

For immediate release
Thursday, Dec. 8, 1938

U.S. DEPARTMENT OF LABOR
WAGE AND HOUR DIVISION
WASHINGTON

R-117

NOTICE OF HEARING ON PETITIONS FOR REVIEW OF
DETERMINATION DENYING APPLICATIONS FOR PER-
MISSION TO EMPLOY MESSENGERS AT WAGES LOWER
THAN APPLICABLE MINIMUM SPECIFIED IN SECTION
6 OF THE FAIR LABOR STANDARDS ACT OF 1938.

WHEREAS, the Western Union Telegraph Company and Postal Telegraph Landline System, pursuant to Section 523.9 of Part 523 of Regulations of the Department of Labor, Title 29, Chapter V, Wage and Hour Division (Regulations applicable to employment of messengers pursuant to Section 14 of the Fair Labor Standards Act of 1938), and to notice given by the Administrator pursuant to said Section 523.9, filed with the Administrator on November 29, 1938, their respective petitions requesting that he review the determination of William M. Leiserson, made under date of November 10, 1938, which denied the respective applications of said companies for permission to employ messengers employed exclusively in delivering letters and messages at wages lower than the applicable minimum wage specified in Section 6 of the Act; and

WHEREAS, the Western Union Telegraph Company has requested that oral argument in support of its petition for review be allowed, and Postal Telegraph Landline System has requested that oral argument and briefs in support of its petition for review be allowed; and

WHEREAS, Messrs. Cecil P. Stewart, William Rosenblatt, Milton W. Harrison, and Hamilton Pell, as a Committee of bondholders of Postal Telegraph and Cable Corporation, and the Protective Committee for Postal Telegraph and Cable Corporation Bonds, of which Mr. Robert Lehman is Chairman, respectively have requested permission to intervene in any proceedings before the Administrator upon the petition for review of Postal Telegraph Landline System and such requests to intervene have been granted by the Administrator;

NOW, THEREFORE, pursuant to the Fair Labor Standards Act of 1938, and the said Part 523 of the Regulations issued by the Administrator thereunder, notice is hereby given that the Administrator, on the basis of the record and the report and findings of said William M. Leiserson, will review the said determination of William M. Leiserson and that a hearing on the matters prayed for in said petitions will be held before the Administrator in Room 3135, Department of Labor Building, located at Constitution Avenue and 14th Street, Washington, D. C., to commence at 10:00 o'clock a.m., on December 19, 1938.

At such time and place, any interested party will be afforded an opportunity to present oral argument in support of or in opposition to the matters prayed for in said petitions for review, or in either of them, provided that he shall have filed with the Administrator prior to 12 o'clock noon on December 17, 1938, written notice of his intention to participate in said argument.

Briefs for any such party in support of any of the matters prayed for in the petitions for review, or in either of them, will be received and considered by the Administrator if filed with him on or before December 19, 1938, and briefs in opposition thereto will be received and considered by the Administrator if filed on or before December 24, 1938. All such briefs should be addressed to the Administrator, Room 5144, Department of Labor Building, Washington, D. C. If briefs are typewritten or mimeographed, 10 copies shall be filed; if printed, 20 copies shall be filed. Copies of such briefs will be furnished on request to the extent practicable, and copies may be examined in Room 5144, United States Department of Labor, Washington, D.C.

Signed at Washington, D. C., this seventh day of December 1938.

Paul Sifton
Paul Sifton

Deputy Administrator, Wage and Hour Division

Certified to be a true and correct copy of the original as signed by Paul Sifton, Deputy Administrator.

Eugenia Pope
Eugenia Pope

Secretary to the Administrator