

NATIONAL RECOVERY ADMINISTRATION

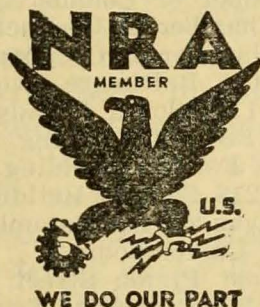
---

CODE OF FAIR COMPETITION

FOR THE

CANVAS STITCHED BELT  
MANUFACTURING INDUSTRY

AS APPROVED ON MAY 9, 1934



UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON: 1934

This publication is for sale by the Superintendent of Documents, Government Printing Office, Washington, D.C., and by district offices of the Bureau of Foreign and Domestic Commerce.

**DISTRICT OFFICES OF THE DEPARTMENT OF COMMERCE**

Atlanta, Ga.: 504 Post Office Building.  
Birmingham, Ala.: 257 Federal Building.  
Boston, Mass.: 1801 Customhouse.  
Buffalo, N.Y.: Chamber of Commerce Building.  
Charleston, S.C.: Chamber of Commerce Building.  
Chicago, Ill.: Suite 1706, 201 North Wells Street.  
Cleveland, Ohio: Chamber of Commerce.  
Dallas, Tex.: Chamber of Commerce Building.  
Detroit, Mich.: 801 First National Bank Building.  
Houston, Tex.: Chamber of Commerce Building.  
Indianapolis, Ind.: Chamber of Commerce Building.  
Jacksonville, Fla.: Chamber of Commerce Building.  
Kansas City, Mo.: 1028 Baltimore Avenue.  
Los Angeles, Calif.: 1163 South Broadway.  
Louisville, Ky.: 408 Federal Building.  
Memphis, Tenn.: 229 Federal Building.  
Minneapolis, Minn.: 213 Federal Building.  
New Orleans, La.: Room 225-A, Customhouse.  
New York, N.Y.: 734 Customhouse.  
Norfolk, Va.: 406 East Plume Street.  
Philadelphia, Pa.: 422 Commercial Trust Building.  
Pittsburgh, Pa.: Chamber of Commerce Building.  
Portland, Oreg.: 215 New Post Office Building.  
St. Louis, Mo.: 506 Olive Street.  
San Francisco, Calif.: 310 Customhouse.  
Seattle, Wash.: 809 Federal Office Building.





Approved Code No. 422

CODE OF FAIR COMPETITION

FOR THE

CANVAS STITCHED BELT MANUFACTURING  
INDUSTRY

As Approved on May 9, 1934

---

ORDER

APPROVING CODE OF FAIR COMPETITION FOR THE CANVAS STITCHED BELT  
MANUFACTURING 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 a Code of Fair Competition for the Canvas Stitched Belt Manufacturing Industry, and hearings having been duly held thereon and the annexed report on said Code, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order No. 6543-A, dated December 30, 1933, and otherwise; do hereby incorporate by reference said annexed report and do find that said Code complies in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act; and do hereby order that said Code of Fair Competition be and it is hereby approved.

HUGH S. JOHNSON,  
*Administrator for Industrial Recovery.*

Approval recommended:

H. O. KING,  
*Division Administrator.*

WASHINGTON, D.C.,  
*May 9, 1934.*



## REPORT TO THE PRESIDENT

The PRESIDENT,  
*The White House.*

SIR: This is a report on the Hearing on the Code of Fair Competition for the Canvas Stitched Belt Manufacturing Industry, held in Room 2062, Department of Commerce Building, on February 19, 1934. The Code which is attached was presented by duly qualified and authorized representatives of the Industry, complying with statutory requirements, said to represent all concerns in the Industry.

In accordance with the customary procedure every person who had filed a request for an appearance was freely heard in public, and all statutory and regulatory requirements were complied with.

### THE INDUSTRY

The Industry comprises seven concerns, having an investment in 1933 of \$935,000. In 1929 the seven concerns who are still engaged in the Industry employed 208 employees. This figure has declined to about 150 employees in 1933. Aggregate annual sales for the seven concerns has declined from \$2,254,000 in 1929 to \$537,000 in 1933.

