

1961 Wage-Hour Law Provisions Explained

WASHINGTON (UPI) — Following, in question-and-answer form, is the Labor Department's explanation of 1961 amendments to the federal wage-hour law:

Q. What is the wage law?
A. It puts a floor under wages, requires overtime pay, and restricts child labor. Officially it is the "Fair Labor Standards Act."

Q. Who enforces this law?
A. The U.S. Department of Labor.

Q. Do minimum wage and overtime pay requirements apply to all who work for a living?
A. No. Before Sept. 3, 1961, pay requirements applied to 24 million workers in almost one million establishments throughout the U.S. The law is now amended to include 3.6 million more in 100,000 other establishments.

Q. If the pay requirements applied to an employee before Sept. 3, what must employer pay now?
A. Unless a specific exemption applies, the employer must pay not less than \$1.15 an hour. This minimum increases to \$1.25 Sept. 3, 1963. The overtime requirement continues as before—payment of not less than 1/2 times the regular rate for hours over 40 in any week.

Q. What are the minimum wage and overtime pay requirements for employees to whom the act applies for first time?
A. Unless specifically exempt, they must be paid not less than minimum wage, but no overtime premium pay is required until 1963.

Q. What are pay requirements for these employees after Sept. 3, 1963?
A. They must be paid not less than 1 1/2 times regular pay for overtime after 40 hours a week beginning Sept. 3, 1963; after 42 hours beginning Sept. 3, 1964; and after 44 hours Sept. 3, 1965. They must be paid not less than the minimum wage of \$1.15 beginning Sept. 3, 1964, and \$1.25 beginning Sept. 3, 1965.

Q. Does the law apply only to hourly-rate workers?
A. The law applies regardless of whether pay is by the hour, or by salary, piece-work, commission or other basis. The worker must be paid at least the applicable minimum rate.

Q. What is a "covered" employee?
A. Until Sept. 3, 1961, a covered employee was one engaged in interstate or foreign commerce, or in production of goods for such commerce, or in a closely related process or occupation directly essential to such commerce—for example, an automobile manufacturing worker.

The 1961 amendments extend coverage to employees of certain large "enterprises" engaged in such commerce.

Q. Does a worker in such commerce actually have to be making some kind of goods to be covered?
A. No. The law also covers such persons as office employees, guards, maintenance workers, shipping clerks, transportation and sales personnel, etc.

Q. What are the "enterprises" with employees covered for the first time on Sept. 3, 1961?
A. They include the following in interstate or foreign commerce or production for such commerce:

—Any such enterprise with one or more retail or service establishments and annual gross sales of \$1 million and purchases or receives at least \$250,000 annually of goods for resale that move across state lines (except any retail or service establishment which has annual gross sales less than \$250,000).

—Any construction enterprise doing gross annual business of \$350,000.

—Any gasoline service establishment with annual gross sales of \$250,000.

—Any urban or suburban transit enterprise with annual gross sales of \$1 million.

—Any establishment of any other such enterprise with annual gross sales of \$1 million.

None of the foregoing enterprises shall include any establishment which has as its only employees the owner, his spouse, parents, or children.

Q. What kinds of retail and services are exempt?
A. The requirements do not apply to employees of the following establishments that make 50 per cent or more of their sales within the state in which the establishment is located:

—Hotels, motels, restaurants, motion picture theaters, seasonal amusement and recreational establishments, hospitals and nursing homes, schools for handicapped or gifted children.

—Gasoline service establishments and other retail or services less than \$250,000 annual sales.

