

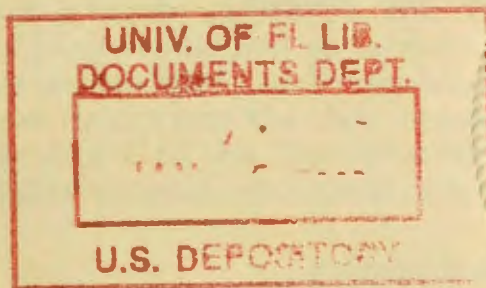
NATIONAL RECOVERY ADMINISTRATION

**AMENDMENT TO
CODE OF FAIR COMPETITION**

FOR THE

**FUR DRESSING AND
FUR DYEING INDUSTRY**

AS APPROVED ON SEPTEMBER 27, 1934

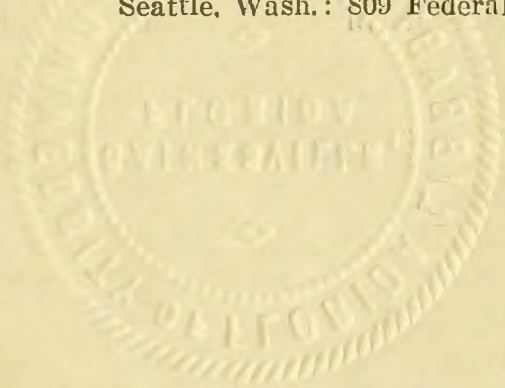


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Approved Code No. 161—Amendment No. 5

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

FUR DRESSING AND FUR DYEING INDUSTRY

As Approved on September 27, 1934

ORDER

APPROVING MODIFICATION OF THE CODE OF FAIR COMPETITION FOR THE FUR DRESSING AND FUR DYEING 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 Modification to the Code of Fair Competition for the Fur Dressing and Fur Dyeing Industry, and opportunity to be heard having been afforded all members of said Industry, and the annexed report on said modifications, 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 modification and the Code as constituted after being modified 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 modification be and it is hereby approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as modified, such approval and such modification to take effect ten days from the date hereof, unless good cause to the contrary is shown to the Administrator before that time and the Administrator issues a subsequent order to that effect.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

PRENTISS L. COONLEY,
Acting Division Administrator.

WASHINGTON, D.C.,
September 27, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on the modification to the Code of Fair Competition for the Fur Dressing and Fur Dyeing Industry, on which a public hearing was held on August 16, 1934.

This modification provides that a member of this Industry must keep accurate and complete records of his transaction in the Industry in respect to wages, hours of labor, conditions of employment, number of employees and other matters necessary for the effectuation of this Code and Title I of the National Industrial Recovery Act. It requires any member of the Industry to furnish these aforementioned reports when required to do so by the Code Authority or the Administrator or to an agency appointed by the Code Authority with the approval of the Administrator when necessary. This modification also provides for a list of employees excepted from the provisions of Article IV, Section 1, Subdivisions (a), (b) and (c), and Section 2, Subdivisions (a) and (b), of the Code, as well as the weekly payment of wages. This modification is a distinct aid to the Administration and enforcement of this Code.

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

I find that:

(a) The modification of said code and the code as modified 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 trade for the purpose of cooperative 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 modified complies in all respects with the pertinent provisions of said Title of said Act, including without limitation sub-section (a) of Section 3, sub-section (a) of Section 7 and sub-section (b) of Section 10 thereof.

(c) The modification and the Code as modified are not designed to and will not permit monopolies or monopolistic practices.

(d) The modification and the Code as modified are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(e) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said modification.

For these reasons this modification has been approved.

Respectfully,

HUGH S. JOHNSON,
Administrator.

SEPTEMBER 27, 1934.

MODIFICATION TO CODE OF FAIR COMPETITION FOR THE FUR DRESSING AND FUR DYEING INDUSTRY

The following modifications were offered by the Code Authority Board:

Article III, Section 4, shall be modified to read as follows, by adding the following words:

"* * * provided, however, that a partner, officer, director or stockholder of a 'member of the Industry' engaged in productive labor shall be considered an employee for the purposes of this code and shall be subject to the labor provisions thereof."

There shall be added to Article IV a new section to be known as Section 7, which shall read as follows:

"From the provisions of Section 1, Subdivisions (a), (b), and (c), and Section 2, Subdivisions (a) and (b), the following employees shall be excepted:

"(a) Watchmen who shall receive a minimum wage of \$30 per week;

"(b) Chauffeurs who shall receive a minimum wage of \$30 per week;

"(c) Chauffeurs' helpers and/or pick-up boys who shall receive a minimum wage of \$18 per week;

"(d) Errand boys who shall receive a minimum wage of \$15 per week;

"(e) Office employees who shall receive a minimum wage of \$18 per week."

A new section to be added to Article IV, to be known as Section 8, to read as follows:

"SECTION 8. Members of the Industry (employers) shall make payment of wages weekly and within four days from the end of the employee's working week, and employees shall not be required as a condition of employment or otherwise to refund, rebate or make reimbursement of any portion of such wages nor shall employers accept such refund, rebate or reimbursement of wages paid, contracted for, or earned, as may be evidenced by pay roll records or otherwise, which will result in employees actually receiving less than such amounts and/or the amounts provided in any collective bargaining agreement then in force or in this Code. No subterfuge shall be employed to circumvent the letter or spirit of this provision."

Three new sections to be added to Article VI, Section 8, to be known as Sub-sections (e), (f) and (g), to read as follows:

"(e) Each member of the Industry shall keep accurate and complete records of his, their or its transactions in the Industry in respect to wages, hours of labor, conditions of employment, number of employees and other matters necessary for the effectuation of this code and Title I of the National Industrial Recovery Act. Each member shall furnish accurate reports based upon such records con-

cerning such matters when required by the Code Authority or the Administrator. If the Code Authority or the Administrator shall determine that doubt exists as to the accuracy of any such report, so much of the pertinent books, records and papers of such member as may be required for the verification of such report may be examined by an agency agreed upon between the Code Authority and such member, or in the absence of an agreement, by an agency appointed by the Code Authority and approved by the Administrator.

(f) If a member of the Industry shall fail to furnish accurate reports concerning any of the foregoing matters when required by the Code Authority or the Administrator, such member shall make available to an agency appointed by the Code Authority with the approval of the Administrator so much of the pertinent books, records and papers of such member as may be required by the Code Authority with respect to wages, hours of labor, conditions of employment, number of employees and other matters necessary for the effectuation of this Code.

(g) In no case shall the facts disclosed by such examination be made available in any form to any competitor whether on the Code Authority Board or otherwise, or be given any other publication except so much thereof as may be required for the proper administration or enforcement of all the provisions of this Code.

Approved Code No. 161—Amendment No. 5.
Registry No. 911-28.



