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October 24, 1940

U. S. DEPARTMENT OF LABOR  
WAGE AND HOUR DIVISION

ADMINISTRATIVE ORDER NO. 66

APPOINTMENT OF INDUSTRY COMMITTEE NO. 17  
FOR THE  
JEWELRY MANUFACTURING INDUSTRY

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, Philip B. Fleming, Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby appoint and convene for the jewelry manufacturing industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public:

Clyde O. Fisher, Chairman, Middletown, Connecticut  
George Hurley, Providence, Rhode Island  
La Rue Brown, Boston, Massachusetts  
William J. Mack, New York, New York  
Frank Kingdon, West Orange, New Jersey

For the Employees:

Leon Williams, Bronx, New York  
Samuel E. Beardsley, New York, New York  
A. J. Gaul, Chicago, Illinois  
Anthony J. Sabella, New York, New York  
Sam Sandberg, Providence, Rhode Island

For the Employers:

Charles John Simeon, Providence, Rhode Island  
Sturgis C. Rice, Plainville, Massachusetts  
Rawson L. Wood, New York, New York  
August Kappel, New York, New York  
Leo F. Krussman, New York, New York

Such representatives having been appointed with due regard to the geographical regions in which such industry is carried on.

2. For the purpose of this order the term "jewelry manufacturing industry" means:

(a) The manufacturing, processing, or assembling, wholly or partially from any material, of jewelry, commonly or commercially so known. Jewelry as used herein includes, without limitation, religious, school, college, and fraternal insignia; articles of ornament or adornment designed to be worn on apparel or carried on or about the person, including, without limitation, metal mesh bags and metal watch bracelets; and chain, mesh, and parts for use in the manufacture of any of the articles included in this definition. Jewelry as used herein does not include cigar and cigarette cases, holders, and lighters, pocket knives, cigar cutters, badges, emblems, military and naval insignia, belt buckles, and handbag and pocketbook frames and clasps, except when made from or embellished with precious metals, or precious, semi-precious, synthetic, or imitation stones; commercial compacts and vanity cases; watch cases; and the assaying, refining, and smelting of base or precious metals.

The term "parts" as used in the foregoing paragraph does not include parts which are used predominantly for products other than jewelry, such as springs, blades, and nail files. The term "commercial compacts and vanity cases" as used means compacts and vanity cases which bear the trade name or mark of a cosmetic manufacturer and are made for the purpose of distributing and advertising said cosmetic.

(b) The manufacturing, cutting, polishing, encrusting, engraving, and setting of precious, semi-precious, synthetic, and imitation stones.

(c) The manufacturing, drilling, and stringing of pearls, imitation pearls, and beads designed for use in the manufacture of jewelry.

3. The definition of the jewelry manufacturing 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, provided, however, that this definition does not include employees of an independent wholesaler or employees of a manufacturer, assembler, or processor who are engaged exclusively in marketing and distributing products of the industry which have been purchased for resale, and provided further that where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. The industry committee herein created, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall meet at the call of its chairman and

shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce", excepting employees exempted by virtue of the provisions of Section 13(a) and employees coming under the provisions of Section 14.

Signed at Washington, D. C., this 23rd day of October, 1940.



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

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