

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

TITLE 29 - LABOR  
CHAPTER V - WAGE AND HOUR DIVISION

NOTICE OF OPPORTUNITY TO SHOW CAUSE

IN THE MATTER OF AMENDMENTS OF LEARNER REGULATIONS AND DETERMINATIONS APPLICABLE TO THE HOSIERY INDUSTRY; WOMEN'S APPAREL INDUSTRY, SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS INDUSTRY, SPORTSWEAR AND OTHER ODD OUTERWEAR DIVISIONS OF THE APPAREL INDUSTRY, BELTS DIVISION OF THE APPAREL INDUSTRY, TEXTILE INDUSTRY, KNITTED AND MEN'S WOVEN UNDERWEAR AND COMMERCIAL KNITTING INDUSTRY, KNITTED OUTERWEAR INDUSTRY AND GLOVES AND MITTENS INDUSTRY

WHEREAS, a hearing was held on October 26 and 27, 1942, to consider amendments of learner regulations and determinations applicable to the Hosiery Industry, Women's Apparel Industry, Single Pants, Shirts and Allied Garments Industry, Sportswear and Other Odd Outerwear Divisions of the Apparel Industry, Belts Division of the Apparel Industry, Textile Industry, Knitted and Men's Woven Underwear and Commercial Knitting Industry, Knitted Outerwear Industry and Gloves and Mittens Industry, and

WHEREAS, the Presiding Officer, Merle D. Vincent has found that data were presented at that hearing which showed the need in the above industries for provision within the regulations for abnormal labor turnover which is occurring in certain localities, and for a change in the subminimum wage rate at which learners are to be employed, and recommended that the learner regulations and determinations applicable to the aforementioned industries be amended in the particulars that they are inconsistent with the following provisions to be effective for the duration of the war emergency:

1. Special learner certificates may be issued upon individual applications of employers provided that it is satisfactorily shown that:

- (a) Experienced labor is not available in the locality from which the employer customarily draws his labor supply;
- (b) Learners are available for employment at the established subminimum learner wage rate;
- (c) The issue of a certificate will not tend to impair working or wage standards established for experienced workers in the industry;
- (d) The issue of such certificates will not create unfair competitive labor cost advantages;
- (e) The number of learners applied for will not tend to impair the statutory minimum wage rate in such plant;
- (f) The applicant's piece work or hourly wage rates yield average earnings to experienced workers substantially above the minimum wage rate.

2. The subminimum wage rate which may be provided in special learner certificates shall be not less than 35 cents per hour.

3. The effective period for special learner certificates for labor turnover shall not exceed six months.

4. Authorization to employ a number or percentage of learners for labor turnover in excess of that provided in industry regulations may be granted to the extent of the actual need of an individual applicant, when that need is due to an abnormal labor turnover resulting from the war emergency.

NOW, THEREFORE, notice is hereby given all interested parties of an opportunity to show cause why the said recommendations of Merle D. Vincent shall not be adopted. Objections, statements and briefs will be received, considered and examined by the Administrator of the Wage and Hour and Public Contracts Divisions, U. S. Department of Labor, 165 West 46th Street, New York, New York, if filed with him on or before February 15, 1943.

Signed at New York, New York, this 27th day of January, 1943.

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

Published in Federal Register  
January 29, 1943

(11982)