

For Release Thursday,  
January 9, 1941

R-1241

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

NOTICE OF HEARING ON MINIMUM WAGE RECOMMENDATIONS OF INDUSTRY  
COMMITTEE NO. 14 FOR THE CONVERTED PAPER PRODUCTS INDUSTRY

To be held January 29, 1941 at Washington, D. C.

WHEREAS, the Administrator of the Wage and Hour Division, United States Department of Labor, acting pursuant to Section 5(b) of the Fair Labor Standards Act of 1938, on July 8, 1940, by Administrative Order No. 56, appointed Industry Committee No. 14 for the Converted Paper Products Industry, composed of an equal number of representatives of the public, employers in the industry, and employees in the industry, selected with due regard to the geographical regions in which the industry is carried on; and

WHEREAS, Industry Committee No. 14, on October 12, 1940, recommended minimum wage rates for the Converted Paper Products Industry and duly adopted a report containing said recommendations and on January 4, 1941, filed its report with the Administrator in accordance with Section 8(d) of the Act and Section 511.19 of the regulations issued under the Act; and

WHEREAS, the Administrator is required by Section 8(d) of the Act, after giving due notice and an opportunity to be heard to interested persons, to approve and carry into effect by order the recommendations of Industry Committee No. 14 if he finds that the recommendations are made in accordance with law, are supported by the evidence adduced at the hearing before him and, taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of the Act; and, if he finds otherwise, to disapprove such recommendations;

NOW, THEREFORE, notice is hereby given:

I. Industry Committee No. 14 for the Converted Paper Products Industry has made the following separable recommendations for minimum wages to be paid employees in the specified divisions and classifications of the industry. Such classifications have been determined by the Committee to be necessary in each case for the purpose of fixing for each such classification within the industry the highest minimum wage rate (not in excess of 40 cents per hour) which would not substantially curtail employment in such classifications or give a competitive advantage to any group in the industry:

1. A minimum wage of 40 cents an hour shall be paid to all employees engaged in the manufacture of:

(a) Folding paper boxes

This term, as used herein, means containers made from light weight paper board which has been cut, scored and fastened to

form the boxes. This type of box is capable of being folded flat for shipment by the fabricator.

(b) Shipping containers

This term, as used herein, means heavy boxes made from corrugated paper board or from heavy solid fibre paper board which are suitable for use as shipping containers by common carriers. As used herein the term also includes all corrugated wrapping materials.

(c) Paper cups

This term, as used herein, includes round, conical and flat drinking cups.

(d) Bottle caps and hoods

This term, as used herein, includes bottle caps and sanitary hoods or closures for bottles of which the principal component is paper or paper board.

(e) Waxed papers

This term, as used herein, means paper products which have been made by the coating or impregnating of paper or paper board with wax or oil.

(f) Waterproof paper

This term, as used herein, means paper which has been made by the combination of two or more layers of paper, with or without the interposition of a layer of woven fabric or of unwoven textile fibres, or by the combination of a layer of paper with one or more layers of woven fabric or of spun or unspun textile fibres through the use of asphalt or similar waterproof materials as the adhesive. It also includes all paper which has been made by the coating or impregnating of one or more sheets of paper or paper board with a water-repellent compound such as rubber.

(g) Glazed and fancy papers

This term, as used herein, means paper which has been processed for decorative purposes, such as box covering, by one or more of the following processes: coating, lacquering, varnishing, marbling, mottling, printing, spraying, stippling, glazing, calendaring, embossing, tipping, brush-finishing, or processes which produce decorative effects similar to the foregoing processes.

(h) Commercial envelopes

This term, as used herein, includes all envelopes other than (1) expanding envelopes, and (2) envelopes manufactured in sta-

tionery establishments to be sold as fancy boxed social stationery.

(i) Tags and labels

This term, as used herein, includes both plain and printed tags and labels.

(j) Gummed papers

This term, as used herein, means papers which have been made by the coating or impregnating of paper or paper board or of combinations of paper and woven fabric with adhesive substances.

