

EXECUTIVE COMMITTEE MEETING

New York, N. Y.

July 28, 1933.

A meeting of the Executive Committee of the Lead Industries Association was held in the Board Room of the American Smelting and Refining Company, New York City, on July 28, 1933 at 10:00 A.M.

Present

Mr. Clinton H. Crane, Chairman
F. H. Brownell
H. Y. Walker
W. C. Beschorman
F. M. Carter
I. H. Cornell
Fred. Laist
J. A. McCarthy
F. F. Colcord
F. Y. Robertson

F. E. Wormser, Secretary.

Representing

St. Joseph Lead Co.
American Smelting & Refining Co.
" " " " "
National Lead Co.
" " "
St. Joseph Lead Co.
United Metals Selling Co.
" " " "
United States Smelting Re-
fining & Mining Co. Inc.

The Chairman stated that a great number of replies had been received to telegrams which were sent members as authorized at the meeting of July 24th and that compliance with the President's suggested form of agreement would work hardship on many members. After discussion it appeared to be the feeling of the Executive Committee that it was preferable for the Lead Industries Association to submit its own code to the National Recovery Administration, if it could be done.

It was thereupon moved, seconded and carried that the Executive Committee proceed with the drafting of its own code.

The Chairman submitted a Tentative Draft of a Master Code as approved by the Lead Pigments Division of the Lead Industries Association which was then studied article by article until satisfactory to the Executive Committee.

As this Code mainly dealt with wages and hours of employment, it was regularly moved, seconded and carried that

Based upon the data available to the Lead Industries Association, the Code specify 40 hours as a maximum in Article VI for all divisions.

(Mr. R. M. Roosevelt was unavoidably absent in Washington and if present would have voted for a 42 hour maximum so as not to run the risk of any interference with the Zinc Code which specified 42 hours.)

It was also regularly moved, seconded and carried that 35¢ an hour be adopted as a minimum wage for each division of the Lead Industries Association under Article VII.

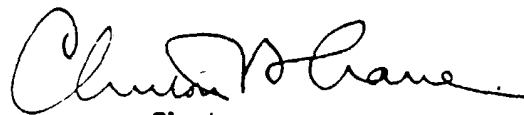
The Secretary was authorized to submit this Code to Washington to the Recovery Administration, after writing each member requesting authorization to append their signatures to the Code and provided sufficient support from the membership was obtained.

Applications for membership having been received from the following companies, and each one qualifying, it was regularly moved, seconded and carried that they be admitted to membership and that the Secretary advise them of this action:

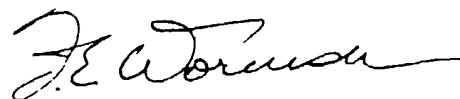
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Alpha Metal & Rolling Mills Inc., Brooklyn, N. Y.
Columbia Smelting & Refining Co., Brooklyn, N. Y.
Day Mining Properties, Wallace, Idaho.
Flemm Lead Co. Inc., Long Island City, N. Y.
Girard Smelting & Refining Co., Philadelphia, Pa.
Imperial Type Metal Co., Philadelphia, Pa.
Marks Lissberger & Son Inc., Long Island City, N. Y.
Standard Rolling Mills Inc., Brooklyn, N. Y.
Sunshine Mining Company, Yakima, Wash.

The meeting adjourned at 12:30 P.M.



Chairman.



Secretary.

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NATIONAL RECOVERY ADMINISTRATION

PROPOSED CODE OF FAIR COMPETITION

FOR THE

LEAD INDUSTRY

AS SUBMITTED ON AUGUST 31, 1933



The Code for the Lead 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

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GOVERNMENT PRINTING OFFICE
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SUBMITTED BY
LEAD INDUSTRIES ASSOCIATION
(11)

LIAC2404

CODE OF FAIR COMPETITION FOR THE LEAD INDUSTRIES

The subscribers to this code, submitted by the Lead Industries Association for its members, represent 90 percent of the active lead mining, 90 percent of the lead smelting and refining, 100 percent of the lead pigments, and more than 85 percent of the metallic lead products, and 100 percent of the metallic lead and tin foil products industries by tonnage in the United States of America. The Lead Industries Association affirms that it imposes no inequitable restrictions on admission to membership and participation in its activities, and that it is truly representative as a national trade association of the lead industry in its several branches.

