

U. S. DEPARTMENT OF LABOR
Wage and Hour Division
Washington, D. C.

REVIEW DENIED IN PECAN SHELLER CASE

Administrator Elmer F. Andrews of the Wage and Hour Division, U. S. Department of Labor, today denied the application of the Southern Pecan Shelling Company of which J. Seligmann is president, for a review of the findings of Merle D. Vincent, who, as Presiding Officer, conducted hearings on the application of the company for an exemption for its employees as learners in the pecan shelling industry. Mr. Vincent, who is Chief of the Hearings and Exemptions Section of the Wage and Hour Division, after hearings on December 19, 20, 21, 1938, in San Antonio, Texas, denied the application made by the company for permission to employ workers at less than 25 cents an hour on the grounds that they are learners.

His decision was contained in findings issued on January 19, 1939. The company, under the regulations governing administration of the Fair Labor Standards Act, then submitted a petition requesting a review of the determination.

The Administrator, in his notice of denial signed today, concluded:

"Upon due examination and consideration of the petitioner's request for review and the record of the proceedings in the matter of the applications for permission to employ learners in the pecan shelling industry, I have determined that the ultimate findings of the Presiding Officer are supported by the evidence in the record and that the findings required the denial of the application."