(k) Carbon paper

This term, as used herein, means paper suitable for use in making duplicate copies which has been made by the coating or impregnating of paper or paper board with carbon or other coloring material in a vehicle.

(l) Towels and toilet tissues

This term, as used herein, includes paper towels, toilet paper, facial tissues, paper napkins, sanitary napkins, and fruit wrappers. It also includes all products not specifically included under one of the other recommendations of the Committee made by the conversion of paper, weighing not over 15 pounds per ream 24x36-480.

(m) Auto panels

This term, as used herein, means heavy paper board which has been coated, embossed or otherwise processed so that it is suitable for use in the manufacture of linings, glove compartments or other parts of an automobile.

(n) Photo mountings

This term, as used herein, includes decorative frames, and cardboard mountings for photographs.

(o) Die cut specialties

This term, as used herein, means all die cut specialties not included under one of the other recommendations of the Committee. It includes such products as cardboard cut-outs for window and calendar displays.

(p) Sensitized papers

This term, as used herein, includes photographic printing paper, blueprint, brownprint and other sensitized papers.

(q) Sand paper

This term, as used herein, includes all products which have been made by the coating or impregnating of paper or paper board or of combinations of paper and fabric with an abrasive material such as sand or carborundum.

(r) All other products in which the principal basic component consists of synthetic materials.

(s) All other products made by the coating or impregnating of paper or paper board with any material.

2. A minimum wage of 40 cents an hour shall be paid to all employees engaged in the manufacture of:

(a) Loose-leaf and blank books, tablets and pads, and index cards.

This term, as used herein, includes all plain, loose-leaf and blank books, tablets and pads, loose-leaf binders and fillers, notebooks, ruled and unruled cards, and index cards.

(b) Stationery

This term, as used herein, includes boxed social stationery, envelopes, writing paper, announcement cards, and the like.

3. A minimum wage of 40 cents an hour shall be paid to all employees engaged in the manufacture of:

(a) Playing cards

(b) Book matches

4. A minimum wage of 38 cents an hour shall be paid to all employees engaged in the manufacture of:

(a) Shipping sacks

This term, as used herein, means paper sacks suitable for use in the shipment of cement, grains, coal, flour and other materials by common carriers.

(b) Paper bags

This term, as used herein, includes all paper bags not specifically included under one of the other recommendations of the Committee.

(c) Miscellaneous rolls and wrapping specialties

This term, as used herein, includes fancy wrapping paper and rolls which involve printing, lithographing, embossing or some similar operation in their manufacture.

- (d) Products not elsewhere classified .

This term, as used herein, includes all products not specifically included under one of the other recommendations of the Committee.

5. A minimum wage of 36 cents an hour shall be paid to all employees engaged in the manufacture of:

- (a) Set-up boxes

This term, as used herein, means boxes which have been manufactured in the form and shape in which they are to be used, as distinguished from boxes which are capable of being folded flat for shipment by the fabricator.

- (b) Cans, tubes, cores and related products

This term, as used herein, includes all cans, and tubes, cores, spools, drinking straws and other products made by winding on a mandrel. The term also includes pulp products made by pressing or molding.

- (c) Expanding envelopes and related products

This term, as used herein, includes such products as heavy filing folders and wallets.

- (d) Plain rolls

This term, as used herein, includes machine rolls, counter wrapping rolls and other plain rolls in the manufacture of which printing, lithographing, embossing or similar operations are not involved.

- (e) Lace and fluted paper products

This term, as used herein includes all fluted paper products and decorative lace papers, paper candy cups, finger bowl liners, cake cups and similar items.

- (f) Twisted paper products

This term, as used herein, means all products, excepting rugs, made of twisted paper yarns including, without limitation, automobile seat covers, onion bags, and fruit bags. The term does not include the paper yarns or twine from which such products are made, such yarns and twine being already covered by a wage order of the Administrator relating to the Textile Industry.

