

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

RE-CODIFICATION, REVISION OF REGULATIONS FOR EMPLOYMENT
OF LEARNERS IN TEXTILE INDUSTRY ARE ANNOUNCED

Re-codification and revision of regulations pertaining to the employment of learners in the textile industry today were adopted by the Wage and Hour Division, U. S. Department of Labor, it was announced by General Philip B. Fleming, Administrator.

Prepared on the basis of experience and study of the industry, the new regulations are intended to promote easier understanding, General Fleming said. Issuance of the new regulations repeal and supersede the previous Determination and Order on this subject.

Under the Fair Labor Standards Act, employment of learners at wages less than the minimum required by the Act is permissible under certain conditions.

The new regulations redefine a learner as a person who has not been employed for more than 240 hours in the occupation and branch of the textile industry for which he is to be trained. Previously no employee with 240 hours experience in one textile occupation could be employed as a learner in another textile occupation. This change permits the retraining when experienced workers are not available, of newly hired employees who may have had previous experience in some other occupation or on some other product in another plant. However, the regulations provide that no worker who has been employed in excess of the learner period in one mill may be retrained within that same mill at learner rates.

By further defining the word "available," the new regulations provide that unemployed experienced workers are to be considered as "available" when they are located within the area from which the employer customarily draws his labor supply, or when they have made themselves available to the employer

at the plant and have signified their willingness to accept and to continue in employment. Also, particularly in instances where objections are raised pertaining to the efficiency of particular workers, it is provided by the new regulations that unemployed workers must be regarded as "available" if they are capable of equaling the performance of workers of ordinary or minimum skill in an employer's plant in the occupation for which they are being considered.

Among other changes, the new regulations also liberalize the Division's definition of "new" and "expanding" plants. A "new" plant is now defined as one established for the first time within the last eight months and in which a substantial number of workers must be trained for operations on products to be made in such plant. An "expanding" plant is held to be one which:

- (1) is installing new or additional mechanical equipment or other production facilities;
- (2) is placing into operation old machinery which has been idle for an appreciable period;
- (3) is adding an additional shift.

Previously the regulations permitted employment of learners only under condition (1).

As used in the regulations, "plant" includes any adjacent buildings owned by the company in the same community in which workers are all engaged in the various processes entering into the chief products manufactured as one plant.

#