

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

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 CIGARETTE; CIGAR; BAY OIL, BAY RUM AND AROMATIC ALCOHOL; FULL-FASHIONED HOSIERY; HAIR NET; MATTRESS, QUILT AND PILLOW; RAFFIA HANDBAG; AND OCEAN PEARL BUTTON INDUSTRIES IN PUERTO RICO

WAGE ORDER

Effective May 19, 1941

PART 597 - Minimum Wage Rates in the Cigarette; Cigar; Bay Oil, Bay Rum and Aromatic Alcohol; Full-fashioned Hosiery; Hair Net; Mattress, Quilt and Pillow; Raffia Handbag; and Ocean Pearl Button 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 proceed to investigate conditions and to recommend to the Administrator minimum wage rates for employees in the various industries in Puerto Rico 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 cigarette; cigar; full-fashioned hosiery; hairnet; mattress, quilt and pillow; bay oil, bay rum and aromatic alcohol; raffia handbag; and ocean pearl button industries, and was composed of residents of Puerto Rico and residents of the United States outside of Puerto Rico; and

WHEREAS, on February 23, 1941, the Committee, after investigating conditions in the cigarette; cigar; full-fashioned hosiery; hairnet; mattress, quilt and pillow; bay oil, bay rum and aromatic alcohol; raffia handbag; and ocean pearl button industries, filed with the Administrator a report containing its definitions of the cigarette; cigar; full-fashioned hosiery; hairnet; mattress, quilt and pillow; bay oil, bay rum and aromatic alcohol; raffia handbag; and ocean pearl button industries and its separable minimum wage recommendations of 25 cents for the cigarette industry; 25 cents for the cigar industry; 25 cents for the full-fashioned hosiery industry; 25 cents for the hairnet industry; 25 cents for the mattress, quilt and pillow industry; 25 cents for the bay oil, bay rum and aromatic alcohol industry; 20 cents and 12½ cents for the two divisions of the raffia handbag industry; and 27½ cents for the ocean pearl button industry; and

WHEREAS, pursuant to notices published in the Federal Register and mailed to all interested persons, a public hearing upon the Committee's recommendations was held before Henry T. Hunt, Esquire, as Presiding Officer, on March 12, 1941, 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 request permission to submit briefs, and to present oral argument to the Administrator; and

WHEREAS, the Administrator upon reviewing all the evidence adduced at this proceeding relating to the cigarette; cigar; full-fashioned hosiery; hairnet; mattress, quilt and pillow; bay oil, bay rum and aromatic alcohol; raffia handbag; and ocean pearl button industries, and after giving consideration to the provisions of the Act, particularly Sections 5 and 8 thereof, has concluded that the separable minimum wage recommendations of the Committee for these industries as defined, except that for the ocean pearl button industry, were each 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 found that the minimum wage recommendation for the ocean pearl button industry in Puerto Rico is not supported by the evidence adduced at the hearing and will not 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 Cigarette; Cigar; Full-fashioned Hosiery; Hairnet; Mattress, Quilt and Pillow; Bay Oil, Bay Rum and Aromatic Alcohol; Raffia Handbag; and Ocean Pearl Button 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 597.1 - Approval of Recommendations of Industry Committee

The Committee's recommendations for the cigarette; cigar; full-fashioned hosiery; hairnet; mattress, quilt and pillow; bay oil, bay rum and aromatic alcohol; and raffia handbag industries are hereby approved, and, in accordance with such recommendations,

Section 597.2 - Wage Rates

Wages at a rate not less than 25 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the cigarette industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce.

Wages at a rate not less than 25 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the cigar industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce.

Wages at a rate not less than 25 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the full-fashioned hosiery industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce.

Wages at a rate not less than 25 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the hairnet industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce.

Wages at a rate not less than 25 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the mattress, quilt and pillow industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce.

Wages at a rate not less than 25 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the bay oil, bay rum and aromatic alcohol industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce.

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 raffia handbag industry in Puerto Rico, who is engaged in hand sewing operations, and who is engaged in commerce or in the production of goods for commerce.

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 raffia handbag industry in Puerto Rico, 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.

Section 597.3 - Notices of Order

Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the cigarette; cigar; full-fashioned hosiery; hairnet; mattress, quilt and pillow; bay oil, bay rum and aromatic alcohol; and raffia handbag 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 hereafter 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 597.4 - Disapproval of the Recommendation for the Ocean Pearl Button Industry

The minimum wage recommendation of 27½ cents an hour to be paid to every employee in the ocean pearl button industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce, is hereby disapproved.

Section 597.5 - Definition of the Cigarette; Cigar; Full-fashioned Hosiery; Hairnet; Mattress, Quilt and Pillow; Bay Oil, Bay Rum and Aromatic Alcohol; and Raffia Handbag Industries

The industries to which this Wage Order shall apply are hereby defined as follows:

CIGARETTE INDUSTRY: The manufacture of cigarettes.

CIGAR INDUSTRY: The manufacture of cigars, cheroots, and little cigars.

FULL-FASHIONED HOSIERY INDUSTRY: The manufacture of full-fashioned hosiery but not including dyeing, clocking, and other phases of hosiery finishing.

HAIRNET INDUSTRY: The manufacture of hairnets from any material except human hair.

MATTRESS, QUILT AND PILLOW INDUSTRY: The manufacture of mattresses, quilts, and pillows from any material.

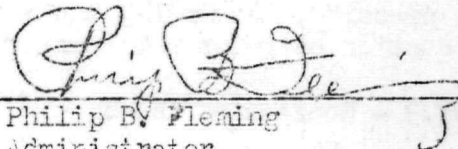
BAY OIL, BAY RUM AND AROMATIC ALCOHOL INDUSTRY: The manufacture of bay oil, bay rum and aromatic alcohol.

RAFFIA HANDBAG INDUSTRY: The manufacture of women's handbags, pocketbooks, and purses from straw, embroidered or embellished with raffia.

Section 597.6 - Effective Date

This Wage Order shall become effective May 19, 1941.

Signed at Washington, D. C., this 12th day of May, 1941. Sections 597.1 to 597.6, 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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