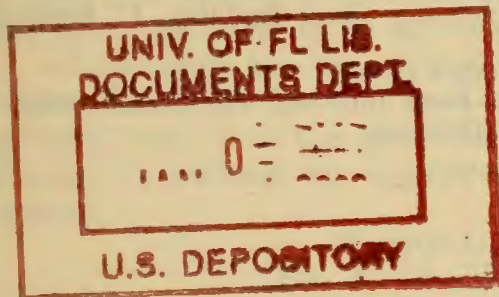


NATIONAL RECOVERY ADMINISTRATION

**AMENDMENT TO
CODE OF FAIR COMPETITION
FOR THE
CONSTRUCTION INDUSTRY**

AS APPROVED ON MAY 9, 1935



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1935

This publication is for sale by the Superintendent of Documents, Government Printing Office, Washington, D. C., and by the following N. R. A. offices:

Atlanta, Ga.: 625 Citizens & Southern National Bank Building.
Baltimore, Md.: 130 Customhouse.
Birmingham, Ala.: 201 Liberty National Life Building.
Boston, Mass.: Room 1200, 80 Federal Street.
Buffalo, N. Y.: 219 White Building.
Chicago, Ill.: Room 204, 400 North Michigan Avenue.
Cleveland, Ohio.: 520 Bulkley Building.
Dallas, Tex.: 1212 Republic Bank Building.
Detroit, Mich.: 415 New Federal Building.
Houston, Tex.: 403 Milam Building.
Jacksonville, Fla.: 425 United States Courthouse and Post Office Building.
Los Angeles, Calif.: 751 Figueroa Street, South.
Louisville, Ky.: 408 Federal Building.
Minneapolis, Minn.: 900 Roanoke Building.
Nashville, Tenn.: 415 Cotton States Building.
Newark, N. J.: 434 Industrial Office Building, 1600 Broad Street.
New Orleans, La.: 214 Customhouse.
New York, N. Y.: 45 Broadway.
Oklahoma City, Okla.: 427 Commerce Exchange Building.
Philadelphia, Pa.: 933 Commercial Trust Building.
Pittsburgh, Pa.: 401 Law and Finance Building.
Portland, Oreg.: 407 Park Building.
Providence, R. I.: National Exchange Bank Building, 17 Exchange Street.
St. Louis, Mo.: Suite 1220, 506 Olive Street.
San Francisco, Calif.: Humbolt Bank Building, 785 Market Street.
Seattle, Wash.: 1730 Exchange Building.

Approved Code No. 244—Amendment No. 8

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

CONSTRUCTION INDUSTRY

As Approved on May 9, 1935

ORDER

APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE CONSTRUCTION INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of amendments to a Code of Fair Competition for the Construction Industry, and an opportunity to be heard having been duly afforded to all interested parties and the annexed report on said amendments containing findings with respect thereto, having been made and directed to the President:

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 No. 6859, dated September 27th, 1934, and otherwise; does hereby incorporate, by reference, said annexed report and does find that said amendments and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and does hereby order that said amendments be and they are hereby approved, and that the previous approval of said Code is hereby amended to include an approval of said Code in its entirety as amended.

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

Approval recommended:

ROBT. N. CAMPBELL,
Acting Division Administrator.

WASHINGTON, D. C.,
May 9, 1935.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report covering three amendments to the Code of Fair Competition for the Construction Industry as approved by you on January 31, 1934. The amendments have been duly submitted by the National Code Authority on behalf of the Industry. All those interested have had ample opportunity to file objections, and no such objections have been received.

The effect of the amendment to Section 5 of Article III is to permit the appointment of an impartial chairman of the Regional Planning and Adjustment Board, such an impartial chairman now being prohibited. The effect of the amendment to Section 1 of Article III is to remove the present restriction that all local regional boards shall be limited to two members representing employers and two representing employees, and to permit such equal number of representatives of both employers and employees as may be deemed advisable. The effect of the second amendment to Section 1 of Article III is to permit joint mutual collective bargaining agreements between two or more divisions or subdivisions.

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

It finds that:

(a) The amendments to said Code and the Code as amended are 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 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) The Code as amended complies in all respects with the pertinent provision 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.

(c) The Code empowers the Code Authority to present the aforesaid amendment on behalf of the industry as a whole.

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

(e) The amendments and the Code as amended are 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 have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons, therefore, the National Industrial Recovery Board has approved these amendments to the Code of Fair Competition for the Construction Industry.

For the National Industrial Recovery Board:

W. A. HARRIMAN,
Administrative Officer.

MAY 9, 1935.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE CONSTRUCTION INDUSTRY

Amend Article III by adding to the end of the first paragraph of Section 1 of Article III the following:

“Nothing herein contained shall be construed to prevent truly representative associations or groups of employers and employees respectively concerned in two or more divisions or subdivisions of the industry by mutual consent from entering into a joint mutual agreement.”

