

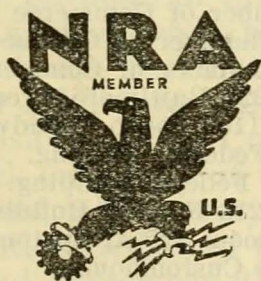
NATIONAL RECOVERY ADMINISTRATION

CODE OF FAIR COMPETITION

FOR THE

HORSE HAIR DRESSING
INDUSTRY

AS APPROVED ON NOVEMBER 24, 1934



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UNITED STATES
GOVERNMENT PRINTING OFFICE

WASHINGTON : 1934

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Approved Code No. 534

CODE OF FAIR COMPETITION
FOR THE
HORSE HAIR DRESSING INDUSTRY

As Approved on November 24, 1934

ORDER

**APPROVING THE BASIC CODE AS THE CODE OF FAIR COMPETITION FOR
THE HORSE HAIR DRESSING INDUSTRY**

An application having been made pursuant to Administrative Order No. X-61, dated July 10, 1934, for the approval of the Basic Code, as amended and attached to the annexed report as Exhibit "A", as the Code of Fair Competition for the Horse Hair Dressing Industry, defined for the purposes of this Order as follows:

The term "Industry" as used herein means and includes the dressing, selling and/or wholesale distribution of "Horse Hair", and such related branches or subdivisions as may from time to time be included under the provisions of this Code.

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order 6859, dated September 27, 1934, and otherwise; does hereby

(a) Incorporate by reference said annexed report and said Code, as attached hereto marked as Exhibit "A",

(b) Find that said Code complies in all respects with the pertinent provisions and will promote the policy and purposes of Title I of the National Industrial Recovery Act, and

(c) Order that said Code be and it hereby is approved as the Code of Fair Competition for the Horse Hair Dressing Industry, as above defined.

This Order shall become effective ten (10) days from the date hereof unless prior to that time good cause to the contrary is shown to the National Industrial Recovery Board, and it, by its further order, otherwise directs.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By W. A. HARRIMAN, *Administrative Officer.*

Approval recommended:

PRENTISS L. COONLEY,
Acting Division Administrator.

WASHINGTON, D. C.,
November 24, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on the Basic Code of Fair Competition for the Horse Hair Dressing Industry, which was presented by duly qualified and authorized representatives of the Industry, complying with statutory requirements, said to represent one hundred per cent (100%) in volume of sales of the Industry which could be included in this Code.

GENERAL STATEMENT

The Horse Hair Dressers Association, being duly representative of the Horse Hair Dressing Industry, has elected to avail itself of the option of submitting a Basic Code of Fair Competition, as provided in Administrative Order X-61, dated July 10, 1934.

THE INDUSTRY

This Industry buys "Horse Hair", dresses, and resells it, which includes the dressing, selling and/or wholesale distribution of "Horse Hair."

The Horse Hair Dressing Industry was originally granted a Code of Fair Competition on May 14, 1934, jointly with the Curled Hair Manufacturing Industry. It having been found more efficient to administer this Industry under the Basic Code, and the Industry having applied for a conditional exemption from all provisions of the approved Code, the Industry has made application to operate under the Basic Code.

According to statistics furnished by members of the Horse Hair Dressing Industry, there are fifteen establishments active in the Industry at the present time. At the time of granting the Curled Hair Manufacturing Industry and the Horse Hair Dressing Industry a Code of Fair Competition, there were twenty establishments in operation. The additional five establishments are reported to be closed.

The aggregate invested capital in this Industry during the past six years has declined from \$1,000,000 in 1929 to approximately \$300,000 in 1934. This fluctuates according to the demand, as the majority of the capital invested in this Industry is stock-on-hand, the requirements for equipment and machinery being very small.

The latest figures on annual sales for the year 1933 are estimated at \$750,000.

