



NATIONAL RECOVERY ADMINISTRATION

CODE OF FAIR COMPETITION

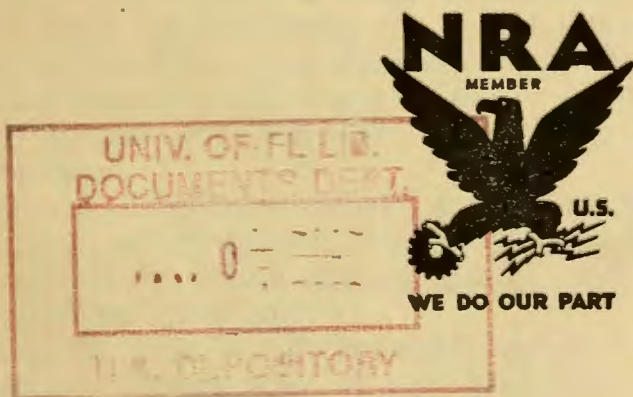
FOR THE

SPAT MANUFACTURING
INDUSTRY

AS SUBMITTED ON AUGUST 22, 1933

REGISTRY No. 216—08

The Code for the Spat Manufacturing Industry
in its present form merely reflects the proposal of the above-mentioned
industry, and none of the provisions contained therein are
to be regarded as having received the approval of
the National Recovery Administration
as applying to this industry



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CODE OF FAIR COMPETITION FOR THE SPAT MANUFACTURING INDUSTRY

ARTICLE I—PURPOSES

SECTION 1. To cooperate with the President of the United States in effectuating the Policy of Title I of the National Industrial Recovery Act, the following provisions are submitted as a code of Fair Competition for the Industry.

SEC. 2. This code is not designed to promote or permit monopolies, or monopolistic practices, eliminate or oppress small enterprises, or operate to discriminate against them, and shall tend to effectuate the policy of the National Industrial Recovery Act.

ARTICLE II—ADMINISTRATION

SECTION 1. The National Spat Manufacturers Association being organized will be a truly representative group of the Industry and shall be the Cooperative Body for said Industry to assist in establishing regulations, and administering this Code, subject to the approval, and with the Cooperation of the President of the United States or such Agencies as he may establish.

SEC. 2. The National Spat Manufacturers Association imposes no inequitable restrictions on admission to membership therein.

ARTICLE III—CONDITIONS

SECTION 1. That employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.

SEC. 2. That no employee and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing, or assisting a labor organization of his own choosing.

SEC. 3. That employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment, approved or prescribed by the President of the United States.

SEC. 4. The foregoing paragraph of this article shall not impair the constitutional rights of the employee and employer to bargain individually or collectively as may be mutually satisfactory to them, or to operate an open shop.

SEC. 5. Nothing in this Code shall be construed to require an employer to negotiate with a representative of employees who is not truly representative of the whole body of said employees.

ARTICLE IV—HOURS AND RATES OF PAY

SECTION 1. The maximum hours of labor, excepting outside salesmen, watchmen, repairmen, engineers, firemen, cleaners, shipping office, and supervisory staffs, shall be two thousand and eighty hours per year on the basis of 40 hours per week: *Provided*, That during seasonal peaks of demand, labor may be employed not to exceed fifty-four hours per week, in not more than twelve weeks of any year.

In case of accident or emergency, or to avoid shortage of work or interruption of employment to the bulk of employees, labor may be employed on special processes for a greater number of hours if less than 5 percent of the total number of employees is involved.

SEC. 2. Minimum wages of labor shall be on an hourly basis at the following rates per week of forty hours, and time employed shall be computed on this basis.

In municipalities of population at latest Federal Census of 250,000 and more, unskilled females \$12, and unskilled males \$14.

In municipalities of population of more than 10,000 and under 250,000, unskilled females \$11, and unskilled males \$13.

Provided however, that for apprentices of one month or less, the minimum rate of pay may be 25% less than the foregoing rates, and that employers and employees may make mutually satisfactory wage agreements covering the employment of the infirm, partially disabled, or physically handicapped employees, if such employees do not constitute more than five (5%) percent of the total number of employees.

SEC. 3. The foregoing minimum wage rates are not a discrimination by reason of sex; but because of the difference in the work of the Industry. When women do the same kind and amount of work they shall receive the same rates of wages.

SEC. 4. Wherever wage is paid on piece work basis, the amount to be paid to employee for such work on an hourly basis shall be not less than at the rate of the minimum weekly rates for forty hours provided in Section 2 of this article.

SEC. 5. Employers in the Industry shall not knowingly employ any minor under the age of sixteen years.

ARTICLE V—REPORTS AND KEEPING OF ACCOUNTS

SECTION 1. The cooperative Body for the Industry is authorized to require manufacturers to submit such reports as it shall consider necessary to effectuate and safeguard this code, and shall make such reports, and keep such accounts, as the President of the United States in his discretion deems necessary, as provided in the National Industrial Recovery Act. Failure on the part of any manufacturer in the Industry promptly to supply such information as required under this article shall be in violation of this code.

SEC. 2. The cooperative body is authorized to investigate and inform the Administrator on behalf of the Industry regarding importation of competitive articles into the United States and to act as an agency for making reports to the President on behalf of the Industry, under the provisions of the National Industrial Recovery Act.

ARTICLE VI—TRADE REGULATIONS

SECTION 1. Misbranding and Misleading advertising: a. Misbranding of products, including use of names of manufacturers, wholesalers, or retailers in or on products or cartons not made by them or for them is unfair and in violation of this code.

b. Advertising of such character as to mislead, with respect to value, quality, or manufacturer, or construction of products, is unfair and in violation of this Code.

c. The imitation, simulation, or use of trade marks, slogans, or other marks of identification having tendency and capacity to mislead or deceive purchasers is unfair and in violation of this code.

d. Contributions by manufacturers of all or part of the cost of customer's advertising, where the manufacturer's name or trade mark does not appear in such advertising, is in violation of this Code.

