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Overtime, Premium Pay Phases Are Clarified By Supreme Court's New Interpretation Of Wage-Hour Law

By JAMES MARLOW

WASHINGTON, Oct. 15 — (AP) — This is an ABC on a new interpretation by the U. S. supreme court of the wage-hour law.

The government began enforcing it today. It sprang out of a case involving longshoremen. Before going further, remember the wage-hour law.

The law that set up the 40-hour week for people working in places whose business or products cross state lines—places, that is, in interstate commerce.

Which means: In such places a worker gets regular pay for working 40 hours a week, plus time-and-one-half for every hour worked over 40 hours.

For example: Jones works eight hours a day, at \$1 an hour, Monday through Friday, which is five days or a total of 40 hours. So his pay is \$40.

That's a typical case. But suppose during those five days Jones has worked 48 hours.

Then, with time-and-one-half for overtime he gets \$12 for his eight overtime hours. Adding that to his \$40 for his regular 40 hours of work, he gets a total pay that week of \$52.

That's the way it's done in many places. And there's no new interpretation of the wage-hour law on that.

But the new interpretation comes in on something that is called "premium" or "differentiated" pay.

Premium For Hard Shift
That's when a boss pays a worker a little more than the regular rate of pay for working inconvenient hours, like nights, Saturdays or Sundays.

This works in several ways. Take them separately.
Example No. 1—

Jones gets \$40 for a regular 40-hour week. But in that plant the boss pays the man going to work at 5 p. m., a flat \$4 extra for the week—premium pay for the unusual working hours.

If that night man works more than 40 hours a week, his time and one-half pay for overtime is based on the total \$44 he received, not on the regular \$40.

Example No. 2—
Some unions have put this in to their contract with employers: any man who has to work more than 40 hours in any one day must get premium or extra, pay for doing it.

The contract says the boss has to pay 25 cents an hour extra for any hour over eight hours worked in any one day.

Suppose Smith—getting \$40 for

a five-day, 40-hour week—works nine hours Tuesday but winds up the week working only 40 hours because Wednesday he worked only seven.

Then his total pay for the week is \$40.25. That's because he gets the 25 cents premium pay for that one hour he worked Tuesday over his regular eight.

Suppose it happened that, by working one hour extra one day, he winds up the week with 41 hours. Then his total pay for the week is \$41.50. How come?

His regular pay is \$1 an hour. Time-and-one-half for overtime at that rate means 50 cents an hour more, or \$1.50 for every overtime hour.

But he's already received 25 cents in premium pay for that one hour extra he worked. So he has only 25 cents more due him to round out the overtime.

Other Suppositions

Example No. 3—
Some bosses pay workers premium pay for work on Saturday and Sunday. But if a man works overtime by working Saturday and Sunday, he must be paid at overtime, not a lower premium, rate.

If a worker is only rounding out his 40-hour week by working Saturday and Sunday, the boss doesn't have to pay any more than the regular pay for other days, unless he's agreed to give premium pay for those two days.

But suppose a boss has agreed to that and one of his employees starts his week on Thursday. Then he gets regular pay for Thursday and Friday, premium pay for Saturday and Sunday, making 40 hours.

But say he has to work overtime in that week of his by working Tuesday and Wednesday, or 16 hours over his regular 40 hours.

Then the total money the worker received in the preceding 40 hours, including Saturday and Sunday premium days—is added together to first figure his average pay, then work out his overtime pay.

and Jack R. Smith, both 21 and of Hoquiam.

They were arrested at North Bend, Wash., nearly two weeks ago in an Aberdeen stolen automobile. In their jail getaway, they escaped onto the roof of a nearby building. Five other inmates refused to accompany them.

PUPILS SHIFTED

Nine pupils from the Hayhurst school district are being transported to the Yoncalla school this year, with their tuition paid by the Hayhurst district. This arrangement will continue through the coming school year, it was decided at a recent meeting of taxpayers of Hayhurst district.

The U. S. Department of Agriculture has forbidden the importation of European rabbits for fear they will become a serious economic pest, as in Australia. All the "rabbits" found in the United States are hares.

Tot Marks Campaign Trail



(NEA Telephone) President Harry S. Truman greets Ruth Ann Collins, 3, who carried the above sign when the President carried his campaign to the people of Waconda, Minn. The President is now on the campaign trail in Wisconsin and Minnesota.

OUT OUR WAY



By J. R. Williams



By Viachett S. Martin

"Of course, we can't have five kittens in the house," E. J. agreed with the idea most emphatically. But that was before he looked up from breakfast and saw Pretty on the windowsill, a bit of white fluff dangling from her mouth, her amber eyes beseechingly confident. When he opened the front door she was on the mat. He welcomed her in, admired the kitten, and calmly went off to town, leaving her with one kitten in and four to follow.

It was rainy and cold, and they couldn't stay on the roof indefinitely, however snug their fox-apartment was. Pretty had things to teach them and she proposed to fetch them to a good warm place to do it. She is a good housekeeper, and her kittens could pose as advertisements for Dixie and Lux, not to mention Wutz King. Not of course when Pretty Two ran through an abandoned piece of old sooty stovepipe, but that was just one of those things.

