

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

EVERGREENS HELD SEASONAL INDUSTRY

A seasonal exemption from the maximum hours provisions of the Fair Labor Standards Act for the harvesting and preparing of undried evergreens for decorative purposes, and for the processing of coniferous evergreens and undried holly, was made final today by the Wage and Hour Division, U. S. Department of Labor. (Federal Register March 12, 1940.)

A public hearing on applications for seasonal exemption for certain branches of the decorative greens industry was conducted in Washington, D. C., November 29, 1939, by Harold Stein, Assistant Director of the Hearings Branch, Wage and Hour Division. His findings and determination were published in the Federal Register February 15, 1940. No petition for review was filed within fifteen days of that publication, and accordingly the exemption has been made effective by the Wage-Hour Administrator, Colonel Philip B. Fleming.

This seasonal exemption permits the harvesting and preparing of undried evergreens and the processing of coniferous evergreens and undried holly to be conducted for twelve hours in any workday or 56 hours in any workweek for an aggregate of not more than 14 workweeks in any calendar year, without the payment of overtime. The exemption does not affect the minimum wage requirement of the Act, 30 cents an hour, nor does it affect child labor regulations, or State labor laws that may be applicable.

In addition to the finding and determination of seasonal exemption described above, Mr. Stein found that the harvesting and preparing of evergreen huckleberry and evergreen ferns in the State of Washington, and the preparing and processing of dried decorative greens into grave wreaths, are not of a seasonal nature, and therefore are not granted an exemption.

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