

U.S. DEPARTMENT OF LABOR
WAGE AND HOUR DIVISION

Nov 9, 1938

R-81a

(138)

NOTICE OF HEARING

IN RE: APPLICATIONS OF THE COTTON-TEXTILE INSTITUTE, INC., THE NATIONAL RAYON WEAVERS ASSOCIATION, AND THE NATIONAL FEDERATION OF TEXTILES, INC., AND SUNDRY OTHER PARTIES PURSUANT TO SECTION 14 OF THE FAIR LABOR STANDARDS ACT OF 1938 AND RULES AND REGULATIONS ISSUED THEREUNDER FOR PERMISSION TO EMPLOY LEARNERS IN THE TEXTILE INDUSTRY AT WAGE RATES LESS THAN THE APPLICABLE MINIMUM SPECIFIED IN SECTION 6.

Whereas, applications have been made by the Cotton-Textile Institute, Inc., the National Rayon Weavers Association, and the National Federation of Textiles, Inc., and sundry other parties under Section 14 of the Fair Labor Standards Act of 1938 and regulations (Part 522 — Regulations Applicable to the Employment of Learners pursuant to Section 14 of the Fair Labor Standards Act — Title 29, Labor, Chapter 5, Wage and Hour Division) issued by the Administrator thereunder for permission to employ learners in the textile industry at wages less than the applicable minimum wage specified in Section 6 of the Act;

Now, Therefore, pursuant to the Act and the regulations, notice is hereby given of a public hearing to be held on said applications in Room 3229, Department of Labor Building, located at Constitution Avenue and 14th Street, Washington, D.C., to commence at 10:00 a.m., on November 28, 1938, to take testimony for the purpose of determining—

- (a) what if any occupation or occupations in the textile industry require a learning period, and
- (b) whether it is necessary in order to prevent curtailment of opportunities for employment, to provide for the employment of persons in occupations requiring a learning period at wage rates lower than the minimum wage applicable under Section 6 of the Fair Labor Standards Act of 1938, and
- (c) if such necessity is found to exist, to determine at what wages lower than the minimum wage applicable under Section 6, such employment of learners shall be permitted, and with what limitations as to time, number, proportion and length of service.

At this hearing, learner applications will be considered and acted upon on the basis of the needs of the employees and the employers in the industry as a whole rather than on the basis of the needs of individual employees or employers of the industry. Opportunity will be afforded to interested parties to present evidence relevant to the foregoing inquiry. All persons or associations desiring to avail themselves of this opportunity should, if possible, notify the Administrator in advance of the hearing.

Pursuant to authority vested in the Administrator by the Fair Labor Standards Act of 1938, Mr. Merle D. Vincent is hereby designated as presiding officer to conduct the said hearing and to determine—

- (a) what, if any, occupation or occupations in the textile industry require a learning period, and
- (b) whether it is necessary in order to prevent curtailment of opportunities for employment, to provide for the employment of persons in occupations requiring a learning period at wage rates lower than the minimum wage applicable under Section 6 of the Fair Labor Standards Act of 1938, and
- (c) if such necessity is found to exist, to determine at what wages lower than the minimum wage applicable under Section 6, such employment of learners shall be permitted, and with what limitations as to time, number, proportion and length of service.

For the purpose of this hearing, Mr. Merle D. Vincent shall have all the powers conferred on the Administrator in Section 9, relating to the attendance of witnesses and the production of books, papers and documents.

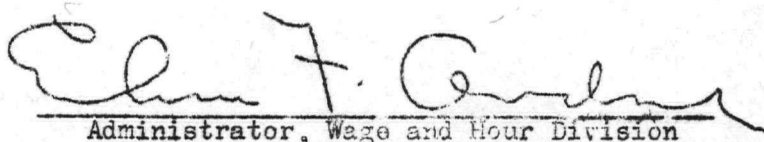
As used in this notice, the term "textile industry" means:

- (a) the manufacturing or processing of yarn or thread and all processes preparatory thereto, and the manufacturing, bleaching, dyeing, printing and other finishing of woven fabrics (other than carpets and rugs) from cotton, wool, silk, flax, jute or any synthetic fiber, or from mixtures of these fibers; except the chemical manufacturing of

synthetic fiber and such related processing of yarn as is conducted in establishments manufacturing synthetic fiber;

- (b) the manufacturing of batting, wadding or filling and the processing of waste from the fibers enumerated in clause (a);
- (c) the manufacturing, bleaching, dyeing, or other finishing of pile fabrics (except carpets and rugs) from any fiber or yarn;
- (d) the manufacturing or finishing of braid, net or lace from any fiber or yarn;
- (e) the manufacturing of cordage, rope or twine from any fiber.

Signed at Washington, D. C., this ninth day of November 1938:



Administrator, Wage and Hour Division
Department of Labor