

NATIONAL RECOVERY ADMINISTRATION

**AMENDMENTS TO
CODES OF FAIR COMPETITION**

FOR THE

MEN'S CLOTHING INDUSTRY

AND

COTTON GARMENT INDUSTRY

AS APPROVED ON DECEMBER 18, 1933

BY

PRESIDENT ROOSEVELT

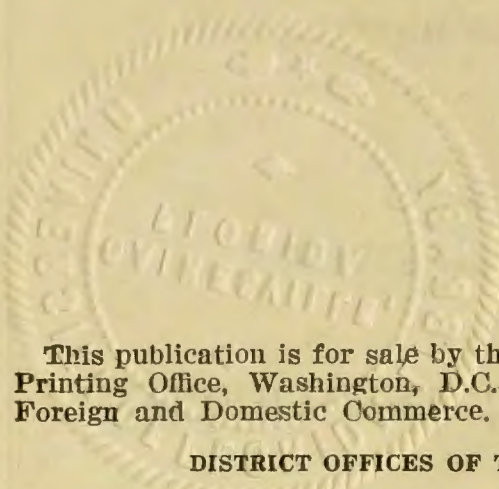


WE DO OUR PART



1. Executive Order
2. Letter of Transmittal

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Approved Code No. 15—Amendment No. 2

Approved Code No. 118—Amendment No. 1

AMENDMENTS TO

CODE OF FAIR COMPETITION

FOR THE

**MEN'S CLOTHING INDUSTRY AND COTTON
GARMENT INDUSTRY**

As Approved on December 18, 1933

BY

PRESIDENT ROOSEVELT

Executive Order

A. A Code of Fair Competition for the Men's Clothing Industry was approved by me on August 26, 1933. A public hearing having been held by the Administrator on due notice, with respect to certain amendments to the said code, the Administrator having recommended the modification of my approval of said code accordingly, the amendments being as follows:

1. That the first paragraph of article I of the code be amended to read as follows:

“The term ‘Clothing Industry’ as used herein is defined to mean the manufacture of men's, boys', and children's clothing, uniforms, single knee pants, single pants (except work pants or single pants when made in work-clothing factories), and men's summer clothing (except men's wash suits of one hundred percent (100%) cotton content when made in work-clothing factories in conjunction with work clothing).”

2. That the second paragraph of article II of the said code be deleted, which paragraph reads as follows:

“The minimum wage paid by employers to employees working on single-knee pants shall be at the rate of thirty-seven cents (37¢) per hour.”

3. That there be substituted for the above paragraph the following:

“The minimum wage paid by employers to employees working on single-knee pants and/or single pants shall be at the rate of thirty-four cents (34¢) per hour when employed in the southern section of the industry, and thirty-seven cents (37¢) per hour when employed in the northern section of the industry.”

4. That the following paragraph be added to article II, which shall be the third paragraph of said article:

"The minimum wage paid by employers to employees working on men's wash suits of one hundred percent (100%) cotton content, shall be at the rate of thirty-four cents (34¢) per hour in the southern section of the industry, and thirty-seven cents (37¢) per hour in the northern section of the industry; the minimum wage paid by employers to employees working on men's summer clothing (other than men's wash suits of one hundred percent (100%) cotton content) shall be at the rate of thirty-seven cents (37¢) per hour in the southern section of the industry, and forty cents (40¢) per hour in the northern section of the industry."

5. That paragraph (a) of article II be amended to read as follows:

"On and after the effective date, the minimum wage which shall be paid to cutters shall be at the rate of one dollar (\$1.00) per hour, and the minimum wage which shall be paid to off-pressers shall be at the rate of seventy-five cents (75¢) per hour; except that in the southern section of the industry the minimum wage which shall be paid to cutters of all men's wash suits and/or summer clothing shall be at the rate of eighty-five cents (85¢) per hour, and the minimum wage which shall be paid to off-pressers of such garments shall be at the rate of sixty cents (60¢) per hour."

