

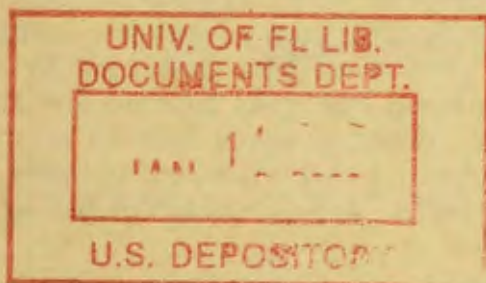
NATIONAL RECOVERY ADMINISTRATION

**AMENDMENT TO
CODE OF FAIR COMPETITION**


FOR THE

**KNITTING, BRAIDING AND
WIRE COVERING MACHINE
INDUSTRY**

AS APPROVED ON FEBRUARY 17, 1934



**UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1934**



This publication is for sale by the Superintendent of Documents, Government Printing Office, Washington, D.C., and by district offices of the Bureau of Foreign and Domestic Commerce.

DISTRICT OFFICES OF THE DEPARTMENT OF COMMERCE

Atlanta, Ga.: 504 Post Office Building.
Birmingham, Ala.: 257 Federal Building.
Boston, Mass.: 1801 Customhouse.
Buffalo, N.Y.: Chamber of Commerce Building.
Charleston, S.C.: Chamber of Commerce Building.
Chicago, Ill.: Suite 1706, 201 North Wells Street.
Cleveland, Ohio: Chamber of Commerce.
Dallas, Tex.: Chamber of Commerce Building.
Detroit, Mich.: 801 First National Bank Building.
Houston, Tex.: Chamber of Commerce Building.
Indianapolis, Ind.: Chamber of Commerce Building.
Jacksonville, Fla.: Chamber of Commerce Building.
Kansas City, Mo.: 1028 Baltimore Avenue.
Los Angeles, Calif.: 1163 South Broadway.
Louisville, Ky.: 408 Federal Building.
Memphis, Tenn.: 229 Federal Building.
Minneapolis, Minn.: 213 Federal Building.
New Orleans, La.: Room 225-A, Customhouse.
New York, N.Y.: 734 Customhouse.
Norfolk, Va.: 406 East Plume Street.
Philadelphia, Pa.: 422 Commercial Trust Building.
Pittsburgh, Pa.: Chamber of Commerce Building.
Portland, Oreg.: 215 New Post Office Building.
St. Louis, Mo.: 506 Olive Street.
San Francisco, Calif.: 310 Customhouse.
Seattle, Wash.: 809 Federal Office Building.

Approved Code No. 32—Amendment No. 1

AMENDMENT TO CODE OF FAIR COMPETITION
FOR THE
KNITTING, BRAIDING AND WIRE COVERING
MACHINE INDUSTRY

As Approved on February 17, 1934

ORDER

APPROVING AMENDMENT OF AND ADDITION TO CODE OF FAIR COMPETITION FOR THE KNITTING, BRAIDING AND WIRE COVERING MACHINE INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I, of the National Industrial Recovery Act, approved June 16, 1933, for approval of Amendments and Additions to a Code of Fair Competition for the Knitting, Braiding and Wire Covering Machine Industry, and hearings having been duly held thereon and the annexed report on said Amendments and Additions, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order No. 6543-A, dated December 30, 1933, and otherwise; do hereby incorporate, by reference, said annexed report and do find that said Amendments and Additions and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and do hereby order that said Amendments and Additions be and they are hereby approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as amended, such approval and such Amendments and Additions to take effect ten (10) days from the date hereof.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

W. A. HARRIMAN,
Division Administrator.

WASHINGTON, D.C.,
February 17, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on the Amendments and Additions to the Code of Fair Competition for the Knitting, Braiding and Wire Covering Machine Industry and Trade as revised after a Public Hearing conducted in Washington on December 29, 1933, in accordance with Article X of said Code as approved on October 3, 1933.

The Amendments and Additions pertain to the inclusion of the manufacturers of knitting machine needles and the importers and distributors of the products covered by the Code within the original Code.

PROVISIONS AS TO HOURS AND WAGES

By agreement between the representatives of the Industry and of Labor certain changes have been made in the provisions as to hours as stipulated in the original Code. Employees are now limited to eight hours per day and forty hours per week with provision for forty-eight hours per week in any eight weeks in any six month period to cope with peak demands. Time and a half is paid to hourly rated employees for all hours worked over eight hours per day and forty hours per week. Watchmen are now limited to forty-eight hours per week.

