

For Release Tuesday,  
November 7, 1939

R-484

BEFORE THE UNITED STATES DEPARTMENT OF LABOR  
WAGE AND HOUR DIVISION  
Washington, D. C.

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IN THE MATTER OF THE APPLICATION :  
                                  OF :  
THE COTTON TEXTILE INSTITUTE, :  
ET. AL. :  
TO EMPLOY LEARNERS IN THE TEXTILE :  
INDUSTRY AT WAGE RATES LESS THAN :  
THE APPLICABLE MINIMUM SPECIFIED :  
IN SECTION 6. :  
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Determination and Order  
of the  
Presiding Officer  
October 31, 1939.

The Cotton Textile Institute and sundry other parties having made application under Section 14 of the Fair Labor Standards Act of 1938, and Part 522 of Regulations issued thereunder for permission to employ learners in Textile industries at wages lower than the minimum wage applicable under Section 6 of the Act, a hearing was held pursuant to notice on November 28, 29 and 30 in Washington, D. C. before the undersigned as duly designated Presiding Officer, 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, 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 the conclusion of the hearing the major applicants 1/ requested and received permission to withdraw their application, without prejudice to their right to resubmit the application at a later date. The application of the Throwsters' Research Institute in behalf of the throwing industry was subsequently denied by the undersigned and the petition for review of the denial was thereafter denied by the Administrator. The findings of the undersigned in this matter directly related to the 25¢ minimum wage. The application of the Tufted Bedspread Manufacturers' Association was still pending at the time of the reconvened hearing.

Dr. C. T. Murchison, speaking on behalf of the major applicants, made it clear that the chief purpose of the employer representatives in withdrawing their application was to enable them to confer among themselves and with representatives of the employees in the industry. The employee representatives expressed their readiness to confer; but the record contains no indication that such a conference was ever held.

After the Administrator by order approved the 32 $\frac{1}{2}$ ¢ minimum wage recommended by Textile Industry Committee for the Textile Industry, to be effective October 24, 1939, the applicants renewed their applications with certain revisions. On October 12, 1939, the hearing was reconvened before the undersigned as Presiding Officer to consider the following matters:

(a) What, if any, occupation or occupations in the textile industry, or branch thereof, require a learning period, and

1/ The Cotton Textile Institute, Inc., National Rayon Weavers Association, National Federation of Textiles, Inc., The Cotton Thread Institute, Inc.

(b) the factors which may have a bearing upon curtailment of opportunities for employment within the textile industry, or branch thereof, and

(c) under what limitations as to wages, time, number, proportion, and length of service special certificates may be issued to employers in the textile industry, or branch thereof, for whatever occupation or occupations, if any, are found to require a learning period.

The term "Textile Industry" was defined in the original notice of hearing to include:

(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 and 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.

In the notice of the reconvened hearing the definition was broadened to include any other operations which are subject to the Textile Minimum Wage Order effective October 24, 1939. The following operations are, therefore, to be added to the above:

(f) 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; tablecloths, lunch-cloths and napkins; towels; and window-curtains;

(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.

This definition is broader in scope than the definition adopted by the Administrator for the Textile Minimum Wage Order, in that it includes the operations that constitute the Wool Industry, which are subject to the jurisdiction of a separate Industry Committee. But since no application or testimony on behalf of the Wool Industry was presented, and the adoption of any learner provisions for that Industry was strongly opposed by the employee representatives, the operations included in the Wool Industry are excluded from this determination and order.

### Findings of Fact

#### 1. Occupations Requiring a Learning Period:

##### (a) The General Occupational Structure of the Textile Industry.

The Textile Industry <sup>2/</sup> is engaged in the basic operations of spinning fibers into thread or yarn, weaving thread or yarn into fabric, and finishing the thread, yarn, or fabric. The three basic fibers are cotton, silk and rayon. All three operations are carried on with all three fibers in both integrated and partial process mills. In spite of conflicting contentions, some of which may contain a measure of truth, I find that the operations are fundamentally alike throughout the industry and I also find that the comparable skills are as a rule interchangeable.