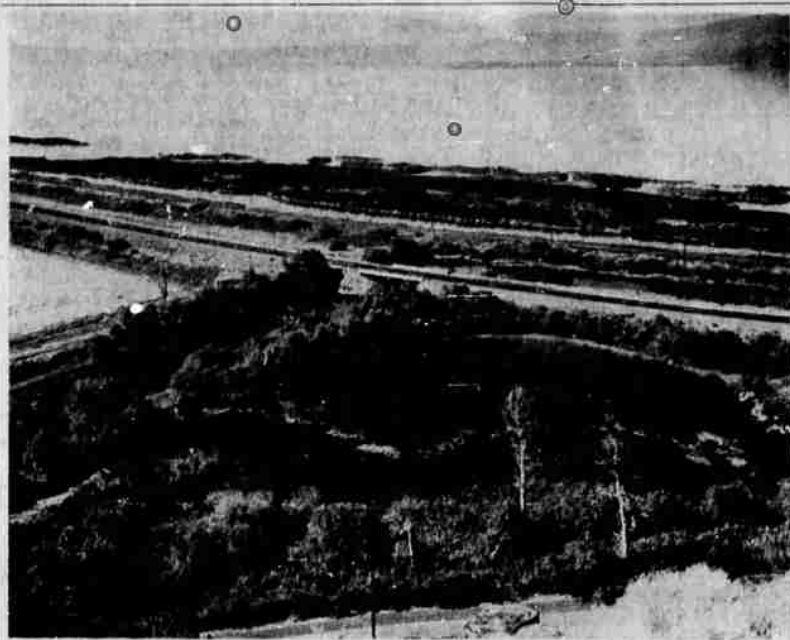
—Other retail or service establishments, if the enterprise operating or controlling their activities has less than \$1 million in gross annual sales, exclusive of specified taxes, or procures less than \$250,000 annually in goods crossing state lines.

Q. Must farm workers be paid according to the new law?
A. No. Farm workers are generally exempt. There are some exemptions for various workers in agricultural processing.

Q. Does the law permit rates below minimum?
A. Yes. The law provides certificates for specified categories of workers who may be paid special minimum rates. These include apprentices, handicapped workers, full-time students outside of their school hours in any mail or service establishments, etc.

Q. Are such workers, employed under certificates, within the overtime pay provisions?
A. Yes. This is a minimum wage exemption only.

More information may be obtained from local offices of the Labor Department's wage and hour division.



LAYOUT OF NEW PARK — Hagelstein Park, first of a planned county system of overnight and picnic facilities under the jurisdiction of the County Court, was dedicated Tuesday. The county has budgeted \$15,000 for development of the site this year but officials estimate it will be sometime next summer before it is ready. Canal at left, which leads into Upper Klamath Lake, will be developed as a boat launching area. Picnic and overnight camping will be in the area around Barclay Springs, triangle at right.

Racket Probers Eye Radio Bookmaking Role

WASHINGTON (UPI) — Sen. John L. McClellan's racketeering subcommittee is taking a long look at radio stations which it suspects may be helping bookmakers drum up business.

The stations under scrutiny by the racket investigators regularly broadcast live accounts of horse races or bulletins on the winner, the odds and other pertinent racing information.

None of this is prohibited under existing federal law. But the subcommittee has reason to believe that race results thus provided help bookies stimulate wagering interest in their clients.

The investigation, which began quietly a week ago, may lead to public hearings shortly.

McClellan's chief counsel, Jerome S. Adlerman, said the inquiry is part of the subcommittee's 5-week-long look at various information services—legal in themselves—which provide the "life blood" of the annual multi-billion-dollar off-track betting racket.

Off-track gambling is prohibited by every state except Nevada.

Previous testimony showed that bookmakers plying their trade in horse parlors and gambling casinos need quick results—or, even better, a dramatic account of the race—to induce bettors who guess the next race and induce losers to try again.

Thus far McClellan has aimed mostly at operators of futuristic racing wires who flash results to bookmakers and horse parlors across the country.

Last week the racket subcommittee developed further leads about the importance of radio to bookmakers.

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SENATOR'S WIDOW WEDS
WASHINGTON (UPI) — Mrs. Jean McCarthy, widow of the late Sen. Joseph McCarthy, R-Wis., was married Tuesday to G. Joseph Minetti, a member of the Civil Aeronautics Board, in a ceremony at St. Matthews Cathedral.