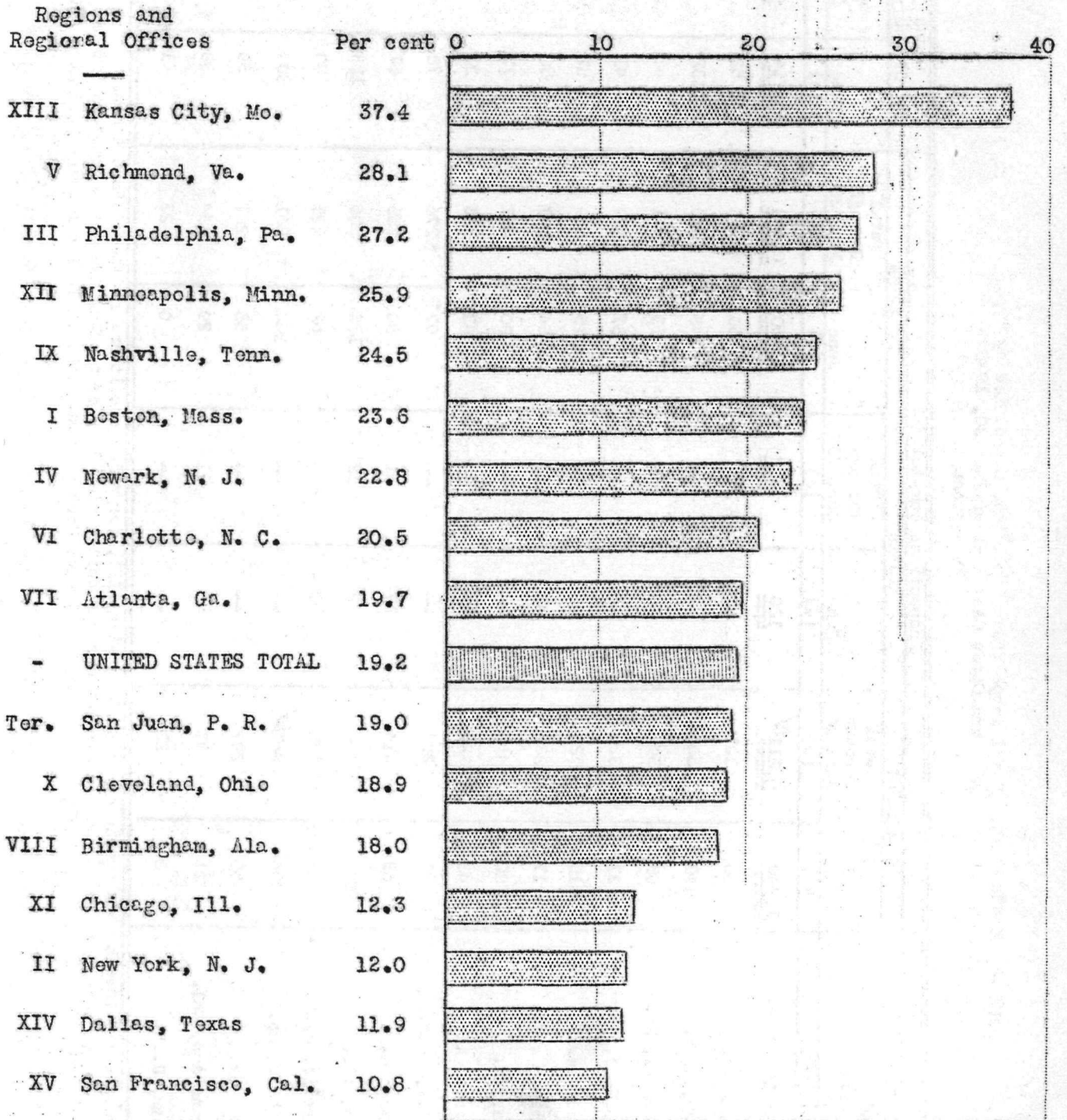


TABLE 4: ENFORCEMENT: Total Inspections Completed, Classified by Type and Cases Closed as of June 30, 1940 by Regions

