

U. S. DEPARTMENT OF LABOR
WAGE AND HOUR DIVISION
Washington

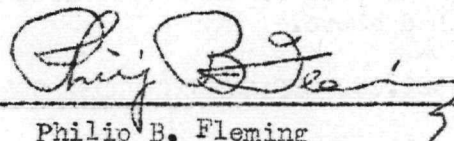
TITLE 29 - LABOR

CHAPTER V - WAGE AND HOUR DIVISION

REGULATIONS - PART 522,000 APPLICABLE
TO THE EMPLOYMENT OF LEARNERS IN THE
CUSTOM-MADE BRANCH OF THE MILLINERY
INDUSTRY

The following Regulations, Part 522,000 (Regulations applicable to the employment of learners in the custom-made branch of the millinery industry) are hereby issued. These Regulations shall become effective upon my signing the original and upon the publication thereof in the Federal Register.

Signed at Washington, D. C., this 26th day of August,
1940.



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

Published in Federal Register, August 29, 1940.

SECTION 522.001 CONDITIONS UNDER WHICH CERTIFICATES WILL BE GRANTED

Applications for the employment of learners in the custom-made branch of the millinery industry shall be granted by the Administrator or his authorized representative under the conditions which are set forth in the application form requiring report on number of learners employed and those given below when it appears that experienced workers are not available, and that the issue of a Special Certificate upon such application will not create unfair competitive labor cost advantages or impair or depress working standards of experienced workers established for work of like or comparable character in the industry.

SECTION 522.002 PROPORTION AND OCCUPATIONS OF LEARNERS

Learners may be employed under the certificate to a number not exceeding 10 percent of the average number of makers employed during the previous year or 10 percent of the makers currently employed, whichever number is larger, provided that any learner may be replaced during the first six weeks of the learning period, whether such learner voluntarily leaves his employment or is dismissed.

SECTION 522.003 LENGTH OF LEARNING PERIOD

No person shall be employed as a learner under the certificate longer than 12 months.

SECTION 522.004 LEARNER WAGE RATES

Learners employed under the certificate shall be paid not less than 30 cents per hour during the first six months and 35 cents per hour during the second six months of the learning period. In the establishments where experienced makers are paid on a piece work rate, learners shall be paid at least the same piece work rate and shall be paid on this rate if they earn in excess of the subminimum rate established above.

SECTION 522.005 EMPLOYMENT UNDER CERTIFICATE

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 is not available.

SECTION 522.006 LENGTH OF TIME CERTIFICATE WILL BE VALID

A certificate issued pursuant to this order shall be valid for a period of twelve months after its effective date unless extended by order or otherwise.

SECTION 522.007 DEFINITIONS

Under this Regulation, the term "learner" means a worker who is a "maker" engaged in learning all the operations involved in the making of custom millinery by hand (floor girls, helpers, preparers, and general workers are specifically excluded); the term "experienced worker" means a person who at any time has been employed in all the operations involved in the making of custom millinery by hand for the period of one year, and the term "custom-made branch of the millinery industry" included hand-made hats made by "makers" who perform all operations in the making of hats, which usually sell "for \$36.00 per dozen and up." (5401)