

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

TITLE 29 - LABOR
CHAPTER V - WAGE AND HOUR DIVISION

IN THE MATTER OF THE RECOMMENDATIONS OF THE
SPECIAL INDUSTRY COMMITTEE FOR PUERTO RICO FOR
MINIMUM WAGE RATES IN THE NEEDLEWORK INDUSTRIES
IN PUERTO RICO

WAGE ORDER

Effective December 2, 1940

Part 587 - Minimum Wage Rates in the Needlework Industries

WHEREAS, on August 1, 1940, pursuant to Section 5(e) 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 Orders Nos. 58 and 63, appointed a Special Industry Committee for Puerto Rico, hereinafter called the Committee, and directed the Committee to first proceed to investigate conditions and to recommend to the Administrator minimum wage rates for employees in the needlework industries in accordance with the provisions of the Act and rules and regulations promulgated thereunder; and

WHEREAS, the Committee included three representatives of the public, and a like number representing employers, and a like number representing employees in the needlework industries, and was composed of residents of Puerto Rico and residents of the United States outside of Puerto Rico; and

WHEREAS, on October 2, 1940, the Committee, after investigating conditions in the needlework industries, filed with the Administrator a report containing its definitions of the needlework industries and its separable recommendations for minimum wage rates in the needlework industries, namely (1) $12\frac{1}{2}$ cents per hour to the employees in the handkerchief and household art linens division engaged in hand sewing operations, and 20 cents per hour where engaged in other operations; (2) $12\frac{1}{2}$ cents per hour to the employees in the cotton underwear and infants' underwear division engaged in hand sewing operations, and 20 cents per hour where engaged in other operations; (3) $12\frac{1}{2}$ cents per hour to the employees in the infants' wear division engaged in hand sewing operations, and 20 cents per hour where engaged in other operations; (4) $12\frac{1}{2}$ cents per hour to the employees in the needlepoint and hand-hooked rug division engaged in hand sewing operations, and 20 cents per hour where engaged in other operations; (5) 15 cents per hour to the employees in the woven or knitted fabric glove division engaged in hand sewing operations, and 20 cents per hour where engaged in other operations; (6) 18 cents per hour to the employees in the leather glove division engaged in hand sewing operations, and 20 cents per hour where engaged in other operations; (7) 15 cents per hour to the employees in the silk underwear division engaged in hand sewing operations, and $22\frac{1}{2}$ cents per hour where engaged in other operations; (8) 20 cents per hour to employees engaged in the wearing apparel division, whether employed on hand sewing or other operations; and

WHEREAS, pursuant to notices published in the Federal Register and in newspapers in Puerto Rico and mailed to all interested persons, a public hearing upon the Committee's recommendations was held before Henry T. Hunt, Esquire, as Presiding Officer, and before the Administrator on October 28, 1940, at which all interested persons were given an opportunity to be heard; and

WHEREAS, the complete record of the hearing before the Presiding Officer was transmitted to the Administrator, and all persons who appeared at said hearing were given leave to submit briefs, and were given opportunity on November 7, 1940, to present oral argument to the Administrator; and

WHEREAS, the Administrator has deemed it advisable to reopen the hearing for the purpose of adducing additional evidence with respect to the minimum wage recommendations for the production of fabric and leather gloves; and

WHEREAS, the Administrator upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the Act, particularly Sections 5 and 8 thereof, has concluded, except with respect to the fabric and leather glove divisions for which the hearing will be reopened, and for which no determination is made in this order, that the separable recommendations of the Committee for minimum wage rates in the needlework industries, as defined were severally and jointly made in accordance with law, that they are 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 Sections 5 and 8 of the Act; and

WHEREAS, the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendations of the Special Industry Committee for Puerto Rico for Minimum Wage Rates in the Needlework Industries in Puerto Rico," 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 537.1 Approval of Recommendations of Industry Committee

With the exception of the Committee's recommendations with respect to fabric gloves and leather gloves, the Committee's recommendations and each of them are hereby approved, and, in accordance with such recommendations,

Section 537.2 Wage Rates

1. (a) Wages at a rate not less than 12½ cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the handkerchief and household art linens division who is engaged in hand sewing operations, including but not by way of limitation, hand drawing, hand rolling, and embroidering and embellishing by hand, and who is engaged in commerce or in the production of goods for commerce.

(b) Wages at a rate not less than 20 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the handkerchief and household art linens division who is engaged in other operations, including but not by way of limitation, cutting, machine operating, stamping, sorting, ribboning, washing, finishing, pressing, examining,

and packing, and who is engaged in commerce or in the production of goods for commerce.

