

Inactive

U. S. DEPARTMENT OF LABOR
WAGE AND HOUR DIVISION

ADMINISTRATIVE ORDER NO. 173

APPOINTMENT OF INDUSTRY COMMITTEE NO. 53

FOR THE

METAL, PLASTICS, MACHINERY, INSTRUMENT,
AND ALLIED INDUSTRIES

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 metal, plastics, machinery, instrument, and allied industries (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public:

George E. Osborn, Chairman, Palo Alto, California
Clarence Ayres, Austin, Texas
Robert P. Brecht, Philadelphia, Pennsylvania
George J. Burke, Ann Arbor, Michigan
Frank T. Carlton, Cleveland, Ohio
Ralph S. Foss, New York, New York
John Ise, Lawrence, Kansas
H. C. Nixon, Nashville, Tennessee
James S. Robbins, Washington, D. C.
Erwin H. Schell, Cambridge, Massachusetts
Tipton R. Snavely, Charlottesville, Virginia
John I. Yellott, Chicago, Illinois

For the Employees:

For the Employers:

Joseph Besch, Washington, D. C.
Edward D. Bieretz, Washington, D. C.
Paul Christopher, Knoxville, Tennessee
George Q. Lynch, Washington, D. C.
Joseph McDonagh, Washington, D. C.
Russ Nixon, Washington, D. C.
Ben Riskin, Washington, D. C.
Joseph Scanlon, Pittsburgh, Pennsylvania
Boris Shishkin, Washington, D. C.
J. Raymond Walsh, Washington, D. C.
Charles W. Wilkerson, Cincinnati, Ohio
James Wishart, Detroit, Michigan

B. S. Berlin, Trenton, New Jersey
A. F. Trombore, Milwaukee, Wisconsin
W. A. DeRidder, Oakland, California
Ralph E. Herman, New Haven, Connecticut
Clark Hodder, Ashland, Massachusetts
J. H. McDuffee, Toledo, Ohio
William B. Neal, Gadsden, Alabama
E. B. Sherwin, North Chicago, Illinois
A. L. Smith, Birmingham, Alabama
J. L. Turner, Wheeling, West Virginia
Hans H. Wanders, South Boston, Massachusetts
August J. Zimmerman, Rochester, New York

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

2. For the purpose of this order the terms "metal, plastics, machinery, instrument, and allied industries" mean:

"The production of metals and the manufacture of any product or part made of metal or plastics; and the manufacture from any material of machinery, instruments, tools, electrical goods, transportation equipment, and ordnance; provided, however, the definition shall not include:

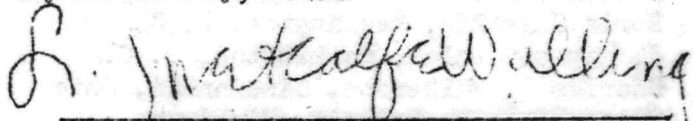
1. The mining or milling of metalliferous ores.
2. The production of any basic material other than metal.
3. The further processing of any basic material other than metal or plastics; provided, however, that such processing when performed by an establishment producing from such material a product of this industry or subassembly of such product shall be included within this definition.
4. Any product, the manufacture of which is covered by the definition of an industry for which the Administrator has already issued a wage order or appointed an industry committee."

3. The definition of the metal, plastics, machinery, instrument, and allied industries covers all occupations in the industry which are necessary to the production of the articles covered by the definition, including clerical, maintenance, shipping, and selling occupations; provided, however, that this definition does not cover clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department, physically segregated from the 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; 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. Any person who, in the opinion of the Committee, having a substantial interest in the proceeding and who is prepared to present material pertinent to the question under consideration, may, with the approval of the committee, appear on his own behalf or on behalf of any other person.

5. The industry committee herein created shall meet at 10:00 a.m. on February 16, 1943 in the East Ballroom of the Hotel Astor, New York, New York, 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 industries 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 New York, New York this 27 day of January, 1943.



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