

UNITED STATES DEPARTMENT OF LABOR
WAGE AND HOUR DIVISION
NEW YORK, NEW YORK

TITLE 29 - LABOR
CHAPTER V - WAGE AND HOUR DIVISION

NOTICE OF DENIAL OF APPLICATION BY THE NATIONAL AUTHORITY FOR THE LADIES' HANDBAG INDUSTRY, AND SUNDRY OTHER PARTIES, TO EMPLOY LEARNERS IN THE LUGGAGE, LEATHER GOODS AND WOMEN'S HANDBAG INDUSTRY AT WAGES LOWER THAN THE MINIMUM WAGE APPLICABLE UNDER SECTION 6 OF THE FAIR LABOR STANDARDS ACT OF 1938

WHEREAS, applications were received from the National Authority for the Ladies' Handbag Industry, and sundry other parties, to employ learners in the Luggage, Leather Goods and Women's Handbag Industry at wages lower than the minimum wage applicable under Section 6 of the Fair Labor Standards Act of 1938, and

WHEREAS, pursuant to Part 522, Section 522.4, Title 29, Chapter V, Code of Federal Regulations, a public hearing was held on August 3, 1942, before Merle D. Vincent, duly authorized as presiding officer to conduct said hearing, to take testimony for the purpose of determining:

(a) What, if any, occupation, or occupations in the Luggage, Leather Goods and Women's Handbag Industry require a learning period, and if any occupation is found to require a learning period;

(b) The factors which may have a bearing upon curtailment of opportunities for employment within the Luggage, Leather Goods and Women's Handbag Industry; and

(c) Under what limitation as to wages, time, number, proportion, and length of service, special certificates may be issued for the employment of learners in the Luggage, Leather Goods and Women's Handbag Industry, and

WHEREAS, the presiding officer has filed with me a complete record of the proceeding together with his findings of fact and recommendation thereon that it is not necessary in order to prevent curtailment of opportunities for employment to provide for the employment of learners at subminimum wages in any occupation in any branch of the Luggage, Leather Goods and Women's Handbag Industry;

NOW, THEREFORE, notice is hereby given that the applications are denied and that there is no need at this time for the issuance of regulations providing for the employment of learners at wage rates less than the applicable minimum in the Luggage, Leather Goods and Women's Handbag Industry.

As used in this notice, the term "Luggage, Leather Goods and Women's Handbag Industry" is defined as follows:

(a) The manufacture from any material of luggage including but not by way of limitation, trunks, suit cases, traveling bags, brief cases, sample cases; the manufacture of instrument cases covered with leather, imitation leather, or fabric including, but not by way of limitation, portable radio cases; the manufacture of small leather goods and like articles from any material except metal; the manufacture of women's, misses' and children's handbags, pocketbooks, purses, and mesh bags from any material except metal; but not the manufacture of bodies, panels, or frames from metal, wood, fibre, or paperboard for any of the above articles.

(b) The manufacture from leather, imitation leather, or fabric of cut stock and parts for any of the articles covered in Section (a).

The definition of the Luggage, Leather Goods, and Women's Handbag Industry covers all occupations in the industry which are necessary to the production of the articles within the definition, including clerical, maintenance, shipping and selling occupations, provided, however, that this definition does not include employees of an independent wholesaler or employees of a manufacturer who are engaged exclusively in marketing and distributing products of the industry which have been purchased for resale.

Signed at New York, New York this 16th day of December, 1942.

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

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