

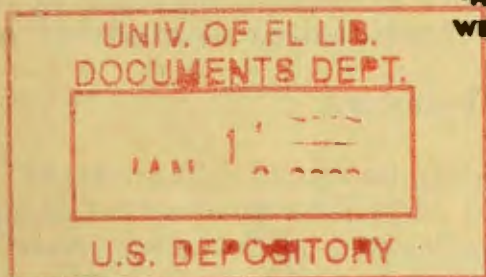
NATIONAL RECOVERY ADMINISTRATION

PROPOSED CODE OF FAIR COMPETITION

FOR THE

PHOTO-LITHOGRAPHING
INDUSTRY

Revised For Public Hearing
AS SUBMITTED ON SEPTEMBER 6, 1933



The Code for the Photo-Lithographing 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*

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1933

SUBMITTED BY
NATIONAL ASSOCIATION OF PHOTO-LITHOGRAPHERS
(II)



CODE UNDER THE INDUSTRIAL RECOVERY ACT OF THE NATIONAL ASSOCIATION OF PHOTO-LITHOGRAPHERS COMPOSED OF CONCERNS OPERATING PHOTO-LITHO- GRAPHING PLANTS.

Hereinafter wherever used in this Code, the term:

1. Act—shall mean “Industrial Recovery Act.”
2. Association—shall mean “National Association of Photo-Lithographers.”
3. Board—shall mean “Board of Directors of the National Association of Photo-Lithographers.”
4. Code—shall mean “Code of the Photo-Lithographing industry.”
5. Industry—shall mean “All plants engaged in whole or in part in photo-lithographing.”

ARTICLE I—PURPOSE

This Code is set up by concerns engaged in the operation of Photo-Lithographing plants, who are members of the National Association of Photo-Lithographers, unincorporated, for the purpose of effectuating within the Photo-Lithographing Industry, the policy of title I and cooperating in every way with the intent and purpose of the Industrial Recovery Act, signed the 16th day of June 1933, and the regulations promulgated thereunder. It is not designed to promote monopolies or eliminate or oppress small enterprises or to discriminate against them.

ARTICLE II—PARTICIPATION

Participation in the administration of this Code or in any subsequent revision or additions to this Code shall be extended to any person, partnership, association, and/or corporation, engaged in the operation of any plant of which the product is totally or in part that of Photo-Lithography, subscribing to this Code and willing to accept his or its share of the cost and responsibility, as well as the benefit of such participation, by becoming a member of the Association.

Any concern engaged in the operation of a Photo-Lithographing plant, now in existence or hereafter engaging in the operation of such a plant, shall be eligible to membership in the Association on the same basis as the present membership, and as set forth in the Constitution and Bylaws of the Association, submitted herewith.

The Autonomy of present local and regional Photo-Lithographing associations, groups, or any new associations or groups desiring to affiliate with this association is recognized.

ARTICLE III—LABOR CODE

A. (1) Employees in the Industry shall have the right to organize and bargain collectively through representatives of their own choos-

ing, 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;

(2) 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, or organizing or assisting a labor organization of his own choosing; and

(3) 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.

B. Attached hereto and made a part hereof and marked Schedule A is the designated maximum hours of labor, and the designated minimum wage per hour to be paid in the Industry and the exceptions thereto, which are to be declared in effect as hereinafter provided.

C. It is clearly understood that the foregoing does not impair in any particular constitutional rights of the employee and employer to bargain individually or collectively as may be mutually satisfactory to them and nothing in this Code will prevent the selection, retention, or advancement of any employee on the basis of his individual merits without regard to his affiliation or nonaffiliation with any labor or employee organization.

D. The Industry shall abide by all Federal, State, and Municipal laws and ordinances affecting the health and safety of workers in the locality where they are employed, and shall not employ any minor under the age of 16 years.

E. The Industry shall not use any subterfuge to frustrate the spirit and intent of this Code which is, among other things, to increase employment by a universal covenant, to remove obstructions to commerce, and to shorten hours and to raise wages for the shorter week to a living basis.

SCHEDULE A

MAXIMUM HOURS PER WEEK, 40

No member of the Industry shall cause or permit any factory, office, or branch employee to work more than an average of 40 hours per week in any 8 weeks' period.

The maximum hours fixed in the above paragraph shall not apply to highly skilled technicians, where restriction of hours would unavoidably reduce production, in such special cases not less than time and third time shall be paid for hours worked in excess of the maximum. Nor shall the maximum hours apply in the case of executives, supervisors, and their immediate assistants, who perform no mechanical operations, outside salesmen, watchmen, repairmen, and service men.

MINIMUM RATE PER HOUR FOR FACTORY EMPLOYEES, \$.40

The minimum rate of pay for any factory or mechanical worker or artisan shall be not less than .40 per hour, unless the hourly rate for the same class of work on July 15, 1929, was less than .40 per hour, in which latter case not to pay less than the hourly rate on July 15, 1929, and in no event less than .30 per hour. It is agreed that this paragraph establishes a guaranteed minimum rate of pay regardless of whether the employee is compensated on the basis of a time rate or on a piecework performance.