### PROVISIONS OF THE CODE

The Code provides for a minimum wage of 35¢ per hour, and 32½¢ per hour for learners during a six weeks period of apprenticeship. Learners are limited to 10% of the total number of employees. The weekly rate of compensation shall not be reduced because of any reductions in the number of hours of work per week and dollar differentials existing on June 16, 1933 are to be maintained for all employees receiving \$35 or less per week.

Hours of work for clerical and office employees are limited to 40 hours per week and eight hours per day with a provision that these employees are permitted to work ten hours a day for one day each week.

Hours of work for all other employees are limited to 40 hours a week and eight hours a day with the following exceptions:

Employees are permitted to work 48 hours per week and nine hours per day for not more than ten weeks in any one year provided that time and one-third is paid for all work in excess of 40 hours a week and eight hours a day; engineers and shipping crews are permitted to work 44 hours per week and nine hours per day; firemen are permitted to work 48 hours per week and 12 hours per day; employees engaged exclusively in a supervisory capacity receiving \$35 per week or more and outside salesmen are not limited as to hours; watchmen are permitted to work not more than 56 hours per week and 12 hours per day; employees in cases of special necessity are ex-



cepted from the maximum hours provisions but shall be paid time and one-half for all overtime work.

Representation of the Code Authority is provided for all members of the Industry. There are no restrictive provisions. The Code provides for an open price association in the Industry, but permits prices to be revised without a waiting period.

#### FINDINGS

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

I find 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 tends 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 the 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 50,000 employees; and is not classified by me 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 have not been deprived of the right to be heard prior to approval of said Code.

For these reasons, this Code of Fair Competition for the Canvas Stitched Belt Manufacturing Industry has been approved.

Respectfully,

HUGH S. JOHNSON,  
*Administrator.*

MAY 9, 1934.



# CODE OF FAIR COMPETITION FOR THE CANVAS STITCHED BELT MANUFACTURING INDUSTRY

## ARTICLE I—PURPOSES

To effectuate the policies of Title I of the National Industrial Recovery Act, the following provisions are established as a Code of Fair Competition for the Canvas Stitched Belt Manufacturing Industry and shall be the standard of fair competition for such Industry and shall be binding upon every member thereof.

## ARTICLE II—DEFINITIONS

1. The term "Industry" as used herein includes the manufacture and the sale by manufacturers of canvas stitched belting, but does not include solid woven, rubber, balata, or leather belting, or the manufacture of the fabric used in canvas stitched belting.

2. The term "member of the Industry" includes, but without limitation any individual, partnership, association, corporation, or other form of enterprise engaged in the Industry, either as an employer or on its own behalf.

3. The term "employee" as used herein includes anyone engaged in the Industry in any capacity receiving compensation for his services, irrespective of the nature or method of payment of such compensation, except a member of the Industry.

4. The term "employer" as used herein includes anyone by whom any such employee is compensated or employed.

5. The term "watchmen" is defined to mean employees whose primary duty is watching and guarding the property of their employer.

6. The terms "Act", "President", and "Administrator" as used herein shall mean respectively Title I of the National Industrial Recovery Act, the President of the United States, and the Administrator for Industrial Recovery.

## ARTICLE III—HOURS

1. No person employed in clerical or office work shall be permitted to work in excess of forty (40) hours in any one week or eight (8) hours in any twenty-four (24) hour period, provided, however, that he may be permitted to work ten (10) hours a day for one day each week, provided, further, that in no event shall he work more than forty (40) hours in any one week.

2. No other employee shall be permitted to work in excess of forty (40) hours in any one week or eight (8) hours in any twenty-four (24) hour period, provided, however, that these employees may be permitted to work forty-eight hours in any one week and nine (9)



hours in any one day for not more than ten (10) weeks in any one year, provided, further, that time and one-third ( $1\frac{1}{3}$ ) shall be paid for all hours worked in excess of forty (40) hours in any one week and eight (8) hours in any one day, excepting that:

(a) Engineers and shipping crews shall be permitted to work not in excess of forty-four (44) hours in any one week or nine (9) hours in any one day.