Satisfied it was safe to leave No. 1, she departed for No. 2. I went to the edge of the pantry ready to take the kitten before she could jump all of six feet with it to the ground, but she misunderstood, and jumped anyway. However, I was allowed to have No. 3, but she followed closely to

In the Day's News

(Continued From Page One)

will not be abandoned."

PAUL G. Hoffman, one of the top men in our amazing and quite unprecedented Marshall plan project (who flew back from Europe the other day to be honored along with General Eisenhower for distinguished service) says in New York:

"With Western Europe working together as never before in history, the Marshall plan has not only stopped the march of communism but has turned the tide in the other direction."

THAT is interesting. If true—and there is no reason to think that it isn't true, Hoffman is an important American business executive; former head of the great Studebaker automobile concern—appears to be an able and sincere man. Nobody has been in closer touch with the Marshall plan. The Marshall plan itself is certainly calculated to give Western Europeans hope in the future. With HOPE IN THEIR HEARTS, people can do anything.

If we are to stop the march of communism westward across Europe, we must give the people of these Western European countries reason to believe that our way is better than the Russian way. Hoffman says we are doing just that.

SO much for the views of our big men—which are not to be discounted. Big men are big because they know a lot and do a lot. There can be no sillier mistake than scoffing at the opinions of big men just because they are big.

Still, a much smaller and less important man (Kumar Goshal, a native of India, now an American citizen, who has been speaking in Oregon and elsewhere under

the auspices of the Knife and Fork club) gave a worm's eye view of the Marshall plan the other night that is worth considering.

REMEMBER that the worm's eye view is the view from DOWN UNDER. The bird's eye view is the view from the soaring heights. In this modern world, a lot of the forces that are operating powerfully in the direction of change are operating from down under. In these days, we can't ignore the views of the masses at the bottom.

GOSHAL told us that the Marshall plan ISN'T WORKING IN ASIA AND CAN'T WORK THERE because the masses of Asiatic peoples regard us as BACKING UP AND SUPPORTING the empire system under which they have been downtrodden and oppressed.

In India, in Indonesia, in Indo-China, even in The Philippines, he says, these masses SEE THEMSELVES SHOT AT WITH AMERICAN GUNS which the American government is supplying under the Marshall plan to the European countries that have been the MASTERS of these Asiatic masses and who are being helped by the American government to RE-ESTABLISH THEIR MASTERY.

He adds: "All over Southeast Asia Americans AS PEOPLE are liked and admired, but there is growing dislike and suspicion of the American government and its policies."

BEFORE shrugging off the opinion of this little man from India, REMEMBER THAT IN ASIA COMMUNISM SEEMS TO BE SPREADING WITH HARDLY ANY RESISTANCE. The reason it is spreading is that people down there are inclined when they look at it to shrug their shoulders cynically and say: "What have we got a loss?"

LETTERS to the Editor

Favors Bond Issue For Financing County Home

To the Editor:

On October 11, I attended a meeting of the Chamber of Commerce, for a luncheon, when a presentation was made by the County Court explaining the need for a new Douglas old folks home. The need for this is well recognized by every right thinking person in Douglas County.

The cost of this has been estimated at \$400,000 for which there appears upon our ballot a measure requiring four mills over and above the 6 per cent tax limitation law, to raise this money in two years. I want it distinctly understood I am heartily in favor of this \$400,000 expense for building this home, but I am also heartily against the method being used to raise this money.

At this meeting I asked the County Judge why bonds were not being issued to the extent of \$400,000 rather than a two-year, four-mill tax. His reply was that the County Court was not in favor of issuing bonds for any purpose.

It is my contention that rather than eight mills in two years, we should issue 15 or 20-year bonds for this money, thereby spreading the cost of this home over a period of several years instead of having the cost all come in two years. If a bond issue is approved, at a late date of course, industries, new businesses, and new homes will participate in the cost of the home and the cost to those taxpayers will be lightened according to the new assessed valuation. Certainly all of us can afford \$40 over a period of twenty years rather than \$40 in two years.

I urge every taxpayer to think carefully before voting yes on this bill. And I wish to leave for the record the fact that I voted no. I also want it understood I will vote yes on a bond issue.

Very truly yours,

B. R. SHOEMAKER, M.D.

China Sam's Removal From Grave Criticized

To the Editor:

'To doubt many people reared in Roseburg were very sad when they read that their old friend's remains were being removed to China.

China Sam, as he was known, was a great friend of all children of years ago. I have often seen such men as Binger Hermann, Hyman Wollenburg, Dr. K. L. Miller, Judge J. W. Hamilton, Henry Booth and A. C. Marsters stop and visit with him.

But now he is gone; yes, gone from the land he loved and the friends he wished to remain with, both poor and rich. At his funeral he had, as he wished, many flowers and old and young friends, and he was laid to rest in a beautiful location.

It seems strange the remains of a person cannot be left to rest, but powerful kings have built stone tombs to have their remains secured for eternal rest, only to be removed centuries later.