Regions and Regional Offices (a)	Inspections Completed						Cases Closed	
	Complaint		Routine		Total		June (h)	Total Through June 30 (i)
	June (b)	Total Through June 30 (c)	June (d)	Total Through June 30 (e)	June (f)	Total Through June 30 (g)		
TOTAL—ALL REGIONS	<u>1,240</u>	<u>6,211^{a/}</u>	<u>120</u>	<u>232</u>	<u>1,360</u>	<u>6,443</u>	<u>1,214</u>	<u>4,673^{b/}</u>
I Boston, Mass.	50	391	—	—	50	391	62	288
II New York, N. Y.	148	640	—	—	148	640	132	508
III Philadelphia, Pa.	63	591	—	—	63	591	46	446
IV Newark, N. J.	37	329	—	—	37	329	41	266
V Richmond, Va.	115	529	—	—	115	529	57	321
VI Charlotte, N. C.	17	235	47	112	64	347	58	157 ^{b/}
VII Atlanta, Ga.	80	467	—	—	80	467	77	210
VIII Birmingham, Ala.	43	326	—	—	43	326	31	216
IX Nashville, Tenn.	97	276	—	—	97	276	78	178
X Cleveland, O.	63	414	17	41	80	455	67	310
XI Chicago, Ill.	125	494	8	12	133	506	123	445
XII Minneapolis, Minn.	22	175	40	46	62	221	40	159 ^{b/}
XIII Kansas City, Mo.	304	861 ^{a/}	—	—	304	861	304	777
XIV Dallas, Tex.	55	287	—	—	55	287	59	265
XV San Francisco, Cal.	21	173	8	21	29	194	38	118 ^{b/}
Ter. San Juan, P. R.	0	23	—	—	0	23	1	9

a/ Revised total; 149 inspections completed added to Region XIII, for which credit was not heretofore taken.

b/ Revised total; increased by 19 routine inspection cases reported closed prior to June 1st not heretofore included. Region VI, 2; Region XII, 6; Region XV, 11. Reduced by 1 when Hawkeye case remanded to lower court in Region XIII.

TABLE 5: ENFORCEMENT:

Comparison of Complaint Inspections Required,
Total Inspections Completed and Cases Closed During
June, 1940, with May, 1940, by Regions

Regions and Regional Offices	Complaint Inspections Required		Total Inspections Completed		Cases Closed	
	June, 1940	Change from May, 1940	June, 1940	Change from May, 1940	June, 1940	Change from May, 1940
Total All Regions	2,449	-142	1,360	+483 ^{a/}	1,214	+479 ^{b/}
I Boston, Mass.	108	+ 10	50	+ 3	62	+ 14
II New York, N. Y.	485	+ 38	148	+ 35	132	+ 32
III Philadelphia, Pa.	142	- 45	63	- 2	46	- 18
IV Newark, N. J.	105	+ 7	37	+ 6	41	- 1
V Richmond, Va.	210	+119	115	+ 56	57	+ 29
VI Charlotte, N. C.	77	+ 1	64	+ 20 ^{a/}	58	+ 34 ^{b/}
VII Atlanta, Ga.	154	+ 18	80	+ 47	77	+ 64
VIII Birmingham, Ala.	70	- 18	43	- 7	31	+ 5
IX Nashville, Tenn.	79	- 11	97	+ 63	78	+ 50
X Cleveland, O.	163	- 74	80	+ 4 ^{a/}	67	+ 40
XI Chicago, Ill.	295	- 74	133	+ 76 ^{a/}	123	+ 51
XII Minneapolis, Minn.	37	- 28	62	+ 47 ^{a/}	40	+ 21 ^{b/}
XIII Kansas City, Mo.	177	- 152	304	+ 105 ^{a/}	304	+ 105
XIV Dallas, Tex.	160	+ 2	55	+ 27	59	+ 31
XV San Francisco, Cal.	183	+ 69	29	+ 8	38	+ 24 ^{b/}
Ter: San Juan, P.R.	4	+ 4	0	- 5	1	- 2

a/ May totals revised to include: 47 complaint inspections completed in May in Region XIII not included in regional report; 50 routine inspections not heretofore included; 15 in Region VI; 21 in Region X; 2 in Region XI; 3 in Region XII; 9 in Region XV.

b/ May totals revised to include 13 routine inspections completed not heretofore included; 2 in Region VI; 6 in Region XII; 5 in Region XV.

