

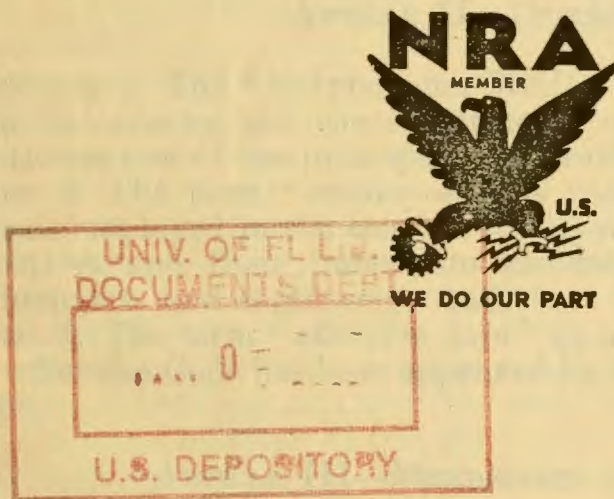
NATIONAL RECOVERY ADMINISTRATION

PROPOSED CODE OF FAIR COMPETITION

FOR THE

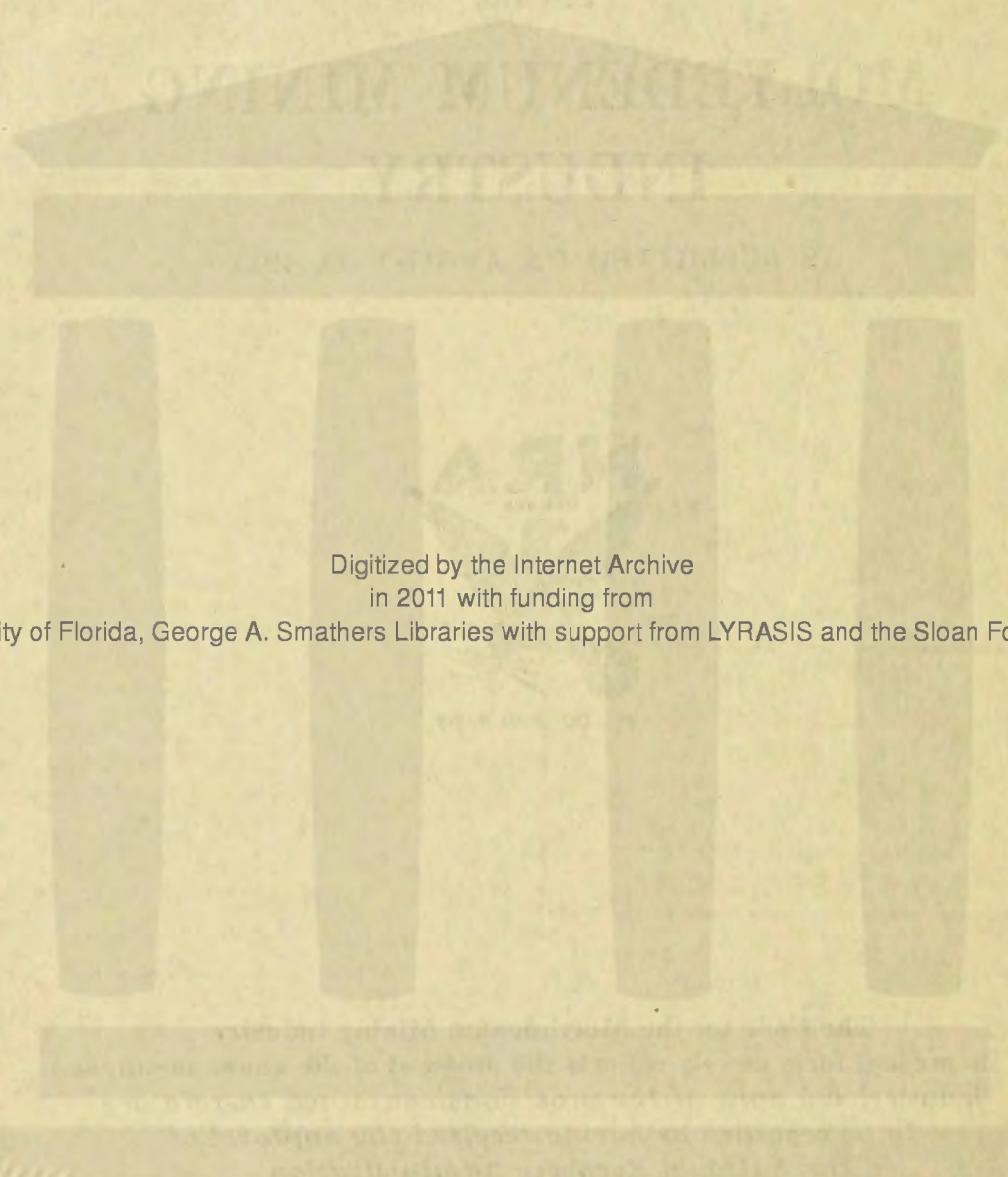
MOLYBDENUM MINING  
INDUSTRY

AS SUBMITTED ON AUGUST 29, 1933



**The Code for the Molybdenum Mining 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



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# CODE OF FAIR COMPETITION OF THE MOLYBDENUM MINING INDUSTRY

## ARTICLE I—PURPOSE OF THE CODE

SECTION 1. The Code is adopted pursuant to the requirements of the National Industrial Recovery Act and particularly in response to Bulletin No. 2 of the National Recovery Administration dated June 19, 1933.

SEC. 2. The purpose of the Code is to effectuate the policy of Title I of the National Industrial Recovery Act insofar as it is applicable to the Industry.

SEC. 3. The Industry submits that it stands wholeheartedly, actively, and aggressively for the National Industrial Recovery Act, and for the administration thereof to a successful conclusion and to this end tenders its every facility to the National Recovery Administration.

## ARTICLE II—DEFINITIONS

SECTION 1. The "Molybdenum Mining Industry" is defined to include the mining and concentrating of ores in which Molybdenum constitutes one of the principal recoverable metals.

SEC. 2. The term "employees" as used herein, shall include all persons employed in the conduct of the respective operations, except executives and their immediate assistants, supervising, technical, maintenance, and engineering staff.

SEC. 3. The term "effective date" as used herein, means the 10th day after the Code has been approved by the President of the United States.

## ARTICLE III—MEMBERSHIP IN THE GROUP

SECTION 1. The undersigned subscribers, at present, produce more than 98% of the total Molybdenum produced in the United States.

SEC. 2. Any member of the Industry desiring to become a member of this group may do so.

## ARTICLE IV—HOURS OF LABOR, RATES OF PAY, AND OTHER CONDITIONS OF EMPLOYMENT

SECTION 1. 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.