The Textile Industry is peculiarly characterized by an established employment policy of promotion from within the ranks of those already employed. The person performing an unskilled or slightly skilled operation acquires experience in a more highly skilled occupation by observation and by assisting the higher skilled worker in various capacities. Then when a vacancy occurs, the unskilled or low-skilled worker can take over the more highly skilled job with a minimum learning period, and with a minimum of special supervision. And it is equally true that throughout the promotion process, which may be repeated step by step with an apt employee, the employee is continuously productive. As a result, in the vast majority of mills, in normal times, new employees are placed on simple and semi-skilled operations which require only a short learning period, or, in some occupations, practically no learning period at all beyond the knowledge acquired in working in and about the mill by observation and work on unskilled occupations.

Variation from this practice of filling vacancies at the bottom and promoting from within does, of course, occur here and there. The system is not practicable in a new mill or a mill that is installing a large expansion program, but the Textile Industry, as the evidence shows, beyond all question has been shrinking in terms of used equipment and employment, largely because of continuous increases in productivity. Thus for some years the instances of clear-cut expansion have been unusual and can be adequately provided for under the general learner provisions in Part 522 of the Regulations. Other instances of variation

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<sup>2/</sup> Strikingly different from the general nature of textile operations is the manufacture of tufted bedspreads and curtains. These branches of the industry accordingly receive separate consideration below.



from the established policy might be cited, in which a mill finds it desirable to fill vacancies in the middle occupational grades, but rarely in the higher skills, directly from the outside; but these instances have not been the norm.

In addition to the policy of promoting from within, the Textile Industry is also peculiarly characterized by a great variety of occupational classifications and techniques within the basic occupational structure. The same basic job in two mills may be performed by one or more workers with one or more assistants having more or less specialized functions. Thus, to take a single example, a card machine requires a card tender. The functions of feeding the machine with laps and removing the cans must also be performed. However, these auxiliary functions may or may not be performed by the card tender himself and the card tender may also be more or less responsible for a variety of functions with respect to the maintenance of his machine. Thus, in one mill, a card tender must possess a variety of skills, some simple and some more difficult, whereas in another mill the card tender may be required to be skilled in only one limited function.

In the light of the foregoing, it is clear that it would be impractical to name a list of jobs requiring specific learning periods. The jobs are so little standardized that the actual assignment of functions to the learner may vary from a full productive assignment on a minor job in which the learning of the higher job is carried on by observation, to a largely unproductive assignment in which the learner's attention is directly concentrated on the learning process. I believe that it is impractical to make such a definition and therefore I find, on the basis of the entire record that the textile occupations of machine operating, tending, fixing and jobs immediately incidental thereto require a learning period, but that the following employees and those performing functions of similar nature do not require a learning period:

- Sweepers
- Scrubbers
- Yard Employees
- Watchmen
- Clerical Workers and Supervisors
- Time Keepers
- Machine Cleaners
- Janitors
- Truckers

B. Throwsters and Narrow Fabrics.

Testimony was introduced to show that the occupational pattern of the throwing branch and the narrow fabrics branch of the industry is different from

the foregoing. This testimony was contradicted by other testimony. On the whole the record fails to substantiate the attempted differentiation and I find that the same conclusions about the learner occupations made above are applicable to those branches.

C. Tufted Bedspreads.

The tufted bedspread branch of the industry has two major occupations: punchwork operation and chenille operation. Both are machine operations. It is apparent that both operations require a learning period and it is admitted by the applicants that no other operations in that branch require a learning period.

D. Curtains.

A comparison of the evidence in the present record with the Administrator's findings in his Apparel Industry Learner Order shows that the manufacture of curtains from curtain fabrics is essentially like the Apparel Industry in its occupational requirements insofar as learners are concerned. The major occupational group in the branch is sewing machine operators. This occupation clearly requires a learning period. However, the other occupations such as packing and cutting are by admission of the applicants substantially the same as the operations which the Administrator has already found not to require a learning period in his Apparel Learner Order. I therefore find that the sewing machine operation is the only operation in the curtain branch requiring a learning period.

