

NATIONAL RECOVERY ADMINISTRATION

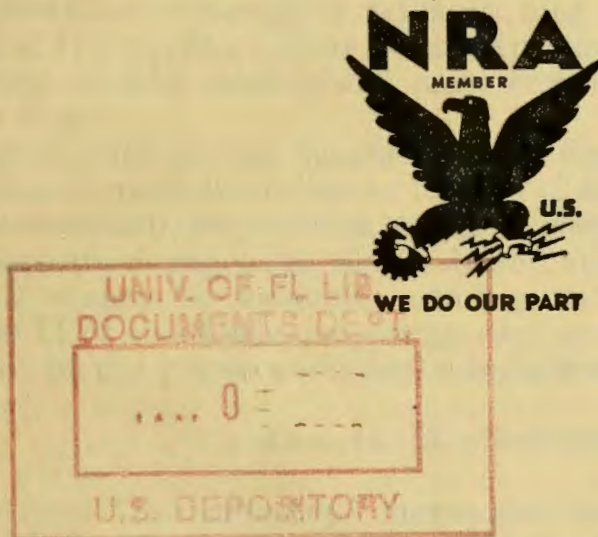
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PROPOSED CODE OF FAIR COMPETITION

FOR THE

ARMORED CAR INDUSTRY

AS SUBMITTED ON AUGUST 29, 1933



The Code for the Armored Car 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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UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1933





# **CODE OF FAIR COMPETITION FOR THOSE ENGAGED IN THE PROTECTED AND SAFEGUARDED TRANSPORTA- TION OF MONEY OR VALUABLES**

**PROPOSED BY THE NATIONAL ARMORED CAR ASSOCIATION, INC.**

## **ARTICLE I—PURPOSE AND PARTICIPATION**

This Code is formulated for the purpose of effectuating the policy of Title I of the National Industrial Recovery Act by establishing fair and adequate wages, improving standards of labor, reducing excessively long hours of labor in the industry; by eliminating unfair competition and trade practices and by establishing a standard of fair prices for services rendered, so that any person, partnership, corporation, or association engaged in the protected and safeguarded transportation of money or valuables may be able to realize a reasonable and just profit on their investment and become a more stabilized industry, thereby establishing more regular employment of labor at living wages.

Participation in the benefits of this Code and in any subsequent revisions thereof or additions thereto shall be extended to any person, partnership, corporation, or association who is engaged, or whose members are engaged, in the protected and safeguarded transportation of money or valuables coming within the classifications of Article II of this Code, providing each accepts an equitable share of the cost of the preparation and administration of this Code.

## **ARTICLE II—DEFINITIONS**

The term "the Industry" means and includes the business of protected and safeguarded transportation of money and/or valuables for customers by means of armored cars and maintaining at all times sufficient and adequate insurance covering the full value of such shipments.

The term "Member of the Industry" means and includes any person, partnership, corporation, or association whose business is the protected and safeguarded transportation of money and/or valuables for customers by means of armored cars and who maintains at all times sufficient and adequate insurance covering the full value of any such shipment so entrusted.

The term "Crew" means and includes those persons employed in the actual and physical service of transporting money and/or other valuables and/or employed to guard or protect such money and/or other valuables so being transported.



## ARTICLE III—LABOR PROVISIONS

(1) As required by Section 7 (a) of Title I of the National Industrial Recovery Act, the following provisions are conditions of this Code:

(a) "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;

(b) "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; and

(c) "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."

(2) On and after the effective date employers shall not employ anyone under the age of sixteen years, except that persons between fourteen and sixteen years, may be employed for not to exceed three hours per day and those hours between 7 A.M. and 7 P.M. in such work (other than manufacturing or mechanical) as will not interfere with hours of day school.