No change has been made in the minimum rate of forty cents per hour in the original Code but an amendment provides that female employees in the Needle Manufacturing Division only shall be paid at the rate of not less than thirty-five cents per hour. Such female employees, however, shall receive the same rates as male employees when employed on similar work.

Provision is made for the employment on light work at a wage below the minimum of persons whose earning capacity is limited because of age or physical or mental handicap. Each employer will file with the Code Authority a list of all such persons employed by him.

FINDINGS

The Deputy Administrator in his final report to me on said Amendments and Additions to said Code having found as herein set forth and on the basis of all the proceedings in this matter:

I find that:

(a) The Amendments and Additions to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and

maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7 and Subsection (b) of Section 10 thereof.

(c) The Knitting, Braiding and Wire Covering Machine Industry and Trade Association was and is an industrial and trade association truly representative of the aforesaid Industry and Trade and that said association imposed and imposes no inequitable restrictions on admission to membership therein and has applied for or consents to these Amendments and Additions.

(d) The Amendments and Additions and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The Amendments and Additions and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said Amendments and Additions.

For these reasons, these Amendments and Additions have been approved by me.

Respectfully,

HUGH S. JOHNSON,
Administrator.

FEBRUARY 17, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE KNITTING, BRAIDING AND WIRE COVERING MACHINE INDUSTRY

PURPOSE

Pursuant to Article X of the Code of Fair Competition for the Knitting, Braiding and Wire Covering Machine Industry, duly approved by the President on October 3, 1933, and further to effectuate the policies of Title I of the National Industrial Recovery Act, the following amendments and additions are established as a part of said Code of Fair Competition and shall be binding upon every member of the Knitting, Braiding and Wire Covering Machine Industry and Trade:

AMENDMENT NO. 1

TITLE

Title amended to read as follows:

"Code of Fair Competition for the Knitting, Braiding and Wire Covering Machine Industry and Trade.

"As submitted by the Association of the Knitting, Braiding and Wire Covering Machine Industry and Trade."

AMENDMENT NO. 2

ARTICLE I—PURPOSE

Article I amended to read as follows:

"To effectuate the policy of Title I of the National Recovery Act, during the period of the emergency, by reducing and relieving unemployment, improving the standards of labor, eliminating competitive practices destructive of the interests of the public, employees and employers and otherwise rehabilitating the Knitting, Braiding and Wire Covering Machine Industry and Trade, the following provisions are established as a Code of Fair Competition for this Industry and Trade:"

AMENDMENT NO. 3

ARTICLE II—DEFINITIONS

First Paragraph amended to read as follows:

"The term 'Knitting Machine Industry', as used herein, is defined to mean and include the business of manufacturing knitting machines, needles, parts, equipment, supplies and accessories used in these machines."

Second Paragraph amended to read as follows:

"The term 'Braiding and Wire Covering Machine Industry', as used herein, is defined to mean and include the business of manufacturing braiding and wire covering machines, parts, equipment, supplies and accessories used in these machines."

New Fourth Paragraph inserted to read as follows:

"The term 'Trade' means and includes the business of selling knitting, braiding and wire covering machines, needles, parts, equipment, supplies, accessories or service."

Present Fourth Paragraph amended to read as follows:

"The term 'employee', as used herein, includes any person engaged in any phase of the Industry and Trade, in any capacity, in the nature of employee irrespective of the method of payment of his compensation."

AMENDMENT NO. 4

ARTICLE III—PARTICIPATION

Article III amended to read as follows:

"Any employer may participate in the endeavors of the Association of the Knitting, Braiding and Wire Covering Machine Industry and Trade relative to the administration of, revisions of or additions to this Code by accepting his proper pro rata share of the cost and responsibility of administering the Code, either by becoming a member of the said Association or by paying to the Code Authority, referred to in Article IV, his proper pro rata share of the cost of administering the Code. There shall be no inequitable restrictions upon admission to membership in the Association."

AMENDMENT NO. 5

ARTICLE IV—ADMINISTRATION

Article IV amended to read as follows:

"To effectuate the policies of the Act, a Committee is hereby designated to cooperate with the Administrator as a Planning and Fair Practice Agency for the Industry and Trade. This Committee shall be known as the 'Code Authority' and shall consist of seven (7) members duly elected at a regular meeting of the Association, as prescribed in Article 8 of the Association's By-Laws. The Administrator may also appoint one (1) to three (3) members of this Agency to serve without vote. Such Agency shall collect necessary and pertinent information relative to the operation of this Code and shall from time to time present to the Administrator recommendations based on conditions in the Industry and Trade as they may develop which will tend to effectuate the operation of the provisions of this Code and the policy of the National Industrial Recovery Act. All action taken by this Agency shall be subject to the approval of the Administrator."

