

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

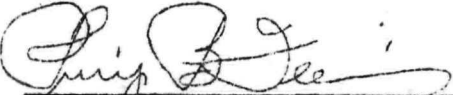
TITLE 29 - LABOR  
CHAPTER V - WAGE AND HOUR DIVISION

PART 545 - REGULATIONS RELATING TO HOME WORKERS IN  
THE NEEDLEWORK INDUSTRIES IN PUERTO RICO.

The following amendments to Regulations, Part 545 (Regulations relating to Home Workers in the Needlework Industries in Puerto Rico) are hereby issued. They amend Section 545.2, so as to clarify the meaning of "employer" and to exclude certain workers from the home work regulations when they work under virtually factory conditions; and add subsections (e) and (f) which define the terms "design" and "operations." They amend Section 545.3 so as to eliminate the necessity for specifying lot numbers of goods on which designs are to be sewn and the assignment by the employer of a number or other designation to each design. They amend Section 545.4 so as to require each bundle to contain only goods requiring the same operations, to permit subcontractors to return only part of a bundle when permission is obtained from the Wage and Hour Division, and to require all deliveries to and collections from home workers to be made by employees expressly employed for this purpose. They amend Section 545.5 so as to require records to be kept at the principal office in Puerto Rico; so as to require certain additional information relating to the payment of minimum wages; so as to permit payment of the home worker within seven days after the collection of goods by a subcontractor; and so as to require information in the home work handbook on the date goods are collected from home workers. They amend Section 545.6 to delete a reference to "representative contractor". They amend Section 545.8 so as to require employers adopting piece rates where none have been established by the Administrator to advise the Wage and Hour Division of the rate fixed and the basis on which it was computed and to require all such rates to yield the minimum hourly rate under prevalent operating conditions with equipment ordinarily found in the homes. They re-enact Section 545.1, Section 545.7, Section 545.9, and Section 545.10. They amend Section 545.11 by repealing all previous piece rates and setting forth in substitution therefor a schedule in more understandable form which re-enacts certain piece rates (so designated), and establishes new piece rates which are commensurate with the minimum hourly rates promulgated for the Needlework Industries in Puerto Rico prescribed in Regulations, Part 587.

Such amendments shall become effective October 12, 1941.

Signed at Washington, D. C. this 11th day of July, 1941.

  
Philip B. Fleming  
Administrator  
Wage and Hour Division

REGULATIONS RELATING TO HOME WORKERS IN  
THE NEEDLEWORK INDUSTRIES IN PUERTO RICO<sup>1/</sup>

REGULATIONS, PART 545:

Section 545.1 Applicability. The provisions of Part 545 shall apply only to persons engaged in activities relating to home workers in the Needlework Industries in Puerto Rico as defined in Regulations, Part 587.

Section 545.2. Definitions. The following words, terms, and phrases as used in Part 545 of the Regulations shall have the meaning ascribed to them in this section except when the context clearly indicates a different meaning; provided, however, that the following definitions shall not be construed in any way to restrict the meaning of such words, terms, or phrases as are defined in Section 3 of the Act.

- a. "Employer" includes any natural or artificial person, who, for his own account or benefit, or on behalf of any person residing outside the Island of Puerto Rico, directly or indirectly, or through an employee, agent, subcontractor, or any other person;<sup>2/</sup>
  1. Delivers, or causes to be delivered, any goods to be produced in a home and thereafter to be returned or thereafter to be disposed of or distributed in accordance with his directions; or
  2. Sells any goods for the purpose of having such goods produced in a home and then rebuying such goods after such production, either himself or through some other person.
- b. "Subcontractor" includes any person, who, for the account or benefit of an employer, delivers to a home worker goods to be produced in a home and thereafter to be returned in accordance with the direction of such employer.
- c. "Home" includes any room, house, apartment, or other premises used regularly in whole or in part as a dwelling place and also includes out-buildings on premises that are primarily so used where such out-buildings are under the control of the person dwelling on such premises. Such out-buildings shall not be deemed subject to the control of the person dwelling on such premises when: An employer regularly (1) employs therein not less than 10 workers normally working at least twenty hours per week and performing operations under the control of a

<sup>1/</sup> Issued under the authority contained in Section 6(a)(5) (Pub. Res. No. 88, 76th Congress) and Section 11(c) (52 Stat. 1060)

<sup>2/</sup> The purpose of this change was to clarify the original meaning to include a representative contractor as an employer.

supervising employee; and (2) pays such employees each week on a specified pay day.

