

U. S. DEPARTMENT OF LABOR  
WAGE AND HOUR AND PUBLIC CONTRACTS DIVISIONS  
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THE WAGE-HOUR ACT IN WARTIME

The Wage and Hour Law, which celebrated its fifth anniversary on October 24, had come to be pretty well accepted before the war by the industry employing the 21,000,000 workers it covers, as well as by labor. Opposition to its minimum standard of 30 to 40 cents an hour and time and one-half overtime pay after 40 hours a week was no longer vocal.

In the defense emergency and later after Pearl Harbor, campaigns against the overtime provisions of the Act were carried on in the name of the war effort, largely by those who had always been opposed to the purposes of the Act. A chief stock misrepresentation in these campaigns was that the law cut down production by forbidding more than 40 hours of work in a week. Labor rallied to the support of the Act. Enlightened employers, including important war contractors, pointed out that chaos would result if overtime pay provisions on which industrial wage scales were based were abrogated. The American people, who knew of instances all around them where more than 40 hours were being worked, could not be fooled by the claim that the law forbid such overtime. The campaigns died out.

Actually, how has the law affected the war effort?

In many ways the provisions of the Wage and Hour Law have helped the war effort. Let us remember that in the last war, when there were no uniform standards, in the desperate summer of 1918 when the Germans were breaking through to Paris, the National War Labor Policy Board recommended a change to an eight hour a day with time and one-half for overtime in order to increase production.

In this war we did not have to take time out in the midst of battle to retool our labor standards. The overtime worked in war industries has been an important factor in mobilizing our man power in the war plants where it is needed.

You have only to recall the industrial help-wanted advertisements that have appeared in the newspapers since Pearl Harbor to realize the great part that

overtime has played in getting workers out of nonessential industries where overtime was not available and onto the vital war production lines responsible for the huge output that is now making it possible for us to take the offensive on so many fronts over the world.

In addition, preservation of the labor standards with which we entered the war, of the American principle of extra pay for extra work, has been evidence to all the world that we mean to preserve at home the things we are fighting for abroad. Thus, it has been an important factor in the morale, not only of the workers on the production front, but of their sons and brothers in the armed forces from the ranks of labor who take a keen interest in the working conditions they will face when they return.

Enforcement machinery set up under the Wage and Hour Act proved to be of great incidental service in the war emergency when war agencies found themselves in urgent need of such a staff. The Wage and Hour Division has acted as initial contact for the War Labor Board on wage stabilization since that program was rushed into operation. Its trained field staff made inspections of aluminum inventories for the UPM, tire inventories for the OPA, and silk, copper scrap and defense housing for WPB. They uncovered and made available for vital war use nearly 150,000 tons of strategic materials such as tin, copper, aluminum and steel, mostly in inventories unreported to the WPB.

Despite talk of universal high war time wages, restitution of \$17,000,000 in wages illegally withheld from 39,000 workers in 19,000 establishments was agreed to or ordered paid just last year. More than one-third of these cases involved failure to pay minimum wage of 30 to 40 cents an hour. In the five years that the Act has been in force, restitution has totaled \$55,000,000 to 1,500,000 workers in about 70,000 establishments. In addition, several times this amount has probably been collected through private action by employees under a section of the Act providing double penalties.