The number of employees in this Industry fluctuates according to the demand for the products of this Industry. At the present time, there are approximately one hundred persons employed.

Markets for the Horse Hair Dressing Industry's products are exclusively jobbers, who, in most cases, are also importers of dressed

horse hair. These jobbers sell to brush, hair cloth and furniture manufacturers and a few other small Industries. The before mentioned outlets being in their order as to volume used.

The decline in the domestic Industry has been due to the low cost of foreign dressed horse hair imported mostly from Russia and China. The Industry has applied for an import duty.

PROVISIONS OF THE CODE

The Hour and Wage provisions of this Code are the same as in the Code of Fair Competition that was approved for this Industry on May 14, 1934, which in the opinion of the Deputy, are suitable for this Industry. No employee shall be permitted to work in excess of forty (40) hours in any one week or eight (8) hours in any one day. The minimum wages in this Code are thirty-five cents (35¢) per hour for female employees and forty cents (40¢) per hour for male employees. The remaining provisions of the Code are those of the Basic Code of Fair Competition, as provided in Administrative Order X-61, dated July 10, 1934.

FINDINGS

The Deputy Administrator in his final report to the National Industrial Recovery Board on said Code having found as herein set forth and on the basis of all proceedings in this matter:

The National Industrial Recovery Board finds that:

(a) Said Code is 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) Said Industry normally employs not more than fifty thousand persons; and is not classified as a major Industry.

(c) The Code as approved 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; and that the applicant association is an industrial association truly representative of the aforesaid Industry; and that said association imposes no inequitable restrictions on admission to membership therein.

(d) The Code is not designed to and will not permit monopolies or monopolistic practices.

(e) The Code is 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 will not have been deprived of the right to be heard prior to the effective date of said Code.

For these reasons, this Code has been approved.

For the National Industrial Recovery Board:

W. A. HARRIMAN,
Administrative Officer.

NOVEMBER 24, 1934.

EXHIBIT A

CODE OF FAIR COMPETITION FOR THE HORSE HAIR DRESSING INDUSTRY

ARTICLE I—PURPOSES

To effectuate the policies of Title I of the National Industrial Recovery Act, the following provisions are established as a Basic Code of Fair Competition which shall govern the Horse Hair Dressing Industry applying therefore in accordance with Administrative Order X-61, dated July 10, 1934.

ARTICLE II—DEFINITION

The term "Horse Hair Dressing Industry" as used herein includes the dressing, selling and/or wholesale distribution of "Horse Hair", and such related branches or subdivisions as may from time to time be included under the provisions of this Code.

ARTICLE III—HOURS

1. No employee shall be permitted to work in excess of forty (40) hours in any one week or eight (8) hours in any one day, except as herein otherwise provided.

2. The provisions of this Article shall not apply to persons employed in a managerial or executive capacity who receive not less than thirty-five dollars (\$35.00) per week, nor to traveling salesmen nor to employees engaged in emergency maintenance or emergency repair work involving protection of life or property, provided, however, that all employees engaged in emergency maintenance or emergency repair work shall receive at least one and one half times their normal rate of pay for all hours worked in excess of forty-eight (48) hours in any one week or in excess of ten (10) hours in any twenty-four (24) hour period.

3. No watchman, fireman or engineer shall be permitted to work in excess of forty-four (44) hours in any one week.

4. No employee shall be permitted to work more than six (6) days in any seven (7) day period.

5. Employers when working as producers shall be governed by the maximum working hours provided herein.

6. No employee shall be permitted to work for a total number of hours in excess of the number of hours prescribed herein whether he be employed by one or more employers.

ARTICLE IV—WAGES

1. No female employee shall be paid less than at the rate of thirty-five cents (35¢) per hour and no male employee shall be paid less

than at the rate of forty cents (40¢) per hour, except as herein otherwise provided.

2. 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 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.

3. Female employees performing substantially the same work as male employees shall receive the same rate of pay as male employees.