Amend Article III by deleting the second sentence of the third paragraph of Section 1, Article III, reading as follows:

“Each such Board shall consist of two representatives each of employers and employees of the division or subdivision affected, selected by the Administrator from nominations made by such employers and employees respectively in such manner as the Administrator may approve or prescribe, and an impartial chairman named by the Administrator from nominations made by the employer and employee representatives selected to the Board.”

and substituting therefor the following:

“Each such Board shall consist of an equal number of representatives each of employers and employees of the division or subdivision affected, selected by the National Industrial Recovery Board from nominations made by such employers and employees respectively in such manner as the National Industrial Recovery Board may approve or prescribe, and an impartial chairman named by the National Industrial Recovery Board from nominations made by the employer and employee representatives selected to the Board.”

Amend Article III by deleting the first sentence of the fourth paragraph of Section 5 of Article III reading as follows:

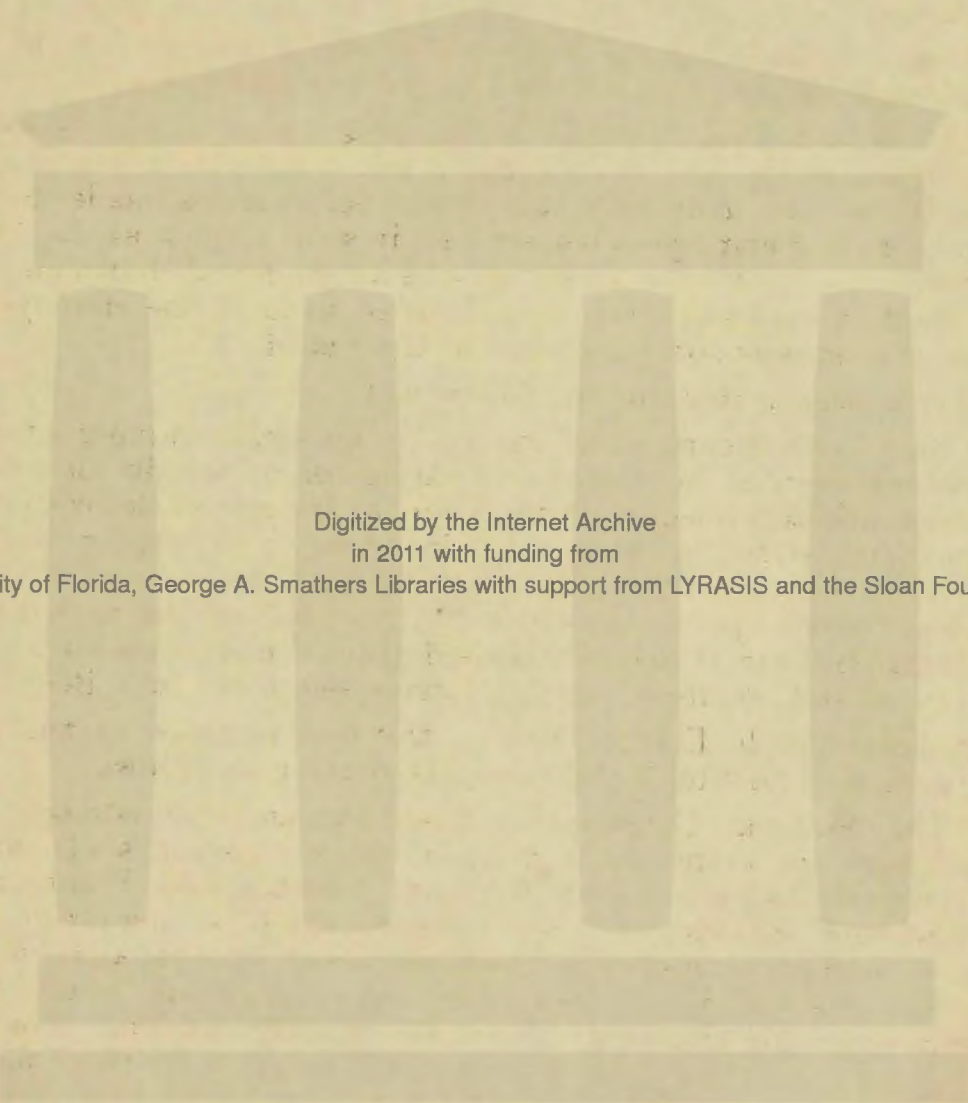
“The National Construction Planning and Adjustment Board shall have the authority, and upon its own motion shall establish in properly defined areas, Regional Construction Planning and Adjustment Boards, and said Boards shall be composed of an equal number of members from employer groups and employee groups, and it is further provided that there shall be no disinterested or impartial chairman of said Regional Boards, it being provided that such Boards shall select from their members a chairman and a secretary.”

and substituting therefor the following:

“The National Construction Planning and Adjustment Board shall have the authority, and upon its own motion shall establish in properly defined areas, Regional Construction Planning and Adjustment Boards, and said Boards shall be composed of an equal number of members each from employer and employee groups and an impartial chairman.”

Approved Code No. 244—Amendment No. 8.
Registry No. 1616-2-31.





Digitized by the Internet Archive
in 2011 with funding from

University of Florida, George A. Smathers Libraries with support from LYRASIS and the Sloan Foundation