(b) Firemen shall be permitted to work not more than forty-eight (48) hours in any one week or twelve (12) hours in any one day.

(c) Executives and employees engaged exclusively in a managerial or supervisory capacity, who are paid thirty-five dollars (\$35.00) or more per week and outside salesmen are exempted from all provisions of this Section.

(d) Watchmen shall be permitted to work not more than fifty-six (56) hours in any one week or more than twelve (12) hours in any one day.

(e) Employees engaged in emergency maintenance or emergency repair work are excepted from the maximum hour provisions of this Section but in any such special case over time for all work in excess of the maximum hours specified herein shall be paid for at not less than one and one-half ( $1\frac{1}{2}$ ) times the normal rate. All such over-time work shall be reported to the Code Authority.

3. No employer shall knowingly permit any employee to work for a total number of hours in excess of the number of hours prescribed for each week and day, whether employed by one or more employers in the Industry.

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

#### ARTICLE IV—WAGES

1. No employee shall be paid less than at the rate of fourteen dollars (\$14.00) per week of forty (40) hours or thirty-five cents (35¢) per hour, except as otherwise provided herein.

2. This Article establishes a minimum rate of pay, regardless of whether an employee is compensated on a time-rate, piecework, or other basis.

3. The provisions of Section 1 of this Article shall not apply to learners during a six weeks' apprenticeship, during which time learners may be paid at not less than at the rate of thirty-two and one-half cents ( $32\frac{1}{2}$ ¢) per hour. No employer shall include within the category of learners more than ten per cent (10%) of the total number of employees in his plant, provided, however, that nothing herein shall prevent any member of the Industry from employing at least one learner.

4. Employees shall be paid at the rate of time and one-half ( $1\frac{1}{2}$ ) the normal rate of pay for all work performed on Sundays, Memorial Day, the Fourth of July, Labor Day, Thanksgiving Day, Christmas and New Year's Day.

5. No employee shall be paid a wage rate which will yield a lower weekly wage for the shorter full-time week herein established than he could have earned for the same class of work for the longer



full-time week existing June 16, 1933. Dollar differentials existing on June 16, 1933, shall at least be maintained for the same class of work, for all employees who are paid \$35.00 per week or less.

6. No employer or his agent shall accept rebates directly or indirectly on wages.

7. Female employees performing substantially the same work as male employees shall receive the same pay as male employees and where female employees displace male employees they shall receive the same rates of pay as the male employees who perform this work.

8. 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 monthly with the Code Authority a list of all such persons employed by him, showing the wages paid to, and the maximum hours of work for, such employee.

#### ARTICLE V—GENERAL LABOR PROVISIONS

1. No person under sixteen (16) years of age shall be employed in this 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. This Code Authority shall submit to the Administrator for approval before April 1, 1934, 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 valid certificate or permit duly signed by the Authority in such State empowered to issue employment or age certificates or permits showing that the employee is of the required age.

2. 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.

3. 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.

4. Employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment, approved or prescribed by the President.

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, or insurance, or fire protection, than are imposed by this Code.

6. Employers shall not reclassify employees or duties of occupations performed by employees or use any other subterfuge so as to defeat the purposes of the Act or of this Code.

7. All employers shall post and keep posted the full labor provisions of this Code in conspicuous places readily accessible to em-



ployees, and shall comply with all rules and regulations relative to the posting of provisions of Codes of Fair Competition which may be prescribed by the Administrator from time to time.

8. Every employer shall make reasonable provisions for the safety and health of his employees at the place and during the hours of their employment. Standards of safety and health shall be submitted by the Code Authority to the Administrator for approval within six (6) months after the effective date of this Code.

#### ARTICLE VI—ADMINISTRATION

1. There shall forthwith be constituted a Code Authority consisting of:

(a) Three representatives of the Industry, or such other member as may be approved from time to time by the Administrator, to be selected as hereinafter provided.

