

WAGE-HOUR DRIVE FOR COMPLIANCE IN  
LUMBER INDUSTRY BEGUN

The Wage and Hour Division today began its first nation-wide drive for compliance in the lumber industry. Acting under orders of Colonel Philip B. Fleming, Administrator of the Division, picked squads of inspectors under the personal leadership of the 15 regional directors, participated. More than 100 inspectors were assigned to the industry to work solely in this field for the next month. Among the points used as bases in the drive are Bainbridge, Georgia; Dothan, Alabama; Camden, Arkansas; Brainerd, Minnesota; Ironwood, Michigan; northern Maine and the Seattle area of Washington.

"This drive is not primarily a punitive campaign," Colonel Fleming explained today. "It is being carried out in accordance with the policy of the Division of cooperation with all those who show willingness to come into compliance. Where such willingness is not present, legal steps will be taken to require compliance.

"The first aim of the drive begun today is the elimination, as an excuse on the part of a violator, of the factor of claimed ignorance. Every sawmill or lumberyard visited by our inspectors will be examined to determine whether it is now complying. Material explaining the law in the simplest language will be made available. Those desiring to come into compliance will be assisted in making the necessary computations. Those who refuse to do so will be proceeded against."

The Fair Labor Standards Act requires that wages of not less than 30 cents an hour be paid to all employees engaged in the production of goods which will move in interstate commerce or in work necessary to interstate commerce. Overtime pay at not less than time and one-half must be paid for all hours worked in excess of 42 per workweek. The law has not been obeyed by many

employers in the lumber industry, particularly in the southern branch of the industry. The drive begun today, however, is not confined to the southern States, although greater concentrations of inspectors are being used in that area than in the North and West.

Under the law, the Division can by injunction proceedings tie up as "hot goods" lumber which has been produced or worked upon at sub-legal wages. This was done more than a year ago in Virginia. In that instance H. H. Walton, owner and operator of a planing mill and lumber yard in Pendletons, Louisa County, Virginia, was restrained from selling in interstate commerce some 2,500,000 board feet of lumber, together with a quantity of railroad ties, because they were produced in violation of the law.

Walton purchased his lumber from about 66 small sawmill operators and employed some 60 workers in the dressing of finished lumber from rough lumber, which then moved into interstate commerce. He was charged with having such control over the small operators who supplied him with rough timber, that his prices precluded the payment of the required minimum by these small operators.

The Wage and Hour Division is now prepared to invoke the power which it has under the "hot goods" clause, if prompt compliance is not forthcoming.

The campaign of education and enforcement in the lumber industry--long regarded as a necessary first step in the enforcement program--has been delayed until this time, it was explained by the Division, because of a desire to be able to tighten the enforcement program in the lumber industry simultaneously throughout the country.

"To have proceeded against the lumber industry in one part of the country before we were ready to proceed in other sections could only have further increased the unfair competitive advantage enjoyed by the non-complying employers in those sections of the country necessarily left out of such a program," Colonel Fleming explained.



"Now, with 300 additional inspection personnel trained and on the job, with our legal staff in the regions thoroughly grounded in the interpretation of the law and prepared to expedite any civil or criminal proceedings that may be necessary, we feel that this step in our enforcement program can be begun fairly and effectively.

"Many complaints have been received from employers in the lumber industry -- particularly in the South -- and the Division has realized and appreciated the justice of their protests. We are finally in a position to give them relief from the unfair competition which has threatened in some parts of the country to demoralize the lumber industry."

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