

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 THE PROHIBITION OF INDUSTRIAL HOME WORK IN THE WOMEN'S APPAREL, JEWELRY MANUFACTURING, KNITTED OUTERWEAR, GLOVES AND MITTENS, BUTTON AND BUCKLE MANUFACTURING, AND HANDKERCHIEF MANUFACTURING INDUSTRIES--AMENDMENTS TO TITLE 29, CHAPTER V, CODE OF FEDERAL REGULATIONS, PARTS 605 AND 605.100, 607 AND 607.100, 617 AND 617.100, 621 AND 621.100, 625 AND 625.100, 628 AND 628.100.

WHEREAS, the Administrator of the Wage and Hour Division of the United States Department of Labor by Parts 605, 607, 617, 621, 625, and 628, Chapter V, Title 29, Code of Federal Regulations, issued wage orders for the Women's Apparel, Jewelry Manufacturing, Knitted Outerwear, Gloves and Mittens, Button and Buckle Manufacturing, and Handkerchief Manufacturing Industries, establishing for such industries minimum wage rates of 40 cents an hour effective on the dates specified in such orders and prescribing certain terms and conditions applicable to industrial home work employment; and

WHEREAS, the Administrator by Parts 605.100-112, 607.100-112, 617.100-112, 621.100-113, 625.100-112, and 628.100-112, Title 29, Chapter V, Code of Federal Regulations, issued regulations applicable to industrial home work employment in the aforementioned industries, pursuant to Sections 8(f) and 11(c) of the Fair Labor Standards Act of 1938, effective on the dates specified in such regulations; and

WHEREAS, it appears advisable to amend such wage orders and regulations to provide that the requirement of previous industrial home work employment shall not be applied, in considering an application for a home work certificate, where this requirement shall result in unusual hardship to the individual home worker,

NOW, THEREFORE, notice is hereby given to all interested persons of the opportunity to show cause on or before April 24, 1943, why sections 605.7, 607.3, 617.3, 621.3, 625.3, and 628.3 of the above-mentioned wage orders and sections 605.103, 607.103, 617.103, 621.103, 625.103, and 628.103 of the above-mentioned regulations should not be amended to provide, that:

No work in the industry, as defined, shall be done in or about a home, apartment, tenement, or room in a residential establishment after the effective date of the home work regulations 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 a worker who--

(1) (a) is unable to adjust to factory work because of age or physical or mental disability; or

(b) is unable to leave home because his presence is required to care for an invalid in the home; and

(2) (a) was engaged in industrial home work in the industry, as defined, prior to the date specified in the regulations (except that if this requirement shall result in unusual hardship to the individual home worker it shall not be applied); or

(b) is at any time engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Work Shop, as defined in section 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations.

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, 165 West 46th Street, New York, New York, and should be filed with the Administrator not later than April 24, 1943.

Signed at Washington, D. C., this 3rd day of April, 1943.

L. Metcalfe Walling

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

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