- d. "Home worker" includes any employee performing any operation on goods produced for commerce in a home.
- e. "Design" includes a combination of two or more stitches or operations so sewn as to form a pattern.
- f. "Operations" includes "sewing operations" and "processing operations." (1) "Sewing operations" means any stitching whether by hand or machine which is covered by a single piece rate established by the Administrator or adopted by an employer; and (2) "processing operations" means any work or any process other than a sewing operation other than the distribution or collection of goods from home workers.

Section 545.3. Filing of Designs and Notification of Operations. Every employer prior to the distribution of work to any home worker shall file with the Wage and Hour Division in Puerto Rico, (1) a copy of each design, if any, and (2) a description of each operation, whether or not part of a design, to be performed by any home worker, together with the style numbers of the goods upon which such designs shall be made and operations shall be performed,<sup>3/</sup> and the corresponding piece rates to be paid for each such operation.

Section 545.4. Tickets to be Affixed to Bundles. Every employer shall make up the goods to be delivered to a subcontractor into a bundle, each bundle to comprise goods on which the same operations are to be performed. Every employer shall affix to each such bundle a ticket which shall be numbered serially and contain the name of such employer. The serial numbers of such tickets shall run from the number one and be prefixed by the number of the permit issued to such employer by the Department of Labor of Puerto Rico.<sup>4/</sup> The subcontractor shall return the ticket with the bundle to the employer. All goods specified on the ticket shall be returned to the employer at one time except when special permission is obtained from the Wage and Hour Division for subcontractors to return part of the goods. In each such case, a partial delivery ticket shall be made out and later filed with the original bundle ticket when the remaining goods specified thereon are returned. All goods for production in a home shall be personally distributed to and collected from the home worker who is to work on the goods either directly at the factory or by employees expressly employed by the employer to distribute and collect such goods outside of the factory.

Section 545.5. Records to be Kept. a. Every employer shall make, and have available at his principal Puerto Rican Office, a record of the following

<sup>3/</sup> Thus, the design or description of the operation will be assigned a designation in addition to the description of the goods (style number) upon which the designs are to be made.

<sup>4/</sup> Thus, if the permit is 56, the serial numbers on the ticket would run, 56-1 52-2, etc.

information:<sup>5/</sup>

1. The name and address of each firm situated outside the Island of Puerto Rico, if any, from whom the goods in each bundle for delivery to a home worker were received.
2. The monthly total of goods received and shipped by him with a description thereof and the total cost of labor performed thereon by home workers with a description of the operations performed in connection therewith.
3. The name and address of each subcontractor, if any, to whom each bundle of goods was delivered for delivery to home workers, together with the number of the permit issued to such subcontractor by the Department of Labor in Puerto Rico.
4. The dates upon which each bundle of goods was delivered to and returned by a subcontractor, if any, together with a description of such goods, the net amount paid as commission and the rate of commission on such goods.
5. The style number, description of, and amount of goods in each bundle, the operations to be performed therein, together with the piece rate to be paid and the net amount actually paid each home worker for the operations performed upon such goods.
6. The ticket number of ticket affixed to each bundle of goods.
7. The name and address of each home worker to whom the goods in each bundle were delivered.
8. The dates upon which the goods in each bundle were delivered to and collected from each home worker.
9. The date or dates upon which each home worker was paid for operations performed on the goods in each bundle.

b. When an employer receives goods on which work has been completed, he shall pay immediately the home worker or subcontractor, as the case may be, for such work, provided that in cases where payment is made to a subcontractor, the home worker shall be paid within seven days after such subcontractor has collected the goods from such home worker, and every employer shall enter the following information in the handbook (to be obtained by the employer from the Wage and Hour Division and supplied by him to each home worker) which shall be kept by the home worker:<sup>6/</sup>

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<sup>5/</sup> Although responsibility for keeping the record is placed upon the employer, the actual work of making the record may, of course, be delegated to employees, agents, subcontractors or other persons acting in behalf of the employer.