Now we are giving China millions of dollars of our tax money, and this is an example of the way it is spent.

A. Friend,

D. B. Boone,

Rt. 1, Box 124

Lunch Program Started At Yoncalla Schools

Sponsored by the board of the Yoncalla School District No. 32, a hot lunch program for the Yoncalla schools was started Monday. Mrs. Latham was hired as cook and she will have an assistant.

Prices for lunches will be determined by the size of individual families and the age of pupils served. It was reported, \$20 ball on the first count and \$10 on the second count. The ball was forfeited by his failure to appear in Municipal court in answer to the charge. Howard Preutt, Coos Junction, paid a \$20 fine on a drunk charge.

The most western point in the United States is Cape Aliva, Washington.

vegetable, or both, and bread and butter. It is expected that lunch prices will drop as more pupils patronize the lunch room. Milk for children for drinking has been set at five cents per child per day.

U. S. Makes New Demand On Atom Energy Problem

By LOUIS NEVIN

PARIS, Oct. 18 — (AP) — The United States demanded today that the United Nations turn the deadlocked atomic energy problem over to the five great powers and Canada for direct negotiations.

Chief U. S. Delegate Warren R. Austin told the 58-nation political committee the United Nations could go no further in its efforts to control the atom until the Soviet Union agreed to "participate in the world community on a cooperative basis."

The Berlin dispute comes up tomorrow in the Security Council. A new compromise plan which would take the issue out of the U. N. is reported under consideration by the six neutrals of the council.

Austin, commenting on a report drawn up by an atomic energy subcommittee, declared: "Communist states desire to live in a secret world of their own behind which, for all we know, they may arm and prepare their people for war. We do not desire to live in such a world."

That is the impasse which the United Nations Atomic Energy Commission finds itself. This is an impasse which can not be overcome by the Atomic Energy Commission.

Austin said the problem must be turned over to the United States, Russia, Britain, France, China and Canada for negotiations.

An 11-nation atomic commission suspended work last May in a deadlock over control plans. Austin was backing a Canadian proposal, approved by a subcommittee, calling for turning the whole control problem back to the six original Atomic Control Commission sponsors to decide whether there is any basis upon which to resume efforts to try for control.

Russians Fires Back
Russia's Jacob A. Malik retorted that "no fairy tales about alleged closed doors and iron curtains can show that the Soviet proposal is unacceptable."

He said Austin, by conjuring up fairy tales, revealed "the weakness of his position" and showed that the United States did not want to reach agreement on atomic controls.

Austin said Russia's new proposal to outlaw atomic weapons was a maneuver which was unacceptable to "sincere men." He repeated his rejection of the proposal, which would set up an atomic control organization simultaneously with the ban.

The United States, Austin declared, "does not intend to give up its atomic weapons except under a system of control sufficiently effective to guarantee that other nations do not have and cannot secure these weapons." He said most nations support this policy.

Compromise Offered
The six neutral nations of the Security Council were reported considering a new compromise plan which would take the Berlin issue out of the United Nations.

Russia and the three western powers, the United States, France and Britain, are said to be interested. Thus far, no commitments have been made.

Authoritative sources involved in the maneuvering said the compromise would call for these moves simultaneously:

The Russians would lift the blockade of Berlin; Russian currency would become the sole currency for the former German capital, under four-power supervision; the four-power council of foreign ministers would meet or be called to meet on the whole German question.

Suspect Freed On Murder Charge

DETROIT LAKES, Minn., Oct. 18 — (AP) — Becker County Attorney Carl G. Buck today said a first degree murder charge against Otto Johnson, 35, Raymond, Wash., has been dismissed and Johnson released.

Buck said there was insufficient evidence to support the charge and that he had recommended his dismissal.

Johnson was arrested in Washington recently after his divorced wife, Mrs. Annabelle Johnson, 35, told Butte, Mont., authorities Johnson had killed Mrs. Lovisa Markie, 55, of Wolf Lake Township on June 26, 1934.

Johnson's release followed a lie detector test at the University of Minnesota last week. He denied he killed Mrs. Markie.

Mrs. Johnson, held as a material witness, still is in custody. Mrs. Markie, widow and mother of nine children, was slain as she walked from her home to a neighbor's house. Apparently she had been bludgeoned to death. Her body was found in a shallow grave in a heavily-wooded area.

TWO DRUNKS NABBED
Arnold Thiesen, Riddle, arrested on charges of drunkenness and disorderly conduct, posted \$20 bail on the first count and \$10 on the second count. The bail was forfeited by his failure to appear in Municipal court in answer to the charge. Howard Preutt, Coos Junction, paid a \$20 fine on a drunk charge.

The most western point in the United States is Cape Aliva, Washington.

vegetable, or both, and bread and butter. It is expected that lunch prices will drop as more pupils patronize the lunch room. Milk for children for drinking has been set at five cents per child per day.

The cougar or mountain lion is the fastest animal on the North American continent. His speed is 100 yards in three seconds. But his lungs are small and tires quickly.

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