SEC. 2. As demand for the products of the Industry and, therefore, for labor shall increase, hours of labor for employees in the Industry, must necessarily increase; but, except in the case of executives, those employed in supervisory capacities and in technical work and their respective staffs and those employed in emergency work, and so long as employees qualified for the work required shall be available in the respective localities where such work shall be required, none of the members of the industry shall cause or permit any employee to work more than eight hours per day nor more than 40 hours per week, it being further understood and agreed, however, that such limitation of hours shall be subject to present limitations of housing, sanitary, and health facilities to the end that where such facilities are utilized to the maximum, that whenever necessary to meet requirements of production, and in cases where restrictions of hours of highly skilled workers on continuous processes would unavoidably reduce operations, members of the industry shall have the right beyond such limitation of hours to employ men for a longer number of hours providing that in so doing such employees shall be paid at the rate of time and a half for such additional hours.

SEC. 3. On and after the effective date none of the members of the Industry shall employ any person under the age of 16 years.

SEC. 4. Members of the Industry shall pay to accounting, clerical, office, or sales employees working on a weekly basis a salary of 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 or between 2,500 and 250,000 population, or in the immediate trade area of such city; and in towns of less than 2,500 population not less than \$12.00 per week.

SEC. 5. The members of the Industry agree that the following minimum wage scale shall be in effect under the provisions of the Act in meeting the requirement that "minimum wage scales should be sufficient to furnish compensation for the hours of work as limited, sufficient in fact to provide a decent standard of living in the locality where the workers reside." Such minimum wage scale as applied to employees mentioned in Section 2 of this Article shall be as follows:

44¢ per hour: Pond men, firemen, clean-up men, and general labor.

