

September 13, 1938

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U.S. DEPARTMENT OF LABOR  
WAGE AND HOUR DIVISION  
Washington

Elmer F. Andrews, Administrator of the Wage and Hour Division of the Labor Department, today announced the appointment of Industry Committee No. 1 for branches of the textile industry employing more than 1,300,000 wage earners. The Committee is appointed to recommend a minimum wage schedule not less than 25 cents an hour nor more than 40 cents an hour which will not substantially curtail employment.

## The Committee:

## Public Members—

<i>V.P.</i> <i>Leas, Lockhart &amp; Co., Chicago, Ill.</i>	Donald Nelson, Chairman, Chicago, Ill.
<i>School of Social Work - University of</i>	Grace Abbott, <del>Grand Island, Nebr.</del> <i>Chicago, Chic., Ill.</i>
<i>Extension</i> <i>Director of Alabama Polytechnic</i>	P. O. Davis, Auburn, Ala. <i>Institute, Auburn, Ala.</i>
<i>819 N. Cleveland Ave.</i>	E. L. Foshee, Sherman, Tex.
<i>President, Filene &amp; Company</i>	Louis Kirstein, Boston, Mass.
<i>117 East 10<sup>th</sup> St.</i>	George Fort Milton, Chattanooga, Tenn.
<i>3440 Walnut St.</i>	George W. Taylor, Philadelphia, Pa.

## Employee Members—

<i>115 N. Poston St. Shelby, N.C.</i>	Paul Christopher, Charlotte, N. C.
<i>11 Beacon Street</i>	Francis P. Fenton, Boston, Mass.
<i>Chairman, Textile Workers Organ -</i>	Sidney Hillman, New York City, N. Y. <i>izing Committee</i>
<i>421 Atlanta Nat. Bldg.</i>	R. R. Lawrence, Atlanta, Ga.
<i>791 Main Street</i>	Elizabeth Nord, Manchester, Conn.
<i>44 E. 20<sup>th</sup> St., N.Y.C.</i>	Emil Rieve, <del>Philadelphia, Pa.</del>
<i>8704 Reading Rd., Silver</i>	H. A. Schrader, <del>Washington, D. C.</del>
<i>Spring, Md.</i>	

## Employer Members—

<i>711 Hosp. Trust Bldg.</i>	G. Edward Buxton, Providence, R. I. <i>Home: 85 Power St.</i>
<i>P.O. Box 416 Concord, N.C.</i>	Charles A. Cannon, Kannapolis, N. C.
<i>V.P. Inman Mills, Montgomery Bldg.</i>	Robert Chapman, Spartansburg, S. C.
<i>Pres Georgia Kinkaid Mills</i>	John R. Cheatham, Griffin, Ga.
<i>209 Pine Street, Manchester, Conn.</i>	John Nickerson, New York City, N. Y.
<i>P.O. Box 904</i>	Seabury Stanton, New Bedford, Mass.
<i>Riverside &amp; Dan River Cotton</i>	R. R. West, Danville, Va.
<i>mills</i>	

This industry committee is the first to be appointed under the Fair Labor Standards Act of 1938 and was requested by representatives of both employers and employees in the industry.

Available facts regarding wage conditions in the industry will be collected for presentation to the Committee within the next two or three weeks. The form of the investigation which the committee will follow will be determined by the committee itself, under procedures laid down by the Administrator, but it is expected that the committee or subcommittees will hold hearings at points convenient to the business and labor groups affected. Technical committees are to be appointed by the Administrator to assist in dealing with special problems.

The minimum wage determination of Industry Committee No. 1 will be made for employers engaged in the manufacture and finishing of yarns and fabrics other than wool and hosiery and including such closely related operations as cannot satisfactorily be separated from that group.

Administrator Andrews explained that the industry was so defined in order that competitively related products might be brought within the jurisdiction of one committee and to allow the simplest possible administration of the Act by making complete establishments, wherever possible, subject to a single wage order.

Wool, hosiery and worsted woven goods were omitted from the committee's jurisdiction in order to keep the committee as small as possible and still cover closely related trades and because a determination covering manufacture of those articles did not appear to be an immediate requirement in order to make a determination and recommendation for other textiles.

The administrative order, which defined the industry, included a letter to Chairman Donald Nelson in which Mr. Andrews stated his intention to add to the jurisdiction of the committee certain related textile operations and a request that the committee recommend a definition of them.

The Census of Manufactures for 1935, the latest available, shows about 1,330,000 wage earners employed in the textile industry covered by this order. The largest branch is cotton textiles with 388,000 wage earners. A study by the Bureau of Labor Statistics of the cotton textile industry, as of April 1937, showed that 26.7 percent of these cotton textile workers received less than 40 cents an hour and that 4.6 percent received less than 25 cents an hour. Studies of wages in other industries are now under way in the Bureau of Labor Statistics, and, at the request of the Administrator, the study of the number of workers affected in the cotton textile industry is being brought up to date for the use of the committee.

In order to make its recommendation, the committee will make its own investigation of conditions in the textile industry and may, if it chooses, ~~summon~~ witnesses and receive evidence. The Administrator and the Bureau of Labor Statistics will furnish the committee with information on existing wage rates, competitive conditions and other factors.

The committee will have no authority to recommend a purely regional wage differential. Under the law, however, it may recommend classifications for the purpose of fixing for each classification the highest minimum wage rate (not more than 40 cents an hour) which will not substantially curtail employment and will not give a competitive advantage to any group in the industry.