(3) On and after the effective date, employers shall not operate on a schedule of hours:

(a) For accounting, clerical, office, or sales employees (except outside sales employees, watchmen, and those who are employed in a capacity that is directly connected with the actual and physical transportation of money or other valuables such as dispatchers, checkers, etc.) in any office or department, of more than 40 hours in any one week and not to reduce the present hours of work in any office or department.

(b) For any person who is a member of a crew or others who are employed in a capacity that is directly connected with the actual and physical transportation of money or other valuables such as dispatchers, checkers, etc., of more than 48 hours in any one week.

(c) For any factory or mechanical worker or artisan of more than 40 hours per week, but with the right to work a maximum week of 44 hours for any 6 weeks within any six months' period during the term of this agreement.

*Provided, however,* That these limitations shall not apply to professional persons employed in their profession; nor to employees employed in a managerial, executive, or supervisory capacity who receive \$35.00 or more per week; nor to special cases where restrictions of hours of highly skilled workers on continuous processes would unavoidably reduce production, but, in any such special case, at least time and one third shall be paid for work in excess of the maximum.

*Provided further,* That when necessary, because of an emergency, overtime above the limitations herein set forth shall be permitted, provided, that the exceptions to the maximum working hours must be averaged so that no employees, except those engaged on emergency maintenance or repair work, will average more than the hours



above specified in any week within any 10 weeks' period during the term of this agreement.

(4) On and after the effective date the minimum wage that shall be paid by any employer to:

(a) Any accounting, clerical, office, or sales employee (except outside sales employees, watchmen, and those who are employed in a capacity that is directly connected with the actual and physical transportation of money or other valuables such as dispatchers, checkers, etc.) in any office or department, 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; nor less than \$12.00 per week in towns of less than 2,500 population. Population for this purpose shall be determined by reference to the 1930 Federal Census.

(b) Any person who is a member of a crew or others who are employed in a capacity that is directly connected with the actual and physical transportation of money or other valuables, such as dispatchers, checkers, etc., shall be not less than 40 cents per hour. Minimum wage restrictions shall not apply to apprentices if under contract with employer on August 1, 1933.

(c) Any factory or mechanical worker or artisan shall be not less than 40 cents per hour unless the hourly rate for the same class of work on July 15, 1929, was less than 40 cents 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 cents 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.

(5) Not later than ninety (90) days after the effective date the members of the industry shall report to the Administrator through the Executive Committee, hereinafter established, the action taken by all employers in adjusting the hourly wage rates for all employees receiving more than the minimum rates provided in Section 4 of this Article.

#### ARTICLE IV—UNFAIR COMPETITION

(1) Members of the industry shall determine the amount of their charges for services by ascertaining the true cost for such service and adding thereto an amount that would insure a reasonable profit, such true cost and reasonable profit to be established from time to time on the basis of each member's records in the manner and at such times as prescribed by the Executive Committee, hereinafter established, subject to such approval of the Administrator as may be required. It shall be considered an unfair method of competition for any member to accept new business on a contract basis or otherwise or to renew existing contracts where the amount of compensation is less than the amount of the true cost of the service plus a reasonable profit, except in the case of service rendered to a recognized charitable institution.



(2) It shall be an unfair method of competition to give secret rebates, concessions, or settlements, or to obtain business by the use of commercial bribery. No member of the industry shall buy or furnish insurance coverage of any character for its customers other than that necessary to fully protect money or valuables against loss from any cause whatsoever while in its custody, and upon demand of the customer to insure the faithful performance of the contract.

(3) The violation by any member of any provision of this Code or of any approved rule issued thereunder, or the use of any subterfuge, scheme, or device to frustrate the spirit and intent of this Code is hereby declared to be an unfair method of competition.

(4) Solicitation of competitor's employees for information as to clientele, lists, rates, charges, and practices are forbidden.

#### ARTICLE V—ADMINISTRATION

(1) The Executive Committee shall consist of three members of the industry, elected by a fair method of selection, to be approved by the Administrator, and is hereby designated as the agency for the carrying out of the provisions and purposes of Title I of the National Industrial Recovery Act; to administer this Code of Fair Competition and for the formulation, with the approval of the President, of such further code provisions as may be deemed necessary to insure fair competition and to effectuate the provisions of the Act.