AMENDMENT NO. 6

ARTICLE V—LABOR REGULATIONS

Section (a) amended to read as follows:

"(a) Employers in this Industry and Trade shall comply with the following requirements of Section 7 (a) of Title I of the National Industrial Recovery Act."

Section (b) amended to read as follows:

"(b) On and after the effective date the minimum wage that shall be paid by employers in the Industry and Trade to accounting, clerical, and office employees shall be at the rate of not less than

fifteen (15) dollars per week, and to all other employees (except learners during their initial ninety (90) days, apprentices, and office boys and girls, not to total more than five (5) percent of the average yearly number of employees) shall be at the rate of not less than forty (40) cents per hour regardless of whether the employee's compensation is otherwise based on a time rate or upon a piecework performance; provided, however, that female employees, in the needle manufacturing division of the Knitting Machine Industry only, shall be paid at the rate of not less than thirty-five (35) cents per hour; and that such female employees performing substantially the same work as male employees shall receive the same rate of pay as male employees; provided further, that where a State law provides a higher minimum wage, no person employed within that State shall be paid a wage below that required by such State law, and, provided further, that in no case shall the compensation of any employees expressly excepted in this Section (b) be less than eighty (80) percent of the minimum rates of pay herein established."

Section (c) amended to read as follows:

"(c) On and after the effective date employers in the Industry and Trade shall operate on the following schedule of hours:

"(1) No employee shall be permitted to work in excess of forty (40) hours in any one (1) week or eight (8) hours in any twenty-four (24) hour period beginning at midnight, except as herein otherwise provided.

"(2) The provisions of Section (1) above shall not apply to traveling salesmen, traveling service men, and executives, supervisors, and their immediate assistants receiving thirty-five (35) dollars weekly or more.

"(3) The maximum hours fixed in Section (1) above shall not apply to any employee on emergency maintenance or emergency repair work involving breakdowns or protection of life or property, or on emergencies occasioned by the necessity for services of specially skilled employees which cannot be cared for by the employment of additional men. In any such special case at least one and one-half times the normal rate shall be paid for hours worked in excess of the maximum hours per day and per week provided in Section (1) above.

"(4) The maximum hours fixed in Section (1) above shall not apply for eight (8) weeks in any twenty-six (26) week period, during which overtime shall not exceed eight (8) hours in any one (1) week. In any such case at least one and one-half times the normal rate shall be paid for hours worked in excess of eight (8) hours in any twenty-four (24) hour period, or in excess of forty (40) hours in any seven (7) day period.

"(5) All hours worked in excess of the hours provided in Section (1) above shall be reported to the Code Authority in such detail as the Code Authority may require.

"(6) Not less than one and one-half times the normal rate shall be paid for all work performed on Sundays and legal holidays, watchmen excepted.

"(7) Watchmen shall be permitted to work not in excess of forty-eight (48) hours per week.

"(8) No employer shall permit any employee to work for any time which, when totaled with that already performed for another employer or employers, exceeds the maximum number of hours permitted herein.

"(9) Employers who personally perform manual work or are engaged in mechanical operations shall not exceed the prescribed maximum number of hours."

New Section (e) added to read as follows:

"(e) A person whose earning capacity is limited because of age or physical or mental handicap may be employed on light work at a wage below the minimum established by this Code if the employer obtains from the State Authority or Agency designated by the United States Department of Labor a certificate authorizing his employment at such wages and for such hours as shall be stated in the certificate. Each employer shall file with the Code Authority a list of all such persons employed by him."

New Section (f) added to read as follows:

"(f) No employer shall reclassify employees or duties of occupations performed or engage in any other subterfuge for the purpose of defeating the purposes or provisions of the Act or of this Code."

AMENDMENT NO. 7

ARTICLE VI—CHILD LABOR

Article VI amended to read as follows:

"On and after the effective date of this Code, employers in this Industry and Trade shall not employ any minor under sixteen (16) years of age; provided, however, that where a State law specifies a higher minimum age, no person below the age so specified by such law shall be employed within the State, and, provided further, that no minor under eighteen (18) years of age shall be employed on hazardous metal-working machinery."

AMENDMENT NO. 8

ARTICLE VII—UNFAIR METHODS OF COMPETITION

Section (e) amended to read as follows:

"(e) To accept old machines, needles or parts as part payment for new machines, needles or parts."

Section (f) amended to read as follows:

"(f) To sell machines, needles or parts other than f.o.b. factory."

Approved Code No. 32. Amendment No. 1.
Registry No. 1333-1-02.



UNIVERSITY OF FLORIDA



3 1262 08855 5627