I. DECLARATION OF POLICY. It declares that the employment of workers under sub-standard labor conditions in occupations in commerce in the production of goods operates as a burden on commerce, constitutes unfair competition in commerce, leads to labor disputes which burden commerce, interferes with the orderly marketing of goods in commerce, causes the channels of commerce to be used to spread conditions which are detrimental to the economic and physical health and well-being of workers and therefore requires that Congress use its authority to eliminate such sub-standard conditions and prohibit shipment in commerce of goods produced under sub-standard conditions.

II. DEFINITIONS. It defines the many terms used in the act and especially the term "oppressive child labor" which is deemed to mean a condition of employment where any child under 16 is employed in any occupation or where a child between 16 and 18 is employed in particularly hazardous work. It does not apply to a parent or one standing in the position of a parent employing his own child or a child in his custody in an occupation other than manufacturing or mining. An exception is also made in the case of any child for whom a certificate has been issued by the Children's Bureau of the Department of Labor certifying that such a child is above the oppressive child-labor age. Children between 14 and 18 can be employed in occupations other than mining or manufacturing where the work will not interfere with their health or schooling.

III. MINIMUM WAGES. Least wages to be paid in any industry in commerce shall be 25¢ per hour the first year, 30¢ the second year, 35¢ the third year and not less than 40¢ the fourth year and thereafter.

IV. MAXIMUM HOURS. In all industries affecting commerce, not more than 44 hours per week the first year (nor more than 8 hours per day), not over 48 hours the second year, not over 40 hours the third and succeeding years. Employees may be hired for a longer work week than the maximum provided by the act if time and one-half is paid for overtime or overtime is paid as provided by the act.

V. WHAT INDUSTRIES ARE AFFECTED. Those whose activities are Nationwide in scope, those which depend on substantial purchases or sales of goods in commerce or upon transportation in commerce, whose relation is in other respects close and substantial to commerce. The question of whether an industry is in commerce shall be determined by the Secretary of Labor after due notice to those who are affected with an opportunity to be heard and after a finding that an industry comes within the yardsticks set forth above. The Secretary shall issue an order to the effect that an industry is in commerce after notice and hearing.

VI. COURT REVIEW. Any person who is aggrieved by any order issued by the Secretary of Labor with respect to the question of whether an industry is in commerce may file a petition with the U. S. Circuit Court of Appeals for the circuit in which the principal place of business is located or with the U. S. Circuit Court of Appeals in Washington to modify or set aside in whole or in part, the order of the Secretary of Labor.

VII. INSPECTIONS AND INVESTIGATIONS. The Secretary of Labor may use the Bureau of Labor Statistics to make investigations of any industry subject to the Act to determine if there are violations of the act and to aid in the enforcement of its provisions. The Secretary may with the consent of the states, use state agencies in carrying out the provisions of the act. Employers shall keep records and make reports.

VIII. CHILD LABOR PROVISIONS. Goods shall not be shipped or delivered for shipment in interstate commerce from any establishment in the U. S. where oppressive child labor was employed within 30 days before the date of such shipment or delivery. Employers engaged in
commerce shall not employ oppressive child labor. Investigation, and enforcement of the child labor provisions is lodged with the Children's Bureau.

IX. EXCEPTIONS. The minimum wage and maximum hour provisions shall not apply to any employees who are engaged in bona fide administrative, professional or executive work (a) nor to local retailing (3) nor to outside salesmen (4) nor to seamen (5) nor to employees of any employer subject to Part I of the Interstate Commerce act which refers particularly to railroad men (6) nor to air transport employees under Title II of the Railway Labor Act (7) nor to those engaged in taking fish, seafood, sponges (8) nor to such learners, apprentices, and handicapped workers who might be exempt by orders issued by the Secretary (9) nor to employees employed in Agriculture. Agriculture is defined as farming in all its branches and includes tillage of the soil, dairying, the cultivation, growing and harvesting of any agricultural or horticultural commodities, raising of livestock, bees, foxes, poultry and any practices performed by a farmer or on a farm as an incident to farming operations including the preparation for market, delivery to storage or to market or to transportation lines for delivery to market.

X. LEARNERS, APPRENTICES, AND HANDICAPPED WORKERS. Certificates shall be issued by the Secretary making special exemption from the minimum wage provisions of the bill with respect to learners, apprentices, and persons who are impaired by age, physical or mental deficiency or by injury.

XI. ENFORCEMENT. It is made unlawful to pay less than minimum wages or to employ persons in violation of the maximum hour provisions. It is made unlawful to ship or deliver goods for shipment in interstate commerce where such goods are made under substandard conditions which violate the provisions of the act. It is made unlawful to discharge an employee who has filed a complaint or caused a proceeding to be instituted under the Act. It is made unlawful to employ child labor in violation of the provisions of the act. Penalty for violation and conviction shall be a fine of not more than $500 or six months imprisonment or both. Federal District Courts are given jurisdiction to enjoin and restrain violations. No provision in this Act shall justify any person in failure to comply with the provisions of any other Federal, State or Local law which establishes a higher wage or a shorter week than that which is provided in this Act.

XII. AMENDMENTS. Of the more than 50 amendments offered on the floor, only six were adopted. One of these exempted workers in rural areas engaged in the storing, packing, processing of farm commodities, another to permit 12 weeks of overtime in any one year to such agricultural workers as are engaged in processing seasonal and perishable products such as fruits and vegetables, a third to exempt child actors and movie stars from the hour provisions of the bill, a fourth to place certain maintenance-of-way workers on railroad under the bill, and five to clarify the retail provisions of the bill so that all retailers, the majority of whose business is in interstate commerce, are exempt, and finally an amendment to exempt country newspapers with circulations less than 3000 from the provisions of the bill.

XIII. WHAT NOW. In altogether different form, the wage-hour bill passed the Senate in the first session of the 75th Congress. The House version is therefore an amendment to the Senate measure. The bill as passed by the House now goes to a conference committee made up of members of the Senate and House Labor Committees to iron out the differences. If this can be done, the bill in its modified form must then go back to the Senate and House for final adoption.