

U. S. DEPARTMENT OF LABOR  
WAGE AND HOUR DIVISION  
Washington

TEXTILE LEARNERS APPLICATION WITHDRAWN

The Cotton-Textile Institute, the National Rayon Weavers Association and the National Federation of Textiles, Inc., have withdrawn their application for a learners exemption under the Fair Labor Standards Act, Administrator Elmer F. Andrews of the Wage and Hour Division, U.S. Department of Labor, announced today.

Dr. Claudius T. Murchison, President of the Institute and the principal spokesman for the employers, made the request for permission to withdraw the application, which was granted by the Administrator. The withdrawal was made, Dr. Murchison explained, because the application "has become untimely" in view of the work now in progress in Industry Committee No. 1, covering the textile industry. It was made without prejudice to reopening the subject at a later date.

The application in this industry was the first industry-wide request for a learner's exemption received by Administrator Andrews.

The withdrawal is limited to the major branches of the Textile Industry represented by the three petitions. The chenille and candlewick bedspread organizations, the silk throwsters, and the narrow fabrics manufacturers have not withdrawn the application for this branch of the industry, and the Administrator will act on these remaining petitions in due course.

Trade associations in the cotton, rayon and silk fields had asked an industry-wide learners exemption for manufacturers and the application was the subject of a three-day hearing which opened in Washington November 28 before Merle D. Vincent, Chief of the Hearings and Exemptions Section of the Division.

The employers asked for an exemption ruling under which, for a nine-week training period, they could pay new employees 70 percent of the minimum wage set under the Law. They asked that each employer be allowed to hire not more than 4 percent of his total personnel on this basis at any one time.

The application was opposed by spokesmen for unions affiliated with the American Federation of Labor, the Congress of Industrial Organizations and independent groups who contended there was a reserve of thousands of skilled workers in the industry, that "runaway" plants moving to rural communities should not be aided by exemptions and that it was usual for the unskilled workers to work up through the various processes in the mills to the higher paying jobs.

At the close of the third day of the hearing Dr. Murchison suggested to Mr. Vincent, who was presiding, a recess to give the employers and the labor representatives an opportunity to confer among themselves. In this manner it was believed that many of the conflicts which arose during the hearing could be ironed out, Dr. Murchison said at that time.

Dr. Murchison's letter to Mr. Andrews and the Administrator's reply follow:

THE COTTON-TEXTILE INSTITUTE, INC.  
320 Broadway, New York  
December 13, 1938

Hon. Elmer F. Andrews, Administrator,  
Wage and Hour Division,  
Department of Labor,  
Washington, D. C.

Dear Sir:

On November 2nd, 1938, the Cotton-Textile Institute, Inc., together with National Rayon Weavers Association, and The National Federation of Textiles, Inc., filed an application with you, pursuant to the provisions of Section 14 of the Fair Labor Standards Act and to the regulations promulgated pursuant thereto, for leave to employ learners at a wage lower than the minimum wage applicable under Section 6 of the Act. Since that application was filed, the Textile Industry Committee has undertaken, pursuant to the provisions of the Act and to your order establishing the Committee, an investigation of wages paid in the textile industry with a view to recommending to you the minimum rate or rates of wages to be paid in the industry under Section 6 of the Act.

In view of the fact that any recommendation which the Committee may make increasing the present minimum wage applicable to the industry would necessarily require a reappraisal of the considerations relating to the minimum wage at which learners might be employed and perhaps require the introduction of additional evidence, we believe that our application has become untimely and respectfully request that no further consideration be given thereto.

If, after Industry Committee Number One has made its wage recommendations and you have issued orders pursuant thereto, it is deemed advisable, an application can then be filed and considered in the light of the situation prevailing under your order.

Accordingly, in requesting discontinuance of further consideration of our application filed November 2nd, 1938, we also request that we may have the privilege of filing a new application at such future time as it might appear desirable and timely to do so.

We have been authorized to state that National Rayon Weavers Association and The National Federation of Textiles, Inc., concur in the foregoing.

Respectfully,

THE COTTON-TEXTILE INSTITUTE, INC.,  
BY:

Claudius Murchison

President.

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U.S. DEPARTMENT OF LABOR  
WAGE AND HOUR DIVISION  
WASHINGTON

December 16, 1938

Dr. Claudius T. Murchison, President  
The Cotton-Textile Institute, Inc.  
320 Broadway  
New York, N. Y.

Dear Dr. Murchison:

This is in reply to your letter of December 13, 1938, in which you request that no further consideration be given the application filed by you on behalf of The Cotton-Textile Institute, the National Rayon Weavers Association, and The National Federation of Textiles, Inc., for permission to employ learners at less than the applicable minimum rate.

The request is granted and no further action will be taken on the application. This does not prejudice your right under the law to make application at a later date if you so desire.

I wish also to express my appreciation of your cooperation. Your action will help to make the Fair Labor Standards Act effective.

Yours sincerely,

Elmer F. Andrews,  
Administrator