There shall be prepared and compiled by the Board, a schedule of the minimum rates per hour paid to all factory workers, mechanical workers, and artisans in accordance with the standard classification of the various types of labor employed in the Industry, to be submitted to the President of the United States for approval not later than thirty days after the approval of this Code by the President of the United States.

MINIMUM RATES PER WEEK FOR ACCOUNTING, CLERICAL, OFFICE, SERVICE, AND SALES EMPLOYEES

The minimum rate of pay for accounting, clerical, office, service, or sales employees shall be not less than \$15.00 per week in any city of over 500,000 population, or in the immediate trade area of such city; nor less than \$14.50 per week in any city of between 250,000 and 500,000 population, or in the immediate trade area of such city; nor less than \$14.00 per week in any city of between 2,500 and 250,000 population, or in the immediate trade area of such city; and in towns of less than 2,500 population to increase all wages by not less than 20 percent, provided that this shall not require wages in excess of \$12.00 per week.

ARTICLE IV—RULES OF UNFAIR COMPETITION

Attached hereto and made a part hereof marked Schedule B are the rules having to do with unfair competition in this Industry.

These rules are subject to additions, modifications, or enlargement by the Board within the terms of the Act, and the regulations promulgated thereunder.

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SCHEDULE B

RULES OF UNFAIR COMPETITION

The giving or accepting directly, or indirectly, of any secret rebates, special rebates, secret refunds, and/or allowances, in connection with the production and sale of Photo-Lithography, is prohibited.

The giving, quoting, or making of any prices to brokers, agents, distributors, or any other intermediate type of selling agency, lower than the prices included in the minimum price schedule filed with the Secretary, is prohibited.

(5)

ARTICLE V—ADMINISTRATION OF THE CODE

The Board is authorized and empowered to make the necessary rules and regulations to administer the provisions of this Code, to secure adherence thereto, to hear and adjust complaints, and otherwise to carry out the purposes of the Act and the regulations thereunder.

The Secretary shall receive complaints of any violation of this Code and forthwith make a full and complete investigation of such complaints, and to the best of his ability adjust and settle between the interested parties any and all matters in controversy. He shall make a report of all adjustments and settlements to the Board for its approval.

Wherever under any provision of this Code, the Board is authorized or required to act in any matter whatsoever, unanimous decision of the Board or of the members of said Board present at any meeting held after due notice (not less than a quorum), shall be final and conclusive, unless after notice of such decision any member or members of the Industry feeling aggrieved thereby, shall, within ten days, but not thereafter, notify the Association of its or their desire to arbitrate, in which event the matter in controversy shall then be submitted to arbitration according to the Standard Arbitration Clause of the State of New York. Resort to arbitration shall be held to be in addition to and not in substitution of any other or further rights which the aggrieved parties may have under the Act and the Regulations promulgated thereunder.

ARTICLE VI—STATISTICAL

With a view to keeping the President of the United States and the members of the Industry informed as to the observance or non-observance of this Code and as to whether the Industry is taking appropriate steps to effectuate the declared policy of the Act, each member of the Industry shall file in the Secretary's office such duly certified statistical reports at such time, in such form, and for such periods as may be required by the President of the United States or the Board. Any such information filed by the individual members of the Association shall be confidential in the Secretary's office except as such information becomes an unidentified part of a general compilation or report by the Secretary or in the event the President of the United States shall require the publication thereof, or the information evidences a breach of the Code, in which event the matter shall be brought to the attention of the reporting member and referred to the Board for its action.

ARTICLE VII—OPEN PRICE DATA

Each member of the Industry shall, within ten days after the effective date of the Code, file with the Secretary a minimum price schedule for all its Photo-Lithographing products and/or operations as required by the Board, including discounts, allowances, terms, and all conditions of sale and from and after expiration of such ten days such member shall at all times maintain on file with the Secretary such minimum price schedule for all its Photo-Lithographing products and/or operations, and shall not sell below and shall not make any change in such price schedule, except as herein provided.

The date of filing shall be the effective date of the first price schedule. Any member of the Industry desiring to change such price schedule shall file a revised price schedule with the Secretary, which shall become effective not less than ten days after and exclusive of the date of filing thereof (Sundays and holidays excluded). All price schedules so filed shall be open to inspection by all members of the Industry at all times.

All prices set out in the minimum price schedule filed with the Secretary shall be based upon and justified by a standard cost finding system approved by the members of the Association.

ARTICLE VIII—CHANGES IN CODE

The provisions of this Code may be changed at any time by the members of this Association, in a meeting called and assembled in accordance with the Constitution and By-Laws of the Association; or upon the written request of ten members of the Industry; provided the changes made are within the purview of the Act, and the regulations promulgated thereunder, and are approved by the President of the United States.

ARTICLE IX—LAW OF INDUSTRY

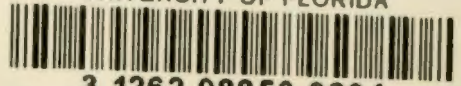
The foregoing Code prepared and filed under the Act shall become the law of the Industry fifteen days after approval by the President of the United States. On and after the effective date, all members of the Industry shall operate under the provisions of this Code.

GEO. E. LODER,
President.

LOUIS B. MONTFORT,
Secretary.

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