

Beverly Worell Has Done Battle 38 Years For Nation's Underpaid

Few people have seen more victims of minimum wage violations than 73-year-old Beverly Worell, who began fighting the underpayment of workers when the nation's wage-hour law went into effect and continued at it for almost 40 years. As a young lawyer, Worell took a job with the U.S. Department of Labor in 1938 and when he retired in 1976 was regional solicitor for the department, directing enforcement of wage-hour regulations in the Southeast. A soft-spoken man born into a well-to-do south Virginia family and graduated from the University of Virginia law school, Worell was an unlikely bureaucrat. And it seems equally unlikely to hear him now, retired, and living in Atlanta, look back and speculate of the cause of widespread underpayment of laborers: "I think the problem started with slavery."



RETIRED WAGE ENFORCER
Beverly Worell

"I went with the department in November of 1938 in the department's Office of the Solicitor. That was in Washington. We had a man named Fleming, who was a professional Army engineer, the kind of man who didn't know a great deal about a great deal of things. But you've probably known people who have a knack of listening to two or three sides of an argument, and have a knack of picking the right answer even though he doesn't have the right background or anything else in the subject matter — he has an instinct."

"One of the best ideas he came up with for the department was to employ people — and you can understand in that day it was damn easy to get fine people, qualified, because there was every qualification in the world walking around on the street. It was his idea, and I went along with it, to select people (to investigate wage-hour violations) and put them in the section that they lived in. Leave them at home in other words, when we employed people to work in Georgia, we employed them from Georgia and worked them in the area closest to their home in Georgia. So through that, at least people knew they didn't have a concealed set of horns or something."

"At first we got this, as you might imagine, total resistance. Nationwide, really, but in the South they took it a little more seriously. Nationwide people looked at it from the standpoint of dollars, but in the South it was from the standpoint of rights — my right to employ people for what I'm willing to pay them and what they're willing to work for. That was a very, very sore point."

"We got into litigation fairly early. At first the employers ignored it. And when an investigator went in, more often than not they would run him off and wouldn't allow themselves to be investigated. From that point on, we would have to try and give him an opportunity to talk

paper. If any of it had to be redone, it was done on your time. At the end of the day, they would count these things up. The minimum wage was 25 cents (an hour) at the time. If they had sewed enough pieces to have made 50 cents, for example, they would put down that they came to work at 9 a.m. and worked two hours. When we went to them, the employers would just deny it. We started very early taking them to criminal court in these cases where they falsified their records."

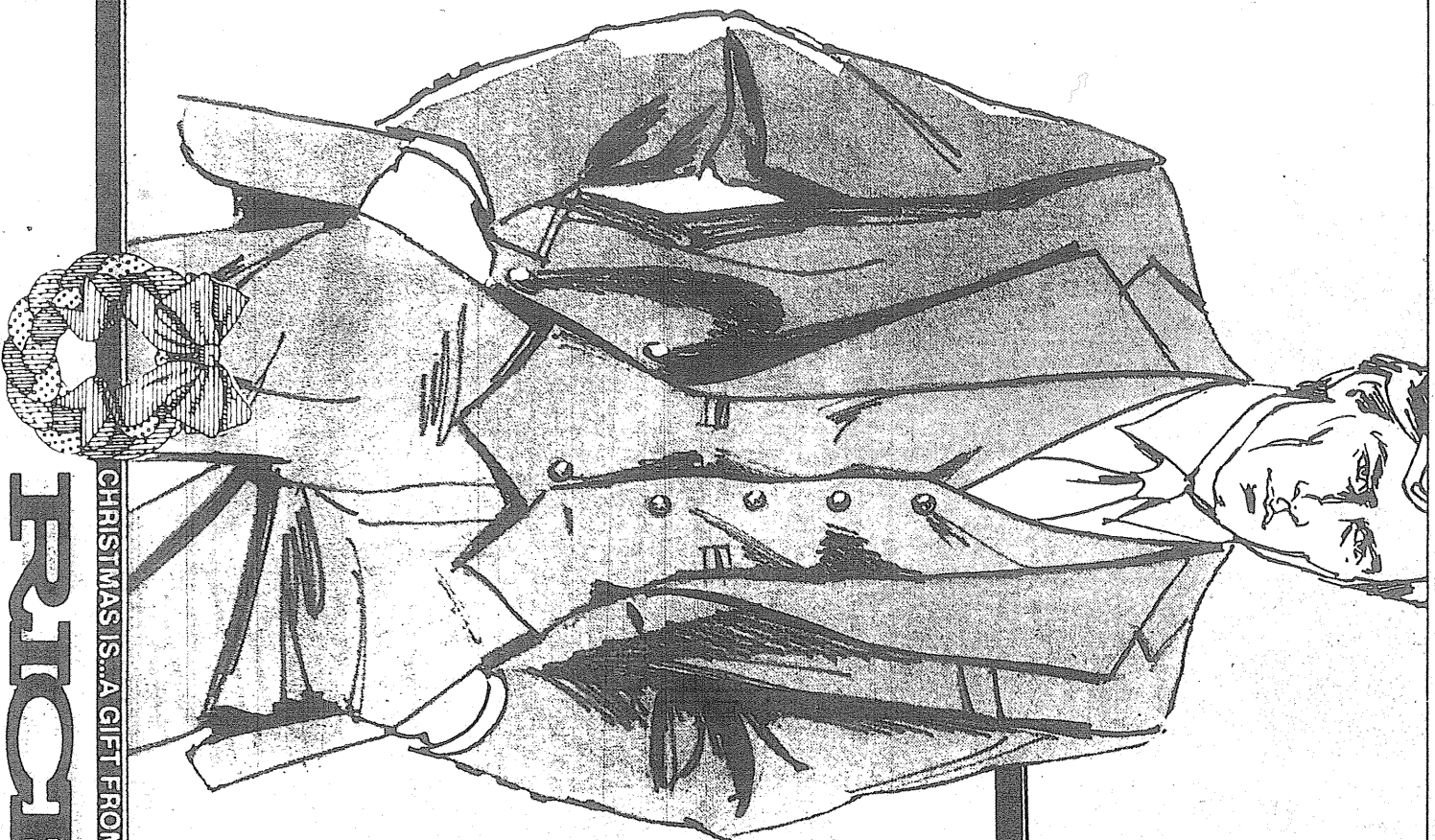
"The Atlantic Coastline Railroad was one of the first cases I had. They had trackmaker crews just like all the railroads, but they kept their crews out on the tracks. And they housed them in old freight cars they had written off for tax purposes. They would out the freight car in half and make two houses out of it. They dug a well and put a pump in it. Then they would charge these families \$20 a month to live in these goddam boxcars and charge them \$5 a month to use the well."