II. The definition of the Converted Paper Products Industry, as set forth in Administrative Order No. 56 is as follows:

"As used in this order the term 'Converted Paper Products Industry' means:

The manufacture of all products which have as a basic component pulp, paper, or board (as those terms are used in Administrative Order No. 41 defining the Pulp and Primary Paper Industry) and the manufacture of all like products in which synthetic materials, such as cellophane, pliofilm, or synthetic resin, used in sheet form, is a basic component.

PROVIDED, HOWEVER, that the manufacture of the following shall not be included:

- (a) Any product the manufacture of which is covered by a wage order of the Administrator relating to the Textile, Apparel, Hat, Millinery or Shoe Industry, or by an order of the Administrator appointing an industry committee for and defining the Pulp and Primary Paper, Carpet and Rug, or Luggage and Leather Goods Industry.
- (b) Any product such as rayon, cellophane, etc., made from such pulp by a process which involves the destruction of the original fibrous structures of such pulp.
- (c) Wallpaper, roofing paper, insulation board, shingles or lamp shades.
- (d) Newspapers, magazines, books, blueprints, photographs and other products in which graphic art is the exclusive medium through which the products function, provided, however, that the production of printed forms, stationery, blank books, and tablets, other than the printing thereof in a job printing establishment, and the production of other products in the use of which graphic art is applied by the ultimate consumer of the products, shall be included within the converted paper products industry as herein defined."

The definition of the industry covers all occupations necessary to the production of the articles specified in the definition, including clerical, maintenance, selling and shipping occupations.

III. The full text of the Report and Recommendations of Industry Committee No. 14 are and will be available for inspection by any person between the hours of 9:00 a.m. and 4:30 p.m. at the following offices of the Wage and Hour Division, United States Department of Labor:

Boston, Massachusetts  
120 Boylston Street

New York, New York  
Parcel Post Building  
341 - 9th Avenue

Newark, New Jersey  
1004 Kinney Building  
790 Broad Street

Philadelphia, Pennsylvania  
1216 Widener Building  
Chestnut & Juniper Streets

Pittsburgh, Pennsylvania  
216 Old Post Office Building

Richmond, Virginia  
215 Richmond Trust Building  
627 East Main Street

Baltimore, Maryland  
606 Snow Building  
Calvert & Lombard Streets

Raleigh, North Carolina  
507 Raleigh Building  
Hargett & Fayetteville Streets

Columbia, South Carolina  
Federal Land Bank Building  
Hampton & Marion Streets

Atlanta, Georgia  
314 Witt Building  
249 Peachtree Street

Jacksonville, Florida  
New Post Office Building

Birmingham, Alabama  
1007 Comer Building  
2nd Avenue & 21st Street

New Orleans, Louisiana  
1512 Pere Marquette Building  
150 Baronne Street

Nashville, Tennessee  
Medical Arts Building  
119 Seventh Avenue, N.

Cleveland, Ohio  
728 Standard Building  
1370 Ontario Street

Cincinnati, Ohio  
Cincinnati Traction Building  
5th & Walnut Streets

Detroit, Michigan  
New Federal Building

Chicago, Illinois  
1200 Merchandise Mart  
222 W. North Bank Drive

Minneapolis, Minnesota  
406 Pence Building  
730 Hennepin Avenue

Kansas City, Missouri  
504 Title & Trust Building  
10th & Walnut Streets

St. Louis, Missouri  
100 Old Custom House Building  
315 Olive Street

Denver, Colorado  
1726 Champa Street  
300 Chamber of Commerce Building

Dallas, Texas  
324 Santa Fe Building  
1114 Commerce Street

San Francisco, California  
Room 500  
785 Market Street

Los Angeles, California  
338 H. W. Hellman Building  
354 South Spring Street

Seattle, Washington  
305 Post Office Building  
3rd Avenue & Union Street

San Juan, Puerto Rico  
Post Office Box 112



Juneau, Alaska  
B. D. Stewart  
Commissioner of Mines

Washington, District of Columbia  
Department of Labor, 4th Floor

Copies of the Committee's report and recommendations, and of dissenting statements filed by members of the Committee, are available for inspection at, and may be obtained by writing to, the office of the Wage and Hour Division, United States Department of Labor, Washington, D. C.

