

NATIONAL RECOVERY ADMINISTRATION

CODE OF FAIR COMPETITION

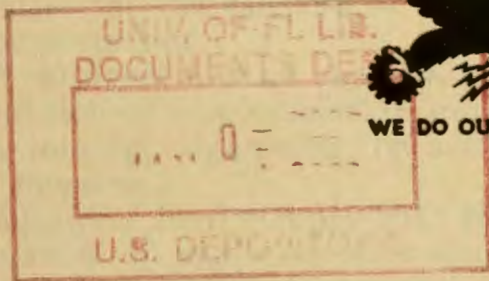
FOR THE

BALATA BELTING
MANUFACTURING INDUSTRY

AS SUBMITTED ON AUGUST 23, 1933

REGISTRY No. 205—01

The Code for the Balata Belting Manufacturing 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

CODE OF FAIR COMPETITION FOR BALATA BELTING MANUFACTURING INDUSTRY OF THE UNITED STATES SUBMITTED BY BALATA BELTING MANUFACTURERS ASSOCIATION

ARTICLE I—PURPOSE

This code is designed to make the policy of Title I of the National Industrial Recovery Act effective within the Industry by reducing hours of labor, increasing employment, establishing fair and adequate wages, and eliminating unfair competitive practices destructive to the interests of the public, the employees, and the employers.

ARTICLE II—DEFINITIONS

SECTION. 1. The term "the Industry", as used herein, is defined to mean the business of manufacturing and selling Balata Belting and kindred products.

SEC. 2. The term "employee", as used herein, is defined to mean an employee in the Industry.

SEC. 3. The term "a member of the Industry", as used herein, is defined to mean an employer in the Industry, whether person, firm, association or corporation.

SEC. 4. The term "the Association", as used herein, is defined to mean the Balata Belting Manufacturers Association.

ARTICLE III—LABOR

SECTION 1. *Required provisions.*—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.

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.

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. *Maximum hours.*—Members of the Industry shall not require or permit any employee to work beyond a maximum of 40 hours a week, except executives and those in a managerial position and their secretarial staffs, engineers, firemen, shipping help, and watchmen, and except in cases of emergency. Any such emergency,

the reasons therefore, and the overtime work, shall be reported monthly to the Association.

SEC. 3. *Minimum wages.*—Members of the Industry shall pay a minimum wage of 32½¢ an hour, except to learners during two weeks' apprenticeship. ("Learners" are defined as persons not previously employed in the Industry.)

SEC. 4. *Child labor.*—No person under 16 years of age shall be employed in the Industry.

ARTICLE IV—OPEN PRICE LISTING

Each member of the Industry may, within 10 days after the approval of this code, file with the association a net price list, or a price list and discount sheet as the case may be, individually prepared by him showing his current prices, or prices and maximum discounts, and the association shall immediately send copies thereof to all known members of the Industry. Revised price lists and/or maximum discount sheets may be filed from time to time thereafter with the Association by any member of the Industry, to become effective immediately or upon any subsequent date that he may specify. Copies of such revised price lists and/or maximum discount sheets, with notice of the effective date specified thereon, shall immediately be sent to all known members of the Industry, who thereupon may file, if they so desire, a "special revision" of their price list and/or maximum discount sheet which shall become effective as of the date when the revised price list and/or maximum discount sheet first filed may go into effect.

ARTICLE V—UNFAIR TRADE PRACTICES

The use of any of the following practices shall constitute an unfair method of competition:

1. The sale of any product by a member of the Industry at prices or on terms or conditions more favorable to the purchaser than the price, terms, or conditions established by such member in accordance with the provisions of Article IV.

The allowance to a purchaser of commissions, bonuses, rebates, refunds, credits, unearned discounts, additional products, or subsidies of any kind, whether in the form of money, services, advertising, or otherwise, shall be considered a violation of this provision.

2. 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, or other payment or remuneration, directly or indirectly.

Lavish or excessive entertainment of a purchaser, or prospective purchaser, or of any officer, employee, or representative of such purchaser, or prospective purchaser.

3. Making, causing, or permitting any advertisement, description, marking, or branding of any product of the Industry with the intent to, or with the effect of misleading any purchaser as to the quantity, quality, grade, weight, or substance of the goods sold.

The unfair practices listed above, and any included in any amendment to this code hereinafter adopted and at the time in effect, shall

be deemed an unfair method of competition in commerce within the meaning of the Federal Trade Commission Act as amended, and the use or employing of any of them shall be deemed to be a violation of this code; and any member of the Industry who shall directly or indirectly, through any officer, employee, agent, or representative knowingly use or employ any such unfair practices, shall be guilty of a violation of this code.

ARTICLE VI—REPORTS

For the purpose of supplying the President and the Administrator with requisite data as to the observance and effectiveness of this code, and as to whether the Industry is taking appropriate steps to enable it intelligently to adjust its hours of labor, wages, and productive capacity to changing demands of consumers, industrial trends, and other conditions in accordance with the declared policy of the National Industrial Recovery Act, each member of the Industry shall furnish to the Association such information as may be necessary to enable it to supply any data required.

ARTICLE VII—ADMINISTRATION

This code shall be administered by the Balata Belting Manufacturers Association, which is hereby created the agency:

- (a) to plan for the Industry;
- (b) to collect such statistical information as the Administrator may require;
- (c) to make inquiry and investigation into the operation of this code, either upon complaint of interested parties, or upon its own initiative, and to take suitable action as a result of its investigation, and
- (d) from time to time to formulate and submit to the Administrator supplementary provisions to this code.

ARTICLE VIII—MONOPOLIES

This code is not designed to promote monopolies, and shall not be availed of for that purpose. The provisions of this code shall not be so interpreted or administered as to eliminate or oppress small enterprises or to discriminate against them.

ARTICLE IX—CANCELLATION OR MODIFICATION

This code or any of its provisions shall be cancelled or modified and any approved rule issued thereunder shall be ineffective to the extent necessary to conform to any action by the President under Section 10 (b) of the National Industrial Recovery Act in cancellation or modification of any order, approval, license, rule, or regulation pertaining thereto.

ARTICLE X—EFFECTIVE DATE OF CODE

This code shall be in effect beginning two weeks after its approval by the President of the United States.

Dated at Passaic, New Jersey, this 17th day of August 1933.

BALATA BELTING MANUFACTURERS ASSOCIATION,
By M. A. KEILEY, *President.*
By ED. VOIGHT, *Vice President.*
By S. A. PARDEL, *Secretary.*





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