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

Elmer F. Andrews, Administrator, Wage and Hour Division, U.S. Department of Labor, today (Monday) released the following interpretative bulletin prepared in the Office of the General Counsel:

WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR
OFFICE OF THE GENERAL COUNSEL

INTERPRETATIVE BULLETIN

No. 2

APPLICATION OF THE FAIR LABOR STANDARDS ACT
OF 1938 TO THE DISTRICT OF COLUMBIA AND
TERRITORIES AND POSSESSIONS

Congress might have extended the Act to purely local commerce within the District of Columbia, or within a territory or possession, in virtue of the national legislative power over such political units. Congress did not do so, however. The employees must be "engaged in commerce, or in the production of goods for commerce." "Commerce" is defined in Section 3 (b) as meaning "trade, commerce, transportation, transmission, or communication among the several States, or from any State to any place outside thereof." In Section 3 (c) "State" is defined as meaning "any State of the United States, or the District of Columbia, or any Territory or possession of the United States."

Therefore, employees within the District of Columbia, and the Territories and possessions (Alaska, Hawaii, Puerto Rico, the Canal Zone, Guam, Guano Islands, Samoa, Virgin Islands), are dealt with on the same basis as employees working in any of the forty-eight States.

The Statute making no specific mention of the Philippine Islands, they are excluded from its application by virtue of the general provision in 48 U. S. C. 1003.
