

U. S. DEPARTMENT OF LABOR
WAGE AND HOUR DIVISION
Washington, D. C.

NOTICE OF PUBLIC HEARING BEFORE INDUSTRY COMMITTEE NO. 9 FOR PURPOSE
OF RECEIVING EVIDENCE TO BE CONSIDERED IN RECOMMENDING MINIMUM WAGE
RATES FOR THE RAILROAD CARRIER INDUSTRY

In conformity with the Fair Labor Standards Act of 1938, 52 Stat. 1060, and Section 511.11 of Part 511 of the Rules and Regulations issued pursuant thereto, notice is hereby given to all interested persons that a public hearing will be held beginning at 10 A. M., February 14, 1940, in Room 208, 939 D Street, N. W., Washington, D. C., for the purpose of receiving evidence to be considered by Industry Committee No. 9 in determining the highest minimum wage rates for the Railroad Carrier Industry, which, having due regard to economic and competitive conditions, will not substantially curtail employment.

The term "Railroad Carrier Industry" is defined in Administrative Order No. 34, issued November 2, 1939, as follows:

As used in this order the term "Railroad Carrier Industry" means the industry carried on by any express company, sleeping car company or carrier by railroad, subject to Part I of the Interstate Commerce Act, and by any company which is directly or indirectly owned or controlled by one or more such carriers or under common control therewith, and which operates any equipment or facility or performs any service (except trucking service, casual service, and the casual operation of equipment or facilities) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer in transit, refrigeration or icing, storage, or handling of property transported by railroad, and by any receiver, trustee, or other individual or body, judicial or otherwise, when in the possession of the property or operating all or any part of the business of any such company or carrier by railroad; Provided, however, That the term "Railroad Carrier Industry" shall not include the industry carried on by any street, interurban, or suburban electric railway, unless such railway is operating as a part of a general steam-railroad system of transportation, but shall not exclude any part of the general steam-railroad system of transportation now or hereafter operated by any other motive power.

Industry Committee No. 9 was created by Administrative Order No. 34, referred to above. It is charged, in accordance with the provisions of the Fair Labor Standards Act of 1938 and Rules and Regulations promulgated thereunder, with the duty of investigating conditions in the Railroad Carrier Industry and recommending to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce", excepting employees exempted by the provisions of Section 13 (a) and employees coming under the provisions of Section 14.

Any person who, in the opinion of the Committee or its duly authorized subcommittee, has a substantial interest in the proceeding and is prepared to present material pertinent to the question under consideration, may appear on his own behalf or on behalf of any other person. Persons desiring to appear are requested to file with Burton E. Oppenheim, Director of the Industry Committee Branch, Wage

and Hour Division, U. S. Department of Labor, Washington, D. C., prior to February 7, 1940, a Notice of Intention to Appear containing the following information:

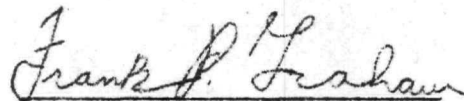
- (1) The name and address of the person appearing.
- (2) If he is appearing in a representative capacity, the name and address of the person or persons whom, or organization which, he is representing.
- (3) A brief summary of the material intended to be presented.
- (4) The approximate length of time which his presentation will consume.

Since the Committee may refuse to hear certain persons on the basis of information received pursuant to item (3) above, and since the length of the hearing will require that appearances be scheduled, persons who have filed Notice of Intention to Appear will be notified whether or not they will be heard and if so at what time.

All testimony will be taken under oath and subjected to reasonable cross examination by any interested person present. Testimony so received will be offered as evidence at the public hearing to be held by the Administrator on such minimum wage recommendations as Industry Committee No. 9 may make.

Written briefs of persons who can not appear personally will be considered by the Committee provided that thirty copies thereof are received at the address last given not later than February 9, 1940.

Signed at Washington, D. C., this 17th day of January, 1940.



Frank P. Graham, Chairman,
Industry Committee No. 9 for
the Railroad Carrier Industry.