"Well, the lawyer for the railroad told the jury what great things the railroad had done for the country, how the labor unions were coming out and trying to run the country. The judge sat there and listed to him for a while and then he tapped his fingers together and said, 'Collins, you know I've been sitting here listening to you and I've been trying to answer a question: "Do you think there's enough time left in the world for labor ever to repay capital for what capital's done to labor?"' I thought that Collins would drop into a dead faint."

"The last case I handled, that was handed in the office before I retired, was against the Winn-Dixie company. We had them for contempt of a judgment that we had gotten against them previously. They had their employees coming in at the regular time. And they had them checking out at the regular time, and they paid them for those hours. Then they put them back to work and paid them nothing. The court ordered Winn-Dixie to pay the employees one million dollars exactly. That was a big case."

"The wage-hour problems continued, but the degree got less. For one thing, a lot of employers found out, and a lot of them found out early, that there was no profit in it, that we were going to catch up with them sooner or later, and if we did, we were going to take the profit out of them."

"The minimum wage law actually in many ways saved this country. We were in the depression right at that point — I don't like to call it the Hoover Depression, although I'm a Roosevelt Democrat — but this country was ready to revolve. Something had to be done."

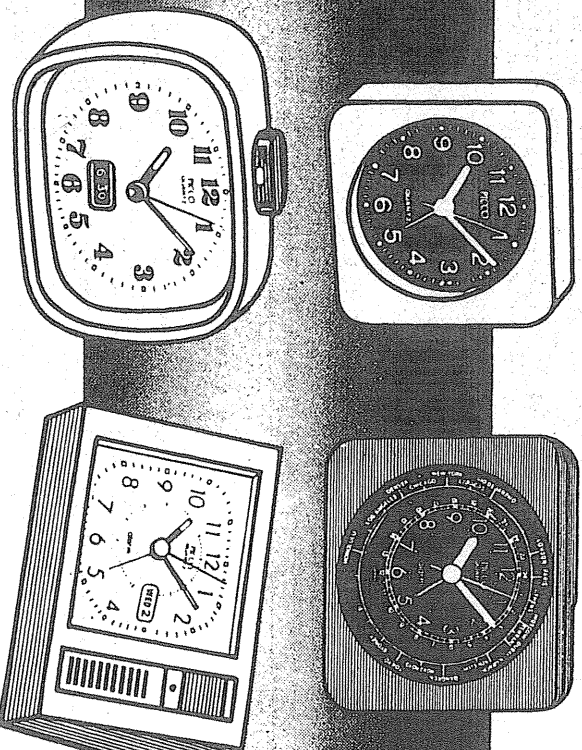


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