

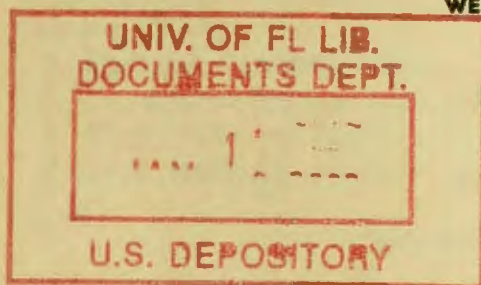
NATIONAL RECOVERY ADMINISTRATION

PROPOSED CODE OF FAIR COMPETITION

FOR THE

**PATTERN MANUFACTURING
INDUSTRY**

AS SUBMITTED ON AUGUST 31, 1933



**The Code for the Pattern 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***

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1933

SUBMITTED BY
NATIONAL ASSOCIATION OF PATTERN MANUFACTURERS
(II)



A CODE OF FAIR COMPETITION FOR THE PATTERN MANUFACTURING INDUSTRY

ARTICLE 1—PURPOSE

This Code is set up for the purpose of complying with the intent of Title I of the National Industrial Recovery Act, that of increasing employment, establishing fair and adequate wages, effecting necessary reduction of working hours, improving labor standards, and eliminating unethical and unfair trade practices that have existed heretofore in the Pattern Manufacturing Industry, thus enabling the Industry to function unselfishly for the best public interest in strict adherence to the law.

It is the avowed intention of the Pattern Manufacturing Industry to establish, insofar as may be practical, the rates of wages paid within the Pattern Manufacturing Industry, to such a level as is essential to maintain the highest practical standard of living; to restore the income of enterprises within the Industry to levels that will make possible the payment of such wages, eliminating the further depletion and destruction of capital assets; and from time to time to revise the rates of wages in such manner as will currently reflect the equitable adjustment to variations in the cost of living.

No provision in this Code shall be interpreted or applied in such manner as to:

1. Promote monopolies.
2. Permit or encourage unfair competition.
3. Eliminate or oppress small enterprises.
4. Discriminate against small enterprises.

ARTICLE II—DEFINITION

For the purpose of the administration of this Code the term Pattern Manufacturer is a person, partnership, association, or corporation, or any subdivision thereof engaged in the manufacture of models, patterns, or permanent molds of metal or wood, or compositions of other materials, to be used in the manufacture of castings of any description.

ARTICLE III—PARTICIPATION

Participation in this Code, and any subsequent revision of or addition to this Code, shall include each and every person, partnership, association, or corporation in the Pattern Manufacturing Industry, and he shall accept his share of the cost and responsibility, as well as the benefit of such participation either by becoming a member of

the National Association of Pattern Manufacturers or by paying his proportionate share, calculated on an equal basis with the dues paid by the members of the National Association of Pattern Manufacturers.

In the event that the expenses necessary for the administration of this Code shall exceed or fall below the total amount received on the foregoing basis, the National Executive Board of the National Association of Pattern Manufacturers shall have the power to increase or reduce the fees so levied.

ARTICLE IV—LABOR CODE

As required by Section 7-A of Title I of the National Industrial Recovery Act, the following provisions are effective until the expiration of this act.

SECTION 1. 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. No employee and no one seeking employment shall be required as a condition of employment to join any company union, or refrain from joining, organizing, or assisting a labor organization of his own choosing.

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

SEC. 4. Without in any way attempting to qualify or modify, by interpretation, the foregoing requirements of the National Industrial Recovery Act, employers in this industry may exercise their right to select, retain, or advance employees on the basis of individual merit, without regard to their membership or nonmembership in any organization.

SEC. 5. That in all matters pertaining to proposed changes relative to maximum hours of labor, minimum rates of pay, and other conditions of employment, the National Executive Board before committing the National Association of Pattern Manufacturers, shall take a letter ballot from all members of the Industry and shall abide by the majority vote of such ballot.

SEC. 6. The maximum workweek in manufacturing operations in the Pattern Manufacturing Industry shall be as follows:

For all workers, including owners of businesses, engaged in productive labor, except supervisory staff, millwrights, electricians, repair crews, engineers, firemen, sales and office force, clerks, shippers, drivers, and watchmen, unless they are engaged in making of products covered in Article II, shall be forty (40) hours: *Provided, however,* That these limitations shall not apply to those branches of the Pattern Manufacturing Industry in which seasonal or peak demand places an unusual and temporary burden for production upon such branches; in such cases no employee shall be permitted to work more than an aggregate of one hundred forty-four (144) hours per year in excess of the limitations hereinbefore provided,

and provided further that such limitations shall not apply in cases of emergency. At the end of each calendar month, every employer shall report to the National Executive Board of the National Association of Pattern Manufacturers in such detail as may be required, the number of man-hours worked in that month for emergency reasons, and the ratio which said emergency man-hours bears to the total number of man-hours of labor during said month.