(b) Such additional members, without vote, not to exceed three, as the Administrator may appoint to represent such groups or interests or such governmental agencies and for such periods as he may designate.

2. The representatives of the Industry shall be selected in the following manner:

(a) The representatives shall be elected by a majority vote of the members of the Industry. All known members of the Industry shall be notified by registered mail at least ten (10) days prior to the election. Voting by mail shall be permitted and each member of the Industry shall be entitled to vote for three (3) members of the Code Authority.

(b) Members of the Code Authority shall hold office for one year or until their successors are elected and qualified.

3. Each trade or industrial association directly or indirectly participating in the selection or activities of the Code Authority shall (1) impose no inequitable restrictions on membership, and (2) submit to the Administrator true copies of its articles of association, by-laws, regulations, and any amendments when made thereto, together with such other information as to membership, organization, and activities as the Administrator may deem necessary to effectuate the purpose of the Act.

4. In order that the Code Authority shall at all times be truly representative of the Industry and in other respects comply with the provisions of the Act, the Administrator may prescribe such hearings as he may deem proper; and thereafter if he shall find that the Code Authority is not truly representative or does not in other respects comply with the provisions of the Act, may require an appropriate modification in the method of selection of the Code Authority.

5. It being found necessary, in order to support the administration of this Code and to maintain the standards of fair competition established by this Code and to effectuate the policy of the Act, the Code Authority is authorized, subject to the approval of the Administrator:

(a) To incur such reasonable obligations as are necessary and proper for the foregoing purposes and to meet such obligations out of funds which may be raised as hereinafter provided and which shall be held in trust for the purposes of the Code;



(b) To submit to the Administrator for his approval, subject to such notice and opportunity to be heard as he may deem necessary, (1) an itemized budget of its estimated expenses for the foregoing purposes, and (2) an equitable basis upon which the funds necessary to support such budget shall be contributed by members of the Industry;

(c) After such budget and basis of contribution have been approved by the Administrator, to determine and secure equitable contribution as above set forth by all such members of the Industry, and to that end, if necessary, to institute legal proceedings therefor in its own name.

Only members of the Industry complying with the Code and contributing to the expenses of its administration as provided above shall be entitled to participate in the selection of the members of the Code Authority or to receive the benefit of its voluntary activities or to make use of any emblem or insignia of the National Recovery Administration.

6. Nothing contained in this Code shall constitute the members of the Code Authority partners for any purpose. Nor shall any member of the Code Authority be liable in any manner to anyone for any act of any other member, officer, agent, or employee of the Code Authority. Nor shall any member of the Code Authority, exercising reasonable diligence in the conduct of his duties hereunder, be liable to anyone for any action or omission to act under this Code, except for his own willful malfeasance or nonfeasance.

7. If the Administrator shall determine that any action of the Code Authority or any agency thereof may be unfair or unjust or contrary to the public interest, the Administrator may require that such action be suspended to afford an opportunity for investigation of the merits of such action and further consideration by the Code Authority or agency pending final action which shall not be effective unless the Administrator approves or unless he shall fail to disapprove after thirty days' notice to him of intention to proceed with such action in its original or modified form.

8. The Code Authority shall have the following further powers and duties:

(a) To insure the execution of the provisions of this Code and to provide, subject to rules and regulations established by the Administrator, for the compliance of the Industry with the provisions of the Act: Provided, however, that this shall not be construed to deprive duly authorized governmental agencies of their power to enforce the provisions of this Code or of the Act.

(b) To adopt by-laws and rules and regulations for its procedure and for the administration and enforcement of the Code.

(c) To obtain from members of the Industry such information and reports as are required for the administration of the Code. In addition to information required to be submitted to the Code Authority, members of the Industry subject to this Code shall furnish such statistical information as the Administrator may deem necessary for the purposes recited in Section 3 (a) of the Act to such Federal and State agencies as he may designate; provided that nothing in this Code shall relieve any member of the Industry of any existing obligation to furnish reports to any Government



**Agency.** No individual reports shall be disclosed to any other member of the Industry or any other party except to such governmental agencies as may be directed by the President or the Administrator.