II. Curtailement of Opportunities for Employment:

It was admitted by the major applicants that at the 25¢ minimum wage a denial of their application would result in a negligible curtailement of opportunities for employment, if any. The application was resubmitted as a direct consequence of the Administrator's 32½¢ Textile Wage Order effective October 24, 1939. The Administrator has found that no substantial curtailement of employment will result from any increase in labor and manufacturing costs caused by the Wage Order. Such increases will undoubtedly make somewhat more serious the burden of training and maintaining learners, even though in many instances this cost will remain negligible and properly to be borne by the employer, and even though in many localities there is available a reservoir of experienced skilled workers and no learners at all need be hired.

These findings respecting labor costs and curtailement of opportunities for employment necessarily also take into account testimony of representatives of employers and of labor which shows marked mechanical improvements and an increasing installation and use of automatic equipment in recent years. These developments still continue. The consequences have been an increasing labor productivity in some of the occupations and a correspondingly reduced labor requirement. For example, loom tenders in the Industry, as automatic equipment was introduced, have had their task increased by assignments of an increasing

number of looms to be tended. This increased labor productivity in many units of the Industry has been continuous and the number of looms tended by individual workers substantially increased. There is no evidence in the record that this improved mechanization, increase of work load per worker, and reduced labor requirement has reflected itself in a corresponding increase in wage income of those engaged in such occupations. The present minimum wage rate is not substantially higher than rates which have been at times previously paid. In numbers of instances the  $32\frac{1}{2}\%$  wage rate is no higher than the wage rates previously paid by considerable numbers of units in the Textile industry.

It is clear from the foregoing that there is little evidence to show that the denial of the applications for the textile industry as a whole would result in curtailment of opportunities for employment. But the description of the employment policies, wage policies, and employment trends is based on the experience of the industry over a considerable period of time. It remained true as a description of the current status of the industry as recently as the time of the original hearing. It is, however, only partially true today. While the present upswing in production does present highly favorable factors to employers, it also creates an acute demand for new employees. And it is true that many of the large reservoirs of experienced workers cannot be tapped because the industry has moved away from many of the older textile centers. There is thus currently an abnormal need for learners, particularly in the newer areas. To what extent the industry can absorb this burden is difficult to foretell, but cautious administration must recognize the existence of an unusual situation, however temporary in character. I therefore find that it will be necessary, to prevent curtailment of opportunities for employment, to issue learner certificates to employers in the industry where experienced workers are not available. This finding is necessarily tentative in nature and applicable only to the present conditions in the industry. It should be reviewed within a year and modified as may appear desirable.

There is nothing in the record relating to the throwing, narrow fabrics, and curtain branches of the industry to require modification of the above findings as applicable to those branches. Accordingly, the foregoing findings on curtailment of opportunities for employment for the textile industry as a whole, excepting wool, are applicable to the narrow fabrics, throwing and curtain branches of the Industry.

The volume of production and employment in the Tufted Bedsprad branch has risen rapidly during the past five years. This branch of the Industry has experienced a transition since 1930 from an almost exclusively hand made product to a machine made product which supplies approximately 90 percent of the tufted bedsprad market demand. Obviously an employment which has become so quickly mechanized on the low wage rates which the record shows prevailed previous to the enactment of the Fair Labor Standards Act enjoys advantages which put upon it a responsibility for training workers in those skills which are necessary to



such machine production. Nevertheless it also appeared that the industry is highly competitive and, in view of its newness, that it lacks an adequate reservoir of experienced workers. Thus some of its units may experience a need for learners at a wage rate below the minimum during an adjustment period to prevent curtailment of opportunities for employment. I therefore find that the application should be granted upon appropriate terms so that certificates may be issued to such individual units as are described above.

The applicants were not entirely clear in their presentation respecting the relation of possible curtailment of employment to the availability of experienced workers. However, the evidence in the record is overwhelming that the denial of certificates will not curtail employment when the employer can fill vacancies in his mill from the ranks of the experienced unemployed. I therefore conclude that certificates should not be issued when experienced workers are available, and I find that no curtailment of opportunities for employment will be caused by such action.