ARTICLE I—PURPOSE

The declared purpose of this code is to effectuate the policy of Title I of the National Industrial Recovery Act, during the period of the emergency, by reducing and relieving unemployment in the lead industries, by improving the standards of labor therein, by eliminating destructive competitive practices, and by maintaining a reasonable balance between production and consumption of the products of these industries.

ARTICLE II—DEFINITIONS

(a) "Lead industries" as used herein is defined to mean all those engaged in the mining, smelting, and refining of lead and lead scrap, and in the manufacture of lead pigments, metallic lead products, allied products defined under "metallic lead products", and metallic foil products.

(b) "Lead ore and Ore Concentrates" as used herein is defined to mean ore containing lead as the principal commercially recoverable constituent.

(c) "Lead mining" as used herein is defined to mean the mining and concentrating of ore containing lead and other treatment to the time of shipment to the smelter.

(d) "Lead smelting and refining" as used herein is defined to mean the processing of lead ore, concentrates, lead scrap, and other lead-bearing material into pig lead or antimonial lead.

(e) "Lead pigments" as used herein is defined to mean basic carbonate white lead, basic lead sulphate, litharge, red lead, orange mineral, and other lead oxides with or without metallic lead content.

(f) "Metallic lead products" as used herein is defined to mean extruded, rolled, cast, or otherwise worked lead or lead alloy products, or metallic tin, tin alloy, or other metal or metal alloy products which are produced by the members of the Lead Industries Association on the same type of machinery and under similar labor conditions.

(g) "Metallic foil products" as used herein is defined to mean lead, tin, aluminum, zinc, or their alloys or combinations, rolled to a thickness of .006 in. or less; or other metals or their alloys or combinations rolled on similar machinery to the same thickness or less; whether attached or affixed to other materials or not.

(h) "Persons" as used herein includes any individual, firm, partnership, or corporation.

(i) "Employees" as used herein shall include all persons employed in the conduct of the respective operations, except executives and their immediate assistants, supervising, technical, maintenance, and engineering staffs.

(j) "Division" as used herein refers to the several sections of the lead industries as enumerated below:

1. Lead-mining division.
2. Lead-smelting and refining division.
3. Lead-pigments division.
4. Metallic lead-products division.
5. Metallic foil-products division.

ARTICLE III—EFFECTIVE DATE

This code shall be in effect beginning the second Monday after its approval by the President.

ARTICLE IV—LABOR PROVISIONS

Employers in the lead industries engaged in the production and manufacture of lead and lead products shall comply with the requirements of the National Industrial Recovery Act as follows: "(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.

ARTICLE V—MINIMUM AGE

On and after the effective date, employers shall not employ any person under the age of 16 years, engaged directly or indirectly in production.

ARTICLE VI—HOURS OF LABOR

On and after the effective date of this code employers in the several divisions of the lead industry shall not operate on a schedule of hours of labor for their employees exceeding the equivalent of the number of hours per week listed below when averaged over the period from the effective date of this code until October 1, 1933, or

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over any of the successive thirteen-week periods ending, respectively, December 31, 1933, April 1, 1934, and July 1, 1934, etc., nor a total of more than 520 hours in any of these thirteen-week periods.

	Hours
1. Lead mining division.....	40
2. Lead smelting and refining division.....	40
3. Lead pigments division.....	40
4. Metallic lead products division.....	40
5. Metallic foil products division.....	40

Such maximum working hours shall not apply in the case of accidents or emergencies where the safety of the men or the preservation of the property necessitates temporarily longer hours; nor in the case of the mining division shall it apply to hoistmen, power-house men or pump men. It is also recognized that in various divisions there are individual circumstances which may call for special consideration and the working of a greater number of hours than herein specified which shall be permitted on approval by the National Recovery Administration.

ARTICLE VII—MINIMUM WAGES

The minimum wage for each division shall be as follows:

	Per hour
1. Lead mining division.....cents..	35
2. Lead smelting and refining division.....do....	35
3. Lead pigments division.....do....	35
4. Metallic lead products division.....do....	35
5. Metallic foil products division.....do....	35

unless the hourly rate for the same class of work on July 15, 1929, was less than thirty-five cents (35¢) per hour, in which latter case not to be less than the hourly rate of July 15, 1929, and in no event less than thirty cents (30¢) per hour; except for cleaners, watchmen, and outside labor, whose minimum wage shall be at the rate of thirty cents (30¢) per hour, but in no case shall the number of cleaners, watchmen, and outside labor in the above classes exceed five percent (5%) of the total number of employees.