2. (a) Wages at a rate not less than $12\frac{1}{2}$ cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the cotton underwear and infants' underwear division who is engaged in hand sewing operations, including but not by way of limitation, hand drawing, hand rolling, and embroidering and embellishing by hand, and who is engaged in commerce or in the production of goods for commerce.

(b) Wages at a rate not less than 20 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the cotton underwear and infants' underwear division who is engaged in other operations, including but not by way of limitation, cutting, stamping, machine operating, sorting, washing, finishing, pressing, examining, and packing, and who is engaged in commerce or in the production of goods for commerce.

3. (a) Wages at a rate not less than $12\frac{1}{2}$ cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the infants' wear division who is engaged in hand sewing operations, including but not by way of limitation, hand drawing, hand rolling, and embroidering and embellishing by hand, and who is engaged in commerce or in the production of goods for commerce.

(b) Wages at a rate not less than 20 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the infants' wear division who is engaged in other operations, including but not by way of limitation, cutting, machine operating, stamping, sorting, pinning, washing, finishing, pressing, examining, and packing, and who is engaged in commerce or in the production of goods for commerce.

4. (a) Wages at a rate not less than $12\frac{1}{2}$ cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the needlepoint and hand-hooked rug division who is engaged in hand sewing operations, including but not by way of limitation, embroidering and embellishing by hand, and who is engaged in commerce or in the production of goods for commerce.

(b) Wages at a rate not less than 20 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the needlepoint and hand-hooked rug division who is engaged in other operations, including but not by way of limitation, cutting, stamping, sorting, finishing, and packing, and who is engaged in commerce or in the production of goods for commerce.

5. (a) Wages at a rate not less than 15 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the silk underwear division who is engaged in hand sewing operations, including but not by way of limitation, hand drawing, hand rolling, and embroidering and embellishing by hand, and who is engaged in commerce or in the production of goods for commerce.

(b) Wages at a rate not less than $22\frac{1}{2}$ cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the silk underwear division who is engaged in other operations, including but not by way of limitation, cutting, machine operating, stamping, sorting, cleaning, finishing, pressing, examining, and packing, and who is engaged in commerce or in the production of goods for commerce.
6. Wages at a rate not less than 20 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the wearing apparel division, whether employed on hand sewing or other operations, who is engaged in commerce or in the production of goods for commerce.

Section 587.3 Notices of Order

Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Needlework Industries 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 shall give such other notice as the Division may prescribe; and

Section 587.4 Definitions of the Divisions of the Needlework Industries

The divisions of the needlework industries to which this Wage Order and its several provisions shall apply, are hereby defined as follows:

1. Handkerchief and Household Art Linens Division

The term handkerchief and household art linens division shall mean the manufacture of handkerchiefs, plain or ornamented, and the manufacture of household art linens including but not by way of limitation, table cloths, napkins, bridge sets, luncheon cloths, tablecovers, sheets, pillow cases, and towels.

2. Cotton Underwear and Infants' Underwear Division

The term cotton underwear and infants' underwear division shall mean the manufacture from cotton, rayon, or other synthetic fiber of women's, misses' and children's underwear and nightwear, including but not by way of limitation, slips, nightgowns, negligees, panties, step-ins, pajamas, and similar articles, and the manufacture from silk, cotton, rayon or other synthetic fiber of underwear and nightwear for infants under three years of age.

3. Infants' Wear Division

The term infants' wear division shall mean the manufacture of dresses, rompers, creepers, sportswear and play apparel for infants under three years of age.

4. Needlepoint and Hand-hooked Rug Division

The term needlepoint and hand-hooked rug division shall mean the manufacture of needlepoint on canvas or other material and the manufacture of hand-hooked rugs.

5. Silk Underwear Division

The term silk underwear division shall mean the manufacture from silk of women's, misses', and children's underwear and nightwear, including but not by way of limitation, slips, nightgowns, negligees, panties, step-ins, pajamas, and similar articles.

6. Wearing Apparel Division

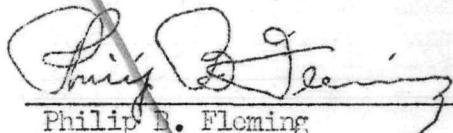
The term apparel division shall include the manufacture of all apparel, apparel furnishings and accessories made by the cutting, sewing, or embroidering processes and not elsewhere specified, but not including hosiery, handbags, men's fur-felt, wool-felt, straw and silk hats, and bodies, ladies' and children's millinery, and furs, and boots and shoes.

Section 587.5 Effective Date

This Wage Order shall become effective December 2, 1940.

Signed at Washington, D. C., this 15th day of November, 1940.

Sections 587.1 to 587.5, 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
U. S. Department of Labor

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