

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

INACTIVE

WAGE AND HOUR ADMINISTRATOR DETERMINES THAT OPERATIONS IN
LODGEPOLE PINE AND ENGELMANN SPRUCE IN COLORADO, WYOMING AND UTAH ARE
SEASONAL IN NATURE

Timber operations involving Lodgepole pine and Engelmann spruce and commonly associated species of timber in the states of Colorado, Wyoming, and Utah, today were declared to be a seasonal industry and, as such, entitled to partial exemption from the hours provision of the Fair Labor Standards Act for a period of not more than 14 workweeks in any calendar year.

The determination was issued by Colonel Philip B. Fleming, Administrator of the Wage and Hour Division, U. S. Department of Labor.

The application, filed by the Rocky Mountain Timber Producers' Association, included also the state of Idaho. Colonel Fleming denied this part of the application, included in the petition of the Hallack and Howard Lumber Company, "On the ground that said findings and determination do not affect, but expressly except the operations of the petition in the state of Idaho."

The denial, Colonel Fleming added, was issued without prejudice on the grounds that the company did not present sufficient evidence to indicate the extent of operations in this type of timber in the state of Idaho.

A previous request by the American Federation of Labor for a review of the findings of Burton D. Seeley, who presided at a hearing on the application of the Association in Denver on May 14, 1940, was subsequently withdrawn.

Today's finding (Federal Register, October 4, 1940) permits employment of workers during the exempt period, up to 12 hours a day and 56 hours a week without overtime pay.

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