B. A Code of Fair Competition for the Cotton Garment Industry was approved by me on November 17, 1933. A public hearing having been held by the Administrator on due notice, pursuant to the second paragraph of section A of article II of the said code, which paragraph reads as follows:

"The products covered by section A, paragraphs 8, 10, and 14, are included in this code pending the prompt holding of such further hearing on such notice as the Administrator in his discretion may fix, and the final determination of whether the definitions of any of them shall be modified or eliminated or whether any of the subdivisions shall continue to be included in this code."

Paragraphs 10 and 14, to which the foregoing refers, include: "(10) men's and boys' pants in chief content of cotton;" "(14) men's cotton wash suits."

The Administrator having rendered his report together with his recommendations and findings with respect to the following amendment to the said code:

That section A of article II be amended to read as follows:

"As used in this code the term 'Cotton Garment Industry' means and includes the production by any of the following processes: (a) cutting, (b) creasing, (c) sewing (all or part of the garment), (d) trimming, (e) pressing, (f) finishing, (g) examining and inspecting, (h) boxing, or all of them, of any article or garment known as (1) work clothing, work garments, work pants, and children's play suits; (2) men's shirts, including knitted outer shirts and polo shirts; (3) boys' shirts and blouses; (4) boys' wash suits; (5) work shirts of any material, including flannel shirts; (6) pajamas and nightshirts; (7) men's collars; (8) cotton wash dresses; (9) oiled cotton garments; (10) men's and boys' pants, when made in work clothing factories; (11) sheep lined and leather garments; (12) nurses' and maids' aprons and uniforms; (13) washable service ap-

parel; (14) men's wash suits of one hundred percent (100%) cotton content, when made in work-clothing factories in conjunction with work clothing."

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States, pursuant to the authority vested in me by title I of the National Industrial Recovery Act, approved June 16, 1933, and otherwise, do approve the foregoing amendments, on the following conditions:

1. That no manufacturing employee engaged in the production of men's wash suits of one hundred percent (100%) cotton content and/or men's and boys' pants when either of the foregoing is made in work clothing factories in conjunction with work clothing or work pants, shall be paid at less than the rate of thirty-four cents (34¢) per hour in the southern section of the industry, or less than thirty-seven cents (37¢) per hour in the northern section of the industry.

2. It is hereby ordered that an Inter-Code committee of seven (7) persons shall be appointed by the Administrator, three (3) of whom shall be chosen from the Cotton Garment Industry, with the advice of the chairman of its Code Authority, and three (3) of whom shall be chosen from the Men's Clothing Industry, with the advice of the chairman of its Code Authority, and the seventh (7th) member shall be chairman of the said committee. The committee is hereby authorized to administer and supervise enforcement in respect of cotton wash suits and/or single pants. The said committee, may, on its own initiative, or upon reference by either Code Authority concerned, recommend to the Administrator, changes in maximum hours or differentials or changes in the minimum wage to be paid employees engaged in the production of single pants and/or cotton wash suits, and issue interpretations of this order with respect to such garments. All questions arising from the operation of this Order shall be referred to the Inter-Code Committee for determination. Interpretations or determinations made by the said committee shall be subject to an appeal to the Administrator.

On or before June 30, 1934, the Inter-Code Committee shall report to the two Code Authorities concerned, and to the Administrator, as to whether these provisions should be changed or modified by the Administrator.

The Administrator shall arrange with the two Code Authorities for an equitable basis of contribution to cover the necessary expenditures for administration by the Inter-Code Committee.

It is hereby ordered that the final approval of the Code of Fair Competition for the Men's Clothing Industry, contained in my Executive order, dated August 26, 1933, and that the final approval of the Code of Fair Competition for the Cotton Garment Industry, contained in my Executive order, dated November 17, 1933, shall be modified to the foregoing effect on and after January 2, 1934.

FRANKLIN D. ROOSEVELT.

Approval recommended:

HUGH S. JOHNSON,
Administrator.

THE WHITE HOUSE,
December 18, 1933.