SEC. 2. Selling Below Cost and Cost Accounting: The practice of selling below cost is detrimental to the industry; and each manufacturer shall submit upon request a statement from a certified public accountant recognized by the Cooperative Body for the Industry as qualified, to the effect that such manufacturer has a proper cost-accounting system, which statement, however, may not be accepted as final by the Cooperative Body, either as to Cost Accounting or as to Selling Below Cost.

SEC. 3. Maximum Trade Terms for Domestic Business: a. Selling wholesalers, department stores, retailers, and others in the trade, on a net basis or with cash discounts is permissible, but in no case shall a discount in excess of two percent ten days E.O.M. be allowed for payment of bills within thirty days. Fifteen days additional to be allowed West of the Rocky Mountains.

b. At the expiration of 30 days, no cash discounts shall be allowed.

c. Such terms shall not be subverted or evaded directly or indirectly through allowances, trade discounts, or rebates of any kind.

ARTICLE VII—CHANGES AND MODIFICATIONS

This Code, or any of its provisions, is subject to change and modification by the Board of Directors of the Cooperative Body and may be amplified by the Addition of other provisions, with the approval of the President of the United States, and the President of the United States may from time to time cancel or modify any order, approval, license, rules or regulations, issued hereunder or under the National Industrial Recovery Act.

ARTICLE VIII—DATE EFFECTIVE

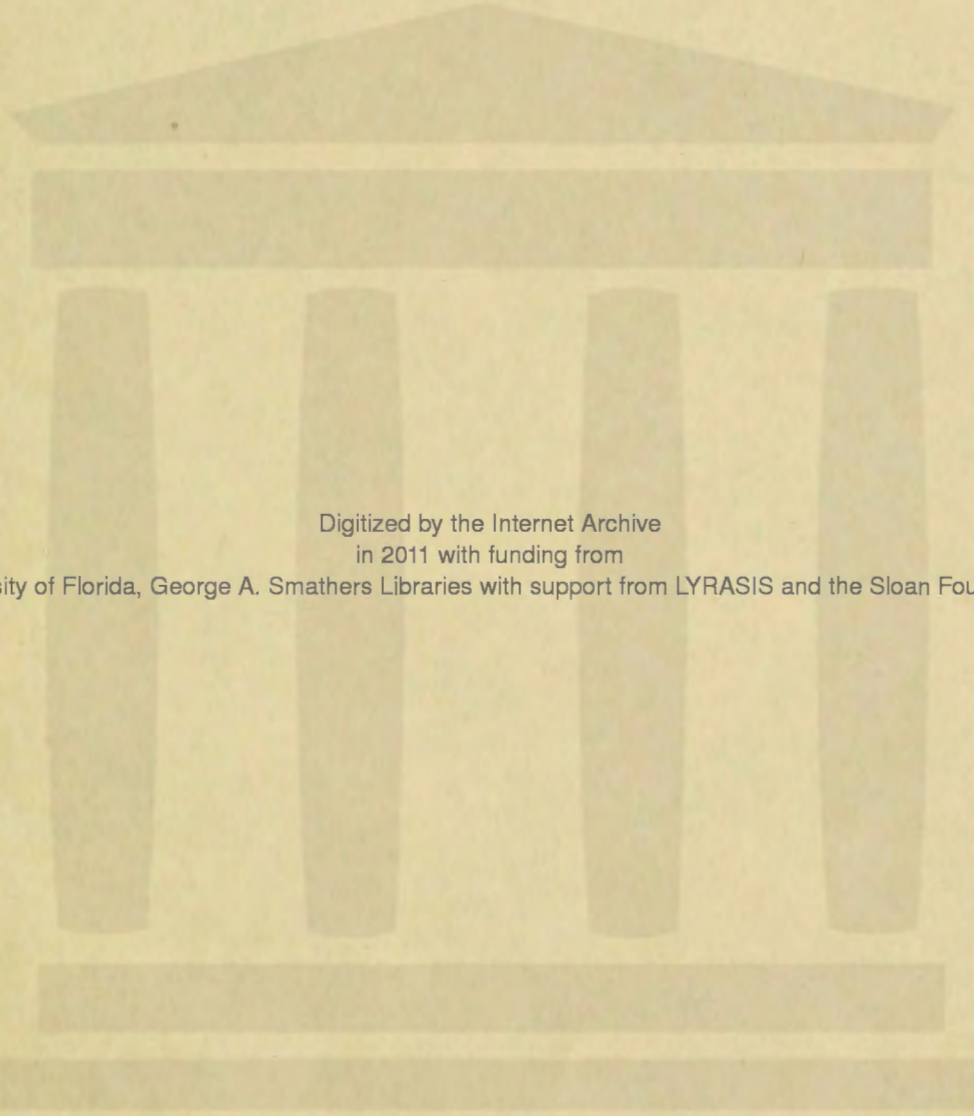
This code shall be and become effective immediately upon the expiration of ten days after approval by the President of the United States; and shall terminate upon termination of Title I of the National Industrial Recovery Act.

ARTICLE IX—SEPARABILITY CLAUSE

If any provisions of this Code, or its application, is held invalid or unenforceable, the remaining provisions of the Code and their application shall not be affected thereby.

NATIONAL SPAT MFG. ASSN.,
By NORMAN F. CANTY,
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