

THE BROOKINGS INSTITUTION
PAMPHLET SERIES

No. 16

HOURS AND WAGES
PROVISIONS IN NRA CODES

A Compilation Organized
BY
LEON C. MARSHALL

THE BROOKINGS INSTITUTION
WASHINGTON, D.C.

1935

COPYRIGHT, 1935, BY
THE BROOKINGS INSTITUTION

Set up and printed

Published January, 1935

All rights reserved including the right of reproduction in whole
or in part in any form

Printed in the United States of America
George Banta Publishing Company
Menasha, Wisconsin

per week and an unlimited number of hours per day. An entry followed by either one or two single daggers has the same meaning as in Column 8.

Column 15 shows the *number* of other periods in which elasticity of hours is granted. For example, in more than a score of instances elasticity is given while financial reports are being made up or inventory taken; in more than half a hundred instances other emergencies than those which could be characterized as repair and maintenance emergencies are allowed for; then too, there are scattering types of excepted periods related to the special needs or techniques of particular industries. In general, these excepted periods entered in Column 15 do not provide large amounts of elasticity.

Columns 16 to 20, inclusive, mark the type of elasticity which results from excepting certain types of employees from the general hours provisions of the code—this not in terms of excepted periods but as a normal situation. Three classes of occupations (executives and supervisors, outside salesmen, and watchmen) so characteristically fall into the list of excepted occupations that each is given a separate column and the entries indicate the maximum hours permitted these groups of employees. Executives, supervisors, and outside salesmen are typically permitted to work unlimited hours while watchmen usually work 56 hours per week, or have no limit set. Usually the unlimited hours of executives and supervisors apply only to those who receive a salary of \$35 or more per week. When this salary limitation is omitted from the clause (and the unlimited hours thus apply to *all* executives and supervisors), the entry is followed by a double dagger.

Column 19 indicates for the code concerned the number of other excepted occupations. Among the more frequent of these exceptions are firemen, with approxi-

mately 300 instances;⁵ electricians, with nearly 300 instances; engineers, with more than 250 instances; delivery men with approximately 250 instances; shipping and stock employees with more than 150 instances; office and clerical workers, with about 300 instances; repair and maintenance employees, with approximately 200 instances; and continuous process operators, scarce or skilled or key workers, cleaners or janitors, each appearing in something over a score of instances. When Column 19 shows a large number of other excepted occupations, it is likely to be a case of a somewhat detailed classification of a relatively small number of broad groups of workers.

Column 20 shows the number of instances in which overtime rates are paid in the case of these excepted occupations. Almost invariably the rate applied is that indicated in Column 9. As is to be expected, an overtime rate is relatively seldom used for office and clerical workers, watchmen, outside salesmen, executives and supervisors, shipping and stock employees. On the other hand, an overtime rate is used with much more frequency for repair and maintenance workers, electricians, or engineers.

Column 21 reflects the frequent use of a provision in the codes which reads somewhat as follows: "No provision hereof shall supersede any state or federal law which imposes on employers more stringent requirements as to age of employees, wages, hours of work, safety, health and sanitary conditions, insurance, fire protection, or general working conditions than are imposed in this code."

Column 22 records the number of times that other special clauses primarily relating to hours are used in the

⁵ The number of instances given in this paragraph has reference to the first 500 codes and their supplements.