



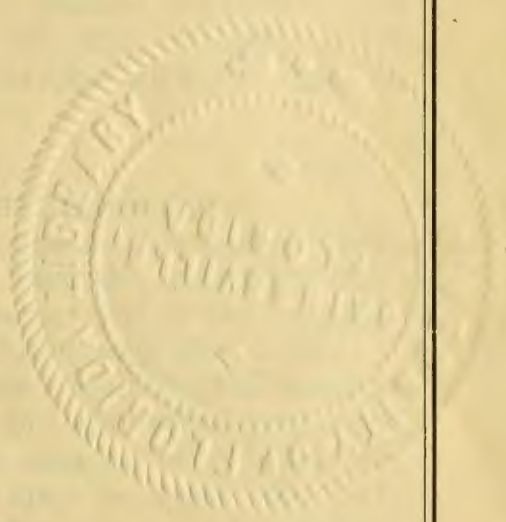
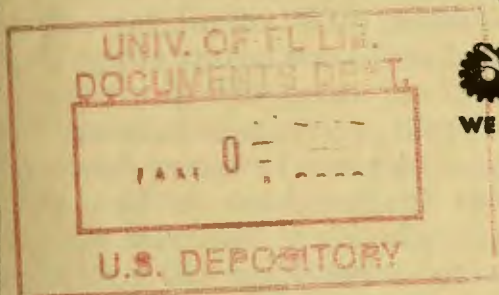
NATIONAL RECOVERY ADMINISTRATION

PROPOSED CODE OF FAIR COMPETITION

FOR THE

TEXTILE PROCESSING  
INDUSTRY

AS REVISED ON AUGUST 28, 1933



The Code for the Textile Processing 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

NATIONAL RECOVERY ADMINISTRATION

PROPOSED CODE OF FAIR COMPETITION

FOR THE

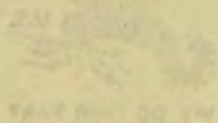
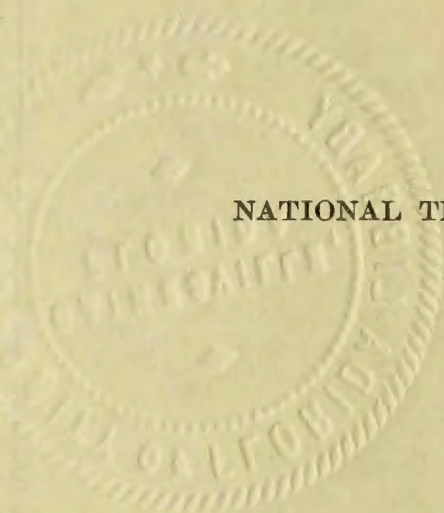
TEXTILE PROCESSING  
INDUSTRY

AS RECOMMENDED BY THE NATIONAL BOARD OF TEXTILE PROCESSORS

SUBMITTED BY

NATIONAL TEXTILE PROCESSORS GUILD, INC.

(II)





# PROPOSED CODE OF FAIR COMPETITION OF THE TEXTILE PROCESSING INDUSTRY

SUBMITTED BY THE NATIONAL TEXTILE PROCESSORS GUILD, INC.

This Code of Fair Competition for the Textile Processing Industry is intended to effectuate the purposes of the National Industrial Recovery Act by reducing unemployment, increasing wages, improving the working conditions of labor, and eliminating unfair and harmful competitive practices.

This Code is based upon the fact that the inherent and chief characteristic of the Textile Processing Industry is that it is not engaged in the production of commodities, but principally performs services with respect to the products of other textile industries, such as fibres, yarns, and fabrics; thus economically this industry is not in a position to control or correlate its activities with the demand of other industries.

## ARTICLE I—DEFINITIONS

Whenever used in this Code, the terms defined in this Article shall, unless the context shall otherwise indicate, have the meanings hereinafter set forth. The definition of any such term in the singular shall apply to the use of such term in the plural, and vice versa.

SECTION I. The term "industry" means and includes the business of Commission scouring, bleaching, dyeing, and glazing of raw stock, tops and yarns of cotton, wool and rayon and/or other synthetic fibres and/or combinations thereof which may be spun into yarn (except silk and spun silk yarn) and woolen and worsted fabrics including the application of such processes to hosiery, and other knitted textiles.