46¢ per hour: Muckers, nippers, brakemen, surface mechanics, crusher operators, repair helpers, filter men, steel sharpener helpers, trackmen helpers, hand miners.

48¢ per hour: Motormen.

49¢ per hour: Machine miners, timbermen, trackmen, chutemen, surface straw boss, surface carpenters, hoistmen, mechanics, chute blasters, mill operators.

55¢ per hour: Mill shift bosses.

58¢ per hour: Steel sharpeners.



61¢ per hour: Mine Shift Bosses, Shaft Miners, Mill Foremen.

66¢ per hour: Repair Bosses.

SEC. 6. Members of the Industry shall have the right to employ labor on a piecework basis, otherwise known as the contractor basis, or on a weekly basis, provided however, that the compensation paid under these methods shall not be less than \$4.00 per day and the maximum working hours shall not exceed the hours set forth in Section 2 of this Article.

## ARTICLE V—SALE OF PRODUCTS

SECTION 1. Members of the Industry shall not sell Molybdenum in any form at less than their respective costs of production. Cost of production shall be computed in accordance with standard accounting practice and the rules and regulations promulgated by the Bureau of Internal Revenue for the determination of Income Taxes, excepting that the element of "Depletion of Discovery Value" shall be excluded from such computation. Failure to maintain prices on such a basis shall be deemed a violation of this Code.

SEC. 2. Although the right to determine sales prices and discounts shall be vested in and strictly reserved by each member of the Industry, it is understood and agreed that in case a change in price from the prices prevailing at the time this Code becomes effective, is contemplated by any member of the Code, such member shall notify the other members of such intention ten days prior to effecting the change.

## ARTICLE VI—UNFAIR PRACTICES

SECTION 1. For all purposes of the Code the following Acts shall constitute unfair practices. Such unfair practices and all other practices which shall be deemed to be unfair practices by any amendment to the Code hereafter adopted, and the using or employing of any of them shall be deemed to be a violation of the Code, and any member of the Industry which shall directly or indirectly through any officer, employee, agent, or representative, knowingly use or employ any of such unfair practices shall be guilty of a violation of the Code.

a. Making or promising to any purchaser or prospective purchaser of any product, or to any officer, employee, agent, or representative of any such purchaser or prospective purchaser, any bribe, gratuity, gift, or other payment of remuneration, directly or indirectly.

b. Procuring, otherwise than with the consent of any member of the Industry, any information concerning the business of such member which is properly regarded by it as a trade secret or confidential within its organization, other than information relating to a violation of any provision of the Code.

c. Paying or allowing to any purchaser in connection with the sale of any product any rebate, commission, credit, discount, adjustment, or similar concession other than as is permitted by the Code and specified in the contract of sale.

d. Disseminating, publishing, or circulating any false or misleading information relative to any product or price for any product of



any member of the Industry or the credit standing or ability of any member thereof to perform any work or manufacture or produce any product, or to the conditions of employment among the employees of any member thereof.

e. Inducing or attempting to induce by any means any party to a contract with a member of the Industry to violate such contract.

f. Aiding or abetting any person, firm, association, or corporation in any unfair practice.

## ARTICLE VII

SECTION 1. Members of the group agree to furnish all data and statistics that may be called for under this Code, or required by the President, or reasonably pertinent to effectuate Title 1 of the National Industrial Recovery Act.

SEC. 2. The President of the United States may, from time to time, cancel or modify any order, approval, license, rule or regulation issued under Title 1 of the National Recovery Act.

SEC. 3. By presenting this Code those who have assented hereto shall not be bound by any modification thereof, except as each shall thereto subsequently agree.

Approved:

CLIMAX MOLYBDENUM COMPANY,  
MAX SCHOTT, *President*.

Dated August 28, 1933.

Attest:

[SEAL]

D. E. FONDEN,

*Asst. Secretary.*

MOLYBDENUM CORPORATION OF AMERICA.  
MARX HIRSCH, *President*.

Dated August 28, 1933.

Attest:

[SEAL]

WM. B. KUNTZ,

*Asst. Secretary.*







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