<sup>6/</sup> An employee, subcontractor or other person may perform these functions in behalf of the employer.

Day & Month	Delivered	Description & Measure of Article <sup>7/</sup>	Style No.	Operations to be performed	Piece Rate	Quantity	Date Goods Collected	Day & Month Paid	Amounts Paid	Signature of Person Acting in behalf of Employer

Section 545.6. Maintenance of Records. Every employer shall keep and preserve for a period of not less than four years at his place of business the records required above. All such records shall be open at any time to inspection and transcription by the Administrator or his authorized representative.

Section 545.7. Piece Rates Prescribed by the Administrator. Pursuant to the provision of Section 6(a)(5) of the Act, each home worker shall be paid, in lieu of the applicable hourly rate established by the wage order for the Needlework Industries, not less than the piece rates prescribed in Section 545.11 for the operations described therein.

Section 545.8. Piece Rates Adopted by Employers.<sup>8/</sup> Pursuant to the provisions of Section 6(a)(5) of the Act, in the event that a home worker is to perform an operation for which no piece rate has been established by the Administrator or his authorized representative, he shall be paid a piece rate adopted by the employer which shall yield to home workers of ordinary skill under prevalent operating conditions and with equipment ordinarily found in homes, an amount not less than the applicable hourly rate established by the wage order for the Needlework Industries. Such employer piece rates<sup>9/</sup> shall only be adopted after the employer notifies the Division of his intention to establish a rate for such operation, the rate fixed and the basis on which the piece rate has been computed. Such a rate shall remain in effect only until such time as the Administrator or his authorized representative establishes a piece rate for such operation.

Section 545.9. Penalties. Section 15 of the Act makes it unlawful for any person to violate the provisions of Regulations, Part 545, and subjects any such person to the penalties provided by Section 16 and Section 17 of the Act

<sup>7/</sup> Thus, a proper description might be "Handkerchief 10" x 10" "

<sup>8/</sup> See Regulations, Part 587 for the applicable hourly rate for the different divisions and classifications of the needlework industries.

<sup>9/</sup> Such piece rates are subject to Regulations, Part 531.

Section 545.10. Petition for Amendment of Regulations. Any person wishing a revision of any of the terms of Regulations, Part 545, may submit in writing to the Administrator or his authorized representative a petition setting forth the changes desired and the reasons for proposing them. If, upon inspection of the petition, the Administrator or his authorized representative believes that reasonable cause for amendment of the regulations is set forth, the Administrator or his authorized representative will either schedule a hearing with due notice to interested parties, or will make other provision for affording interested parties an opportunity to present their views, either in support of or in opposition to the proposed changes.

SECTION 545.11. PIECE RATES ESTABLISHED IN ACCORDANCE WITH SECTION 545.7:

SCHEDULE A

Operation	Cotton Underwear and Infants' Underwear Division		Infants' Wear Division	Silk (Except Infants') Underwear Division	Wearing Apparel Division		Unit of Payment
	1.	2.	3.	4.	5.	6.	
	Rayon and Infants' Silk Underwear	Cotton Underwear			Women's Blouses and Dresses	Children's Wear	
<b>I. Sewing</b>							
1. Knitted Loops - 1/4"	1.56¢	1.40¢	1.56¢	1.87¢	2.50¢	2.50¢	Per Dozen Loops
2. Knitted Loops - 1" up to 1 1/2"	2.63	2.37	2.63	3.16	4.21	4.21	" " "
3. Sewing of Button - two to three stitches using double thread	1.63	1.47	1.63	1.96	2.61	2.61	" " Buttons
4. Sewing of Ribbon	1.71	1.54	1.71	2.05	2.74	2.74	" " Ribbons
5. Pin Tucks-up to 7" in length Stamped	4.12	3.71	4.12	4.94	3.59	6.59	" " Tucks
6. Tucks 1/16" to 1/4" wide-up to 6" in length stamped	3.91	3.52	3.91	4.69	6.26	6.26	" " "
7. Flat Roll	3.79	3.41	3.79	4.55	6.06	6.06	Per Yard
8. Half Roll	4.10	3.69	4.10	4.92	6.56	6.56	" "
9. Basting for Faggotting	1.13	1.02	1.13	1.36	1.31	1.31	" "
10. Rolling Armholes & Reboques	6.39	5.75	6.39	7.67	10.22	10.22	" "
11. Buttonholes - 3/8" long	5.39	4.35	5.39	6.47	8.62	3.62	Per Dozen Buttons
12. French Seams - 9 to 12 Stit. per inch 1/	2.06	1.35	2.06	2.47	3.30	3.30	Per Yard
13. Cutting of Threads			2.50*			4.00*	Per Dozen Garments
14. Ordinary Running Stit. on Hems 12 Stit. per inch up to 1"	3.36	3.02	3.36	4.03	5.38	5.38	Per Yard
15. Overcasting Seams	2.66	2.39	2.66	3.19	4.26	4.26	" "
16. Flat Fell Seam 1/	4.88	4.39	4.88	5.83	7.61	7.31	" "
17. Patches-sewed on w/sgle. pt. turc	8.30		3.30	3.96	13.28	13.28	Per Dozen Inches
18. Patches-sewed on w/hld. hemstit.	3.99	2.78	3.99	3.71	4.94	4.94	" " "
19. Sewing of Laces-Ord. Running Stitch	3.32		3.32	3.98	5.31	5.31	Per Yard

