

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

INACTIVE

VIRGINIA—WEST VIRGINIA—MARYLAND  
FIRST THREE STATES TO COMPLETE WAGE-HOUR LUMBER DRIVE

Maryland, Virginia, and West Virginia are the first states of the nation in which the drive of the Wage and Hour Division, U. S. Department of Labor, for compliance in the lumber industry with the Fair Labor Standards Act was completed. Reporting from regional headquarters at Richmond, W. C. Cole, Regional Director of the Wage and Hour Division for the three states, said that during the lumber campaign in his region, 1,147 inspections were made. Lumber being one of the major industries in the three states, virtually the entire inspection force of the region was assigned to the drive.

Sawmills, logging camps, concentration yards, and lumber factories were among the plants inspected. Mr. Cole said that 497 were in full or substantial compliance with the provisions of the law. Exempted because of strictly retail or intrastate business were 280 firms. Violations were found in the remaining 370 establishments. Some, however, were more technical than actual, but were counted because the campaign was primarily educational rather than punitive in its nature.

During the period of the drive, back wages totaling nearly \$70,000 were found payable to 3,404 employees of lumber plants to bring their wages up to the legal minimum.

The Wage and Hour law requires that employees handling or producing goods for interstate commerce be paid a minimum hourly wage of 30 cents, except where exemption has been authorized by the Wage and Hour Administrator. It further requires that they be paid for overtime at the rate of time-and-a-half the regular rate of pay for all hours worked over 42 in any single workweek. After October 24, this year, the maximum workweek will be 40 hours. The law does not limit the number of hours that can be worked, provided the required overtime is paid.

The Lumber drive started June 10 on a nation-wide basis. Colonel Philip B. Fleming, Administrator of the Wage and Hour Division, had received a number of complaints from employees in the lumber field. Actual inspections show him that unfair competition could not be removed in the lumber industry by a helter skelter process of inspection. Thus, it was decided that the campaign for compliance should cover the entire industry. Throughout the country, during the first two months of the drive, 3,412 inspections were completed. Some sections report that several more months will be required before the drive is finished. To date, however, total restitution computed at more than \$300,000 has been found payable. The great proportion of this has already been paid.

"Although a certain percentage of operators in Virginia and West Virginia were missed due to the frequently changing locations of portable sawmills," said Mr. Cole, "we feel that the entire industry is now aware of the Fair Labor Standards Act and its various provisions. This factor, we believe, will be very helpful in bringing about further and complete compliance in the industry."

In Washington, Colonel Fleming commented on the fact that inspectors in the three nearby states and elsewhere throughout the country have found that the majority of violations apparently have been "unwitting, and due to ignorance of the law."

"Now, however," said Colonel Fleming, "the industry has no excuse. The attention of every lumberman and allied operator in the country has been brought to the existence of the Fair Labor Standards Act and the necessity for its enforcement. We feel that any further violations found cannot be excused on plea of ignorance. While the educational drive is over in these three states, enforcement to the full extent of the law will continue."

Inspections in the Virginia-West Virginia area have revealed that lumber operations of all types are widely scattered over the entire area. Concentration yards are found in the towns and cities while their suppliers are located in extended territories not always adjacent to the yards.

The general excuse given by operators for non-compliance with the law was the low prices paid to them by concentrators for finished lumber. The concentrators disclaimed this fact, and they in turn complained that lumber dealers in states farther south than these were delivering lumber in Washington, D. C., at prices from \$2.00 to \$3.00 per cord cheaper than they could. Since the drive, however, is still going on in the remaining southern states and throughout the rest of the country, such conditions will no longer prevail when all operators, regardless of location, will eventually be paying minimum wages on the same basic level in accordance with the Statute.

It was in Virginia that nation-wide attention was focused on the enforcement of the wage and hour law in the lumber industry. About a year ago a concern in the southern part of the State, producing lumber in violation of the provisions of the Act, was enjoined by a U. S. court against shipment in interstate commerce of stock produced in violation. Some 2,500,000 feet of lumber were tied up and it was then that the lumber industry, as well as other industries, realized that the Wage and Hour Division "meant business".

Currently, a drive into five other national industries is under way, with intensive inspections being made in the leather and luggage industry, in hosiery and woolen mills, in furniture factories, and in boot and shoe plants.

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