

reasonable diligence to locate such workers has recovered from such producer the amount of unpaid wages computed for the farm.

§ 864.30 **Checking compliance.**

The procedures to be followed by county ASCS offices in checking compliance with the wage requirements of this part are set forth under the heading "Wage Rate Determinations" in Handbook 3-SU, issued by the Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service. Copies of Handbook 3-SU may be inspected at local county ASCS offices and copies may be obtained from the Louisiana State ASCS Office, 3737 Government Street, Alexandria, La. 71303.

NOTE: The recordkeeping and reporting requirements of these regulations have been approved by, and subsequent recordkeeping and reporting requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

**PART 866—SUGARCANE;
HAWAII**

1954 AND SUBSEQUENT YEARS

§ 866.6 Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Hawaii during 1954 and subsequent calendar years.

(a) *Requirements.* A producer of sugarcane in Hawaii shall be deemed to have complied with the requirements of section 301(c)(1) of the act during 1954 and subsequent calendar years, if all persons employed on the farm in production, cultivation and harvesting work shall have been paid in accordance with the following:

(1) *Wage rates.* All such persons shall have been paid in full for such work and shall have been paid in cash therefor at rates as agreed upon between the producer and laborer.

(2) *Subterfuge.* The producer shall not reduce the wage rates to laborers below those determined in this section through any subterfuge or device whatsoever.

(3) *Claim for unpaid wages.* Any person who believes he has not been paid in accordance with this section may file a wage claim with the Director of the Ag-

ricultural Stabilization and Conservation Service Hawaiian State Office, U.S. Department of Agriculture, Honolulu 13, Hawaii, against the producer on whose farm the work was performed. Such claim must be filed within two years from the date the work with respect to which the claim is made was performed. Detailed instructions and claim forms are available at the Hawaiian Office. Upon receipt of a wage claim, the Director of the Hawaiian Office shall thereupon notify the producer against whom the claim is made concerning the representation made by the worker and, after making such investigation as he deems necessary, shall notify the producer and worker in writing of his recommendation for settlement of the claim. If the recommendation of the Director of the Hawaiian Office is not acceptable, either party may file an appeal with the Director of the Sugar Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington 25, D.C. Such appeal shall be filed within 15 days after receipt of the recommended settlement from the ASCS State Office; otherwise such recommended settlement will be applied in making payments under the act. If a claim is appealed to the Director of the Sugar Division, his decision shall be binding on all parties insofar as payments under the act are concerned.

(b) *Effective period.* The provisions of this section shall be effective as of January 1, 1954, and shall remain in effect until amended, superseded, or terminated.

(Secs. 301, 403, 61 Stat. 929, 932; 7 U.S.C. 1131, 1153) [S.D. 866.6, 19 F.R. 2977, May 22, 1954; 27 F.R. 1967, Mar. 1, 1962]

**PART 867—SUGARCANE; PUERTO
RICO**

1957 AND SUBSEQUENT CALENDAR YEARS

§ 867.9 Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Puerto Rico during 1957 and subsequent calendar years.

(a) *Requirements.* A producer of sugarcane in Puerto Rico shall be deemed to have complied with the wage provisions of the act if all persons employed on the farm in the production, cultivation, or harvesting of sugarcane