SEC. II. The term "Guild" means the National Textile Processors Guild, Inc., a membership corporation organized under the laws of the State of New York.

SEC. III. The term "Board" means the Board of Directors (as from time to time constituted) of the Guild.

SEC. IV. The term "Principal machinery" means all machinery and equipment used in the Industry except only such machinery and equipment as may be determined by the Board to be preparatory and/or finishing and/or accessory machinery and equipment for each branch of the Industry.

SEC. V. The term "Act" means the National Industrial Recovery Act as approved by the President of the United States on June 16th, 1933.

SEC. VI. The term "employee" means all persons working in the Industry for wages and/or salaries; except those employees who serve in executive, administrative, supervisory, sales, and/or technical capacities.



SEC. VII. The term "persons" shall include natural persons, partnerships, associations, and corporations.

SEC. VIII. The term "The effective date" shall be the second Monday after this Code shall have been approved by the President of the United States, pursuant to the Act.

## ARTICLE II—LABOR

SECTION I. *Collective Bargaining*.—Pursuant to subsection (a) of Section 7 of the National Industrial Recovery Act and so long as the Code shall be in effect, the Code shall be subject to the following conditions:

(1) 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;

(2) 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

(3) 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, as provided herein.

SEC. II. *Maximum Hours*.—On and after the effective date hereof employers in the industry shall not operate on a schedule of hours of labor for their employees, except repair crews, engineers, electricians, firemen, office, laboratory and supervisory staff, receiving and shipping, watching, and outside crews and cleaners, in excess of forty hours per week, subject to the flexible provision that because of the exigencies of the industry it may be necessary to work employees more than forty hours per week on occasion but the weekly work for each individual for six months calendar period beginning with the effective date hereof shall not exceed an average of forty hours per week nor shall such additional work required exceed eight hours in any one week.

On and after the effective date hereof, the maximum hours of labor for office employees in the Industry shall be an average of forty hours per week over each period of six months, beginning with the effective date hereof.

The hours in each week during which any employee shall have worked in other establishments or in other industries, shall be included in the total number of hours such employee is permitted to work under this Code.

SEC. III. *Minimum Wage*.—(1) On and after the effective date hereof, the minimum wage that shall be paid by employers in the Industry to any of their employees including apprentices shall be as follows: thirty-two and one half cents per hour, or thirteen dollars for forty hours of labor.

The Industry recognizes that certain operations are classified as skilled and certain operations as semi-skilled and that the foregoing minimum wage has no reference to such classes to whom higher wages than the minimum shall be paid.



(2) Inasmuch as many employers in this industry have heretofore made adjustments in hours and wages and in order to insure equality in the application of this article in the industry, it is provided that no employee after the effective date hereof shall receive for forty hours of labor less compensation than he received or would have received as of May 1st, 1933, for the weekly schedule of work (excluding overtime) in operation on that date in the plant in which he is employed.

SEC. IV. *Minors*.—On and after the effective date, no person under sixteen years of age shall be employed in the Industry.

SEC. V. *Machine Hours*.—After the effective date hereof, no person in the Industry shall operate any principal machinery more than eighty hours in any week.

### ARTICLE III—ADMINISTRATION

SECTION I. (a) To effectuate further the policies of the Act, a Textile Processing Industry Committee is hereby designated to cooperate with the Administrator as a Planning and Fair Practice agency for the industry. This Committee shall consist of five representatives of the Industry elected by a fair method of selection, to be approved by the Administrator and three members without vote appointed by the President of the United States. Such agency may from time to time present to the Administrator recommendations based on conditions in their industry as they may develop from time to time which will tend to effectuate the operation of the provisions of this Code and the policy of the National Industrial Recovery Act.

(b) Such agency is also set up to cooperate with the Administrator in making investigations as to the functioning and observance of any provisions of this Code, at its own instance, or on complaint by any person affected, and to report the same to the Administrator.

(c) This Code and all the provisions thereof are expressly made subject to the right of the President, in accordance with the provision of Clause 10 (b) 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.

