

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

LABOR COMMISSIONER OF NORTH CAROLINA EMPOWERED TO ISSUE SUBPOENAS
AND HANDICAPPED WORKERS' CERTIFICATES

Adding to the authority recently delegated to the State of North Carolina in the administration of the Fair Labor Standards Act, General Philip B. Fleming, Administrator of the Wage and Hour Division, U. S. Department of Labor, today authorized Forrest H. Shuford, Commissioner of the North Carolina Department of Labor, to issue subpoenas and handicapped workers' certificates. The Fair Labor Standards Act empowers the Administrator to legalize the employment of bona fide handicapped workers at less than the minimum wage by special certificate.

An agreement under which sole responsibility for the enforcement of the Fair Labor Standards Act was vested with the North Carolina State Department of Labor was signed by General Fleming and Governor J. Melville Broughton of North Carolina on April 22.

The administrative order delegating the subpoena authority reads:

"Pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, Philip B. Fleming, Administrator of the Wage and Hour Division, United States Department of Labor, hereby authorize Forrest H. Shuford, Commissioner of the Department of Labor of North Carolina to execute and issue orders for investigation; to designate and authorize representatives to make such investigations; to execute and issue subpoenas for the attendance of witnesses and the production of books, papers, and documents.

"This order delegates the powers given to the Administrator to compel by subpoena or otherwise the attendance of witnesses and the production of books, papers, and documents under Sections 9 and 11(a) of the said Act."

Mr. Shuford, in another order signed by General Fleming, is given, "full power and authority to grant or deny applications for special certificates for the employment of handicapped workers, and to sign, issue and cancel special certificates authorizing the employment of handicapped workers pursuant to the provisions of section 14 of the Fair Labor Standards Act of 1938 and Regulations, Title 29 -- Labor, Chapter V -- Wage and Hour Division, Part 524."