1/ First Seam by Machine.

SCHEDULE A (Continued)

Operation	Cotton Underwear and Infants' Underwear Division		Infants' Wear Division	Silk (except Infants') Underwear Division	Wearing Apparel Division		Unit of Payment
	1.	2.	3.	4.	5.	6.	
	Rayon and Infants' Underwear	Cotton Silk Underwear			Women's Blouses and Dresses	Children's Wear	
<b>II. Fancy Embroidery</b>							
1. Rose - Bud - 4 leaves	3.71	3.34	3.71	4.45	5.94	5.94	Per Dozen Buds
2. Simple Leaves (Group of 4)	0.47	0.42	0.47	0.56	0.75	0.75	" " Leaves
3. French Knot - In groups	0.52	0.47	0.52	0.62	0.83	0.83	" " Knots
4. Single Hemstitching	8.14	7.33	8.14	9.77	13.02	13.02	Per Yard
5. Double "	15.50	13.95	15.50	18.60	24.80	24.80	" "
6. Panda Don Gonzalez	13.12	11.81	13.12	15.74	21.00	21.00	" "
7. Smocking- 8 stitches per inch	0.81	0.73	0.81	0.97	1.30	1.30	Per 96 Stitches
8. Shell Stit. 4 to 5 Stit. per inch	4.29	3.86	4.29	5.15	6.86	6.86	Per Yard
9. Faggotting - Twisted Lines	3.32	7.49	3.32	9.08	13.31	13.31	" "
10. Faggotting - Straight Lines	17.41	15.67	17.41	20.89	27.36	27.36	" "
11. Featherstitch Cord	4.39	3.95	4.39	5.27	7.02	7.02	" "
12. Shadow Stitch-up to 3/8" wide	24.15	21.74	24.15	29.98	38.64	38.64	" "
13. Point de Turc-Double-2 sides (at one time-with emb.thread)	12.44		12.44	14.33	19.90	19.90	" "
14. Point de Turc-Plain-with emb.thread	7.29	6.56	7.29	8.75*	11.66	11.66	" "
15. Spiders - 8 legs	4.89	4.40	4.89	5.87	7.82	7.82	Per Dozen Spiders
<b>III. Solid Embroidery</b>							
1. Sol. cord on gores and embroidery	11.75	10.58	11.75	14.10	18.80	18.80	Per Yard
2. Sew on Lace with sol. cord stitch	10.63	9.56	10.63	12.75	17.00	17.00	" "
3. Baby Dots (2-3 stit.-in groups)	1.04	0.94	1.04	1.25	1.66	1.66	Per Dozen Dots
4. Dots-Red. 1/8" diam.-average Stit.	1.65	1.43	1.65	1.98	2.64	2.64	" " "
5. Eyelets-1/8" in diameter and smaller	2.79	2.51	2.79	3.34	4.46	4.46	" " Eyelets
6. Solid Leaves-1/8" lg.-not fin. off	1.37	1.23	1.37	1.64	2.19	2.19	" " Leaves
7. Solid Leaves-1/4" lg.-not fin. off	1.67	1.50	1.67	2.00	2.67	2.67	" " "
8. Plain Scallops	13.58	11.32	12.58	15.10	20.13	20.13	Per Yard

\* Previous rate unchanged

(8643) NOTE: Columns 1, 2, and 3 based on hourly rate of 12½ cents.  
 Column 4 based on hourly rate of 15 cents.  
 Column 5 and 6 based on hourly rate of 20 cents.