(2) All communications with the President, or with his Agents, concerning the approval or amendment or modification of this Code, shall be made through the Executive Committee of the industry.

(3) With a view to keeping the President informed as to the observance or nonobservance of this Code of Fair Competition and as to whether appropriate steps are being taken to effectuate the provisions and purposes of the National Industrial Recovery Act, each member of the industry shall furnish certified reports to the Executive Committee, when and in such form as it shall prescribe and permit authorized representatives of said Committee to make such examinations of the records of each member of the industry as may, in its judgment, be necessary for the purpose of securing information required to effectuate the declared policies of the National Industrial Recovery Act.

(4) Any and all information with respect to volume of business, costs, and other details of operation as may be furnished by the members of the industry to the properly constituted officers, committees, or representatives of this industry shall be considered confidential and shall not be supplied or made available to others, except to duly appointed and constituted representatives of the President of the United States.

#### ARTICLE VI—GENERAL

(1) This Code of Fair Competition and all the provisions thereof are expressly made subject to the right of the President, in accordance with Subsection (b) of Section 10 of the National Industrial Recovery Act, from time to time to cancel or modify any order, approval, license, rule, or regulation issued under Title I of said Act,



and specifically to the right of the President to cancel or modify his approval of this Code or any conditions imposed by him upon his approval thereof.

(2) Such of the provisions of this Code as are not required to be included therein by the National Industrial Recovery Act may, with the approval of the President, be modified or eliminated by the Executive Committee if it appears that the public needs are not being served thereby and as changes in circumstances or experience may indicate. It is contemplated that from time to time supplementary provisions to this Code will be submitted for the approval of the President to prevent unfair competition in price and other unfair and destructive competitive practices and to effectuate the other purposes and policies of Title I of the National Industrial Recovery Act.

(3) No provision of this Code shall be interpreted or applied in such manner as to—

- (a) Promote monopolies,
- (b) Permit or encourage unfair competition,
- (c) Eliminate or oppress small enterprises, or
- (d) Discriminate against small enterprises.

(4) This Code shall become effective ten days after the approval of the President and shall continue in force until June 15, 1935, unless prior thereto the President shall by proclamation or the Congress shall by joint resolution declare that the emergency recognized by Section 1 of the Act has ended, in either of which events it shall terminate.



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**SIGNERS OF THE ATTACHED CODE OF FAIR COMPETITION PROPOSED BY THE  
NATIONAL ARMORED CAR ASSOCIATION, INC.**

Buffalo Armored Car Service, Inc., Buffalo, N.Y.	Covert Armored Car Service, Inc., Lynn, Mass.
Rolfe Armored Truck Service, Inc., Miami, Fla.	Guarantee Service Company, St. Louis, Mo.
Chicago Armored Express Service, Inc., Chicago, Ill.	Sweeney Detective Bureau, St. Paul, Minn.
Brink's Express Company, Chicago, Ill.	Doyle Detective Bureau, Rochester, N.Y.
Armored Car Service, Inc., New Orleans, La.	Safety Payroll Service, St. Louis, Mo.
The Lewis System, Inc., Sioux City, Iowa.	Armored Service, Inc., Cincinnati, Ohio.
Loomis Armored Car Service, Seattle, Wash.	Calumet Protective Bureau, Gary, Ind.
Armored Motor Service Co., Inc., Memphis, Tenn.	Guarantee Armored Car Service, Detroit, Mich.
Kane Secret Service, Inc., Youngstown, Ohio.	Armored Car Company, Louisville, Ky.
Security Armored Service Co., Kansas City, Mo.	Skelly Detective Service, Inc. Fall River, Mass.
Frazer & Kelly, Albany, N.Y.	