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November 27, 1940

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

INACTIVE

SAND AND GRAVEL SEASONAL EXEMPTION FOR MIAMI COUNTY, INDIANA
MADE FINAL

A seasonal exemption from the hours provisions of the Fair Labor Standards Act for the Kickapoo Sand and Gravel Company, Inc. of Peru, Indiana proposed in a preliminary determination issued October 25, 1940, was made final today by Colonel Philip B. Fleming, Administrator of the Wage and Hour Division, U. S. Department of Labor. (Federal Register November 27, 1940)

The preliminary determination stated that a prima facie case had been shown for the inclusion of dredging and excavating of sand and gravel from surface or open cuts by the Kickapoo Sand and Gravel Company, Inc. in Miami County, Indiana within the scope of the original determination, granting a seasonal exemption to the northern branch of the sand and gravel industry. No objection was received within the fifteen day period after publication of this preliminary determination.

Under this seasonal exemption the company may work its employees up to 12 hours a day, or 56 hours a week without the payment of time and one-half for overtime for a period or periods not aggregating more than 14 workweeks in any calendar year. The requirement to pay the minimum wage of 30 cents an hour is not affected.

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