TABLE 6: ENFORCEMENT: Average Number of Inspectors on Duty During June 1940 and Number of Inspector Days Required per Inspections During June and During the Three Month Period Ending June 30, 1940 By Regions

Regions and Regional Offices	Average Number of Inspectors on Duty During June 1940	Number of Inspections Completed During June 1940	Number of Inspector Days Required per Inspection ^{a/}	
			During June 1940	During Three Month Period Ending June 30, 1940
(a)	(b)	(c)	(d)	(e)
Total All Regions	420	1,360	8	10
I Boston, Mass.	39	50	20	18
II New York, N. Y.	49	148	8	10
III Philadelphia, Pa.	41	63	16	14
IV Newark, N. J.	22	37	15	15
V Richmond, Va.	30	115	7	10
VI Charlotte, N. C.	26	64	10	12
VII Atlanta, Ga.	20	80	6	12
VIII Birmingham, Ala.	14	43	8	6
IX Nashville, Tenn.	11	97	3	5
X Cleveland, O.	37	80	12	12
XI Chicago, Ill.	42	133	8	10
XII Minneapolis, Minn.	10	62	4	8
XIII Kansas City, Mo.	26	304	2	3
XIV Dallas, Tex.	28	55	13	17
XV San Francisco, Cal.	24	29	21	20
Ter: San Juan, P. R.	1	0	—	15

^{a/} Based on number of working days per month including Saturday as a full day.

CHART D:--AVERAGE NUMBER OF INSPECTOR DAYS REQUIRED PER
INSPECTION FOR THE THREE MONTH PERIOD
ENDING JUNE 30, 1940

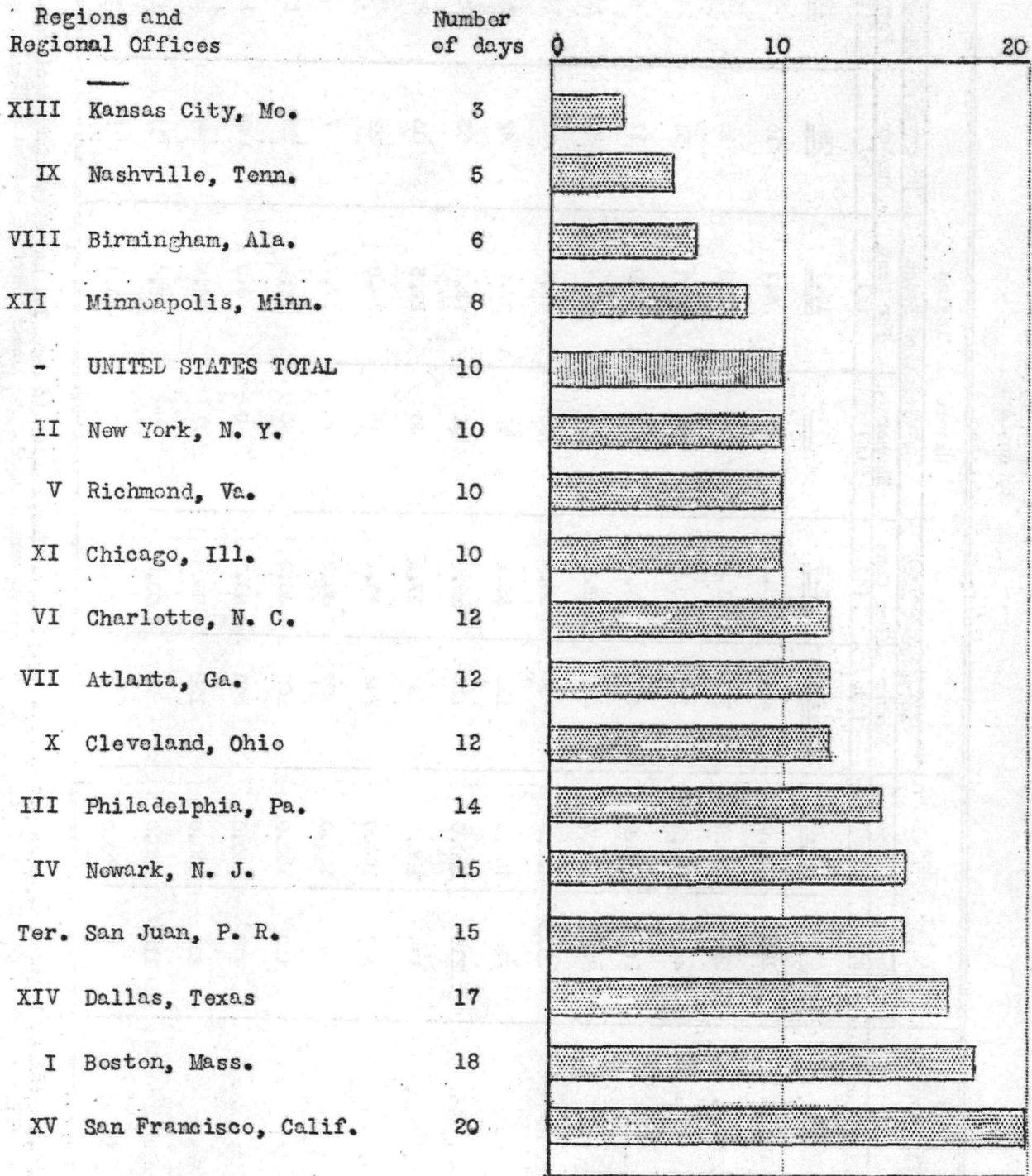


TABLE 7: ENFORCEMENT: Cases Closed, Classified by Nature of Closing
as of June 30, 1940
by Regions

