

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

FEDERAL COURT HOLDS MAIL CONTRACTOR'S  
EMPLOYEES COVERED BY WAGE-HOUR LAW

Employees of a contractor engaged in carrying mail under a contract with the U. S. Government are not employees of the government but are covered by the provisions of the Wage-Hour Law, Federal Judge A. J. Caillouet has held in a decision rendered in District Court at New Orleans, Colonel Philip B. Fleming, Administrator of the Wage and Hour Division, U. S. Department of Labor, was informed today.

This first decision on the application of the Wage-Hour Law to mail contractors was rendered by the Court in the case of the Administrator vs. J. R. Gregory. In this case the Administrator sought an injunction to restrain violations of the Fair Labor Standards Act. The court overruled the defendant's motion to dismiss the complaint.

"It does not appear reasonable," said the court, "to conclude that . . . the private mail contractor's hired help automatically become employees of the United States. Under the definition of 'employee' contained in the Act, none of such hired help can be employees of the United States unless they were employed by the United States, as 'employer.' All that the United States has done is to make a contract for the carrying of the mail with the mover, and he, in order to carry out said contract (for which he alone is responsible), has hired or 'employed' the persons referred to in the complaint; they are his 'employees.'"

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