

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
INDUSTRY COMMITTEE NO. 14 FOR MINIMUM WAGE
RATES IN THE CONVERTED PAPER PRODUCTS IN-
DUSTRY

WAGE ORDER

Effective June 30, 1941

PART 598 - Minimum Wage Rates in the Converted Paper Products Industry

WHEREAS, on July 8, 1940, pursuant to Section 5 of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 56, appointed Industry Committee No. 14 for the Converted Paper Products Industry, herein called the Committee, and directed the Committee to recommend minimum wage rates for the Converted Paper Products Industry in accordance with Section 8 of the Act; and

WHEREAS, the Committee included nine disinterested persons representing the public and a like number of persons representing employers in the Converted Paper Products Industry, and a like number of persons representing employees in the Industry, and each group was appointed with due regard to the geographical regions in which the Converted Paper Products Industry is carried on; and

WHEREAS, after a comprehensive investigation of economic and competitive conditions in the Converted Paper Products Industry, including consideration of the testimony of numerous witnesses, economic reports and wage studies, data on competitive conditions as affected by transportation, living and production costs, information concerning wage levels established by collective bargaining agreements and voluntary wage standards, and other evidence received in connection with the meetings of the Committee and a public hearing held by the whole Committee on October 10 and 11, 1940, the Committee's report containing its recommendations for the definition of 33 divisions of the Converted Paper Products Industry and a specified minimum wage for each such division was filed with the Administrator on January 4, 1941; and

WHEREAS, after notice published in the Federal Register on January 9, 1941, Henry T. Hunt, Esquire, Principal Hearings Examiner, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendations at Washington, D. C., from January 29, 1941, to January 31, 1941, inclusive, at which all interested persons were given opportunity to be heard; and

WHEREAS, the complete record of the proceeding before the Presiding Officer has been transmitted to the Administrator; and

WHEREAS, by notice given at the hearing and by publication, all persons who appeared at the hearing were given leave to file briefs on or before February 27, 1941; and

WHEREAS, pursuant to notice published in the Federal Register on February 13, 1941, oral argument by persons who appeared at the hearing was heard by the Administrator on March 6, 1941; 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, has concluded that the Industry Committee's recommendations with respect to all divisions of the Converted Paper Products Industry, as defined in Administrative Order No. 56, are made in accordance with law, are 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 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 Industry Committee No. 14 for Minimum Wages in the Converted Paper Products Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington, D. C.:

NOW, THEREFORE, it is ordered that:

Section 598.1 - Approval of Recommendations of Industry Committee

The Committee's recommendations and each of them are hereby approved, and, in accordance with such recommendations,

Section 598.2 - Wage Rates

(a) Wages at a rate of not less than 40 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees who is engaged in commerce or in the production of goods for commerce in each of the following enumerated divisions of the Converted Paper Products Industry:

1. Folding Paper Boxes
2. Shipping Containers
3. Paper Cups
4. Bottle Caps and Hoods
5. Waxed Papers
6. Waterproof Paper
7. Glazed and Fancy Paper
8. Commercial Envelopes
9. Tags and Labels
10. Garmed Papers
11. Carbon Paper
12. Towels and Toilet Tissues
13. Auto Panels
14. Photo Mountings
15. Die-Cut Specialties
16. Sensitized Papers
17. Sandpaper
18. Loose-Leaf and Blank Books,
Tablets and Pads, and Index Cards

19. Stationery
20. Playing Cards
21. Book Matches
22. All other products in which the principal basic component consists of synthetic materials
23. All other products made by the coating or impregnating of paper or paper board with any material

(b) Wages at a rate of not less than 38 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees who is engaged in commerce or in the production of goods for commerce in each of the following enumerated divisions of the Converted Paper Products Industry:

1. Shipping Sacks
2. Paper Bags
3. Miscellaneous Rolls and Wrapping Specialties
4. Products Not Elsewhere Classified

(c) Wages at a rate of not less than 36 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees who is engaged in commerce or in the production of goods for commerce in each of the following enumerated divisions of the Converted Paper Products Industry:

1. Set-up Boxes
2. Cans, Tubes, Cores and Related Products
3. Expanding Envelopes and Related Products
4. Plain Rolls
5. Lace and Fluted Paper Products
6. Twisted Paper Products.

Section 598.3 - Posting of Notices

Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Converted Paper Products 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.

Section 598.4 - Definition of the Converted Paper Products Industry and of its Several Divisions

The Converted Paper Products Industry to which this Wage Order applies is defined as follows:

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, Shoe, 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 structure 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 product functions, 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.

Subject to the foregoing definition of the Converted Paper Products Industry, the several divisions of the industry are defined as follows:

1. "Folding paper boxes," as used in Section 598.2 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.

2. "Shipping containers," as used in Section 598.2 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.

3. "Paper cups," as used in Section 598.2 includes:

Round, conical and flat drinking cups.