ARTICLE VIII—ADMINISTRATION

Lead Industries Association is hereby designated the agency for administering, supervising, and promoting the performance of the provisions of this code by the members of the lead industries. The Association shall be divided into five division as defined in Art. II. Each division is to function as a separate unit, and shall be self-governing, and may draft a supplementary code of fair competition not inconsistent with this agreement. The Executive Committee, together with each division chairman, the Secretary of the Lead Industries Association, and such representatives of the Administrator as he may care to appoint, are designated to cooperate with Administrator in the administering of this code with respect to the several divisions.

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ARTICLE IX—REPORTS

To inform the President as to the observance of the provisions of this code by its subscribers and as to the steps the lead industries are taking to effectuate the declared policy of the National Industrial Recovery Act, each person engaged in the industry shall provide certified statements at the end of each period referred to under Article 6 to the effect that the employer has complied with the maximum hours and minimum rates of wages prescribed herein.

ARTICLE X—FEES

Each subscriber to this code shall pay his proportionate share of the cost of conducting the Lead Industries Association as prescribed in the Constitution and By-Laws, as amended, of that Association.

ARTICLE XI—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 XII—MONOPOLIES

- (a) This code is not designed to promote monopolies and shall not be availed of for that purpose.
- (b) 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 XIII—ADDITIONS OF AMENDMENTS

Additions or amendments to this code, or supplemental codes affecting or pertaining to the several divisions of the lead industries may be submitted to the Executive Committee of the Lead Industries Association, and, upon approval by the Committee, after two weeks notice to the members, may be submitted to the Administrator of the National Industrial Recovery Act and will become a part of this code and have the same force and effect as any other provision of this code when approved by the Administrator.

LIA02408

CODE OF FAIR COMPETITION FOR THE LEAD INDUSTRIES

The subscribers to this code, submitted by the Lead Industries Association for its members, represent 90 per cent of the active lead mining, 90 per cent of the lead smelting and refining, 95 per cent of the lead pigments, and more than 85 per cent of the metallic lead products and 100 per cent of the metallic lead and tin foil products industries by tonnage in the United States of America. The Lead Industries Association, affirms that it imposes no inequitable restrictions on admission to membership and participation in its activities, and that it is truly representative as a national trade association of the lead industry in its several branches.

PURPOSE

Art. I. The declared purpose of this code is to effectuate the policy of Title I of the National Industrial Recovery Act, during the period of the emergency, by reducing and relieving unemployment in the lead industries, by improving the standards of labor therein, by eliminating destructive competitive practices, and by maintaining a reasonable balance between production and consumption of the products of these industries.

DEFINITIONS

Art. II. (a) "Lead industries" as used herein is defined to mean all those engaged in the mining, smelting and refining of lead and lead scrap and in the manufacture of lead pigments, metallic lead products, allied products defined under "metallic lead products" and metallic foil products.

(b) "Lead ore and ore concentrates" as used herein is defined to mean ore containing lead as the principal commercially recoverable constituent.

(c) "Lead mining" as used herein is defined to mean the mining and concentrating of lead ore and other treatment to the time of shipment to the smelter.

(d) "Lead smelting and refining" as used herein is defined to mean the processing of lead ore, concentrates, lead scrap, and other lead bearing material into pig lead or antimonial lead.

(e) "Lead pigments" as used herein is defined to mean basic carbonate white lead, dry or in oil, basic lead sulphate, dry or in oil, litharge, red lead, dry or in oil, orange mineral, and other lead oxides with or without metallic lead content.

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... "Metallic lead products" as used herein is defined to mean extruded, rolled, cast or otherwise worked lead or lead alloy products, or metallic tin, tin alloy or other metal or metal alloy products which are produced by the members of the Lead Industries Association on the same type of machinery and under similar labor conditions.

(g) "Metallic foil products" as used herein is defined to mean lead, tin, aluminum, zinc or their alloys or combinations rolled to a thickness of .006 in. or less; or other metals or their alloys or combinations rolled on similar machinery to the same thickness or less; whether attached or affixed to other materials or not.

(h) "Persons" as used herein includes any individual, firm, partnership or corporation.

(i) "Employees" as used herein shall include all persons employed in the conduct of the respective operations, except executives and their immediate assistants, supervising, technical, maintenance and engineering staffs.