4. This article establishes a minimum rate of pay which shall apply, irrespective of whether an employee is actually compensated on a time rate, piece-work performance or other basis.

5. All wages shall be adjusted so as to maintain a differential at least as great in amount as that existing on June 16, 1933, between wages for such employment and the then minima. In no case shall there be any reduction of hourly rates; nor in weekly earnings for any reduction in hours of less than thirty per cent (30%).

ARTICLE V—GENERAL LABOR PROVISIONS

1. No person under sixteen (16) years of age shall be employed in the Industry. No person under eighteen (18) years of age shall be employed at operations or occupations which are hazardous in nature or dangerous to health. The Code Authority shall submit to the National Industrial Recovery Board within sixty (60) days from the effective date of this Code, a list of such operations or occupations. In any State an employer shall be deemed to have complied with this provision as to age if he shall have on file a certificate or permit duly signed by the Authority in such State empowered to issue employment or age certificates of permits showing that the employee is of the required age.

2. In compliance with Section 7 (a) of the Act, it is provided:

(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.

3. 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.

4. Every employer shall provide for the safety and health of employees during the hours and at the places of their employment.

Standards for safety and health shall be submitted by the Code Authority to the National Industrial Recovery Board within three months after the effective date of the Code.

5. No provision in this Code shall supersede any state or Federal law which imposes on employers more stringent requirements as to age of employees, wages, hours of work, or as to safety, health, sanitary or general working conditions than are imposed by this Code.

6. All employers shall post and keep posted complete copies of the hour, wage and general labor provisions of this Code in conspicuous places accessible to employees.

ARTICLE VI—ADMINISTRATION

This Code shall be administered by the General N. R. A. Code Authority which shall be selected pursuant to, have the powers specified in, and function in accordance with Administrative Order X-62, dated July 10, 1934; provided, however, that, on approval by the National Industrial Recovery Board, the Horse Hair Dressing Industry if it so desires may elect its own Code Authority to have powers and to function in the manner prescribed for the general N. R. A. Code Authority, and under such rules and regulations as the National Industry Recovery Board may prescribe.

ARTICLE VII—TRADE PRACTICES

1. It shall be an unfair method of competition for any member of the Horse Hair Dressing Industry subject hereto to violate any rule of Fair Trade Practice for such Industry even if not herein contained when approved by the National Industrial Recovery Board, or, in the case of Trade Practice provisions for Trades or Industries under the jurisdiction of the Secretary of Agriculture when approved by such Secretary, on application concurred in by seventy-five per cent (75%) of the members of such Trade or Industry.

2. Prices, rebates, discounts, commissions and conditions of sale shall be filed as prescribed in Administrative Order No. X-62, dated July 10, 1934, and it shall be an unfair method of competition to violate or fail to comply with the terms of that Order.

ARTICLE VIII—GENERAL PROVISION

Section 10 (b) of the National Industrial Recovery Act is hereby incorporated herein by reference and this Code is expressly made subject thereto.

Approved Code No. 534.

Registry No. 1627-02A.



Standards for safety and health shall be submitted by the Code Authority to the National Industrial Recovery Board within three months after the effective date of the Code.

1. No provision in this Code shall supersede any state or Federal law which imposes on employers any obligation or restriction as to the employment of women, minors, or persons with physical disabilities or on general working conditions that are imposed by the Code.

2. All employers shall post and keep posted complete copies of the Code and general labor provisions of the Code in conspicuous places accessible to employees.

3. Every owner and operator of a manufacturing establishment shall keep posted in a conspicuous place accessible to employees a copy of the Code and general labor provisions of the Code.

4. The Code shall be administered by the Code Authority. A person who shall be selected pursuant to the provisions of the Code shall be subject to the supervision and control of the Code Authority.

5. The Code Authority shall have the right to suspend or revoke the Code of any person who shall be found to be in violation of the Code.

