



Remembering the woman behind the New Deal

## FRANCES PERKINS CENTER

*Frances Perkins and the Fair Labor Standards Act*  
*Remembering the woman behind the New Deal* by Charles Hoffacker.

*Photograph by Lewis Hines public domain image from National Child Labor Committee Collection*

June 25 marks the anniversary of the signing of the 1938 Fair Labor Standards Act (FLSA) by President Franklin Roosevelt. This landmark legislation restricted child labor, established the minimum wage, and gradually limited the workweek to forty hours. As Secretary of Labor, Frances Perkins played a decisive role in efforts that led to this legislation. Given her informed Christian faith, she no doubt recognized connections between the FLSA and features of Scripture and church tradition.

The FLSA resulted from an extensive struggle involving all three branches of the federal government. It applied only to workers in interstate commerce who comprised about 20% of the labor force. However, the FLSA initially benefited eleven million workers and their families and contributed to a new foundation for American society.

This federal law countered the tendency to equate the nation with the economy. Contrary to Calvin Coolidge's dictum that the chief business of the American people is business, the FLSA implied that the mission of America is to build a gracious society that serves the good of all. Thus there were to be limits on paid labor by minors. There was to be a floor on what workers could be paid, and a ceiling on the hours a worker could be expected to work in a week. Why? Because as citizens of a nation conceived in liberty, we work to live; we do not live to work.

By restricting child labor, the FLSA recognized that childhood should be protected from dominance by market forces. Thus the Act was in accord with the 1908 Social Creed of the Churches set forth by the Federal Council of Churches that called for the abolition of child labor. Because of the dependent status of children, their welfare requires special legal protection, and is not to be subordinated to the supposed needs of family, business, or government. People must be valued above profits, especially when the people are children.

The FLSA pointed to the dignity of labor by requiring a locally adapted minimum wage. This opens the door to consideration of the far more just Living Wage. A feature of papal teaching since the late nineteenth century, the Living Wage is the principle that those who work full time should be able to support themselves and their families. Economic arrangements are to serve all people, workers included, not simply the rich and the clever. Government must restrict business opportunities for the sake of citizen welfare.

The FLSA gradually limited the workweek to 40 hours, thus providing

a secular version of the Sabbath found in the Hebrew Bible. The two versions of the Ten Commandments include complementary amplifications of the Sabbath commandment. In Exodus 20:1-17, the requirement to rest is based on God resting on the seventh day after the work of creation. Deuteronomy 5:6-21 recalls how God delivered Israel from slavery in Egypt: Sabbath rest stands in contrast to slave labor. Thus the Hebrew Bible recognizes humans as workers, but as more than workers. Time can be provided for leisure, rest, recollection. Whether religious or secular, a society can make provision for these needs. Labor unions built on the Sabbath when they brought us the weekend.

Frances Perkins and other New Dealers recognized that government, business, labor, and other great institutions have essential roles to play in establishing and maintaining a gracious society. These institutions can cooperate with one another, acting in obedience to something other than themselves, a social order that serves the good of all.

In our time, we focus narrowly on business and government as adversaries rather than partners, a view that leads to fruitless tragedy. We can rediscover how government and business find meaning as they contribute to a gracious society. This insight needs to be set forth with energy and originality. Our wealth, technology, and power are proving detrimental to us because twenty-first century America lacks sufficient insight into the real purpose of its great institutions.

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