

made flexible enough to make such a week practicable wherever it proves to be necessary.

## THE WAGE-HOUR LAW

Beginning today the standard working week under the Federal Wage-Hour Act is reduced from forty-two to forty hours. This means that all workers covered by the act—and that includes the main body of all industrial workers—must be paid “time and a half” for all hours above forty.

In estimating the effect of this legislation it is important to begin by distinguishing broad principles from specific provisions. Both maximum-hour and minimum-wage laws, when their particular provisions are reasonable and well considered, are sound in principle and necessary for the protection of workers. Legislation forbidding hours that threaten health or welfare has long been in effect in nearly every State.

The hour regulations in the Federal act, however, are ill considered and may in time prove seriously harmful. These hour regulations were made primarily in the hope of “creating jobs” rather than to protect men and women from overwork. So far as this law is concerned, indeed, employes could be worked 100 hours a week if they were only paid overtime. This overtime provision as actually drawn not only penalizes the best employers as well as the worst; it penalizes the more generous more than the less generous. A man who has been paying his workers 30 cents an hour normally is only obliged to pay them 45 cents an hour for overtime. But if he pays 45 cents an hour normally, then he is obliged by the law to pay 67½ cents an hour for overtime. As the law is drawn this process must go on indefinitely, no matter how high the normal wage.

The effect of the law in practice, of course, must be greatly to discourage and in some cases to make virtually impossible a working week of more than forty hours. This restriction may seriously embarrass our defense program. In lines where shortages of skilled labor develop it will certainly operate to prevent maximum possible production. What Administration officials ought now to be studying realistically is what length work week, in various occupations, actually leads to maximum production at the same time as it protects the welfare of the workers. Our labor acts should then be