SEC. 7. The minimum wage for skilled wood and metal pattern makers, who have worked at least five (5) years at their trade, shall be at the rate of seventy-five (75) cents per hour. This rate shall not be construed as affecting apprentices, who shall be considered students acquiring a trade education, the term of which shall be five years.

SEC. 8. No employer shall enroll more than one apprentice for every five skilled pattern makers or fraction thereof.

SEC. 9. No employee in the Pattern Manufacturing Industry shall be less than sixteen years of age.

ARTICLE V—COST ACCOUNTING AND STATISTICAL CODE

A uniform system of cost accounting shall be adopted by the Pattern Manufacturing Industry in order to readily determine the sale price as is covered in Article VI, and to easily compile statistical statements that will be required from time to time.

ARTICLE VI—MARKETING CODE

SECTION 1. All parties to this Code engaged in the manufacture of the products covered in Article II, shall not sell the said products for less than cost, the cost being calculated according to the following formula: Productive labor, plus a burden charge of at least one hundred (100) percent of the productive labor, plus cost of materials written up ten (10) percent.

SEC. 2. Manufactured products covered by Article II of this Code, produced by a party to this Code in an industry foreign to the Pattern Manufacturing Industry, shall charge either customers or other departments for such products on the basis as described in Section 1 of this Article.

ARTICLE VII—INDUSTRIAL REGULATIONS

SECTION 1. The giving of secret rebates, refunds, special services, or privileges shall be considered unfair competition.

SEC. 2. Willful or malicious defamation of competitors or the disparagement of competitors' products or prices is unfair competition.

SEC. 3. Commercial bribery in the form of gratuities to anyone, or the offering of rewards or premiums to purchasers of products as defined in Article II is unfair competition.

SEC. 4. Terms exceeding 2%—10 days, 30 days net, is unfair competition.

SEC. 5. The act of post-dating invoices later than the date of delivery is unfair competition.

SEC. 6. It shall be unfair competition for any Pattern Manufacturer to sublet pattern work to any employee.

SEC. 7. The renting of shop space and privilege to use machinery and equipment to anyone for the purpose of manufacturing the products covered in Article II for resale is unfair competition.

SEC. 8. It shall be unfair competition for any member of the Industry to withhold pay due his employees beyond the date of each regular payday unless such action is made necessary by unforeseen circumstances wholly beyond the control of the employer.

SEC. 9. Violation by any manufacturers of the Pattern Manufacturing Industry of this Code or of any of the approved rules thereunder is unfair competition.

ARTICLE VIII—ADMINISTRATION OF CODE

SECTION 1. The National Executive Board of the National Association of Pattern Manufacturers with the addition of the appointed representatives of the Federal Administration, who will only have veto power, shall be charged with the enforcement of the provisions of this Code and with the duties, through agents or otherwise, of hearing and adjusting complaints, considering proposals for amendments and making recommendations therein, approving recommendations for exceptions to the provisions contained in this Code, and otherwise administering its provisions. In addition, it shall have the power to require from time to time such reports and statistical data from the industry as in its judgment may be necessary to advise adequately on the administration and enforcement of the provisions of this Code, the said information to be held in strict confidence except in the instance of a violation of this Code.

SEC. 2. This code or any of its provisions may be cancelled or modified, and any approved rule issued thereunder shall be ineffective to the extent necessary to conform with any action by the President of the United States under Section 10(b), of the National Industrial Recovery Act.

SEC. 3. This Code shall be in effect on the tenth day after its approval by the President of the United States.

I, or we, hereby approve this Code for the Pattern Manufacturing Industry as submitted by the National Association of Pattern Manufacturers and agree to abide by its provisions as approved by the President of the United States.

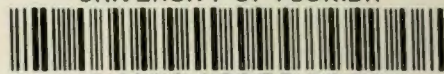
NATIONAL ASS'N. OF PATTERN MANUFACTURERS,
By RUSSELL W. HEDSTROM, *Secretary-Treasurer.*



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