

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 APPLICABLE TO THE RAINWEAR,
ROBES, AND LEATHER AND SHEEP-LINED GAR-
MENTS DIVISIONS OF THE APPAREL INDUSTRY

WHEREAS, following a public hearing and upon findings of fact and recommendations of the Presiding Officer, I issued Administrative Order No. 131, amending the regulations and determinations applicable to the employment of learners in certain industries, including the Women's Apparel Industry, the Single Pants, Shirts, and Allied Garments Industry, and the Sportswear and Other Odd Outerwear Division of the Apparel Industry, to authorize increased learner allowances to individual concerns to meet the needs of abnormal labor turnover, and to provide that the wage rate for learners in such industries shall be not less than 35 cents per hour; and

WHEREAS, Part 522, Sections 522.160-165 of the regulations applicable to the employment of learners apply to the Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry as well as the Women's Apparel Industry, the Single Pants, Shirts and Allied Garments Industry, and the Sportswear and Other Odd Outerwear Division of the Apparel Industry, except as amended by Administrative Order No. 131.

NOW, THEREFORE, notice is hereby given to all interested parties of the opportunity to show cause on or before May 25, 1943 why the regulations applicable to the employment of learners in the Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry should not be amended to conform to 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.

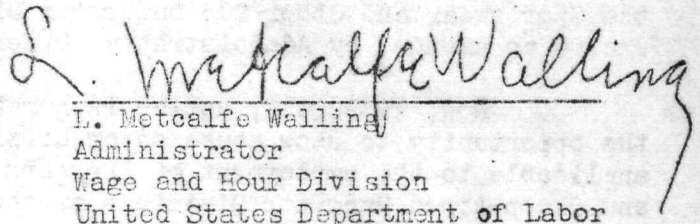
2. The subminimum wage rate which may be provided in special learner certificates shall be not less than 35 cents per hour.

3. Authorization to employ a number or percentage of learners for labor turnover in excess of that provided in learner industry regulations, issued pursuant to section 522.4 of the regulations of the Administrator of the Wage and Hour Division and presently in effect, 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,

and why certificates presently in effect in these industries should not be amended to conform to paragraph 2 above.

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 and Public Contracts Divisions, United States Department of Labor, 165 West 46th Street, New York, New York, and should be filed with the Administrator not later than May 25, 1943.

Signed at New York, New York, this 5th day of May 1943.


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

Published in Federal Register May 11, 1943.