

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

TITLE 29 - LABOR
CHAPTER V - WAGE AND HOUR DIVISION

IN THE MATTER OF THE RECOMMENDATION OF INDUSTRY
COMMITTEE NO. 48 FOR A MINIMUM WAGE RATE IN
THE CONVERTED PAPER PRODUCTS INDUSTRY

WAGE ORDER

Effective February 15, 1943

PART 630 - Minimum Wage Rates in the Converted Paper Products Industry.

WHEREAS, on August 15, 1942, pursuant to Section 5 of the Fair Labor Standards Act of 1938, hereinafter referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 152 appointed Industry Committee No. 48 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 seven disinterested persons representing the public, 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, on September 10, 1942, the Committee, after investigating economic and competitive conditions in the industry, filed with the Administrator a report containing its recommendation for a 40 cent minimum hourly wage rate in the Converted Paper Products Industry; and

WHEREAS, after notice published in the Federal Register on September 22, 1942, Major Robert N. Campbell, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendation at New York, New York, on October 21, 1942, at which all interested persons were given an 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, all persons who appeared at the hearing were given leave to file briefs on or before November 12, 1942; and

WHEREAS, no request for oral argument having been received, oral argument on the Committee's recommendation was dispensed with in this proceeding; 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 recommendation for the Converted Paper Products Industry as defined in Administrative Order No. 152 is made in accordance with law, is 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 Section 8 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 Recommendation of Industry Committee No. 43 for the Minimum Wage Rate 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, New York, New York;

NOW, THEREFORE, it is ordered that Section 630.1 Approval of Recommendation of Industry Committee

The Committee's recommendation is hereby approved and in accordance with such recommendation, Section 630.2 Wage Rate

Wages at a rate of not less than 40 cents per hour shall be paid under Section 6 of the Act by every employer to each of his employees in the Converted Paper Industry as defined in Administrative Order No. 152 who is engaged in commerce or in the production of goods for commerce; and

Section 630.3 Posting of Notices

Every employer employing any employees 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 630.4 Definition of the Converted Paper Products Industry

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, Portable Lamp and Shade, or Luggage, Leather Goods and Women's Handbag 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) Roofing paper, insulation board and products therefrom for use as building materials, or shingles.

(d) Newspapers, magazines, books, blueprints, photographs and other products in which graphic art is the exclusive medium through which the products function, 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.

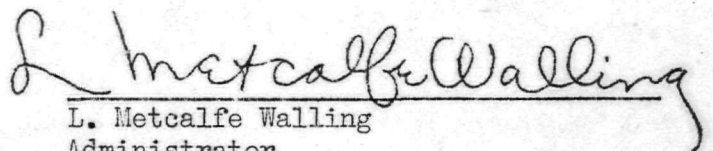
Section 630.5 Scope of the Definition

The definition of the converted paper products industry covers all occupations in the industry which are necessary to the production of the products specified in the definition, including clerical, maintenance, shipping and selling occupations; provided, however, 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.

Section 630.6 Effective Date

This Wage Order shall be effective February 15, 1943.

Signed at New York, New York, this 22nd day of January, 1943. Sections 630.1 to 630.6, inclusive, issued under the authority contained in Section 8, 52 Stat. 1064; 29 U. S. C., Sup IV, 208.



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

Published in Federal Register January 27, 1943.