

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

INADEQUATE RECORDS OF VIRGINIA LUMBER MAN  
LEADS TO WAGE-HOUR INJUNCTION

The first injunction restraining a Virginia lumber concern in the national drive of the Wage and Hour Division for compliance with the Fair Labor Standards Act in the lumber industry was signed today by Judge Robert N. Pollard in the United States District Court at Richmond, Virginia.

The complaint makes the allegation that Lawrence F. Fleschman of Louisa, Louisa County, failed to keep adequate records of hours worked and wages and overtime paid sixteen employees in his sawmill and yard at Louisa. It does not charge failure to pay minimum wages for overtime.

The complaint stated that Fleschman "contracted" with certain individuals for the cutting of standing lumber; for the dragging of logs to the sawmill, and for the sawing of the logs at the mill. Actually, the complaint alleges, the title of the lumber was at all times in Fleschman's name and those processing it were his employees.

Fleschman offered no objection to entry of the judgment by Judge Pollard.

"Numerous similar suits for civil injunction will be filed in the near future against other lumber dealers," W. C. Cole, Regional Director, said after Judge Pollard had signed the judgment.

"Reports from the special crew of inspectors now investigating the lumber industry in Virginia discloses that, except for certain areas, operators of sawmills and lumber concentration yards have neglected to comply with the record-keeping regulations of the Wage and Hour Law," Mr. Cole said.

"Almost two hundred mills and yards have been examined and in fully half of them we have found inadequate records of employment," he continued. "Some

wilfully and flagrantly violated the Act by falsification of records. The great majority of violations, however, are comparatively minor in nature and concern the inadequacy of records. Failure to keep adequate records, however, is a violation of the Act as well as failure to pay the statutory minimum wage."

Where the violations warrant, injunctions prohibiting the shipment of lumber produced in violation of the Act from entering interstate commerce will be sought. Such goods is known as "hot goods" and the purchaser is equally liable with the producer. Many of the concentration yards are stipulating in contracts with their suppliers that the lumber purchased must be produced in full compliance with the Act.

The complaint against Fleschman was signed by Beverly R. Worrell, Regional Attorney, and Richard H. Gregory, Jr., of the legal staff of the Wage and Hour Division.

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