4. "Bottle caps and hoods," as used in Section 598.2 includes:

Bottle caps and sanitary hoods or closures for bottles of which the principal component is paper or paper board.

5. "Waxed papers," as used in Section 598.2 means:

Paper products which have been made by the coating or impregnating of paper or paper board with wax or oil.

6. "Waterproof paper," as used in Section 598.2 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.

7. "Glazed and fancy papers," as used in Section 598.2 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, calendering, embossing, tipping, brush-finishing, or processes which produce decorative effects similar to the foregoing processes.

8. "Commercial envelopes," as used in Section 598.2 includes:

All envelopes other than (1) expanding envelopes, and (2) envelopes manufactured in stationery establishments to be sold as fancy boxed social stationery.

9. "Tags and labels," as used in Section 598.2 includes:

Both plain and printed tags and labels.

10. "Gummed papers," as used in Section 598.2 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.

11. "Carbon paper," as used in Section 598.2 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.

12. "Towels and toilet tissues," as used in Section 598.2 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 divisions of the Converted Paper Products Industry made by the conversion of paper, weighing not over 15 pounds per ream 24x36-480.

13. "Auto panels," as used in Section 598.2 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.

14. "Photo mountings," as used in Section 598.2 includes:

Decorative frames, and cardboard mountings for photographs.

15. "Die-cut specialties," as used in Section 598.2 means:

All die-cut specialties not included under one of the other divisions of the Converted Paper Products Industry. It includes such products as cardboard cut-outs for window and calendar displays.

16. "Sensitized papers," as used in Section 598.2 includes:

Photographic printing paper, blueprint, brownprint and other sensitized papers.

17. "Sandpaper," as used in Section 598.2 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.

18. "Loose-leaf and blank books, tablets and pads, and index cards," as used in Section 598.2 includes:

All plain, loose-leaf and blank books, tablets and pads, loose-leaf binders and fillers, notebooks, ruled and unruled cards, and index cards.

19. "Stationery," as used in Section 598.2 includes:

Boxed social stationery, envelopes, writing paper, announcement cards, and the like.

20. "Playing cards," as used in Section 598.2 includes:

Playing cards.

21. "Book matches," as used in Section 598.2 includes:

Book matches.

22. "All other products in which the principal basic component consists of synthetic materials," as used in Section 598.2 includes:

All products, not included in one of the other divisions of the Converted Paper Products Industry, in which the principal basic component consists of synthetic material.

23. "All other products made by the coating or impregnating of paper or paper board with any material," as used in Section 598.2 includes:

All products, not included in one of the other divisions of the Converted Paper Products Industry, made by the coating or impregnating of paper or paper board with any material.

24. "Shipping sacks," as used in Section 598.2 means:

Paper sacks suitable for use in the shipment of cement, grains, coal, flour and other materials by common carriers.

25. "Paper bags," as used in Section 598.2 includes:

All paper bags not specifically included in one of the other divisions of the Converted Paper Products Industry.

26. "Miscellaneous rolls and wrapping specialties," as used in Section 598.2 includes:

Fancy wrapping paper and rolls which involve printing, lithographing, embossing, or some similar operation in their manufacture.

27. "Products not elsewhere classified," as used in Section 598.2 includes:

All products not specifically included in one of the other divisions of the Converted Paper Products Industry.

28. "Set-up boxes," as used in Section 598.2 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.

29. "Cans, tubes, cores and related products," as used in Section 598.2 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.

30. "Expanding envelopes and related products," as used in Section 598.2 includes:

Such products as heavy filing folders and wallets.

31. "Plain rolls," as used in Section 598.2 includes:

Machine rolls, counter wrapping rolls and other plain rolls in the manufacture of which printing, lithographing, embossing or similar operations are not involved.

32. "Lace and fluted paper products," as used in Section 598.2 includes:

All fluted paper products and decorative lace papers, paper candy cups, finger bowl liners, cake cups and similar items.

33. "Twisted paper products," as used in Section 598.2 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.

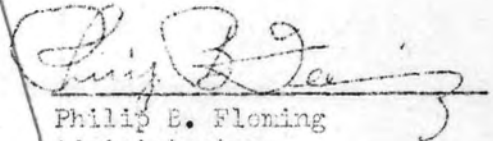
Section 598.5 - Scope of the Definition

The definition of the Converted Paper Products Industry, and of each one of its divisions, covers all occupations which are necessary to the production of the products specified in the definition, including clerical, maintenance, shipping, and selling occupations.

Section 598.6 - Effective Date.

This Wage Order shall become effective June 30, 1941.

Signed at Washington, D. C., this 29th day of May, 1941. Sections 598.1 to 598.6, inclusive, issued under the authority contained in Sec. 8, 52 Stat. 1064; 29 U.S.C., Sup. IV, 208.



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

Published in Federal Register June 6, 1941