### III Learner Wages

The major applicants in their revised application propose a learner wage rate of 25¢. This rate is approximately 75 percent of the Wage Order minimum. The application was concurred in, in this respect by the Throwsters' Research Institute, <sup>3/</sup>The Webbing Manufacturers' Institute, the New England Curtain Manufacturers' Association, and the Rhode Island Textile Association.

In view of the size and complexity of the whole industry, a single learner rate must necessarily represent an approximation of various, more or less, appropriate rates. A proposed 25¢ rate on all the evidence appears not unreasonable, and I find it appropriate. I also find that the adoption of a variety of rates for different classifications in the industry would militate against efficient administration of the Act and also make record keeping by employers needlessly difficult.

The applicants further proposed that payment of piece rate earnings be not required until after four weeks of the learning period had been completed. This proposed denial to the learner of the full piece rate earnings was not substantiated by the record. I find that at all times learners should be paid the full amount of their earnings, if these earnings are in excess of the learner rate computed at the regular piece work rates paid in the establishment for the particular learner occupation.

The Tufted Bedsread branch proposed learner rates of 22½¢ for chenille operators and for the first twelve weeks period for punch work operators, 27½¢ for the second twelve weeks period for punch work operators, and 25¢ for the retraining period from chenille to punch work. The record fails to show why a lower rate is necessary for this branch than is appropriate for

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<sup>3/</sup> The Throwsters revised application calls for 75 percent of the minimum for twelve weeks and 87½ percent of the minimum for a second twelve weeks learning period.



the Textile industry as a whole. Furthermore, in the interests of simplicity both in administration and for employers' record keeping, it appears appropriate to set the same rate for the three periods, found below to be 8 weeks each in length. <sup>4/</sup> I find that 25¢ is the appropriate learner rate in the Tufted Bedsread Branch.

#### IV Learning Period

##### A. General

It is apparent from what has been found above on the occupational structure of the textile industry (with the exception of tufted bedsread and curtains) that learners employed under Special Certificates will be assigned to a great variety of occupations under a great variety of managerial conditions. It is clear, and admitted by the applicants, that their proposal of an 8 week learning period is a rough average <sup>5/</sup>, with certain occupations requiring a longer and others a shorter learning period. It is not possible to weigh these various elements scientifically, at least in the light of presently available information. It appears, however, that the applicants have given undue weight to the most highly skilled occupations, since the evidence showed that learners will seldom, if ever, be employed directly to learn these operations. The employee representatives asserted that a much shorter learning period would be suitable for less skilled occupations. Reference was also made at the hearing to the six weeks' period established under the NRA Code. Although a question was raised about this period, there was no effective showing that it was inadequate or inappropriate. I find on the whole record that a six weeks' learning period is appropriate, subject to such future revision as may appear desirable.

The Throwsters' Research Institute originally proposed a 12 week learning period, modified this to 9 weeks to conform to the original application of the major applicants, and at the second hearing requested two 12 week periods. The exhibits submitted by the industry show such a great variation in their estimates that I am forced to the conclusion that the revised application is not based on accurate data. There is also no evidence to substantiate any differentiation between the throwing branch and the rest of the textile industry in this respect. I therefore find that a 6 weeks learning period is appropriate for the throwing branch of the industry.

##### B. Tufted Bedsreads

At the original hearing the representatives of the Bedsread branch requested two 8 week learning periods for both chenille and punch work operations. At the reconvened hearing this request was modified so that one 12 week period was requested for chenille and two 12 week periods for punch work. Specific data in support of the revised application were furnished only from one

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<sup>4/</sup> It is found below that the appropriate learning periods are 8, not 12 weeks in length.

<sup>5/</sup> This was reduced from 9 weeks in the original application.

plant. The allegation that punchwork is comparable to hosiery looping and chenille to hosiery seaming is not thoroughly convincing in view of the testimony in the record describing the actual operations, which seem to require no great grasp of a complex set of movements nor unusual dexterity. The operations appear to be a form of but fewer in variety than sewing machine operation. It did appear, however, that the learning period for punchwork is considerably greater than for chenille, and earnings of experienced operators considerably higher. On all the evidence, therefore, I find that one 8 week learning period is appropriate for chenille, and two 8 week periods for punchwork. I also find that one 8 week retraining period is appropriate for chenille operators learning punchwork.

