

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. 11 FOR A MINIMUM WAGE RATE IN THE
PULP AND PRIMARY PAPER INDUSTRY

WAGE ORDER

Effective September 16, 1940

PART 585 - Minimum Wage Rates in the Pulp and Primary Paper Industry

WHEREAS, on February 24, 1940, 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. 41, appointed Industry Committee No. 11 for the Pulp and Primary Paper Industry, herein called the Committee, and directed the Committee to recommend minimum wage rates for the Pulp and Primary Paper Industry in accordance with Section 8 of the Act; and

WHEREAS, the Committee included six disinterested persons representing the public and a like number of persons representing the employees in the Pulp and Primary Paper Industry, and a like number representing employers in the Industry, and each group was appointed with due regard to the geographical regions in which the Pulp and Primary Paper Industry is carried on; and

WHEREAS, on April 11, 1940, after investigation of conditions in the Industry, the Committee filed with the Administrator a report containing its recommendation for a 40 cent an hour minimum wage rate in the Pulp and Primary Paper Industry; and

WHEREAS, after notice published in the Federal Register on April 26, 1940, Henry T. Hunt, Esquire, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendation at Washington, D. C., on May 20 and May 21, 1940, at which all interested persons were given an opportunity to be heard; and

WHEREAS, the complete record of the proceeding before the Presiding Officer was transmitted to the Administrator; and

WHEREAS, all persons appearing at said public hearing before the Presiding Officer were given leave to file briefs on or before June 12, 1940; and

WHEREAS, oral argument was held on June 12, 1940, before the Administrator; and

WHEREAS, the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to Sections 5 and 8, concludes that the Industry Committee's recommendation for the Pulp and Primary Paper Industry as defined in Administrative Order No. 41, 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 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 Findings and Opinion in the Matter of the Recommendation of Industry Committee No. 11 for a Minimum Wage Rate in the Pulp and Primary Paper 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 585.1 Approval of Recommendation of Industry Committee

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

Section 585.2 Wage Rates

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

Section 585.3 Posting of Notices

Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Pulp and Primary Paper 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 585.4 Definition of Pulp and Primary Paper Industry

The Pulp and Primary Paper Industry to which this Order shall apply is hereby defined as follows:

"For the purpose of this order the term 'pulp and primary paper industry' means the manufacture of pulp, for any purpose, from fibrous material capable of yielding cellulose fibre and the manufacture of Paper and of Board from such pulp and from such fibrous material or either of them with or without addition of any non-cellulose fibre, colorant or filler.

"The term 'manufacture' as used in this order means all operations involved in the production of pulp, paper, and board, starting with the unloading of raw materials at the mill site and ending with the delivery of the finished paper or board to carriers for sale as such or to converting departments within the same mill or company. It includes finishing operations normally performed in the paper or board mill, such as packing, trimming, cutting to size, sorting, plating, sizing, super-calendering, and other processing, but does not include any treating, processing or refabrication of finished paper or board to produce converted paper or board products."

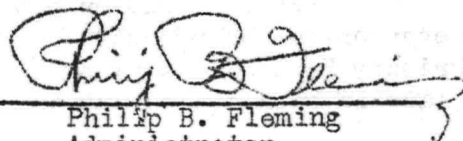
Section 585.5 Scope of the Definition

The definition of the Pulp and Primary Paper Industry covers all occupations in the Industry which are necessary to the production of the articles specified in the definition, including clerical, maintenance, shipping and selling occupations.

Section 585.6 Effective Date

This Wage Order shall become effective September 16, 1940.

Signed at Washington, D. C. this 18th day of July, 1940.
Sections 585.1 to 585.6 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
U. S. Department of Labor

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