In determining whether or not classifications should be made, in making the classifications and in determining proposed minimum wage rates, the committee must consider among other things the following:

(1) competitive conditions as affected by transportation, living, and production costs;

(2) the wages established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and

(3) the wages paid for work of like or comparable character by employers who voluntarily maintain minimum-wage standards in the industry.

No such classification can be made by a committee on the basis of age or sex.

When the committee has finished its investigation, it will file a report of its recommendations with the Administrator. The Administrator will then give notice to interested persons and allow them to be heard. If he finds that the recommendations are made in accordance with the law, are supported by the evidence received at the hearing and will carry out the purposes of the law, taking into account all factors required to be considered by the committee, he will approve the recommendation and make it effective by a minimum wage order.

If, taking into account the same factors, he disapproves the recommendation, he may refer the question back to the same committee for another recommendation or may appoint a new committee. The Administrator, himself, cannot change a recommendation.

ADMINISTRATIVE ORDER NO. 1  
APPOINTMENT OF INDUSTRY COMMITTEE NO. 1

1. By virtue of and pursuant to the authority vested in me by the "Fair Labor Standards Act of 1938", I, Elmer F. Andrews, Administrator of the Wage and Hour Division, Department of Labor, do hereby appoint for the textile industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public:

Donald Nelson, Chairman, Chicago, Ill.;  
Grace Abbott, Grand Island, Nebr.;  
P. O. Davis, Auburn, Ala.;  
E. L. Foshee, Sherman, Texas.;  
Louis Kirstein, Boston, Mass.;  
George Fort Milton, Chattanooga, Tenn.;  
George W. Taylor, Philadelphia, Pa.

For the Employees:

Paul Christopher, Charlotte, N. C.;  
Francis P. Fenton, Boston, Mass.;  
Sidney Hillman, New York City, N. Y.;  
R. R. Lawrence, Atlanta, Ga.;  
Elizabeth Nord, Manchester, Conn.;  
Emil Rieve, Philadelphia, Pa.;  
H. A. Schrader, Washington, D. C.

For the Employers:

G. Edward Buxton, Providence, R. I.;  
Charles A. Cannon, Kannapolis, N. C.;  
Robert Chapman, Spartansburg, S. C.;  
John R. Cheatham, Griffin, Ga.;  
John Nickerson, New York City, N. Y.;  
Seabury Stanton, New Bedford, Mass.;  
R. R. West, Danville, Va.

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

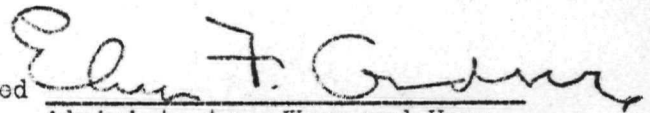
2. As used in this order, the term "textile industry" means

- (a) The manufacturing or processing of yarn or thread and all processes preparatory thereto, and the manufacturing, bleaching, dyeing, printing and other finishing of woven fabrics (other than carpets and rugs) from cotton, silk, flax, jute or any synthetic fibre, or from mixtures of these fibres; except the chemical manufacturing of synthetic fibre and such related processing of yarn as is conducted in establishments manufacturing synthetic fibre;

- (b) The manufacturing of batting, wadding or filling and the processing of waste from the fibres enumerated in clause (a);
- (c) The manufacturing, bleaching, dyeing, or other finishing of pile fabrics (except carpets and rugs) from any fibre or yarn;
- (d) The manufacturing, bleaching, dyeing, or printing of knitted fabrics (other than hosiery or wool and wool mixed overcoatings and suitings) from any fibre or yarn;
- (e) The manufacturing or finishing of braid, net or lace from any fibre or yarn;
- (f) The manufacturing of cordage, rope or twine from any fibre.

3. The industry committee herein created, in accordance with the provisions of the "Fair Labor Standards Act of 1938" and rules and regulations promulgated thereunder, shall investigate conditions in the textile 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

  
Administrator, Wage and Hour  
Division, Department of Labor.

Washington, D. C.  
September 13, 1938.

U.S. DEPARTMENT OF LABOR  
WAGE AND HOUR DIVISION  
Washington

September 13, 1938.

Mr. Donald M. Nelson, Chairman  
Industry Committee No. 1  
Wage and Hour Division  
Department of Labor  
Washington, D. C.

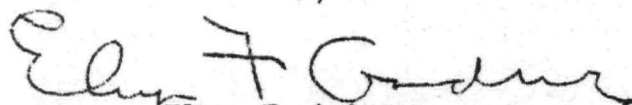
Dear Mr. Nelson:

I am considering the advisability of adding to the jurisdiction of Industry Committee No. 1 established in Administrative Order No. 1 (Wage and Hour Division, Department of Labor) by amending the definition of "textile industry" to include:

- (a) The manufacture and finishing of such yarn and woven goods with such percentage of wool fibre, as is so closely related to the operations listed in Order No. 1 as to require similar and simultaneous treatment to avoid conferring competitive advantage and to secure, insofar as practicable, reasonably related minimum wages within the establishment; and
- (b) Such further processing of woven or knitted fabrics enumerated in the Order of September 13 as is substantially conducted in establishments which are also engaged in the weaving or knitting of fabrics, excepting knitted outerwear such as dresses, suits, overcoats and sweaters, and as may be included with the least disturbance of competitive relationships.

Because of the difficulty of drawing a definition that will achieve these objectives, I desire advice and recommendations from the Committee as to the form this definition should take. A memorandum setting forth the problems which should be considered by the Committee in connection with this definition will be submitted to you.

Sincerely,

  
Elmer F. Andrews,  
Administrator