

For Immediate Release
Wednesday, January 8, 1941

R-1238

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

INACTIVE

PACKING COMPANY ORDERED TO PRODUCE BOOKS AND RECORDS IN WAGE-HOUR LAW ENFORCEMENT

Efforts of the Wage and Hour Division, U. S. Department of Labor, to examine books and records of the St. Paul, Minnesota, branch of the Cudahy Packing Company in enforcement of the Wage and Hour Law (Fair Labor Standards Act) were sustained by court action when Federal Judge Robert C. Bell signed an order requiring the company to permit the examination.

Judge Bell granted an application for the order filed by attorneys for the Wage and Hour Division in the U. S. District Court at Minneapolis. The application was presented when requests by Wage and Hour Division inspectors to company officials for permission to conduct the examination in the course of enforcement activities were declined. An order to show cause why the examination should not be made was issued by the court early in December.

Judge Bell's order, signed December 31, 1940, was regarded as highly important to the Wage and Hour Division in enforcement of the minimum wage and maximum hour provisions of the act, because various branches of the packing company in other sections of the country have also refused to produce books and records for examination, and further action has been held in abeyance pending outcome of the proceedings in Minnesota.

A number of other lower courts have upheld the right of the Administrator to examine books and records in enforcing the wage-hour law, and recently the United States Supreme Court refused to review a decision of the Circuit Court of Appeals for the Seventh Circuit in a case involving Montgomery Ward and Company, of Chicago, in which the lower court held that an examination of the books and records of that company might be made.

###

(6936)