

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

NOTICE OF OPPORTUNITY TO APPLY FOR
RECONSIDERATION OR PETITION FOR REVIEW
OF THE DETERMINATION OF REASONABLE COST
TO THE ATLANTA, BIRMINGHAM, AND COAST
RAILROAD OF BOARD, LODGING OR OTHER
FACILITIES CUSTOMARILY FURNISHED TO
EMPLOYEES OF THE ATLANTA, BIRMINGHAM,
AND COAST RAILROAD

WHEREAS, the Atlanta, Birmingham, and Coast Railroad Company petitioned for a determination by the Administrator of the reasonable cost of furnishing its employees with board, lodging, or other facilities, pursuant to Section 3(m) of the Fair Labor Standards Act of 1938 and Regulations, Part 531, as amended, 1/ Title 29, Chapter V, Code of Federal Regulations; and

WHEREAS, the Acting Administrator of the Wage and Hour Division gave notice of a public hearing to be held in Atlanta, Georgia on October 17, 1940, before Mr. Harold Stein, who was designated the Administrator's representative and who was authorized to hear and determine

The reasonable cost to the applicant of customarily furnishing board, lodging, or other facilities to its employees,

and

WHEREAS, following such hearing the said Harold Stein duly found and determined as follows:

1. The dwellings, water and fuel which the Atlanta, Birmingham, and Coast Railroad Company furnishes to its employees are facilities within the meaning of Part 531 of the regulations.
2. The reasonable annual costs of furnishing housing to its employees, as of December 31, 1940 are the following:

| | |
|----------------------------------|---------|
| Class I houses (two-room unit) | \$34.88 |
| Class II houses | 31.12 |
| Class III houses (two-room unit) | 27.56 |
| Boxcars | 16.69 |

1/ F. R. 3633.

These reasonable costs are the maximum annual rentals which may be deducted from wages for housing under Section 3(m) of the Fair Labor Standards Act.

3. The amount of money paid to municipalities for water actually furnished to section laborers may be regarded as the reasonable cost of furnishing water.
4. The petitioner does not incur any cost in furnishing old ties to its employees for use as fuel.

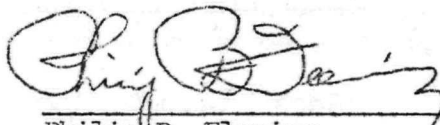
and

WHEREAS, such findings and determination were duly filed with the Administrator on February 12th, 1941, and are now on file in Room 5144, Department of Labor Building, Washington, D. C., and are there available for examination by interested parties;

NOW, THEREFORE, pursuant to the provisions of section 531.3 of the aforesaid regulations, notice is hereby given that any person aggrieved by the said determination may, within fifteen days after the date this notice appears in the Federal Register, (a) make application to the said Harold Stein for a reconsideration of this determination if it can be shown that there is additional evidence which may materially affect the determination and that there were reasonable grounds for failure to adduce such evidence in the original proceedings or, (b) file a petition for a review of the determination by the Administrator or an authorized representative who took no part in the action subject to review.

Upon publication of this notice, the Atlanta, Birmingham, and Coast Railroad Company, pursuant to the provisions of section 531.2 of the said regulations, shall notify its employees of their right to apply for reconsideration or petition for review of this determination, by posting notices to this effect in conspicuous places on its premises.

Signed at Washington, D. C., this 21st day of February, 1941.



Philip B. Fleming
Administrator
Wage and Hour Division
U. S. Department of Labor