

U. S. DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION

ADMINISTRATIVE ORDER NO. 65

APPOINTMENT OF INDUSTRY COMMITTEE NO. 16

FOR THE

PORTABLE LAMP AND SHADE 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 portable lamp and shade industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public:

Max Meyer, Chairman, New York, New York
Paul F. Brissenden, New York, New York
Kenneth L. M. Pray, Philadelphia, Pennsylvania
Charles Bunn, Madison, Wisconsin
Helen Wright, Chicago, Illinois
Frank T. Carlton, Cleveland, Ohio

For the Employees:

Harry Van Arsdale, Jr., New York, New York
Robert T. Moody, Philadelphia, Pennsylvania
John F. Schilt, Chicago, Illinois
Walter Shirk, Vermillion, Ohio
Lawson Wimberly, Washington, D. C.
Samuel J. Donnelly, Worcester, Massachusetts

For the Employers:

George Ross, New York, New York
Irving Plimack, Brooklyn, New York
Samuel Ruby, Philadelphia, Pennsylvania
Lawrence J. Gagnon, Cleveland, Ohio
Albert L. Sandel, Chicago, Illinois
Irwin H. Lieferman, Chicago, Illinois

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 "portable lamp and shade industry" means:


(a) The manufacturing, assembling, and decorating of lamps for illuminating purposes which can be moved from place to place and which can be plugged into electrical outlets by means of an extension cord and plug, excluding the manufacturing of parts for such lamps by any person other than the manufacturer, assembler or decorator of such lamps.

(b) The manufacturing, assembling, and decorating of lamp shades of any material except metal, glass, or plastic.

3. The definition of the portable lamp and shade 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 decorator, 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