### C. Curtains

It was stated by the applicants that the sewing machine operation in curtain manufacture is fundamentally the same as the operation described in the Administrator's Apparel Industry Learner Order. Taking cognizance of the conclusions reached in that Order, I find that 8 weeks is the appropriate learning period for sewing machine operators in the curtain branch of the textile industry.

### V. Definition of "Learner"

The application of the major applicants fails to define the term "learner". However, testimony of the applicants' witnesses shows clearly that no one who has worked either under a certificate or otherwise for longer than the learning period in any of the learner occupations would be considered a learner by the applicants. The propriety of this definition is made evident by the conclusive showing that persons promoted from within continue to be productive throughout their various learning periods.

In view of the findings above on the appropriate learning period and on the relation between the throwing and narrow fabrics branches and the other branches of the industry, I find that a learner in the textile industry shall be a person who has had less than 6 weeks experience in the aggregate in any of the learner occupations in any branch of the textile industry except tufted bedspreads and curtains.

I also find that a learner in the curtain branch of the industry is a person who has had less than 8 weeks experience as a sewing machine operator.

I also find that a learner in the tufted bedspread branch of the industry is a chenille operator who has had less than 8 weeks experience as such; or a punchwork operator who has had less than 16 weeks experience as such, or 8 weeks as such plus 8 weeks as a chenille operator.

### VI. Number of Learners

The major applicants originally requested, for turn-over, 4 percent of the total workers in the plant and later revised this to read 5 percent of persons in the learner occupations. It was estimated that the number of persons would be about the same. However, all the evidence in the record, particularly

that dealing with the period immediately following the N.R.A., shows that this is far in excess of actual needs, and in excess of the number of learners actually employed in a typical textile mill. Furthermore, the request was based on a proposed 3 week learning period. Under a 6 week period the total number of learners that can be employed during the course of a year is 33-1/3 percent greater. Furthermore, the evidence shows much the same needs for all branches of the industry except curtains and bedspreads. I therefore find that 3 percent of the total number of persons in the learner occupations is the maximum that should be allowed for learners, in all branches of the industry except the curtain and tufted bedspread branches.

In view of the greater length of the learning period, and the similarity to the situation described in the Administrator's Apparel Learner Order, I find that a limitation to 5 percent of the sewing machine operators is appropriate for the curtain branch.

In view of the greater length of the learning period, and the lack of an established body of experienced workers, I find that 5 percent of the total number of chenille and punch work operators is appropriate for the bedspread branch.

To provide for the needs of small plants, I find that it is appropriate for any certificate in the bedspread and curtain branches to authorize the employment of as many as 5 learners, and for any other certificate to authorize the employment of as many as 3 learners.

I also find that cases of plant expansion or new plants should be handled in accordance with their individual needs under Part 522 of the Regulations.

#### VIII. Special Conditions

In relation to the findings made above on curtailment of opportunities for employment, it is clear that special certificates should not permit and should in fact expressly prohibit the employment of learners at sub-minimum rates when the employer can by reasonable diligence obtain experienced workers to fill vacancies. Furthermore, to apprise all interested parties of their rights and obligations, I find that no special certificate **should** be valid unless a copy of it remains posted at all times, during the period of its validity, in a conspicuous place in the plant. Finally, since the evidence in the record is necessarily limited, in large part, to the probable effects of the 32<sup>1</sup>/<sub>2</sub> Wage Order minimum, and is directly related to the present abnormal condition in the Textile Industry, I find that no special certificate shall be valid beyond October 24, 1940, subject to modification or extension on or before that time following an appropriate reconsideration of these findings.