DECEMBER 12, 1933.

The PRESIDENT,
The White House.

SIR: The Cotton Garment Code includes in its definitions (Article II, Section A, Subdivisions 1, 10, and 14), "work clothing, work garments, work pants, and children's play suits", "Men's and boys' pants in chief content of cotton", and "men's cotton wash suits." They were so included subject to a final determination by the Administrator of whether the definitions "shall be modified or . . . shall continue to be included in this Code." The Men's Clothing Code includes as a part of its definition of the Industry, "single knee pants, single pants, and men's summer clothing (exclusive of cotton wash suits)." The Cotton Garment Code provides minimum wages of thirty cents (30¢) an hour for the South and thirty-two and one half cents (32½¢) an hour for the North, a maximum week of forty (40) hours, and no classified scales. The Men's Clothing Code provides minimum wages of thirty-seven cents (37¢) per hour in the South and forty cents (40¢) an hour in the North, a maximum week of thirty-six (36) hours, and classifications for cutters and off-pressers.

A large part of the Cotton Garment Industry has grown up around the manufacture of overalls and work clothing. These factories have added many lines of merchandise which could be made without changing their plant equipment, personnel, or organization. This results in greater continuity of employment. All these lines are sold largely through the same channels of distribution. The South is a big market for this merchandise.

Single pants and cotton wash suits constitute an important part of such lines. What were formerly work pants, through developments of materials became rather extensively used for sport and dress purposes. The men's wash suits made in work clothing factories are mostly of the seersucker type. These are distributed in competition with lines of single pants and summer clothing made in the Men's Clothing Industry.

Until a few years ago the competition between these industries on these lines was not serious. Recently the trend of fashion and the downward trend of prices have brought them into sharp competition. During the past two seasons the competition has been unusually severe.

The Men's Clothing manufacturers believe that their business is very seriously threatened by the difference in wages, hours, and classifications provided in the two Codes, so serious in fact that right at the present moment the single pants manufacturers working under the Clothing Code are said to be organizing a "shut-down" until the competitive situation accentuated in the two Codes could be straightened out.

The difficulties in definitions were clearly set forth in the Administrator's report submitting the Clothing Code and the Cotton

Garment Code to the President for his approval. Many hearings and conferences have been held, the last hearings being held on Monday and Tuesday, November 27 and 28. Successive conferences failed to produce an agreement, and it became necessary to leave the matter for determination by the Administrator, as provided in the Cotton Garment Code. In the various conferences it was conceded by all parties that work pants should be made under the provisions of the Cotton Garment Code and that pants which are part of men's suits, and separate pants made of wool for dress use should be made under the provisions of the Men's Clothing Code. Between these two extremes there were irreconcilable differences regarding definitions.

All parties were in agreement upon the desirability of avoiding jurisdiction by both Code Authorities in one factory.

With particular reference to summer clothing and men's wash suits, the Men's Clothing manufacturers claimed protection against unfair competition, and a break-down of their standards from the sale of men's cotton wash suits under the Cotton Garment Code. After hearings held on September 26 and 27 conferences were held, which resulted in an agreement between the New Orleans manufacturers and others representing a substantial part of the industry making wash suits. This agreement was put in the form of a recommendation by the Administrator for an Executive Order making the necessary amendments to include the manufacture of wash suits as a part of the Men's Clothing Industry. The submission of these recommendations was held pending final action on the Cotton Garment Code. During the final conferences preceding the submission and adoption of this Code, representatives of the work clothing factories who manufacture and distribute inexpensive cotton wash suits, principally of the seersucker type, claimed that they were not bound by the agreement entered into by the New Orleans manufacturers. The definition of men's wash suits was included in the Cotton Garment Code subject to a later hearing and final determination by the Administrator, as explained above. Hearings and various conferences were held on November 27, at which all parties were asked to show cause why the agreement entered into in September should not be made effective through the proper amendments to the Clothing and Cotton Garment Codes:

With reference to single pants it is my conclusion that:

1. Work pants as included in Subdivision 1, Paragraph A, of Article II, covers a field of merchandise not in competition with the Men's Clothing Industry, and can be defined for the purposes of administration.