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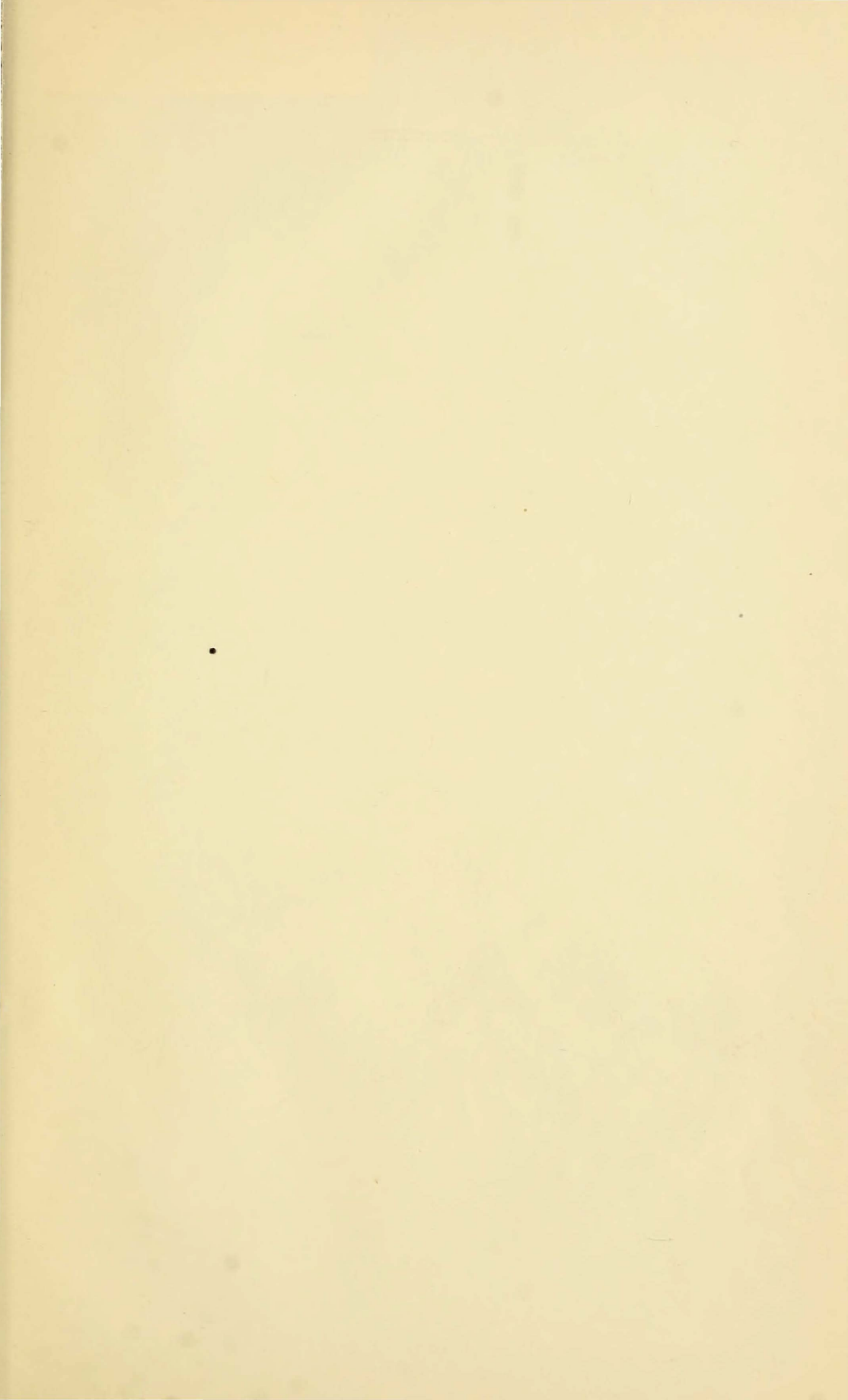
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