DETERMINATION AND ORDER

Upon the whole record of evidence, I determine and order:

1. On or after October 31, 1939, special certificates shall be issued permitting employment of learners in the Textile Industry at subminimum rates in the textile occupations of machine operating, tending, fixing, and jobs immediately incidental thereto, except that no certificate shall be deemed to apply to any employees performing functions similar to those performed by the following: sweepers, scrubbers, yard employees, watchmen, clerical workers and supervisors, time keepers, machine cleaners, janitors, and truckers. In the tufted bedspread branch of the industry, certificates shall be issued for the occupations of punchwork operation and chenille operation, and only such occupations. In the curtain branch of the industry, certificates shall be issued for the operation of sewing machines, but for no other occupation.

All such special certificates shall be issued, upon the following terms, to all plants in the industry making application therefor representing that experienced workers are not available to the plant, unless experienced workers are found to be available:

(a) Learners employed under the certificate shall be paid at a rate of not less than 25 cents an hour; provided that in all plants where experienced operators are paid on a piece-work rate, learners in the same occupations shall be paid at least the same piece-work rate and shall receive earnings paid on this rate, if in excess of the above-stated minimum.

(b) No learner shall be employed under the certificate longer than 6 weeks; provided that in the tufted bedspread branch of the industry no learner shall be employed longer than 8 weeks as a chenille operator, and not longer than 16 weeks as a punchwork operator, and not longer than one 8-week retraining period for chenille operators learning punchwork; provided, further, that in the curtain branch of the industry no learner shall be employed under the certificate longer than 8 weeks.

(c) Learners employed under the certificate shall not exceed 3 per cent of the total number of persons in the learner occupations, provided that in the tufted bedspread branch of the industry learners shall not exceed 5 per cent of the total number of chenille and punchwork operators; provided further that, in the curtain branch of the industry, learners shall not exceed 5 per cent of the total number of sewing-machine operators; and provided finally that the employment of as many as 3 learners may be authorized by any certificate except that in the tufted bedspread and curtain branches of the industry as many as 5 learners may be authorized by any certificate. In cases of plant expansion of new plants, certificates may be issued under Part 522 of the



Regulations for a larger number of learners if need therefore is found.

(d) Only learners shall be employed at a subminimum wage under the certificate, and no learner shall be employed under the certificate unless hired when an experienced worker was not available.

(e) No learner shall be employed at a subminimum wage under the certificate until and unless a copy of this certificate is posted and kept posted in a conspicuous place in the plant in which learners are employed.

2. Any special certificate issued pursuant to this order may be cancelled as of the date of issue if it is found that such certificate was issued when experienced workers were available and may be cancelled prospectively or as of the date of violation if it is found that any of its terms have been violated or that skilled workers have become available. No certificate issued pursuant to this order shall be valid after October 24, 1940, subject to modification or extension on or before that time following an appropriate reconsideration of this Order.

3. In this Order the term "learner" shall mean a person who has had less than 6 weeks' experience in the aggregate in any of the learner occupations in any branch of the Textile Industry except tufted bedspreads and curtains. In the tufted bedspread branch of the industry the term "learner" shall mean a person who has had less than 8 weeks' experience as a chenille operator, or 16 weeks' experience as a punchwork operator, or less than 8 weeks' experience as a chenille operator plus 8 weeks retraining as a punchwork operator. In the curtain branch of the industry, the term "learner" shall mean a person who has had less than 8 weeks' experience as a sewing-machine operator. If any worker has partially completed the applicable learning period, as prescribed above, the time thus served shall be deducted from the learning period authorized by special certificate upon any subsequent employment.

4. In this Order the term "Textile Industry" is defined as under the Textile Wage Order 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 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-cloths and napkins; towels; and window-curtains;

(e) The manufacturing or finishing of braid, net or lace from any fiber or yarn;

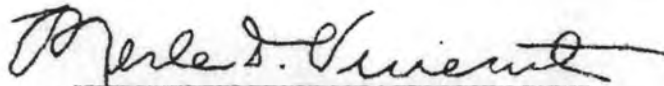
(f) The manufacturing of cordage, rope or twine from any fiber or yarn;

(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 per cent 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 per cent 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 per cent to meet the exigencies of manufacture.

This definition shall not be deemed to include the Wool Industry, and the operations of said industry are excluded from this Determination and Order.

Signed at Washington, D. C., this 31st day of October, 1939.



Merle D. Vincent  
Presiding Officer