

For Immediate Release
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R-900

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

COL. FLEMING'S LETTER TO THE PRESIDENT
ON THE CELLING FOR HOURS
AND THE NATIONAL EMERGENCY

The following letter was read by the President this morning (Friday, July 12, 1940) at his press conference:

July 11, 1940

The President
The White House
Washington, D. C.

Mr. President:

The question whether in the light of the national defense emergency it will be necessary to raise the ceiling for hours, above which time and one half must be paid, has given me much concern.

As a soldier, the nation's defense is my primary interest. My assignment to the administration of a labor law has in no way lessened that interest.

Were there any defense need in certain industries for abrogation of the time and one half rule, nothing could keep me from so reporting. In my contacts with industry no such need has yet been demonstrated to me.

Two documents from the last war should be called to public attention:

One is the wartime report of the British Munitions Commission. The report stated that from experiments spread over thirteen and a half months, a reduction of working hours of munitions workers was associated with an increase of production. For example, in one factory hours of work were changed, first from a 66-hour week to a 55-hour week, and then to a 45½-hour week. Considering the weekly output of the 66-hour week as 100, it was found that the 55-hour week yielded a relative output of 111. The 45½-hour week yielded a relative output of 109. Thus the 45½-hour week yielded more in products than the 66-hour week and practically as much as the 55-hour week. The same results were obtained during the 13-month period in various other munitions factories.

The other document is General Order No. 13 issued by the Chief of Ordnance, United States Army, on November 15, 1917, seven months after the declaration of war when the United States was at the height of its procurement effort. The Order stated:

The President--7/11/40

"In view of the urgent necessity for a prompt increase in the volume of production of practically every article required for the conduct of the war, vigilance is demanded of all those in any way associated with industry lest the safeguards with which the people of this country have sought to protect labor should be unwisely and unnecessarily broken down. It is a fair assumption that for the most part these safeguards are the mechanisms of efficiency. Industrial history proves that reasonable hours, fair working conditions, and a proper wage scale are essential to high production. During the war every attempt should be made to conserve in every way possible all of our achievements in the way of social betterment. But the pressing argument for maintaining industrial safeguards in the present emergency is that they actually contribute to efficiency. To waive them would be a shortsighted policy, leading gradually but inevitably toward lowered production."

These documents were drafted almost a generation ago. The production line techniques of industry have been greatly developed since then. Today maximum production calls for maximum efficiency of the machine. Maximum efficiency of the machine is usually obtained by using relays of workers in shifts short enough to make constantly intense effort possible.

I think it also should be called to the public's attention that the French 40-hour week in effect from 1936 to 1938 had little resemblance to our "ceiling for hours." The French 40-hour week generally was a rigid limitation.

Germany was on an 8-hour day, 48-hour week basis from July 26, 1934, to January 1, 1939. A survey entitled "Labor Policy in Germany" appearing in the June 1940 issue of the Monthly Labor Review reports that a 10-hour day, 60-hour week began in non-defense industries after January 1, 1939, due to a labor shortage. In the more vital industries, hours up to 16 per day might be permitted by the factory inspector. But this lengthening of working hours was not successful. The article states: "Production began to fall off rapidly, accompanied by such an alarming increase of industrial accidents and stoppages as to attract the serious attention of the government authorities ... The government applied the strictest measures against suspected saboteurs but also began to lighten somewhat the hard labor conditions."

Any complaints from the key defense industries that the payment of time and a half for overtime is making difficult their operation will be promptly brought to your attention. To date the Wage and Hour Division has received but three such complaints, all from small establishments.

Respectfully,

Philip B. Fleming
Administrator