

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

NO "BOTTLENECK" IN WAGE-HOUR DIVISION,
FLEMING EXPLAINS

There is no "bottleneck" chargeable to the Wage and Hour Division in the much discussed defense drive to speed up production, Colonel Philip B. Fleming, Administrator of the Wage and Hour Division, United States Department of Labor, pointed out today. Colonel Fleming based his statement on a report made to him by Merle D. Vincent, Director of the Hearings Branch of the Division, whose duty it is to pass upon applications for certificates for apprentices and learners.

"Since the Fair Labor Standards Act became effective on October 24, 1938, only 87 applications for apprentice certificates have been filed and all of these have been approved," Colonel Fleming said. "The reason for this is obvious. In most apprenticeable trades the starting rate for apprentices is higher than the 30 cent minimum in the Wage and Hour law. It is clear that the Wage and Hour law offers no constriction on this point. I hope that there will be an end to the misunderstanding on this matter because statements made without relation to the facts can only cause confusion and muddled thinking about this whole subject.

"Needless to say, the Wage and Hour Division stands ready and willing to give prompt service on all applications for apprentice certificates presented in accordance with the requirements that have been laid down. These are only necessary when employers seek to employ apprentices at less than 30 cents an hour - a situation that will be seldom found in those skills being called upon at the so-called 'bottlenecks.'

"To date 1400 special certificates permitting the employment of learners have been issued to employers. Only 1650 applications have been received to
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date for such certificates from the 60,000 or more employers to whom such certificates are available. Most of the applications for learners come from industries having relatively low wage rates, although there are notable exceptions to this. As minimum wage rates are increased by wage orders there will be an increasing number of applications. The Division is already feeling the effects of these increases in an increased number of inquiries and applications. We are ready for them and will expedite decisions in each case.

"An impression exists in some quarters that it is difficult for employers to obtain certificates authorizing the employment of apprentices and learners at subminimum rates," Colonel Fleming said in discussing this matter. "This is a mistaken view and employers who actually need apprentices and learners are generally aware of the fact that they can promptly obtain certificates."

Apprentice certificates are granted in the apprenticeable trades which require a minimum of 4000 hours apprenticeship or longer. Wage-Hour regulations governing the issuance of these certificates call for the execution of the regular approved apprenticeship agreement which has been approved by the State Apprenticeship Council or by the Federal Committee on Apprenticeships. On the other hand learner certificates are granted wherever it is shown that no skilled labor is available in the vicinity from which the employer customarily draws his labor.

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