Regions and Regional Offices	Total Cases Closed		Nature of Closing					
	Number	Per Cent	Settlement Made		No Violation Found		No Covered Employees	
			Number	Per Cent	Number	Per Cent	Number	Per Cent
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)
TOTAL—ALL REGIONS	<u>4,673^{a/}</u>	<u>100.0</u>	<u>3,381</u>	<u>72.3</u>	<u>734</u>	<u>15.7</u>	<u>558</u>	<u>12.0</u>
I Boston, Mass.	288	100.0	247	85.8	25	8.7	16	5.5
II New York, N. Y.	508	100.0	365	71.8	108	21.3	35	6.9
III Philadelphia, Pa.	446	100.0	341	76.5	54	12.1	51	11.4
IV Newark, N. J.	266	100.0	202	76.0	53	19.9	11	4.1
V Richmond, Va.	321	100.0	264	82.2	22	6.9	35	10.9
VI Charlotte, N. C.	<u>157^{a/}</u>	100.0	54	34.4	72	45.9	31	19.7
VII Atlanta, Ga.	210	100.0	116	55.2	52	24.8	42	20.0
VIII Birmingham, Ala.	216	100.0	110	50.9	51	23.6	55	25.5
IX Nashville, Tenn.	178	100.0	102	57.3	40	22.5	36	20.2
X Cleveland, Ohio	310	100.0	242	78.1	46	14.8	22	7.1
XI Chicago, Ill.	445	100.0	359	80.7	79	17.7	7	1.6
XII Minneapolis, Minn.	<u>159^{a/}</u>	100.0	105	66.0	30	18.9	24	15.1
XIII Kansas City, Mo.	777	100.0	646	83.1	0	0.0	131	16.9
XIV Dallas, Texas	265	100.0	150	56.6	71	26.8	44	16.6
XV San Francisco, Calif.	<u>118^{a/}</u>	100.0	75	63.6	30	25.4	13	11.0
Ter. San Juan, P. R.	9	100.0	3	33.3	1	11.1	5	55.6

^{a/} Revised total; increased by 19 routine inspection cases reported closed prior to June 1st not heretofore included. Region VI, 2; Region XII, 6; Region XV, 11. Reduced by 1 when Hawkeye case remanded to lower court in Region XIII.

TABLE 8: ENFORCEMENT:

Summary of Restitution Secured
and Number of Persons Receiving Payments of Back Wages^{a/}
June 30, 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 Restitution Per Case	Average Amount of Restitution per Employee
	June	Total Through June 30	June	Total Through June 30	June	Total Through June 30		
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)
TOTAL—ALL REGIONS	<u>807</u>	<u>3,381^{b/}</u>	<u>11,178</u>	<u>91,350^{b/}</u>	<u>\$363,141</u>	<u>\$2,161,707^{b/}</u>	<u>\$ 639.37</u>	<u>\$23.66</u>
I Boston, Mass.	48	247	690	8,564	\$ 19,162	\$ 121,106	\$ 490.31	\$14.14
II New York, N. Y.	93	365	785	14,751	17,771	295,774	810.34	20.05
III Philadelphia, Pa.	37	341	1,093	9,421	26,094	158,386	464.48	16.81
IV Newark, N. J.	39	202	318	4,553	12,851	65,010	321.83	14.28
V Richmond, Va.	48	264	707	10,886	30,850	184,042	697.13	16.91
VI Charlotte, N. C.	6	54 ^{b/}	272	1,300 ^{b/}	5,888	26,679 ^{b/}	494.06	20.52
VII Atlanta, Ga.	46	116	232	5,604	7,914	149,327	1,287.30	26.65
VIII Birmingham, Ala.	16	110	1,329	5,854	51,275	175,109	1,591.90	29.91
IX Nashville, Tenn.	23	102	379	3,655	17,941	96,910	950.10	26.51
X Cleveland, Ohio	43	242	681	5,591	24,447	135,920	561.65	24.31
XI Chicago, Ill.	101	359	1,755	7,952	53,421	370,632	1,032.40	46.61
XII Minneapolis, Minn.	13	105 ^{b/}	82	1,164 ^{b/}	4,469	46,227 ^{b/}	440.26	39.71
XIII Kansas City, Mo.	238	646	1,276	7,757	52,587	200,214	309.93	25.81
XIV Dallas, Texas	31	150	949	2,533	22,087	93,596	623.97	36.95
XV San Francisco, Calif.	24	75 ^{b/}	483	1,573 ^{b/}	13,853	38,374 ^{b/}	511.65	24.40
Ter. San Juan, P. R.	1	3	147	192	2,531	4,401	1,467.00	22.92

