

NR

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

COLORADO PLACER GOLD MINING SEASONAL EXEMPTION PROPOSED

A prima facie finding adding Colorado to the list of Western States in which placer gold mining operators have been granted seasonal exemption from the hours provisions of the Fair Labor Standards Act was made public today by the Hearings Branch of the Wage and Hour Division, United States Department of Labor. Should no objection to these findings be filed within fifteen days from today (Federal Register, April 2, 1940), the findings will become final.

The Hearings Branch of the Division, in its findings, declared that the open cut mining of placer gold is entitled to seasonal exemption under which workers in this industry will be partially exempt from the hours provision of the Act for a period of fourteen weeks in any calendar year.

Under the Federal law, employers could work their employees up to 12 hours a day and 56 hours a week without payment of overtime. Under Colorado law, however, the workday is limited to 8 hours and thus the exemption would permit a workweek of six or seven 8-hour days.

Previously, similar findings had been approved for Alaska and the states of Idaho, Montana, Nevada, Oregon, South Dakota, Utah, Washington and Wyoming, and have since been made final. Wage and Hour regulations provide that any aggrieved party may file with the Administrator an objection to the findings within a period of 15 days. After such objection has been filed, the Administrator may hold a hearing to determine the question.

The exemption applies only to maximum hours provided for in the Act and in no way affects the minimum wage of 30 cents per hour. A public hearing on the applications for seasonal exemption for placer gold mining operations made by operators in Alaska and the Northwestern States was held on June 19 and 20, 1939 in Washington. At that time, Colorado operators did not join in the application.

###