

NOTICE OF HEARING ON MINIMUM WAGE
RECOMMENDATIONS AND REPORT OF
INDUSTRY COMMITTEE NO. 1
FOR THE
TEXTILE INDUSTRY

WHEREAS, the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to Section 5(b) of the Fair Labor Standards Act of 1938, on September 13, 1938, appointed Industry Committee No. 1 for the Textile Industry, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on, and

WHEREAS, Industry Committee No. 1 has duly adopted a report containing recommendations and reasons therefor with respect to the matters referred to it and has filed such report with the Administrator on May 23, 1939, pursuant to Section 8(d) of the Act and Section 511.19 of the Regulations issued under the Act, and

WHEREAS, the Administrator is required by Section 8(d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendations of such Industry Committee if he finds that the recommendations are made in accordance with law and are supported by the evidence adduced at the hearing before him and, taking into consideration the same factors as the Industry Committee is required to consider by Sections 8(b) and 8(c) of the Act, will carry out the purposes of Section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation,

NOW, THEREFORE, notice is hereby given that:

- I. The full text of the recommendations of Industry Committee No. 1 is as follows:

"Thirty-two and one-half cents (32½ cents) per hour shall be the minimum wage rate to be paid all employees in the textile industry defined (by Administrative Order No. 25, dated May 22, 1939) as follows:

- (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, silk, flax, jute or any synthetic fiber, or from mixtures of these fibers; or from such mixtures of these fibers with wool or animal fiber (other than silk) as are specified in clauses (g) and (h); except the chemical manufacturing of synthetic fiber and such related processing of yarn as is conducted in the 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 processing of any textile fabric, included in this definition of this industry, into any of the following products: bags; bandages and surgical gauze; bath mats and related articles; bedspreads; blankets; diapers; dishcloths, scrubbing cloths and wash-cloths; sheets and pillow cases; table-cloths, lunch-clothes and napkins; towels; and window-curtains;
- (e) The manufacturing or finishing of braid, net or lace from any fiber or yarn;
- (f) The manufacturing of cordage, rope or twine from any fiber or yarn;
- (g) The manufacturing or processing of yarn or thread by systems other than the woolen system from mixtures of wool or animal fiber (other than silk) with any of the fibers designated in clause (a), containing not more than 45 percent by weight of wool or animal fiber (other than silk);
- (h) The manufacturing, bleaching, dyeing, printing or other finishing of woven fabrics (other than carpets and rugs) from mixtures of wool or animal fiber (other than silk) containing not more than 25 percent by weight of wool or animal fiber (other than silk), with any of the fibers designated in clause (a), with a margin of tolerance of 2 percent to meet the exigencies of manufacture."

II. The full text of the report and recommendations of the Industry Committee No. 1 is available for inspection by any person between the hours of 9:00 a.m. and 4:30 p.m. at the following places:

Boston, Mass.
120 Boylston Street

New York, N. Y.
412 Federal Bldg.
641 Washington St.

Philadelphia, Pa.
1222 Widener Bldg.

Pittsburgh, Pa.
214 Old Post Office Bldg.

Newark, N. J.
424 Federal Bldg.

Cleveland, Ohio
540 Old Federal Bldg.

Detroit, Mich.
949 Federal Bldg.

Chicago, Ill.
964 Merchandise Mart

Indianapolis, Indiana
% National Emergency Council
511 Chamber of Commerce Bldg.

Milwaukee, Wis.
314 Federal Bldg.

Richmond, Va.
614 Parcel Post Bldg.

Baltimore, Md.
6th Floor, Snow Bldg.
Calvert & Lombard Sts.

Washington, D. C.
5th Floor, Dept. of Labor

Atlanta, Ga.
101 Marietta St. Bldg.
105 Marietta Street

Birmingham, Ala.
1617 Comer Bldg.

Jacksonville, Fla.
225 Post Office Bldg.

Charlotte, N. C.
235 Post Office Bldg.

Columbia, S. C.
101 Federal Bldg.

Nashville, Tenn.
119 Seventh Ave., North

St. Louis, Mo.
314 Old Federal Bldg.
815 Olive St.

Kansas City, Mo.
539 New Post Office Bldg.

Minneapolis, Minn.
406 New Post Office Bldg.

Des Moines, Iowa
% Social Security Board
303 Old Federal Bldg.

Dallas, Texas
618-621 Wilson Bldg.

Houston, Texas
603 Federal Bldg.

San Antonio, Texas
Haverick Bldg.

Oklahoma City, Okla.
511 Federal Bldg.

