

UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION

WASHINGTON, D. C.

NOTICE OF OPPORTUNITY TO PETITION FOR REVIEW OF
DETERMINATION UPON APPLICATIONS FOR PERMISSION
TO EMPLOY LEARNERS IN THE CIGAR MANUFACTURING
INDUSTRY AT WAGES LOWER THAN APPLICABLE MINIMUM
SPECIFIED IN SECTION 6 OF THE FAIR LABOR STANDARDS
ACT

WHEREAS, The Cigar Manufacturers Association of America, Inc., and sundry other parties pursuant to Part 522 (Regulations Applicable to the Employment of Learners pursuant to Section 14 of the Fair Labor Standards Act) made application for permission to employ learners in the cigar manufacturing industry at wages lower than the applicable minimum wage specified in Section 6 of the Act; and

WHEREAS, a hearing on said application was held before Merle D. Vincent the representative of the Administrator of the Wage and Hour Division, duly authorized to conduct the said hearing and to determine -

- (a) what, if any, occupation or occupations in the cigar manufacturing industry, or branch thereof, require a learning period, and
- (b) the factors which may have a bearing upon curtailment of opportunities for employment within the cigar manufacturing 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 cigar manufacturing industry, or branch thereof, for whatever occupation or occupations, if any, are found to require a learning period; and

WHEREAS, following such hearing the said Merle D. Vincent duly made his findings of fact and determined as follows:

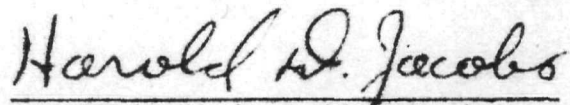
- "(1) The occupations of packer and cigar machine operator in the machine branch, and packer and hand cigar maker in the hand branch of the cigar industry require a learning period.
- "(2) The learning period for packers and for cigar machine operators is eight weeks and for hand cigar makers is six months.
- "(3) It is not necessary in order to prevent curtailment of opportunities for employment to issue Special Certificates authorizing the employment of learners in the cigar industry at subminimum rates.

"The applications are denied"; and

WHEREAS, the said Merle D. Vincent's Determination and Order were duly filed with the Administrator on January 2, 1940, and are now on file in his office, Room 5144, Department of Labor Building, Washington, D. C., and available for examination by all interested parties;

NOW, THEREFORE, pursuant to the provisions of Section 522.13 of the aforesaid regulations, as amended, notice is hereby given that any person aggrieved by the said determination may within fifteen days after the date this notice appears in the Federal Register, file petitions with the Administrator requesting that he review the determination of the said representative.

Signed at Washington, D. C., this 9th day of January, 1940.


Harold D. Jacobs, Administrator
Wage and Hour Division
Department of Labor