

UNITED STATES DEPARTMENT OF LABOR  
WAGE AND HOUR DIVISION  
NEW YORK, NEW YORK

TITLE 29--LABOR  
CHAPTER V--WAGE AND HOUR DIVISION

IN THE MATTER OF THE RECOMMENDATION OF  
THE INDUSTRY COMMITTEE FOR THE RAILROAD  
AND PROPERTY CARRIER INDUSTRY OF PUERTO  
RICO FOR A MINIMUM WAGE RATE IN THE RAIL-  
ROAD AND PROPERTY CARRIER INDUSTRY OF  
PUERTO RICO

WAGE ORDER

Effective April 7, 1942

PART 618-- Minimum Wage Rates in the Railroad and Property Carrier  
Industry of Puerto Rico

WHEREAS, on December 9, 1941, pursuant to Section 5(e) of the Fair Labor Standards Act of 1938, hereinafter called the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 134, appointed the Industry Committee for the Railroad and Property Carrier Industry of Puerto Rico, hereinafter called the Committee, and directed the Committee to proceed to investigate conditions and to recommend to the Administrator minimum wage rates for employees in the Railroad and Property Carrier Industry of Puerto Rico in accordance with the provisions of the Act and rules and regulations promulgated thereunder; and

WHEREAS, the Committee included two representatives of the public and a like number representing employers and a like number representing employees in the Railroad and Property Carrier Industry of Puerto Rico, and was composed of residents of Puerto Rico and residents of the United States outside of Puerto Rico; and

WHEREAS, on January 26, 1942, the Committee after investigating economic and competitive conditions in the Industry, filed with the Administrator a report containing its recommendation for a 20 cent minimum hourly wage rate in the Railroad and Property Carrier Industry of Puerto Rico; and

WHEREAS, after notice published in the Federal Register on January 31, 1942, Major Robert M. Campbell, Presiding Officer, held a public hearing upon the Committee's recommendation at Washington, D. C. on February 24, 1942, at which all interested persons were given an opportunity to be heard; and

WHEREAS, the complete record of the proceeding before the Presiding Officer was transmitted to the Administrator; and

WHEREAS, by notice given at the hearing, opportunity to request oral argument or submit written briefs was afforded all parties; and

WHEREAS, no request for oral argument having been received and no briefs were filed, oral argument on the Committee's recommendation was dispensed with in this proceeding; and

WHEREAS, the Administrator upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the Act with special reference to sections 5 and 8, concludes that the Industry Committee's recommendation for the Railroad and Property Carrier Industry of Puerto Rico, as defined, is made in accordance with law, is supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of the Act; and

WHEREAS, the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of the Industry Committee for the Railroad and Property Carrier Industry of Puerto Rico for a Minimum Wage Rate in the Railroad and Property Carrier Industry of Puerto Rico" dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 1560 Broadway, New York, New York;

NOW, THEREFORE, it is ordered that:

Section 618.1--Approval of Recommendation of Industry Committee

The Committee's recommendation for the Railroad and Property Carrier Industry of Puerto Rico is hereby approved and, in accordance with such recommendation,

Section 618.2--Wage Rates

Wages at a rate of not less than 20 cents an hour shall be paid under section 6 of the Act by every employer to each of his employees in the Railroad and Property Carrier Industry of Puerto Rico who is engaged in commerce or in the production of goods for commerce,

Section 618.3--Posting of Notices

Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Railroad and Property Carrier Industry of Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this Order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor; and

Section 618.4--Definition of the Railroad and Property Carrier Industry of Puerto Rico

For the purpose of this order, the "Railroad and Property Carrier Industry of Puerto Rico" means:

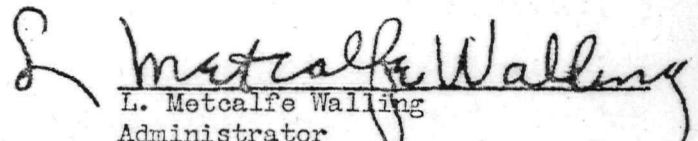
The industry carried on in Puerto Rico by (1) any railroad carrier under public franchise which holds itself out to the general public to engage in the transportation for compensation of passengers and property in commerce, or, of passengers and property necessary to the production of goods for commerce, and which furnishes transportation service for passengers in an amount not less than \$25,000 annually or which derives at least ten percent of its total operating revenues from passenger transportation service; (2) any railway express company which holds itself out to the general public to engage in the transportation for compensation of property in commerce or of property necessary to the production of goods for commerce; (3) any trucking firm or company which holds itself out to the general public to engage in the transportation for compensation of property in commerce or of property necessary to the production of goods for commerce, provided that: (a) it is not directly or indirectly owned or controlled by a company primarily engaged in manufacturing, processing, wholesaling or other non-transportation activity, and (b) it does not perform any transportation functions for such company.

The term "firm" or "company" means an individual, partnership, association, corporation or business trust.

Section 618.5--Effective Date

This Wage Order shall become effective April 7, 1942.

Signed at New York, New York, this 3rd day of April, 1942.  
Sections 618.1 to 618.5, inclusive, issued under the authority contained in Section 8, 52 Stat. 1064; 29 U.S.C., Sup. IV, 208.

  
L. Metcalfe Walling  
Administrator  
Wage and Hour Division  
United States Department of Labor

Published in Federal Register April 7, 1942.