

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

COLORADO PLACER GOLD MINING SEASONAL EXEMPTION MADE FINAL

Seasonal exemption from the hours provisions of the Fair Labor Standards Act for the open-cut mining of placer gold in Colorado was made final today by the Wage and Hour Division, U. S. Department of Labor. (Federal Register April 30, 1940) Colorado is thus added to the list of other Western States in which placer gold mining operators have been granted seasonal exemption.

Gold placer mining operators, in the area covered by the Federal exemption granted, are permitted to work their employees 12 hours a day or 56 hours a week for not more than 14 workweeks in the aggregate in any calendar year without the necessity of paying them time and one-half for 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. No objections were filed to a preliminary determination, that a prima facie case had been shown for granting exemption.

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.

###