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THE CONGRESSIONAL FRONT  
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"A factual account of what hap-  
pened on the wage-hour bill."

BLOW BY BLOW ACCOUNT OF WAGE HOUR BILL. On July 22, 1937, the Senate without a record vote passed the Black Connery Wage Hour Bill and sent it to the House for action. It was referred to the Labor Committee of the House. That Committee held hearings, took testimony, added 59 amendments and reported the bill for action. The Rules Committee of the House consisting of 10 Democrats and 4 Republicans refused to take action in order to bring the bill to the floor. On August 21, 1937, the first session of the 75th Congress ended without action on wages and hours. On November 15th, Congress was called into special session to take action on a farm bill and on some kind of wage hour bill.

PETITION TO DISCHARGE RULES COMMITTEE. Since the Rules Committee refused to give the bill a right of way, it was necessary to file a petition to discharge this Committee. 218 signatures of members were required. A campaign was conducted to secure necessary signatures and on December 2nd, Rep. Mansfield of Texas affixed the 218th signature so that the bill could come to the floor for action on December 13th. (Incidentally, he voted to send the bill back to the Labor Committee.)

CONSIDERATION. At 12:00 noon, December 13th, the bill came on for action. A majority of the members voted to discharge the Committee and thus the parliamentary track was cleared for consideration of the bill. Monday and Tuesday, the 13th and 14th of December were spent in general debate on the bill. On Wednesday the 15th, under the rules, the House began the reading of the bill for amendment.

THE NORTON AMENDMENT. The first action of the Labor Committee was a motion to substitute the House Bill with its 59 amendments for the original bill as passed by the Senate. It was called the Norton amendment because the bill took its name from Mrs. Mary Norton, Chairman of the House Labor Committee. Rep. Cooper of Tenn. made a point of order against the substitute because it contained tariff provisions over which the Labor Committee had no jurisdiction. The Chair sustained the point of order. The tariff sections were at once removed and the Norton amendment submitted a second time. The Chair then sustained it. This required about three hours time.

THE A.F. of L. SUBSTITUTE. Rep. Griswold of Indiana then offered a substitute for the Norton amendment. This substitute, sponsored by the American Federation of Labor was a short simple bill setting a minimum wage standard of 40¢ and maximum work week of 40 hours. Enforcement was to be effected through complaints filed with the Department of Justice. Eleven amendments were offered to this Griswold substitute, including most everything from exemptions on fish to exemptions on Hollywood so that Shirley Temple and Deanna Durbin would not be effected. Four of the amendments were adopted, seven defeated. In this amended form, the A.F. of L. substitute was then defeated, by a vote of 162 to 131.

THE LAMNECK SUBSTITUTE. Rep. Lamneck of Ohio then offered a substitute for the Norton bill. His substitute was short, concise, simple. It set the same wage and hour standards as the Norton measure, but placed enforcing power in the Federal Trade Commission. This substitute was defeated by a vote of 145 to 95.

PERFECTING THE NORTON SUBSTITUTE. Since the other substitutes had been disposed of, there came the task of reading the Norton substitute (which was in reality the House version of a wage-hour bill) and perfecting it. You can believe it or not, but after the Labor Committee had written 59 amendments into the bill in Committee, 34 more amendments were offered on the floor of the House, most of them by members of the Labor Committee. Many of these amendments sought to exempt newspapers, the catching and canning of fish, the handling and processing of dairy, poultry and livestock products, oil workers, the gathering of rosin and turpentine, railway employees and others from provisions of the bill. Other amendments dealt with child labor. Others with reducing the work week to 30 hours and minimum wages to 50 or more cents per hour. Eighteen of these amendments were written into the bill on the floor. By that time, nobody knew what the measure would do or not do.

THE "GRAVEYARD SHIFT" AMENDMENT. One amendment offered by Rep. Bulwinkle of North Carolina calls for special mention. It was offered to protect the cotton textile plants along the Atlantic seaboard because they have been suffering from over-production. This amendment provided that the so-called "graveyard shift" from midnight to six in the morning was outlawed and made unlawful unless the plant paid time and one-half. Obviously, no plant running three shifts, and paying time and one-half could compete with a plant running two shifts and paying straight time. Either the plant had to pay time and one-half or discharge the third shift. In fact, the bill as written would have been an order directed to any manufacturing plant whose operations were not continuous that it must pay time and one-half or do away with the graveyard shift. The Administrator of the Bill was given sole power to determine what factories required continuous operations and which did not. Had this bill passed in this form, it would most likely have actually destroyed 50,000 or more night jobs in Illinois alone, without so much as asking the workers on the late shift whether they wanted to retain their jobs.

BACK TO THE LABOR COMMITTEE. In this state of confusion, a motion was made to send the bill back to the Labor Committee. The roll was called. It was a tense moment. Then the Speaker announced the result. By a vote of 216 to 198, the bill was sent back. 414 of the 435 members of the House had spoken.

PRESENT STATUS. Just before the vote was taken, one of the House leaders took two minutes to say that if the bill was sent back to Committee, it would be the death stab to wage-hour legislation. This kind of talk makes good political appeal but does not state the fact. The overwhelming majority of Congress favor wage and hour legislation. The only reason there was no wage-hour bill at this session was because the Labor Committee bungled the bill so that nobody knew what it would do.