

TITLE 29 - LABOR  
CHAPTER V - WAGE AND HOUR DIVISION

IN THE MATTER OF THE RECOMMENDATION OF  
INDUSTRY COMMITTEE NO. 4 FOR MINIMUM WAGE  
RATES IN THE HAT INDUSTRY

WAGE ORDER

Effective July 1, 1940.

Part 557 - Minimum Wage Rates in the Hat Industry

WHEREAS, on March 7, 1939, pursuant to Section 5 of the Fair Labor Standards Act of 1938, hereinafter called the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 16, appointed Industry Committee No. 4 for the Hat Industry, hereinafter called the Committee, and directed the Committee to recommend minimum wage rates for said industry in accordance with the provisions of the Act and rules and regulations promulgated thereunder; and

WHEREAS, the Committee included five disinterested persons representing the public, and a like number of persons representing employees in the industry, and a like number representing employers in the industry, and the members of each group were appointed with due regard to the geographical regions in which the Hat Industry is carried on; and

WHEREAS, on November 25, 1939, the Committee, after investigating conditions in the industry, filed with the Administrator a report containing its recommendations for minimum wage rates in the Hat Industry, namely - forty cents per hour to employees engaged in the production of fur-felt and wool-felt hats and hat bodies, hatters' furs, and silk and opera hats; thirty-five cents per hour to employees engaged in the production of men's or boys' straw or harvest hats (except in Puerto Rico); and thirty cents per hour to employees engaged in the production, in Puerto Rico, of men's or boys' straw or harvest hats; and

WHEREAS, pursuant to notices published in the Federal Register on November 28, 1939, and December 16, 1939, a public hearing upon the Committee's recommendations was held before Oscar R. Strackbein as Presiding Officer, beginning on December 18, 1939, at which all interested persons were given an opportunity to be heard; and

WHEREAS, the complete record of the hearing before the Presiding Officer was transmitted to the Administrator, and all persons who appeared at said hearing were given leave to submit briefs, and were given opportunity on March 25, 1940, to present oral argument to the Administrator; and

WHEREAS, the Administrator, upon reviewing all of the evidence adduced in this proceeding and after giving consideration to the arguments presented in this proceeding and to the provisions of the Act, particularly Sections 5 and 8 thereof, has concluded that the separate recommendations of the Committee for minimum wage rates in the Hat Industry, as defined in Administrative Order No. 16, and amended by Administrative Order No. 22, were severally and jointly made in accordance with the law, are supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of Section 8 of the Act; and

WHEREAS, the Administrator has set forth his decision in an opinion entitled "Administrator's Opinion and Findings in the Matter of the Recommendations of Industry Committee No. 4 for Minimum Wage Rates in the Hat Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, Washington, D. C.;

NOW, THEREFORE, it is ordered that

Section 557.1 Approval of Recommendations of Industry Committee

The Committee's recommendations and each of them are hereby approved, and, in accordance with such recommendations,

Section 557.2 Wage Rates

(a) Wages at a rate not less than 40 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the hatters' furs division of the Hat Industry who is engaged in commerce or in the production of goods for commerce;

(b) Wages at a rate not less than 40 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the fur-felt hat and hat body division of the Hat Industry who is engaged in commerce or in the production of goods for commerce;

(c) Wages at a rate not less than 40 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the wool-felt hat and hat body division of the Hat Industry who is engaged in commerce or in the production of goods for commerce;

(d) Wages at a rate not less than 40 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the silk and opera hat division of the Hat Industry who is engaged in commerce or in the production of goods for commerce;

(e) Wages at a rate not less than 35 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the straw and harvest hat division of the Hat Industry (except in Puerto Rico) who is engaged in commerce or in the production of goods for commerce; and at a rate not less than 30 cents an hour to each of his employees in the straw and harvest hat division of the Hat Industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

#### Section 557.3 Posting of Notices

Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Hat Industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this Order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor; and

#### Section 557.4 Definition of the Hat Industry and Divisions Thereof

The Hat Industry, and the several industries which are divisions thereof, to which this Wage Order and its several provisions shall apply, are hereby defined as follows:

##### Hat Industry:

- (a) The manufacture from any material of headwear for men or boys, except caps and cloth hats;
- (b) The manufacture of felt hat bodies from fur or wool for men's, boys', women's or children's hats;
- (c) The manufacture or processing of hatters' furs.

##### Hatters' Furs Industry:

The manufacture or processing of hatters' furs.

##### Fur-felt Hat and Hat Body Industry:

The manufacture of felt headwear of fur for men or boys, or felt hat bodies of fur for men's, boys', women's or children's hats.

##### Wool-felt Hat and Hat Body Industry:

The manufacture of felt headwear of wool for men or boys, or felt hat bodies of wool for men's, boys', women's or children's hats.

##### Silk and Opera Hat Industry:

The manufacture of silk and opera hats.

Straw and Harvest Hat Industry:

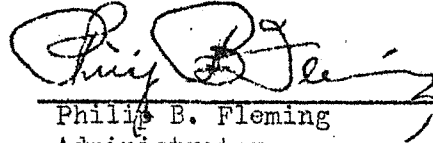
The manufacture of men's or boys' straw or harvest hats, the term "straw" being used in the trade sense and not being confined to materials made from natural fibers.

Section 557.5 Effective Date

This Wage Order shall become effective July 1, 1940.

Signed at Washington, D. C., this 13th day of May, 1940.

Sections 557.1 to 557.5, inclusive, issued under the authority contained in Sec. 8, 52 Stat. 1064; 29 U.S.C., Sup. IV, 208.



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Philip B. Fleming  
Administrator  
Wage and Hour Division  
U. S. Department of Labor

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