

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

\$6,000 RESTITUTION WON BY PUERTO RICAN SUGAR MILL EMPLOYEES

First settlement of a suit by sugar industry "dead season" employees in Puerto Rico for restitution of unpaid minimum wages under the Fair Labor Standards Act, resulting in payment of \$6,000 to 80 workers, was announced today in a cablegram received by Colonel Philip B. Fleming, Administrator of the Wage and Hour Division, from Philip F. Herrick, regional attorney of the Division in Puerto Rico.

The case was that of Inocencio Cuadrado and 79 others vs. A. Roige, successor to Eulogia Roige, Agripino Roige and Adalberto Roige, who operates a sugar mill known as Central El Ejemplo, at Humacao, and another smaller one at Yabucao. He also owns and operates a railroad transporting sugar cane to the mills and sugar to embarkation points for shipment to the mainland of the United States.

The suit, originally claiming \$6,836.14, plus an equal amount as liquidated damages, alleged that Roige was paying factory workers 12 and 13 cents an hour in the mills including repair work during the "dead season", and was paying railroad workers 12 and 18 cents an hour. The settlement represents payment of the difference between the wages paid and the minimum wage of 30 cents an hour stipulated by the Act, and agreement to pay the minimum wage to the workers in the future.

The settlement was made despite a ruling by Judge Robert A. Cooper, of the District Court of the United States for Puerto Rico, in the case of Quinones vs. Central Igualdad, that "dead season" workers are not covered by the Act. Robert W. Claiborne, attorney for the defendant, stated, however, that Roige said he realized that while Judge Cooper had ruled that the Act did not cover "dead season" workers, he felt it too dangerous to follow that ruling in view of the possibility of reversal on appeal.

The result, according to Claiborne, is that all Roige's employees, except agricultural workers, are being included in the settlement and in the future will receive the minimum wage.

Although the Roige case is the first settlement of a suit by employees in Puerto Rico, it is the second restitution case, the other being a consent judgment case involving the payment of \$2555.00 to 97 employees of the Armando Corporation, garment makers, on June 19. The complaint in this case was instututed by the Wage and Hour Division. The company has its factory at Santurce, a suburb of San Juan.

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