

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

CHANGE IN INDUSTRY COMMITTEE PROCEDURE

Members of the legal staff of the Wage and Hour Division, assigned as counsel to industry committees, in the future will not represent the committees in administrative hearings on committee minimum wage recommendations, it was announced today by Colonel Philip B. Fleming, Administrator.

Rather, he declared, they will appear as impartial advocates presenting testimony and witnesses both for and against the committee recommendation. Nor will these attorneys, he said, have any part in the making or drafting of the Administrator's decision on the evidence adduced at this hearing.

"The change in procedure was made," Colonel Fleming said, "to avoid appearance at these hearings that the Division was taking any position one way or the other on the industry committee minimum wage recommendations.

"The Act provides that after the committee has recommended a minimum wage for a given industry the Administrator must hold a hearing and make his decision on the recommendation on evidence adduced at his hearing. Heretofore the industry committee has been represented at wage order hearings by the attorney on the staff of the Wage and Hour Division who had previously acted as its counsel during its deliberations. This attorney represented only the industry committee and took no part in the consideration or drafting of the Administrator's decision. But some employers and representatives of trade associations appearing at these hearings seemed to feel that this attorney in some way represented the Division.

"In the future, to avoid any such misunderstanding on the part of persons appearing at the hearings, no employee of the Wage and Hour Division will represent the industry committee at the hearing. Persons favoring the minimum wage recommendation of a committee will have to present their own case."