2. There are lines of one hundred percent (100%) cotton trousers manufactured in work clothing factories, which are used in substantial quantities for sport and dress occasions and do constitute an important factor of competition with trousers now made as a part of the Men's Clothing Industry. Manufacturers should be allowed to continue manufacture under both Codes, with an increased minimum in the Cotton Garment Code which will, in effect, operate to reduce the difference in minima between the two Codes.

3. With the exception of certain very cheap materials used for the manufacture of work clothing, trousers made of wool and woolen

mixtures should largely be reserved for manufacture under the Men's Clothing Code, but that where made in Cotton Garment factories, should be made under an increased minimum.

With reference to men's cotton wash suits, it is my conclusion that:

1. Wash suits made from linens, Palm Beaches and similar materials are competitive with summer clothing made in the Men's Clothing Industry, and should be produced under the provisions of that Code.

2. Men's wash suits of one hundred percent (100%) cotton content, particularly of the better grades, do compete with other summer clothing, and the minima in the two Codes should be equalized. Such wash suits manufactured in work clothing factories and in conjunction with work clothing are generally so low in price as to constitute a less important factor of competition, and should be allowed to be made under the provisions of the Cotton Garment Code, with a higher minimum.

3. That the products of the New Orleans manufacturers are in substantial competition with summer clothing produced in Men's Clothing factories, and that no controlling reason was shown why the agreement entered into by the representatives of the New Orleans and other manufacturers, with representatives of the Men's Clothing Industry, should not stand substantially as covered in the pending recommendations of Deputy Administrator Lindsay Rogers.

NOTE.—Recommended amendments carry a slight modification of rates in the interest of simplification of rates in the same factory.

It is recommended that the necessary amendments be made to the Codes of Fair Competition for the Men's Clothing Industry and the Cotton Garment Industry which will in effect provide:

1. That work pants as defined and interpreted by the Inter-Code Committee shall be produced under the wage and hour provisions now provided in the Cotton Garment Code.

2. All other single pants should be allowed to be made under the terms of both Codes; at a minimum hourly wage of thirty-four cents (34¢) in the South and thirty-seven cents (37¢) in the North.

3. That men's wash suits of one hundred percent (100%) cotton content, when made in work clothing factories in conjunction with work clothing, may be made under the Cotton Garment Code, subject to a minimum of thirty-four cents (34¢) an hour in the South and thirty-seven cents (37¢) per hour in the North.

4. That all wash suits, other than men's wash suits of one hundred percent (100%) cotton content when made in work clothing factories in conjunction with work clothing, be made under the provisions of the Men's Clothing Code, provided (a) that this Code carry a special minimum of thirty-four cents (34¢) per hour in the South and thirty-seven cents (37¢) per hour in the North for men's wash suits of one hundred percent (100%) cotton content, (b) That a minimum of thirty-seven cents (37¢) per hour in the South and forty cents (40¢) per hour in the North be provided for men's wash suits made of materials other than one hundred percent (100%) cotton, and (c) That there be lower differentials for cutters and off-pressers engaged in the manufacture of wash suits made in Clothing factories in the South.

For Administration I recommend an Inter-Code committee be appointed by the Administrator to observe the effects of competition between the manufacturers of single pants and men's wash suits operating under the two Codes, with authority to supervise enforcement, make interpretations, and study the need for redefinitions necessary to establish and maintain fair competitive conditions.

The expense of the administration for this committee should be arranged by the two Code Authorities, and labels should be required for all single pants (other than work pants), and wash clothing made under both Codes, as a means of enforcement.

On or before June 30, 1934, the Inter-Code Committee should be required to report to the two Code Authorities with recommendations as to whether these amendments to the Codes should be continued or modified.

In accordance with the above, the approval of the attached Executive Order is recommended.