(j) "Division" as used herein refers to the several sections of the lead industries as enumerated below:

1. Lead mining division
2. Lead smelting and refining division
3. Lead pigments division
4. Metallic lead products division
5. Metallic foil products division

EFFECTIVE DATE

Art. III. This code shall be in effect beginning the second Monday after its approval by the President.

LABOR PROVISIONS

Art. IV. Employers in the lead industries engaged in the production and manufacture of lead and lead products shall comply with the requirements of the National Industrial Recovery Act as follows: "(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

CODE OF FAIR COMPETITION FOR THE LEAD INDUSTRIES

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.

MINIMUM AGE

Art. V. On and after the effective date, employers shall not employ any person under the age of 16 years, engaged directly or indirectly in production.

HOURS OF LABOR

Art. VI. On and after the effective date of this code employers in the several divisions of the lead industry shall not operate on a schedule of hours of labor for their employees exceeding the equivalent of the number of hours per week listed below when averaged over the period from the effective date of this code until October 1, 1933, or over any of the successive thirteen week periods ending, respectively, December 31, 1933, April 1, 1934, and July 1, 1934, etc., nor a total of more than 520 hours in any of these thirteen week periods.

1. Lead mining division	40 hours
2. Lead smelting and refining division	40 hours
3. Lead pigments division	40 hours
4. Metallic lead products division	40 hours
5. Metallic foil products division	40 hours

Such maximum working hours shall not apply in the case of accidents or emergencies where the safety of the men or the preservation of the property necessitates temporarily longer hours; nor in the case of the mining division shall it apply to hoistmen, power house men or pump men. It is also recognized that in various divisions there are individual circumstances which may call for special consideration and the working of a greater number of hours than herein specified which shall be permitted on approval by the National Recovery Administration.

MINIMUM WAGES

Art. VII. The minimum wage for each division shall be as follows:

1. Lead mining division	35¢ per hour
2. Lead smelting and refining division	35¢ per hour
3. Lead pigments division	35¢ per hour
4. Metallic lead products division	35¢ per hour
5. Metallic foil products division	35¢ per hour

unless the hourly rate for the same class of work on July 15, 1929 was less than thirty-five cents (35¢) per hour, in which latter case not to be less than the hourly rate of July 15, 1929, and in no event less than thirty cents (30¢) per hour; except for cleaners, watchmen and outside labor, whose minimum wage shall be at the rate of thirty cents (30¢) per hour, but in no case shall the number of cleaners, watchmen and outside labor in the above classes exceed five per cent (5%) of the total number of employees.

ADMINISTRATION

Art. VIII. Lead Industries Association is hereby designated the agency for administering, supervising and promoting the performance of the provisions of this code by the members of the lead industries. The Association shall be divided into five divisions as defined in Art. II. Each division is to function as a separate unit, and shall be self governing, and may draft a supplementary code of fair competition not inconsistent with this agreement. The Executive Committee, together with each division Chairman, the Secretary of the Lead Industries Association, and such representatives of the Administrator as he may care to appoint, are designated to cooperate with the Administrator in the administering of this code with respect to the several divisions.

REPORTS

Art. IX. To inform the President as to the observance of the provisions of this code by its subscribers and as to the steps the Lead industries are taking to effectuate the declared policy of the National Industrial Recovery Act, each person engaged in the industry shall provide certified statements at the end of each period referred to under Article 6 to the effect that the employer has complied with the maximum hours and minimum rates of wages prescribed herein.

FEEES

Art. X. Each subscriber to this code shall pay his proportionate share of the cost of conducting the Lead Industries Association as prescribed in the Constitution and By-Laws, as amended, of that Association.

CANCELLATION OR MODIFICATION

Art. XI. 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

CODE OF FAIR COMPETITION FOR THE LEAD INDUSTRIES

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.

MONOPOLIES

Art. XII. (a) This code is not designed to promote monopolies and shall not be availed of for that purpose.

(b) The provisions of this code shall not be so interpreted or administered as to eliminate or oppress small enterprises or to discriminate against them.

ADDITIONS OR AMENDMENTS

Art. XIII. Additions or amendments to this code, or supplemental codes affecting or pertaining to the several divisions of the lead industries may be submitted to the Executive Committee of the Lead Industries Association, and, upon approval by the Committee, after two weeks notice to the members, may be submitted to the Administrator of the National Industrial Recovery Act and will become a part of this code and have the same force and effect as any other provision of this code when approved by the Administrator.