

U. S. DEPARTMENT OF LABOR  
Wage and Hour Division  
Washington

ADMINISTRATOR ANNOUNCES RULES FOR TEXTILE AND HOSIERY WAGE HEARINGS

Rules governing the conduct of public hearings on minimum wage recommendations made by industry committees were made public today by Elmer F. Andrews, Administrator, Wage and Hour Division, U. S. Department of Labor, who will preside at the hearings.

The rules will apply to the public hearing on the recommendations of the hosiery committee announced today for June 12 in the Department of Commerce Building, Washington, and to the hearings on the recommendation of Industry Committee No. 1 (cotton, silk, rayon and certain other textiles) scheduled for June 19 at the Hotel Raleigh in Washington and June 26 at the Hotel Ansley at Atlanta, Georgia.

The formal notice of the hearings, signed by Administrator Andrews, states: "Any interested person supporting or opposing the recommendations . . . 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 five days before the start of the hearings, 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."

The rules of the hearings announced by the Administrator are:

"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 notice of intent to appear described above 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 (or No. 3) 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 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."