a/ There is no complete record of restitution made in cases closed during the early period of enforcement. Data on restitution are limited to actual payments of back wages.

b/ Revised totals; increased by data on 14 routine inspection cases closed prior to June 1st not heretofore included; 2 in Region VI; 5 in Region XII; 7 in Region XV.

TABLE 9: LITIGATION: Status of Cases on Which Legal Action Has Been Taken
June 30, 1940
By Regions

Regions and Regional Offices (a)	Number of Cases on Which Legal Action Has Been Instituted		Number of Cases on Which Legal Action Has Been Completed			Cases Pending Court Decision June 30 (h)	
	June (b)	Total Through June 30 (c)	June (d)	Total Through June 30			
				All Legal Actions (e)	Civil Actions (f)		Criminal Actions (g)
TOTAL—ALL REGIONS	<u>78</u>	<u>511</u>	<u>81</u>	<u>447^{a/}</u>	<u>370^{a/}</u>	<u>77^{b/}</u>	<u>64^{a/}</u>
I Boston, Mass.	4	67	7	57	34	23	10
II New York, N. Y.	11	67	12	63	56	7	4
III Philadelphia, Pa.	3	49	4	43	35	8	6
IV Newark, N. J.	8	40	7	36	30	6	4
V Richmond, Va.	6	21	4	18	15	3	3
VI Charlotte, N. C.	4	38	3	34	29	5	4
VII Atlanta, Ga.	12	46	11	33	30 ^{c/}	3	13
VIII Birmingham, Ala	2	17	2	16	13	3 ^{b/}	1
IX Nashville, Tenn	1	13	0	8	8	0	5
X Cleveland, Ohio	5	28	6	24	22 ^{c/}	2	4
XI Chicago, Ill.	17	75	17	74	65	9	1
XII Minneapolis, Minn.	0	12	0	11	11	0	1
XIII Kansas City, Mo.	2	10	3	9 ^{a/}	6 ^{a/}	3	1 ^{a/}
XIV Dallas, Texas	2	17	3	14	11	3	3
XV San Francisco, Calif.	0	3	0	2	2	0	1
Ter. San Juan, P. R.	1	8	2	5	3	2	3

- a/ Hawkeye Pearl Button Case in Region XIII, for which an injunction was denied, is now remanded to a lower court. This decreases the number of legal actions completed by one and increases cases pending by one.
b/ Includes one case in Region VIII in which defendant was acquitted.
c/ There is one case pending appeal in Region VII and one in Region X.

TABLE 10: LITIGATION:

Ratio of Legal Action Instituted to Inspections Completed
 June 30, 1940
 By Regions

Regions and Regional Offices	Total Inspections Completed	Cases on Which Legal Action Has Been Instituted	Ratio of Legal Action Instituted to Inspections Completed
(a)	(b)	(c)	(d)
TOTAL—ALL REGIONS	<u>6,443</u>	<u>511</u>	<u>7.9</u>
I Boston, Mass.	391	67	17.1
II New York, N. Y.	640	67	10.5
III Philadelphia, Pa.	591	49	8.3
IV Newark, N. J.	329	40	12.2
V Richmond, Va.	529	21	4.0
VI Charlotte, N. C.	347	38	11.0
VII Atlanta, Ga.	467	46	9.9
VIII Birmingham, Ala.	326	17	5.2
IX Nashville, Tenn.	276	13	4.7
X Cleveland, Ohio	455	28	6.2
XI Chicago, Ill.	506	75	14.8
XII Minneapolis, Minn.	221	12	5.4
XIII Kansas City, Mo.	861	10	1.2
XIV Dallas, Texas	287	17	5.9
XV San Francisco, Calif.	194	3	1.5
Terr. San Juan, P. R.	23	8	34.8

CHART E:--RATIO OF LEGAL ACTION INSTITUTED TO INSPECTIONS COMPLETED
JUNE 30, 1940
BY REGIONS

