

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

SPRING FRESHET DRIVING OF LUMBER SEASONAL
INDUSTRY EVERYWHERE; WAGE-HOUR
PRELIMINARY DETERMINATION

Spring freshet driving of lumber, already declared a branch of a seasonal industry in certain states, is seasonal everywhere and as such partially exempt from the hours provisions of the Fair Labor Standards Act, according to a preliminary determination announced today by the Wage and Hour Division, U. S. Department of Labor. (Federal Register March 19, 1940.) Unless objections are filed within fifteen days the finding will be made final. If there are objections, a public hearing will be called.

Previously the Wage-Hour Administrator held that spring freshet driving of lumber is seasonal in Maine, New Hampshire, New York and Vermont, after a public hearing April 17 and 18, 1939. Subsequently, after proper applications and findings, the exemption was made applicable also to Michigan, Minnesota and Wisconsin. Since then H. C. Oliver of Helena, Arkansas, and others, applied to the Administrator for an extension of the exemption, claiming that spring freshet driving elsewhere is similar in all material aspects to that in the states already specifically named. The determination announced today is that a prima facie case has been shown for granting the application. It may be examined, together with a report of the investigation, in Room 313, 939 D St., N. W., Washington, D. C.

If the prima facie determination is made final, employees in spring freshet driving of lumber may work up to twelve hours a day and fifty-six a week, without overtime payment, for an aggregate of fourteen workweeks per year.

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