

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

INACTIVE

NEW WAGE-HOUR APPRENTICE REGULATIONS ISSUED

Revised apprentice regulations were issued by the Wage and Hour Division, U.S. Department of Labor, today. (Federal Register, September 24, 1940.)

"These new apprentice regulations will further facilitate and expedite the issuance of apprentice certificates under the Fair Labor Standards Act," Colonel Philip B. Fleming, Administrator of the Wage and Hour Division said.

The revised regulations provide that agreements may be approved "on the spot" by local joint committees as well as by state apprenticeship councils. Immediate exemptions and employment of the apprentices at wage rates lower than the applicable minimum under Section 6 of the Act are made possible. Special Apprentice Certificates will be issued promptly upon approval of agreements.

Colonel Fleming pointed out that only 129 apprentice certificates had been issued since the Fair Labor Standards Act became effective on October 24, 1938. Yet, he stated, no genuine application for an apprentice certificate has been denied. The skilled trades customarily start apprentices at wage rates considerably higher than the minimum under the Act. However, increased rates established by wage orders and the exigencies of national defense may possibly add to the number of applications received.

"To anticipate any such increase and to prevent curtailment of opportunities for employment, we have now issued these revised and simplified regulations," Colonel Fleming explained.

"Cooperation and teamwork are essentials vital to our national defense and these new regulations are an excellent example of just such cooperation and teamwork," Colonel Fleming declared. "By enabling local joint apprenticeship committees--consisting of an equal number of representatives of employers and of labor--whose memberships and procedures have been recognized by approved state apprenticeship councils or by the Federal Committee on Apprenticeship, to approve apprenticeship

agreements, and so make possible immediate exemptions for apprentices urgently needed, these regulations fill a definite need in our industrial programs."

If no state or local agency exists, the apprentice agreement may be filed directly with the Wage and Hour Division, Washington, D. C. The Division may issue a certificate authorizing the employment of apprentices at a wage rate or rates lower than the applicable minimum under Section 6 of the Fair Labor Standards Act, if such agreement is found upon consultation with the Federal Committee on Apprenticeship to be in accord with its standards. The Division will act forthwith on the agreements which are filed directly.

If any interested party feels aggrieved by the action of a local joint apprenticeship committee or a state apprenticeship council, the agreement may be submitted directly to the Wage and Hour Division in Washington as above provided.

The written apprenticeship agreement when approved by a recognized local joint apprenticeship committee or by a recognized state apprenticeship council, and after the employer has received notice of such approval, shall be considered a temporary special certificate. The employer is thus immediately authorized to employ an apprentice pending issuance of a special certificate by the Wage and Hour Division in Washington. Such a certificate will be issued promptly upon receipt of the agreement. In the event that a request for a special certificate is denied the temporary special certificate shall be considered terminated and the employer thenceforth, upon receipt of notice of such denial, shall pay the minimum wage applicable under Section 6 of the Act to the named apprentices.

# # #