

UNITED STATES DEPARTMENT OF LABOR
WAGE AND HOUR DIVISION
WASHINGTON, D. C.

TITLE 29 - LABOR
CHAPTER V - WAGE AND HOUR DIVISION

~~INACTIVE~~

IN THE MATTER OF THE RECOMMENDATION OF INDUSTRY COMMITTEE NO. 15 FOR
A MINIMUM WAGE RATE IN THE EMBROIDERIES INDUSTRY.

WAGE ORDER

Effective January 27, 1941

PART 589 - Minimum Wage Rates in the Embroideries Industry

WHEREAS, on July 17, 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. 57, appointed Industry Committee No. 15 for the Embroideries Industry, herein called the Committee, and directed the Committee to recommend minimum wage rates for the Embroideries Industry in accordance with Section 8 of the Act; and

WHEREAS, the Committee included four disinterested persons representing the public and a like number of persons representing the employees in the Embroideries 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 Embroideries Industry is carried on; and

WHEREAS, in September, 1940, after investigation of conditions in the Industry, the Committee filed with the Administrator a report containing its recommendation for a 37 $\frac{1}{2}$ cent an hour minimum wage rate in the Embroideries Industry; and

WHEREAS, after notice published in the Federal Register on September 14, 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 September 30 and October 1, 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 before November 1, 1940, and to argue orally; 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 recommendations for the Embroideries Industry as defined in Administrative Order No. 57, 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. 15 for a Minimum Wage Rate in the Embroideries 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 589.1 Approval of Recommendation of Industry Committee

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

Section 589.2 Wage Rates

Wages at a rate not less than $37\frac{1}{2}$ cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the Embroideries Industry who is engaged in commerce or in the production of goods for commerce; and

Section 589.3 Posting of Notices

Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Embroideries 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 589.4 Definition of Embroideries Industry

The Embroideries Industry to which this Order shall apply is hereby defined as follows:

"For the purpose of this order the term 'embroideries industry' means: The production of all kinds of hand and machine-made embroideries and ornamental stitchings, including, but not by way of limitation, tucking, shirring, smocking, hemstitching, hand rolling, fagoting, bonnaz embroidery, applique, crochet beading, hand drawing, machine drawing, rhinestone trimming, sequin trimming, spangle trimming, cyolets, pas-sementerie, pleating, the application of rhinestone and nailheads, Schiffli embroidery and laces, burnt-out laces and velvets, Swiss hand loom machine embroidery, thread splitting, embroidery thread cutting, scallop cutting, lace cutting, lace making-up, making-up of embroidered yard goods, straight cutting of embroidery and cutting out of embroidery, embroidery trimmings, bindings, pipings, and emblems: provided, however, that (1) the foregoing when produced or performed by a manufacturer of a garment, fabric or other article for use on such garment, fabric, or other article, and (2) the manufacture of covered buttons and buckles, shall not be included.

Section 589.5 Scope of the Definition

The definition of the Embroideries Industry covers all occupations in the industry which are necessary to the production of the embroideries specified in the definition including clerical, maintenance, shipping and selling occupations.

Section 589.6 Effective Date

This Wage Order shall become effective January 27, 1941.

Signed at Washington, D. C. this 28th day of December, 1940. Sections 589.1 to 589.6 inclusive, issued under the authority contained in Sec. 8, 52 Stat. 1064; 29 U.S.C., Sup. IV, 208.



Administrator
Wage and Hour Division
U. S. Department of Labor

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