New Orleans, La.
516 Carondelet Bldg.

San Francisco, Calif.
785 Market St.

San Juan, P. R.
Box 1431, Post Office

Juneau, Alaska
B. D. Stewart

Copies of the Committee's report and recommendations may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, Department of Labor, Washington, D. C.

III. A public hearing on the question of whether the recommendations of Industry Committee No. 1 shall be approved or disapproved pursuant to Section 8 of the Act and at which all interested persons will be given opportunity to be heard in support of or in opposition to the recommendations of Industry Committee No. 1 will be held before Elmer F. Andrews, Administrator, or a representative designated to preside in his place, to convene at the Raleigh Hotel, 12th Street and Pennsylvania Avenue, N. W., Washington, D. C. at 10 o'clock a.m. on June 19, 1939, and to be continued at Ansley Hotel, Atlanta, Georgia, at 10 o'clock a.m. on June 26, 1939, and

thereafter continued at Washington, D. C. at a time and place to be prescribed by the Presiding Officer in the record of the proceedings.

IV. Any interested person supporting or opposing the recommendations of Industry Committee No. 1 may appear at the aforesaid hearing to offer evidence, either on his own behalf, or on behalf of any other person, provided that not later than June 14, 1939, such person shall file with the Administrator at Washington, D. C., a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.
2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.
3. Whether such person proposes to offer evidence for or against the recommendations of Industry Committee No. 1 and a brief summary of what he intends to show.
4. The approximate length of time requested for his presentation.

Such notice may be mailed to Elmer F. Andrews, Administrator, Wage and Hour Division, Department of Labor, Washington, D. C. and shall be deemed filed upon receipt thereof.

V. The hearing will be conducted in accordance with the following rules, subject, however, to such modifications as are subsequently deemed appropriate by the Presiding Officer.

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request made to the official reporter.
2. The Presiding Officer may call for production of evidence upon any issue and may continue the hearing from time to time and to a place which shall be shown in the record of the proceedings.
3. In order to maintain orderly and expeditious procedure, the Presiding Officer will notify each person filing a notice of intention to appear of the day on and place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.
4. The Presiding Officer may permit any person appearing in accordance with paragraph IV to cross-examine any witness offered by (another person in so far as is practicable and to object to the admission or exclusion of evidence by the Presiding Officer.) Requests for permission to cross-examine

a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the grounds of objection relied on. The record shall not include argument thereon except as ordered by the Presiding Officer. The rules of evidence prevailing in courts of law or equity shall not be controlling.

5. Industry Committee No. 1 will be represented at the hearing by its counsel who will open and close the proceeding.

6. All evidence must be presented under oath or affirmation. Written arguments documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify with respect to the authenticity and trustworthiness thereof and who shall, at the time of offering the document or exhibit, make a brief statement as to the contents and manner of preparation thereof. Where evidence is embraced in a document containing matter not intended to be put in evidence, such document will not be received, but the person offering the same may present to the Presiding Officer the original document together with true copies of those portions of the document intended to be put in evidence. Upon presentation of such copies in proper form, the copies will be received in evidence. Written documents and exhibits shall be tendered in duplicate, but the person presenting the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer.

7. Subpoenas requiring the attendance of witnesses or the presentation of documents at the hearing may be issued by the Administrator in his discretion and any person may apply in writing for the issuance by the Administrator of a subpoena. Any application for a subpoena must describe as exactly as practicable the evidence proposed to be secured by the subpoena. Witnesses summoned before the Administrator shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance the witnesses appear.

8. Before the close of the hearing, the Presiding Officer may in his discretion offer to all persons who have appeared in the proceeding an opportunity to give oral argument in which case the Presiding Officer shall designate a time and place for such oral argument and shall place such restrictions with respect to time and order of appearance upon persons giving oral argument as he deems appropriate to further the orderly and expeditious conduct of the proceeding.

9. Any person who has appeared in the proceeding may file written briefs (not fewer than 12 copies) with the Presiding Officer within such time and subject to such limitations and restrictions as are prescribed at the hearing. Such briefs shall be available for inspection at the office of the Administrator in Washington, D. C.

and copies may be obtained from the official reporter at the prescribed rates. Except upon cause shown, no reply briefs will be accepted.

10. Except as may be expressly permitted in particular instances, the Presiding Officer will not receive in evidence any documents, letters or other written statements submitted for consideration in connection with the proceeding after the close of testimony.

11. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the Federal Register.

Signed at Washington, D. C. this 26th day of May, 1939.



Elmer F. Andrews, Administrator
Wage and Hour Division
Department of Labor