(d) 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 as changes in the circumstances or experience may indicate. It is contemplated that from time to time supplementary provisions to this Code or additional codes 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 consistent with the provisions thereof.

SEC. II. All employers engaged in the Industry and coming under the operation of this Code shall bear their proportionate share of the expense incident to initiating, securing the approval of, and administering this Code of Fair Competition. These funds shall be paid to the Board or its duly-constituted agency for that purpose.



## ARTICLE IV—UNFAIR COMPETITION

SECTION I. *Selling Below Cost.*—Pending the completion of the installation of a system of cost finding throughout the industry, but only after such final approval by the President of the United States, the Board is hereby authorized to fix basic costs inclusive of depreciation and obsolescence for each type of service rendered by any concern in the industry.

No concern shall charge below cost, inclusive of depreciation and obsolescence, as determined by the Board pursuant to resolution for the time being or by the cost-finding system when installed or operating.

SEC. II. *Rebates and Allowances.*—No persons in the Industry shall allow any rebates and/or refunds and/or special discount, improper damage claims and/or improper deductions or allowances, in any form to any customer or his agent upon any condition whatsoever.

SEC. III. *Misrepresentations.*—No person in the Industry shall make any false statement and/or false representations, oral or written, relative to the services performed by him, with the intent or with the effect of deceiving or misleading customers or others.

No person in the Industry shall make or issue any bill or invoice which falsely states the quality or quantity, charges, and terms for services rendered.

SEC. IV. *Transportation Charges.*—No person in the Industry shall allow his customers transportation charges upon merchandise delivered for processing or terms of credit or cash discounts, other than as may be authorized from time to time by the Board.

SEC. V. *Gratuities.*—The giving or granting, directly or indirectly, of money, goods, or anything of value to customers or prospective customers or their agents or employees or representatives, for the purpose of influencing and/or obtaining business, is an unfair trade practice.

SEC. VI. *Small Lots.*—No person shall process small lots of customers' merchandise below the minimum quantities used as a charge basis without making a differential charge as may be established by the Board from time to time.

SEC. VII. *Re-Dyeing.*—No person in the Industry shall redye fibres, yarns, fabrics, and/or hosiery without charging for redyeing and stripping (where necessary), as may be established by the Board from time to time.

SEC. VIII. *Unit of Work.*—The Unit of work and charge in the industry shall be fixed by the "Board."

SEC. IX. *False Statements.*—No person in the Industry shall make any false, oral or written, statement or representation with respect to the financial standing, ability, quality, or service, character of management of other persons or employees in the Industry.

SEC. X. *Re-Shipment Unprocessed.*—No person in the Industry shall release from his possession any merchandise, unprocessed, belonging to others, unless a charge is made to his customer, as directed by the board.



## ARTICLE V—PRODUCTION CAPACITY

After the effective date, (1) no person not now engaged in the Industry shall operate any principal machinery unless he shall first have secured permission to do so from the Administrator, after an opportunity shall have been given the Board to be heard thereon; (2) all persons now engaged in the industry shall register their principal machinery with the Administrator or his appointee; (3) except for the replacement of a similar number of existing principal machines or to bring the operation of existing principal machinery into balance, all persons in the Industry shall secure certificates from the Administrator that such installation will be consistent with effectuating the policy of the Act, and such certificates may be granted or withheld by the said Administrator.

## ARTICLE VI—UNIFORM CONTRACT

The Board is hereby authorized, pursuant to resolution by them to be adopted hereafter, to adopt a uniform contract which shall be the standard form of contract for the industry, and which shall be used in all transactions providing for the processing of material serviced by the industry, subject only to such changes therein as may from time to time be authorized by the said Board. Other standard forms of contract appropriate to respective divisions of the industry may be adopted by those divisions, subject to the approval of the Board.

## ARTICLE VII—CLAIM ADJUSTMENT

To establish and participate in the establishment of a Control Adjustment Bureau for the adjustment of claims of customers against persons in the Industry and upon the establishment of such Bureau, all claims shall be adjusted subject to the rulings of the said Bureau and not otherwise, except with the approval of the Board.

## ARTICLE VIII—CREDIT

The Board may establish rules and regulations providing for the withdrawal of credit from customers who fail and/or refuse to pay for services performed for them by any person in the Industry.