(d) To use such trade associations and other agencies as it deems proper for the carrying out of any of its activities provided for herein, provided that nothing herein shall relieve the Code Authority of its duties or responsibilities under this Code and that such trade associations and agencies shall at all times be subject to and comply with the provisions hereof.

(e) To make recommendations to the Administrator for the coordination of the administration of this Code with such other codes, if any, as may be related to or affect members of the Industry.

(f) To cooperate with the Administrator in regulating the use of the N.R.A. insignia solely by those members of the Industry who have assented to, and are complying with, this Code.

(g) To recommend to the Administrator any action or measure deemed advisable, including further fair trade practice provisions to govern members of the Industry in their relations with each other or with other Industries, measures for industrial planning, and stabilization of employment; and including modifications of this Code, which shall become effective as a part hereof upon approval by the Administrator after such notice and hearing as he may specify.

#### ARTICLE VII—TRADE PRACTICES

1. On or before ten days after the effective date of this Code, all members of the Industry shall file with the Code Authority a schedule of discounts from the standard price lists of the Canvas Stitched Belt Manufacturers, adopted October 1, 1929, together with all terms and/or conditions of sale for each weight of each standard competitive grade of Canvas Stitched Belting sold or offered for sale. A standard competitive grade of Canvas Stitched Belting is defined to mean the lowest priced Canvas Stitched Belting manufactured of 37½ ounce, 34 ounce, 32 ounce, and 26 ounce cotton duck. Any member of the Industry may revise his schedule at any time. Such revised schedule shall be deemed to have been filed and shall become effective immediately after registered letters containing such revised schedules shall have been mailed to the Code Authority and all other members of the Industry.

No member of the Industry shall sell or offer for sale any standard competitive grade of Canvas Stitched Belting at more favorable discounts, terms, and/or conditions of sale than those specified in the schedule filed with the Code Authority as hereinbefore provided. Any allowance to any purchaser for handling or consigned stock which results in a net price lower than the net price listed to the class to which the purchaser belongs, shall be considered a violation of this provision.

2. No member of the Industry shall manufacture any belting below 38 ounce weight except when made of 37½ ounce, 34 ounce, 32 ounce, and 28 ounce cotton duck. Weight shall be based on the commercial yard of 36 inches by 42 inches.

3. No member of the Industry shall give, permit to be given, or directly offer to give, anything of value for the purpose of influencing



or rewarding the action of any employee, agent, or representative of another in relation to the business of the employer of such employee, the principal of such agent or the represented party, without the knowledge of such employer, principal, or party. This provision shall not be construed to prohibit free and general distribution of articles commonly used for advertising except so far as such articles are actually used for commercial bribery as hereinabove defined.

4. No member of the Industry shall use advertising (whether printed, radio, display, or of any other nature) or other representation which is inaccurate in any material particular or in any way misrepresent any commodity (including its use, trade mark, grade, quality, quantity, origin, size, substance, character, nature, finish, material content, or preparation), or credit terms, values, policies, services, or the nature or form of the business conducted.

#### ARTICLE VIII—MODIFICATION

1. This Code and all the provisions thereof are expressly made subject to the right of the President, in accordance with the provisions of subsection (b) of Section 10 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, but without limitation, 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.

2. After due notice and hearing, this Code, except as to provisions required by the Act, may be modified on the basis of experience or changes in circumstances; such modifications shall be based on the recommendation of the Code Authority or of any interested party or group or on the Administrator's own initiative and shall become effective on approval by the Administrator.

#### ARTICLE IX—MONOPOLIES

No provision of this Code shall be so applied as to permit monopolies or monopolistic practices, or to eliminate, oppress, or discriminate against small enterprises.

#### ARTICLE X—EFFECTIVE DATE

This Code shall become effective on the second Monday after its approval.

Approved Code No. 422.

Registry No. 205-02.















UNIVERSITY OF FLORIDA



3 1262 08486 8438