

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

COURT ORDERS REINSTATEMENT OF EMPLOYEE WHO MADE WAGE-HOUR COMPLAINT

For the first time in any court action to compel adherence to the provisions of the Fair Labor Standards Act, a Chicago firm has been directed by a U. S. District Court order to re-employ an employee allegedly discharged because he complained to the Wage and Hour Division, U.S. Department of Labor, that his employer was violating the Act.

Announcement of this court ruling, regarded as of primary importance and significance in the proper enforcement of the Wage and Hour Law, was made today by the Wage and Hour Division upon receipt of notice from Chicago that Federal Judge Charles E. Woodward, in U.S. District Court there, had signed an injunction restraining the G. & G. Genuine Majestic Refrigerator & Radio Parts Co., 5801 W. Dickens Avenue, Chicago, from further violations of the Fair Labor Standards Act, and directing the company to rehire John Gary, a former employee discharged because he supplied Wage and Hour inspectors with information concerning his employer's failure to comply with the Act.

The injunction also directed the payment of \$854.35 to twenty-nine employees in restitution of unpaid overtime due them under the Act.

The complaint filed by the Wage and Hour Division, charged failure to pay time and half for overtime worked by employees; failure to keep proper records, and the discharge of an employee for filing a complaint with the Wage and Hour Division. Such action against an employee is prohibited by Section 15 (a)(3) of the Act, which states it shall be unlawful for any person "to discharge or in any other manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act, or has testified or is about to testify in any such proceeding, or has served or is about to serve on an industry committee."

Although there have been other cases in which the Wage and Hour Division has brought about the re-employment of employees discharged because they furnished information or filed complaints about violations of the Wage and Hour Law, the order just entered in the Chicago case marks the first time that the courts have ordered employers to rehire an employee discharged because of activity in connection with enforcement of the Fair Labor Standards Act.

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