HANDKERCHIEFS AND HOUSEHOLD ART LINENS DIVISION

ART LINENS

SCHEDULE B

		Per Doz. Quarter Yds.
1.	Folding and Basting hem and edges	1.00¢*
	<u>Crash material</u>	
	Thread Drawing around edge, 1 line, 4 sides	
	Scarfs	Per Doz.
2.	17" x 36"	7.00¢*
3.	17" x 45"	8.40¢*
4.	17" x 54"	9.80¢*
	Doilies	
5.	12" x 18"	3.00¢*
6.	10" x 14"	3.00¢*
7.	8" x 16"	3.00¢*
	Squares	
8.	36"	7.75¢*
9.	45"	10.30¢*
10.	54"	13.00¢*
	Napkins	
11.	12"	3.10¢*
12.	15"	3.10¢*
13.	18"	3.10¢*
	Table Cloths	
14.	54" x 72"	15.28¢
		Per Doz. Scarfs
15.	Thread Drawing -1 Row at each end of scarf - 2 sides inc., 13" x 46"	2.40¢
		Per Doz. Threads
16.	First Thread drawing 1" to 10" stamped	00.70¢
17.	First Thread drawing 1" to 10" without stamping	0.80¢
		Per Doz. Inches
18.	Featherstitch Cord	2.71¢
19.	Cross Stitch - 6 crosses per inch	2.67¢

SCHEDULE B (Continued)

Crash material

	Per Doz. Towels
20. Flat Hem-without pasado-2 ends 18" long towel-18" x 30"	46.88¢
21. Pasados-2 rows at end - towel-18" x 30"	13.63¢
	Per Doz. Cloths
22. Ravelling around - 1" size 33" x 33"	21.59¢

Patches

	Per Doz. Inches
Sewed on - running stitch	
23. Rectangular Shape	2.24¢
24. Round-Perfect Circle	2.73¢
25. Irregular Outline (Cutting of patches included)	4.77¢

\* Previous rate unchanged

NOTE: Prices based on hourly rate of 12½¢.

(8643)

HANDKERCHIEFS AND HOUSEHOLD ART LINENS DIVISION

HANDKERCHIEFS

SCHEDULE C

Initials - Solid Embroidery		Price Per Doz. Inches
1. Simple Initials- By Hand, without Hoops		7.75¢*
2. Simple Initials- By Hand, with Hoops		12.50¢*
3. Fancy Initials & Monograms - By Hand, with Hoops		12.50¢*
Pasadas on Ladies' and Men's Handkerchiefs		Per Dozen <u>Pasadas</u>
All-around Pasadas (Lines come out of Handkerchiefs)		
4. One row - edge to edge - 11" x 11" to 14" x 14" incl. linen up to 1600 c. incl.		2.50¢*
5. Same on Linen 1700 c. upwards		3.50¢*
6. One row edge to edge 15" x 15" linen up to 1600 c. incl.		4.25¢*
7. Same on Linen 1700 c. upwards		5.25¢*
8. One row edge to edge 15" x 16" to 20" x 20" incl. linen up to 1400 c. incl.		6.00¢*
9. Each row on linen over 1400 c. add 1¢ per doz per count of 100		
Short Pasadas (do not run from edge to edge)		
10. Lines up to 7" long incl. linen up to 1600 c. incl.		1.30¢*
11. Each row on linen over 1600 count add 1/2¢ per doz. per count of 100		
12. Lines over 7" long linen up to 1500 c. incl.		2.30¢*
13. Each row on linen over 1500 count add 1/2¢ per doz. per count of 100		
Hand Rolling on Ladies' and Men's Handkerchiefs		Per 48 <u>Inches</u>
14. French roll on cotton or linen - 7 to 11 stitches per inch		4.24¢
15. French roll on cotton or linen - 12 to 16 stitches per inch		5.76¢

\* Previous rate unchanged

(8643)