

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

REGULATIONS GOVERNING FEDERAL-STATE COOPERATION
IN WAGE-HOUR ENFORCEMENT MADE PUBLIC

Regulations of the United States Department of Labor to govern utilization of state agencies for investigations and inspections under the Fair Labor Standards Act were made public today (Federal Register, September 22, 1939) upon their approval by Frances Perkins, Secretary of Labor; Elmer F. Andrews, Administrator of the Wage and Hour Division; and Katharine F. Lenroot, Chief of the Children's Bureau.

Generally, the regulations require that state agencies meet high standards of personnel administration with proper job classifications, adequate salaries on a scale usually paid by the state for similar services -- and in no case more than salaries paid for comparable Federal positions, general conformation to qualifications required of Federal employees engaged in similar work, the appointment of new personnel on the basis of merit, an adequate training program, promotion on the basis of qualification and performance, security of tenure and prohibition of political activities by employees.

The state agency, in order to enter into an agreement with the Wage and Hour Division and the Children's Bureau under the provisions of the Fair Labor Standards Act, must have as its primary function the administration of State labor laws and shall be under the direction of an executive who gives full time to its work. A separate administrative division shall be designated to make inspections and investigations under the Act, and a qualified staff shall be specifically assigned for work connected with State and Federal child-labor, maximum-hour and minimum-wage laws and regulations; and provision shall be made to inspect any establishment subject to the Wage and Hour Law.

Detailed budget estimates must be submitted, and the state agency's books shall be subject to audit by the Federal officials. All prosecutions shall be undertaken by the Federal Government.

In order for the agreements to obtain the approval of the Wage and Hour Division and the Children's Bureau, a complete and satisfactory operating plan shall be submitted.

All state agencies entering into such agreements shall follow the inspection and other procedures laid down by the Wage and Hour Division and the Children's Bureau.

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