

U. S. DEPARTMENT OF LABOR  
Wage and Hour and Public Contracts Divisions  
Washington 25, D. C.

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WAGE-HOUR HEAD COMMENTS ON DECISION IN LONGSHOREMEN'S CASE

Wm. R. McComb, Administrator of the Wage and Hour and Public Contracts Divisions of the Labor Department, said that he will not be prepared to make a complete statement on the effect of the Supreme Court's decision in the longshoremen's case until after a careful study of it has been made. He did point out that the effect will not be as far reaching as some employer representatives have claimed - that the Court's decision calls attention to the fact that persons who have estimated tremendous sums to be at stake have not furnished any basis for their figures.

Except for the matter of Saturday, Sunday, and holiday pay, he said, the problem is largely restricted to the stevedoring business. The Portal Act will afford complete protection on this point, as to the past, not only for the stevedoring business, but for all types of business. The Portal Act, too, will substantially minimize the ultimate recovery in the stevedoring business.

McComb emphasized that the Court defined overtime pay under the Wage and Hour Act as "any additional sum received by an employee for work because of previous work for a specified number of hours in the workweek or workday, whether the hours are specified by contract or statute," and that the Court specifically disclaimed that the decision required any pyramiding of "overtime on overtime" because the extra rates paid to the longshoremen were regular rates for "the disagreeable hours they were called upon to labor" rather than true overtime rates.

McComb said he is studying the decision to determine what changes in the Divisions' interpretations will be necessary for the future.

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