

U. S. DEPARTMENT OF LABOR
WAGE AND HOUR DIVISION
Washington, D. C.

~~DATA~~ REQUESTED FOR WAGE-HOUR MINING CONFERENCE

In preparation for two informal fact-finding conferences on metal mining practices to be held during December, the first in Salt Lake City and the second at Birmingham, Alabama, on dates soon to be announced, Colonel Philip B. Fleming, Administrator of the Wage and Hour Division today made public a list of points upon which information is desired.

The sessions, at which either Colonel Fleming or his representatives will attend, are being held to assist in an equitable solution of the problem of determining what time must be paid for as "hours worked" under the Fair Labor Standards Act. Varying customs have grown up over the years in different metal mining areas. In some instances, miners are paid from the time they enter the mine until they leave; in others they are paid only for the time actually spent at the working "face."

At the conferences, to which representatives of industry, labor and other interested parties are invited, testimony will be taken to elicit the following information:

1. The longest, shortest, and average time required to reach the working face from the portal of the mine.
2. Means of transportation from portal to working face.
3. Time spent in getting tools and in changing clothes.
4. Customary practice with respect to payment for time spent from portal to working face and return.
5. Union agreements and/or State laws governing the computation of working time.
6. Total time spent at working face and an estimate of minimum time required for completing round of work.
7. Any other information which it is desired to present and which has a bearing upon the problem.

Written statements containing this information will be welcome from those who are unable to attend the conferences.

Colonel Fleming cautioned that any interpretation announced by him as a result of these hearings would be merely an informal interpretation which would guide him in his duties of enforcement under the Act. He also pointed out, however, that as the Supreme Court announced in the case of U. S. v. American Trucking Associations, Inc., et al., 310 U. S. 534, the Administrator's interpretative opinions covering the Fair Labor Standards Act are entitled to great weight.

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