

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

TITLE 29--LABOR  
CHAPTER V.--WAGE AND HOUR DIVISION

NOTICE OF OPPORTUNITY TO SHOW CAUSE

IN THE MATTER OF THE RESTRICTION OF INDUS-  
TRIAL HOME WORK IN THE JEWELRY MANUFACTURING  
INDUSTRY--AMENDMENT TO TITLE 29, CHAPTER V,  
CODE OF FEDERAL REGULATION, PARTS 607 AND  
607.100 WITH RESPECT TO CLIENTS OF STATE  
VOCATIONAL REHABILITATION AGENCIES AND  
SHELTERED WORKSHOPS.

WHEREAS, the Administrator of the Wage and Hour Division of the United States Department of Labor by Part 607, Chapter V, Title 29, Code of Federal Regulations, issued a Wage Order for the Jewelry Manufacturing Industry, establishing for such industry a minimum wage rate of 40 cents per hour, effective November 3, 1941, published in the Federal Register October 18, 1941; and

WHEREAS, The Administrator by Part 607.100-112, Chapter V, Title 29, Code of Federal Regulations, issued regulations applicable to the employment of industrial home workers in the Jewelry Manufacturing Industry, pursuant to Sections 8(f) and 11(c) of the Fair Labor Standards Act of 1938, effective November 3, 1941, published in the Federal Register on October 18, 1941; and

WHEREAS, the above-mentioned wage order provides in Section 607.3 as follows:

No work in the Jewelry Manufacturing Industry, as defined herein, shall be done in or about a home, apartment, tenement, or room in a residential establishment, except by such persons as have obtained special home-work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by any worker who was engaged in industrial home work in the Jewelry Manufacturing Industry prior to July 1, 1941, and is unable to adjust to factory work because of age or physical or mental disability or is unable to leave home because his presence is required to care for an invalid in the home;

and

WHEREAS, the above-mentioned regulations provide for the issuance of certificates authorizing employment in industrial home work in the Jewelry Manufacturing Industry to any worker who, in accordance with Section 607.103 thereof, is unable to adjust to factory work because of age or physical or mental disability or is unable to leave home because his presence is required to care for an invalid in the home, provided such worker

- (1) Was engaged in industrial home work in the jewelry manufacturing industry prior to July 1, 1941;

and

WHEREAS, the Sheltered Workshop Advisory Committee has petitioned the Administrator to allow the issuance of certificates authorizing employment in industrial home work in the Jewelry Manufacturing Industry to any worker who is under the supervision of a State Vocational Rehabilitation Agency or of a sheltered workshop in accordance with the above-mentioned wage order and regulations, notwithstanding that such worker was not employed in industrial home work in the Jewelry Manufacturing Industry prior to July 1, 1941, as required by Sections 607.3 and 607.103(1) thereof, respectively; and

WHEREAS, provisions similar to those requested by the Sheltered Workshop Advisory Committee have been incorporated in the wage order for, and regulations applicable to the employment of home workers in, the Women's Apparel Industry (Parts 605 and 605.100, Chapter V, Title 29, Code of Federal Regulations), Knitted Outerwear Industry (Parts 617 and 617.100, Chapter V, Title 29, Code of Federal Regulations), Gloves and Mittens Industry (Parts 621 and 621.100, Chapter V, Title 29, Code of Federal Regulations) and Button and Buckle Manufacturing Industry (Parts 625 and 625.100, Chapter V, Title 29, Code of Federal Regulations);

NOW, THEREFORE, notice is hereby given to all interested persons of the opportunity to show cause on or before January 21, 1943, why Section 607.3 of the wage order for, and Section 607.103 of the regulations applicable to the employment of home workers in, the Jewelry Manufacturing Industry should not be amended as follows:

#### Section 607.3--Restriction of Home Work

No work in the Jewelry Manufacturing Industry, as defined in Sections 607.5 and 607.6, Part 607, Chapter V, Title 29, Code of Federal Regulations, shall be done in or about a home, apartment, tenement, or room in a residential establishment, except by such persons as have obtained special home work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by any worker who was engaged in industrial home work in the Jewelry Manufacturing Industry prior to July 1, 1941, or is at any time engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Workshop, as defined in Section 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations, and who is unable to adjust to factory work because of age or physical or mental disability or is unable to leave home because his presence is required to care for an invalid in the home;

#### Section 607.103--Terms and Conditions for the Issuance of Certificates

If the application is in proper form and sets forth facts showing that the worker

(1)(a) Was engaged in industrial home work in the Jewelry Manufacturing Industry prior to July 1, 1941; or

(b) Is or will be engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Workshop, as defined in Section 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations; and

(2) Is unable to adjust to factory work because of age or physical or mental disability; or

(3) Is unable to leave home because the worker's presence is required to care for an invalid in the home.

a certificate may be issued authorizing the applicant employer to employ the worker in industrial home work in the Jewelry Manufacturing Industry.

No home worker shall perform industrial home work for more than one employer in the Jewelry Manufacturing Industry, but home work employment in another industry shall not be a bar to the issuance of a certificate for the Jewelry Manufacturing Industry.

All objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 185 West 46th Street, New York, New York, and should be filed with the Administrator not later than January 21, 1943.

Signed at New York, New York this 23rd day of December, 1942.

*L. Metcalfe Walling*

L. Metcalfe Walling  
Administrator  
Wage and Hour Division  
United States Department of Labor