

**STATEMENT OF PAUL DeCAMP
NOMINEE FOR WAGE AND HOUR ADMINISTRATOR
DEPARTMENT OF LABOR
BEFORE THE
COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS
UNITED STATES SENATE**

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Mr. Chairman, Senator Kennedy, distinguished Members of the Committee:

Thank you for the opportunity to appear before you today to discuss my nomination to be the Administrator of the Department of Labor's Wage and Hour Division. I am humbled and honored to have been nominated by the President for this position.

The Wage and Hour Division enforces some of our Nation's most important and broadly-applicable laws, including the Fair Labor Standards Act, the Family and Medical Leave Act, the Migrant and Seasonal Agricultural Worker Protection Act, the Davis-Bacon Act, and the Service Contract Act, as well as dozens of other statutes. At its core, every law that the Wage and Hour Division enforces is about protecting workers. These laws apply to approximately 130 million employees, and they benefit the countless millions more who are their family members.

I believe that my background has given me an inherent empathy for all working Americans. I grew up in a small town in southeastern Massachusetts. People in my town tended to work in trades, textiles, jewelry fabrication, and other predominantly blue-collar occupations. I attended public schools from kindergarten through high school. My father, who is not a college graduate, spent most of his working life as a night watchman, relying on every cent of his shift premium and his overtime pay just to make ends meet. My mother lost her job due to company downsizing after fifteen years of service.

I have personally worked in a number of jobs. I have had the experience of punching time clocks, working for minimum wage and overtime, and pulling double shifts. I have washed dishes, bussed tables, mopped floors, stocked shelves, de-iced freezers, flipped burgers, gotten splashed by fryolator grease, run a cash register, and more. I spent years working side-by-side with people who needed these jobs to support their families.

Most recently, my wife is currently on leave under the Family and Medical Leave Act. Our second child, William Charles DeCamp, was born a week ago today.

I respect working men and women as well as their families. I respect the right of youth to work in a safe environment. I understand and empathize with people who are economically vulnerable. I appreciate how what may seem like small amounts of money by Washington, D.C. standards—twenty dollars here or a hundred dollars there—can for a great many families make all the difference between paying the rent or not, making the car payment or not, being able to afford food and clothing or not. I would consider it a genuine honor and privilege to serve as Administrator so that I can protect workers like my parents, the people I grew up with, and the

many millions of workers like them throughout the Nation who depend on the federal wage and hour laws to ensure that they get a fair day's pay for a fair day's work.

In my career as an attorney, I have gained useful insights into how wage and hour issues play out in the workplace, including how employers formulate workplace policies, how violations occur, and how disputes develop. I believe that most employers intend to comply with the law and that many wage and hour violations result from an employer's good faith misunderstanding, or lack of knowledge, of what the law requires. At the same time, I appreciate the importance of obeying the law and securing any appropriate remedies for workers whose rights have been violated, even inadvertently.

In my view, the primary goal for the Wage and Hour Division is to achieve maximum compliance with the law. If I am confirmed, I would pursue that goal in a number of ways.

First, the Wage and Hour Division must promptly process and investigate complaints it receives alleging violations of law. That activity accounts for most of the agency's enforcement work, and I would continue to emphasize that aspect of its operations.

Second, I would continue and increase directed enforcement efforts that focus on protecting the rights of the Nation's most vulnerable workers, such as children, employees in low-wage industries, migrant workers, and undocumented individuals. I would work closely with field personnel to identify specific areas—whether types of claims, specific industries, geographic regions, or particular employers—where the agency believes that violations are going unreported or underreported. In such instances, it may be appropriate to supplement the agency's complaint-based enforcement activities with directed investigations, and that work may differ from region to region.

Third, I would make it a priority to review and to update the child labor regulations. Those regulations have not been substantially revised in approximately three decades. I believe those regulations should reflect current information regarding the risks posed to minors in employment.

These measures would be in addition to the actions necessary to respond to broader challenges that may arise, such as protecting workers in the Gulf Coast region in the aftermath of Hurricane Katrina, addressing the needs of day laborers, and safeguarding reforestation workers.

I believe in our wage and hour laws and the essential purposes they serve. I know how important these laws are to the individuals and families whom the laws protect. If I am confirmed, I will do my best to enforce those laws justly, fairly, and vigorously.

Mr. Chairman, this concludes my prepared remarks. I will be happy to answer any questions you or the Members of the Committee may have.