

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

ADMINISTRATIVE ORDER NO. 85

APPOINTMENT OF INDUSTRY COMMITTEE NO. 22

FOR THE

RUBBER PRODUCTS 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 rubber products manufacturing industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public:

Arthur T. Martin, Chairman, Columbus, Ohio
William Haber, Ann Arbor, Michigan
Edmund D. McGarry, Buffalo, New York
Alexander Hamilton Frey, Philadelphia, Pa.
Frank Lewand, Washington, D. C.

For the Employees:

Frank P. Fenton, Washington, D. C.
Sherman H. Dalrymple, Akron, Ohio
George Cummins, Mishawaka, Indiana
Margaret C. Hemrick, Ravenna, Ohio
George R. Bass, Akron, Ohio

For the Employers:

Thomas G. Graham, Akron, Ohio
Leo Larkin, La Crosse, Wisconsin
Paul H. Henkel, Erie Pennsylvania
F. Thatcher Lane, New Haven, Connecticut
M. I. Woythaler, Framingham, Massachusetts

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 "rubber products manufacturing industry" means:

The manufacture of all products which have as an ingredient any form of natural rubber (including latex), reclaimed rubber, scrap rubber, compounded rubber, rubber derivatives, balata, gutta-percha, or synthetic rubber, including parts for use in other products, and including footwear made by the vulcanizing of the entire article or the vulcanizing (as distinct from cementing) of the sole to the upper; the manufacture of reclaimed rubber; and the preparation of scrap rubber for use in the manufacture of reclaimed rubber or rubber products.

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

(a) Any product the manufacture of which is covered by an order of the Administrator defining an industry, and approving the recommendations of an industry committee or appointing an industry committee for such industry, issued prior to the signing of this order.

(b) Abrasive wheels, brake linings, and insulated wire and cable.


The term "synthetic rubber" as used herein means a synthetic substance which has physical properties resembling those of natural rubber.

The term "preparation" as used herein means all operations involved in making scrap rubber suitable for use in the manufacture of reclaimed rubber or rubber products, and includes, but not by way of limitation, the separating, sorting and assembling of scrap rubber. It does not include, however, the mere collection and handling of scrap rubber by waste material dealers who perform no operations changing the shape or form of such scrap rubber.

3. The definition of the rubber products manufacturing industry covers all occupations in the industry which are necessary to the production of products covered by the definition, including clerical, maintenance, shipping, and selling occupations; provided, however, that this definition does not cover clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, or when carried on in an establishment the greater part of whose sales are of products not covered in the definition; 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 shall meet at the Washington Hotel, Washington, D. C. on March 25, 1941 at 10 A. M. The Committee, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, 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 17th day of February, 1941.


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

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