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THREE MORE FLSA BULLETINS REVISED

Issuance of revised editions of three bulletins interpreting portions of the Fair Labor Standards Act was announced today by Wm. R. McComb, Administrator of the Wage and Hour and Public Contracts Divisions, U. S. Department of Labor.

The new editions bring to four the number of revised interpretative bulletins on the Act issued by the Divisions in the light of the Portal-to-Portal Act of 1947. Texts of the three bulletins appear in the Federal Register today. The previously revised bulletin which replaced former interpretative bulletins 1, 2 and 5 deals with general coverage under the Act.

The three bulletins re-issued today discuss application of provisions of the Fair Labor Standards Act—the wage and hour law—to farmers' cooperatives, the forestry and lumbering industry, and the Act's exemption provisions for seamen. They replace and supersede all previous bulletins, releases, opinion letters and other statements on those subjects.

Although these three bulletins contain no substantive changes in comparison with interpretative bulletins previously published on those subjects, some of the subsequent bulletins, covering other problems, particularly the one concerned with hours worked, will show significant changes as a result of the Portal-to-Portal Act.

All revised bulletins contain interpretations which the Administrator "believes to be correct and which will guide him in the performance of his administrative duties unless and until he is otherwise directed by authoritative decisions of the courts or concludes, upon re-examination of an interpretation, that it is incorrect."

The Divisions' policy of replacing old bulletins and statements was made necessary, McComb said, because "the Portal-to-Portal Act of 1947 contemplates that interpretations of the Administrator will now, under certain circumstances, be controlling" in determining the rights and liabilities of employers and employees under the Fair Labor Standards Act. Prior to adoption of the new Act, he explained, interpretations of the Administrator were only advisory.

McComb also referred to the statement contained in each revised bulletin which points out that interpretations which are rescinded and withdrawn "shall not hereafter constitute an interpretation of the Administrator unless and until it is issued as such." However, the bulletins add, any such rescissions and withdrawals, or omission to discuss a particular problem in a revised interpretation "does not constitute an administrative interpretation or practice or enforcement policy."

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