

U. S. DEPARTMENT OF LABOR
WAGE AND HOUR DIVISION

ADMINISTRATIVE ORDER NO. 165

APPOINTMENT OF INDUSTRY COMMITTEE NO. 51
FOR THE
COOKING AND HEATING APPLIANCES MANUFACTURING INDUSTRY

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby appoint and convene for the Cooking and Heating Appliances Manufacturing Industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public:

William H. Stead, St. Louis, Missouri (Chairman)
Harold M. Heckman, Athens, Georgia
Herman Michl, Philadelphia, Pennsylvania
Frank T. Carlton, Cleveland, Ohio
Jennings Perry, Nashville, Tennessee
Miss Alice Hunt, Providence, Rhode Island

For the Employees:

Charles W. Wilkerson, Cincinnati, Ohio
Boris Shishkin, Washington, D. C.
Edward W. Kaiser, St. Louis, Missouri
Joseph Besch, Washington, D. C.
Stephen Levitsky, Washington, D. C.
Noel Beddow, Birmingham, Alabama

For the Employers:

C. Ackerson, Gadsden, Alabama
W. E. Derwent, Rockford, Illinois
Robert T. Frazier, Chattanooga, Tennessee
Mullin Ways, Garwood, New Jersey
E. W. Longacre, Johnstown, Pennsylvania
Irving L. Jones, Utica, New York

Such representatives having been chosen with due regard to geographical regions in which such industry is carried on.

2. For the purpose of this order the term "Cooking and Heating Appliances Manufacturing Industry" includes:

(a) The manufacture of cooking and heating equipment and appliances, and parts and accessories thereof;

(b) The term "manufacture" as used herein covers all operations involved in the production of any article covered by this definition, including foundry

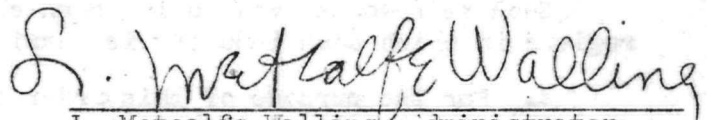
operations required to produce iron castings, the fabrication and surface treatment (including enameling) of sheet metal and castings parts, and the mounting and assembling of the parts;

(c) Provided, however, that the manufacture of the following shall not be included: steam fittings and specialties such as thermostats and other temperature control devices, gauges, regulators, traps, and reducing valves; steam heating boilers using pressure in excess of 15 pounds per square inch; cooking utensils, electrical equipment and appliances; stove pipes; tanks for water heaters; or any product covered by a wage order for the Gray Iron Jobbing Foundry Industry or Enameled Utensil Industry.

3. The definition of the Cooking and Heating Appliances Manufacturing Industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition, including clerical, maintenance, shipping, and selling occupations, provided, however, that such clerical, maintenance, shipping and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this 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 10:00 A.M. on November 19, 1942 in the College Room of the Hotel Astor, New York City, and, 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 27th day of October, 1942.


L. Metcalfe Walling, Administrator
Wage and Hour Division
U. S. Department of Labor