

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

WORKING TIME DOES NOT NECESSARILY BEGIN AT PLANT GATES
ADMINISTRATOR SAYS

In accordance with the plant protection policy of the War Department announced on June 4, General Philip B. Fleming, Administrator of the Wage and Hour Division, U. S. Department of Labor, said today that in his opinion time spent traveling from fences, walls, or other anti-sabotage barriers to working places will not be considered to be working time under the Wage and Hour Law.

General Fleming warned that where a state law specifically requires that such travel is working time, the position of the Wage and Hour Division cannot set aside the state statutory requirement.

Furthermore, where by an agreement reached between the employer and the employees provision is made for treating such time as hours worked, this interpretation will not excuse failure to comply with such agreement.

Guards who arrive at the entrance to such barriers and immediately change uniform and start performing duties would be considered to be working from the time they passed the barrier, General Fleming said.

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