IV. A public hearing for the purpose of taking evidence on the question of whether the recommendation of Industry Committee No. 14 shall be approved or disapproved pursuant to Section 8 of the Act will be held on January 29, 1941, at 10:00 a. m. in Conference Rooms A and B, Interdepartmental Auditorium, 14th Street and Constitution Avenue, Washington, D. C., before Henry T. Hunt, Esquire, Principal Hearings Examiner of the Wage and Hour Division, United States Department of Labor, as Presiding Officer.

V. Any interested person supporting or opposing the recommendations of Industry Committee No. 14 may appear at the hearing to offer evidence either on his own behalf or on behalf of any other person if not later than January 23, 1941, he files with the Administrator, by mail or otherwise, at Washington, D. C., a notice of his intent to appear, which shall contain the following information:

1. The name and address of the person appearing.
2. If such person is appearing in a representative capacity, the name and address of the person or persons he is representing.
3. Whether such person proposes to appear for or against the recommendations of the Committee.
4. The approximate length of time requested for his presentation.

VI. Any interested person may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington, D. C., or by consulting with attorneys representing the Administrator, who will be available for that purpose at the office of the Wage and Hour Division in Washington, D. C.

VII. Copies of the following documents relating to the Converted Paper Products Industry will be available for inspection by any interested person between the hours of 9:00 a. m. and 4:30 p. m. at the office of the Wage and Hour Division enumerated in paragraph III above:

U. S. Department of Labor, Wage and Hour  
Division, Research and Statistics Branch,  
Report on the Converted Paper Products  
Industry, September 12, 1940.

U. S. Department of Labor, Bureau of  
Labor Statistics, Division of Wage  
and Hour Statistics, Hourly Earnings in  
the Converted Paper Products Industry, 1940.

A transcript of the hearing on the Converted Paper Products Industry before Industry Committee No. 14 may be obtained, upon payment of the regular charge therefor, from the Electric Reporting Service, 1707 Eye Street, N. W., Washington, D. C., and may be examined by any interested person at the office of the Wage and Hour Division, United States Department of Labor, Washington, D. C. The foregoing reports and transcript will be offered in evidence at the public hearing herein referred to.

VIII. The hearing will be conducted in accordance with the following rules of procedure subject to such subsequent modification by the Administrator or the Principal Hearings Examiner as are deemed appropriate:

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request made to the official reporter, Electric Reporting Service, 1707 Eye Street, N. W., Washington, D. C.
2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice he will not be permitted to offer evidence at any other time except by special permission of the presiding officer.
3. At the discretion of the presiding officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place, by announcement thereof at the hearing by the presiding officer, or by other appropriate notice.
4. At any stage of the hearing, the presiding officer may call for further evidence upon any matter. After the presiding officer has closed the hearing before him, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such further taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.
5. All evidence must be presented under oath or affirmation.
6. Written documents or exhibits, except as otherwise permitted by the presiding officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner

of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the presiding officer. Where evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the presiding officer the original document together with two copies of those portions of the document intended to be put in evidence. Upon presentation of such copies in proper form the copies will be received in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such applications shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in courts of law or equity shall not be controlling.

11. The presiding officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person in so far as is practicable, and to object to the admission or exclusion of evidence by the presiding officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but the record shall not include argument thereon except as ordered by the presiding officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the presiding officer.

12. Before the close of the hearing the presiding officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. These requests will be forwarded to the Administrator by the presiding officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appear-

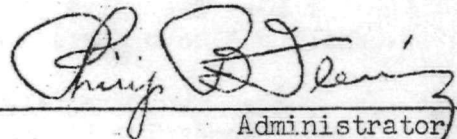
ing in the proceeding, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearings, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing the presiding officer shall forthwith file a complete record of the proceedings with the Administrator. The presiding officer shall not file an intermediate report unless so directed by the Administrator. If a report is filed, it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the Federal Register.

Signed at Washington, D. C., this     day of January, 1941



Administrator  
Wage and Hour Division  
Department of Labor

Published in Federal Register Thursday, January 9, 1941