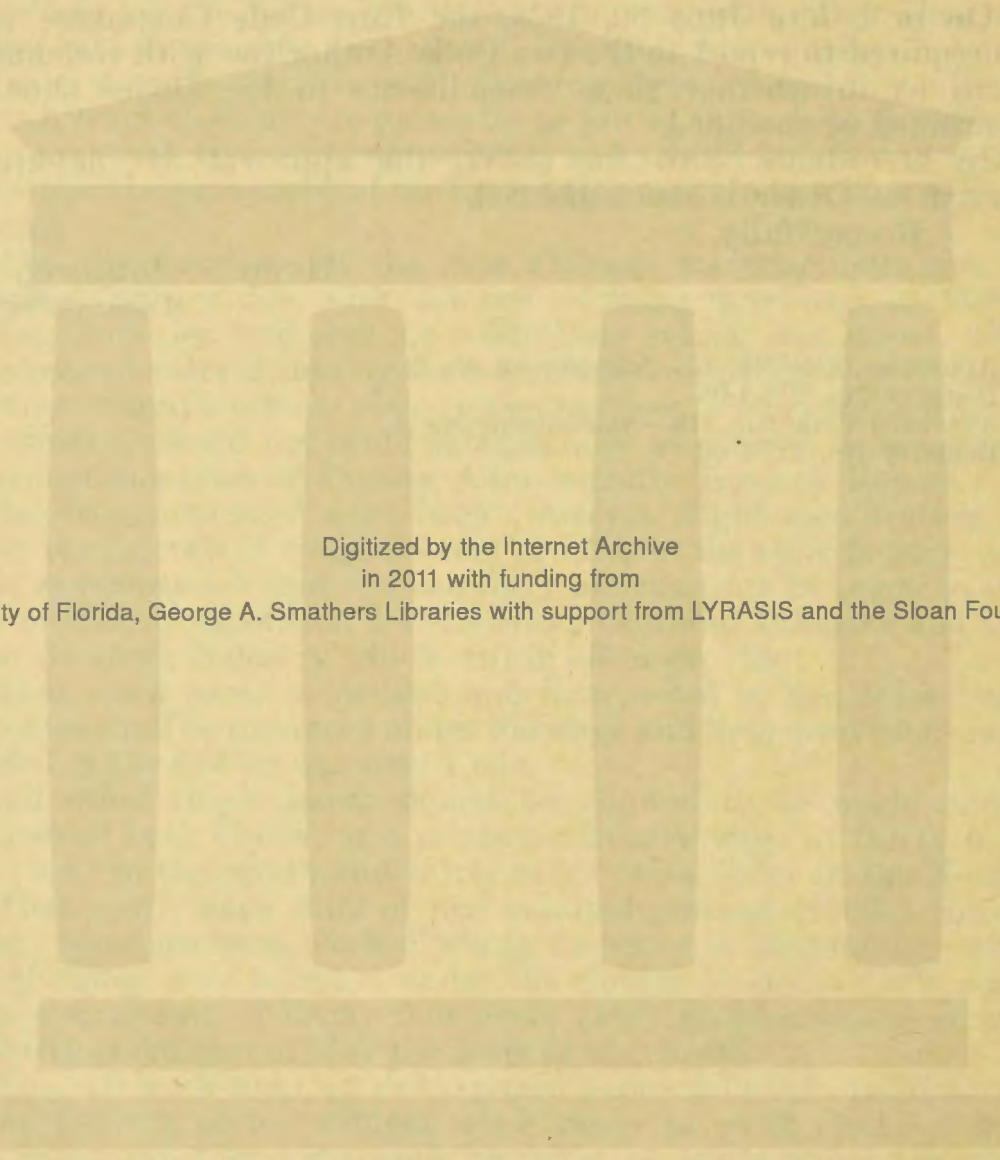
Respectfully,

HUGH S. JOHNSON,
Administrator.

Approved Code No. 15—Amendment No. 2.
Registry No. 216-1-06.
Approved Code No. 118—Amendment No. 1.
Registry No. 217-1-06.

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