

UNITED STATES DEPARTMENT OF LABOR
WAGE AND HOUR DIVISION
WASHINGTON, D. C.

TITLE 29 - LABOR
CHAPTER V - WAGE AND HOUR DIVISION

IN THE MATTER OF THE RECOMMENDATION OF INDUSTRY COMMITTEE NO. 7
FOR A MINIMUM WAGE RATE IN THE KNITTED OUTERWEAR INDUSTRY

WAGE ORDER

Effective July 1, 1940

PART 584 - Minimum Wage Rates in the Knitted Outerwear Industry.

WHEREAS, pursuant to Sections 5 and 8 of the Fair Labor Standards Act of 1938, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 29 dated September 18, 1939, appointed Industry Committee No. 7 for the Knitted Outerwear Industry, and directed said 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 six 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 Industry is carried on; and

WHEREAS, on October 27, 1939, after an extensive investigation of economic and competitive conditions in the Industry including consideration of the testimony of numerous witnesses and other evidence received at its meetings on October 25 and October 26, 1939, the Committee filed a report containing its recommendation for a minimum wage rate of 35 cents an hour in the Industry; and

WHEREAS, pursuant to notices which the Administrator caused to be published in the Federal Register on December 27, 1939, and January 12, 1940, respectively setting a date for hearing and designating Thomas Holland, Esquire, as presiding officer thereat, a public hearing on the Committee's recommendation was held in Washington, D. C., on January 22, 1940, at which all interested persons were given an opportunity to be heard; and

WHEREAS, by publication in the Federal Register on January 25, 1940, notice was given that inasmuch as no person had appeared at the public hearing in opposition to the Committee's recommendation, oral argument would be dispensed with unless the same should be requested on or before February 20, 1940, and no such request was received; and

WHEREAS, all persons who appeared at said hearing were given leave to file briefs on or before February 20, 1940, and the complete record of the hearing before Mr. Holland was transmitted to the Administrator on February 13, 1940; and

WHEREAS, the Administrator, after consideration of all the evidence and arguments presented in this proceeding and of the provisions of the Act, particularly Sections 5 and 8 thereof, has concluded that the Committee's recommendation of a minimum wage rate of 35 cents an hour for the Industry, as defined in Administrative Order No. 29, is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of Section 8 of the Act; and

WHEREAS, the Administrator has set forth his decision in "Findings and Opinion of the Administrator, In the Matter of the Recommendation of Industry Committee No. 7 for a Minimum Wage Rate in the Knitted Outerwear Industry," dated June 12, 1940, 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 584.1 - Approval of Recommendation of Industry Committee.

The Committee's recommendation is hereby approved; and, in accordance with such recommendation,

Section 584.2 - Wage Rates.

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 Industry who is engaged in commerce or in the production of goods for commerce; and

Section 584.3 - Posting of Notices.

Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the 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 from time to time be prescribed by the Wage and Hour Division of the United States Department of Labor; and

Section 584.4 - Definition of Industry.

The Industry to which this order shall apply is hereby defined as follows:

The knitting from any yarn or mixture of yarns and the further manufacturing, dyeing or other finishing of knitted garments, knitted garment sections or knitted

garment accessories for use as external apparel or covering which are partially or completely manufactured in the same establishment as that where the knitting process is performed; provided that the manufacturing, dyeing or other finishing of the following shall not be included;

- (a) Knitted fabric, as distinguished from garment sections or garments, for sale as such.
- (b) Fulled suitings, coatings, topcoatings, and overcoatings.
- (c) Garments or garment accessories made from purchased fabric.
- (d) Gloves or mittens.
- (e) Hosiery.
- (f) Knitted garments or garment accessories for use as underwear, sleeping wear, or negligees.
- (g) Fleece-lined garments made from knitted fabric containing cotton only or containing any mixture of cotton and not more than 25 percent, by weight, of wool or animal fiber other than silk.
- (h) Knitted shirts of cotton or any synthetic fiber or any mixture of such fibers which have been knit on machinery of 10-cut or finer; provided that this exception shall not be construed to exclude from the knitted outerwear industry the manufacturing, dyeing or other finishing of knitted shirts made in the same establishment as that where the knitting process is performed, if such shirts are made wholly or in part of fibers other than those specified in this clause, or if such shirts of any fiber are knit on machinery coarser than 10-cut.

Section 584.5 - Effective Date.

This order shall become effective on the 1st day of July, 1940.

Signed at Washington, D. C., this 12th day of June, 1940.

Sections 584.1 to 584.5, inclusive, issued under the authority contained in Sec. 8, 52 Stat. 1064; 29 U.S.C. Sup. IV, 208.



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