

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

Title 29 - Labor

Chapter V - Wage and Hour Division

ADMINISTRATIVE ORDER NO. 208

APPOINTMENT OF INDUSTRY COMMITTEE NO. 63 FOR THE  
WHOLESALE, WAREHOUSING, AND OTHER DISTRIBUTION 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, United States Department of Labor, do hereby appoint and convene for the Wholesale, Warehousing, and Other Distribution Industries (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public:

Willard L. Thorp, Chairman, New York, N. Y.  
James K. Pollock, Ann Arbor, Michigan  
H. C. Nixon, Nashville, Tennessee  
Royal E. Montgomery, Ithaca, New York  
Philip Taft, Providence, Rhode Island  
Louis A. Wood, Eugene, Oregon  
Edward Everett Hale, Austin, Texas

For the Employers:

Robert M. Adair, Columbus, Ohio  
Eugene Foley, Newark, N. J.  
James Shikany, Minneapolis, Minn.  
Joseph Timberlake, Columbia, S. C.  
John L. Wilkinson, Charlotte, N. C.  
Arthur P. Care, Los Angeles, Calif.  
Henry Morgen, Chicago, Illinois

For the Employees:

Bjorne Halling, Washington, D. C.  
Harold Gibbons, St. Louis, Missouri  
David Kaplan, Washington, D. C.  
Joseph Tobin, New York, New York  
Ace Delosado, San Francisco, California  
Rudy M. Coulter, Lafayette, Indiana  
Boris Shishkin, Seminary, Virginia

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

2. For the purpose of this order the term "Wholesale, Warehousing, and Other Distribution Industries" means:

The wholesaling, warehousing, and other distribution of commodities.

- a. It includes, but without limitation, the activities of jobbers, textile converters, industrial distributors, mail order and retail selling establishments, brokers and agents, public warehouses, and physically segregated wholesaling and selling departments of other than selling and warehousing establishments (including the activities of any employees in such establishments who are engaged exclusively in selling products purchased for resale).

b. Provided, however, that there shall not be included any activity in connection with selling and warehousing which is covered by any wage order or by any administrative order appointing an industry committee.

3. The definition of the Wholesaling, Warehousing, and Other Distribution Industries covers all occupations which are necessary to the distribution and warehousing commodities, including packing, storing, shipping, and trucking, and clerical and maintenance 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.

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 any other person. Moreover, any interested person may submit in writing pertinent data to the committee either through the Administrator or through the chairman of the committee.

5. The industry committee herein created shall meet at 10:00 a.m. on August 17, 1943 in the Victoria Room of the Hotel Victoria, 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 industry 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 20th day of July, 1943.

*L. Metcalfe Walling*

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

Published in  
Federal Register  
July 27, 1943