

§ 49l. Miscellaneous operating authorities

(a) The Secretary is authorized to establish performance standards for activities under this chapter which shall take into account the differences in priorities reflected in State plans.

(b)(1) Nothing in this chapter shall be construed to prohibit the referral of any applicant to private agencies as long as the applicant is not charged a fee.

(2) No funds paid under this chapter may be used by any State for advertising in newspapers for high paying jobs unless such State submits an annual report to the Secretary beginning in December 1984 concerning such advertising and the justifications therefor, and the justification may include that such jobs are part of a State industrial development effort.

(June 6, 1933, ch. 49, §13, as added Pub. L. 97-300, title VI, §601(h), formerly title V, §501(h), Oct. 13, 1982, 96 Stat. 1397; renumbered title VI, §601(h), Pub. L. 100-628, title VII, §712(a)(1), (2), Nov. 7, 1988, 102 Stat. 3248; amended Pub. L. 97-404, §5, Dec. 31, 1982, 96 Stat. 2027.)

PRIOR PROVISIONS

A prior section 49l, act June 6, 1933, ch. 49, §13, 48 Stat. 117, relating to mail franking privileges to employment systems, was transferred to section 338 of former Title 39, The Postal Service. Section 338 of former Title 39 was repealed and reenacted as section 4152 of former Title 39, The Postal Service by Pub. L. 86-682, Sept. 2, 1960, 74 Stat. 578. Section 4152 of former Title 39 was repealed and reenacted as section 3202 of Title 39, Postal Service, by Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 719.

AMENDMENTS

1982—Subsec. (b). Pub. L. 97-404 designated existing provisions as par. (1) and added par. (2).

EFFECTIVE DATE

Section effective Oct. 1, 1983, but with Secretary authorized to use funds appropriated for fiscal 1983 to plan for orderly implementation of section, see section 181(i) of Pub. L. 97-300, which is classified to section 1591(i) of this title.

§ 49l-1. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to enable the Secretary to provide funds through reimbursable¹ agreements with the States to operate statistical programs which are essential for development of estimates of the gross national product and other national statistical series, including those related to employment and unemployment.

(June 6, 1933, ch. 49, §14, as added Pub. L. 97-300, title VI, §601(h), formerly title V, §501(h), Oct. 13, 1982, 96 Stat. 1397; renumbered title VI, §601(h), Pub. L. 100-628, title VII, §712(a)(1), (2), Nov. 7, 1988, 102 Stat. 3248.)

EFFECTIVE DATE

Section effective Oct. 1, 1983, but with Secretary authorized to use funds appropriated for fiscal 1983 to plan for orderly implementation of section, see section 181(i) of Pub. L. 97-300, which is classified to section 1591(i) of this title.

¹ So in original. Probably should be "reimbursable".

§§ 49m, 49n. Omitted**CODIFICATION**

Section 49m, Pub. L. 88-136, title I, Oct. 11, 1963, 77 Stat. 225, relating to payments to States for administrative expenses for their unemployment compensation law and their public employment offices, was from the Department of Labor Appropriation Act, 1964, and was not repeated in the Department of Labor Appropriation Act of 1965. Similar provisions were contained in the following prior appropriation acts:

Aug. 14, 1962, Pub. L. 87-582, title I, 76 Stat. 363.
 Sept. 22, 1961, Pub. L. 87-290, title I, 75 Stat. 591.
 Sept. 2, 1960, Pub. L. 86-703, title I, 74 Stat. 757.
 Aug. 14, 1959, Pub. L. 86-158, title I, 73 Stat. 341.
 Aug. 1, 1958, Pub. L. 85-580, title I, 72 Stat. 458.
 June 29, 1957, Pub. L. 85-67, title I, 71 Stat. 212.
 June 29, 1956, ch. 477, title I, 70 Stat. 424.
 June 29, 1956, ch. 437, title I, 69 Stat. 398.
 July 2, 1954, ch. 457, title I, 68 Stat. 435.
 July 31, 1953, ch. 296, title I, 67 Stat. 246.
 July 5, 1952, ch. 575, title I, 66 Stat. 369.
 Aug. 31, 1951, ch. 373, title I, 65 Stat. 210.
 Sept. 6, 1950, ch. 896, ch. V, title I, 64 Stat. 643.
 June 29, 1949, ch. 275, title II, 63 Stat. 284.
 June 16, 1948, ch. 472, title I, 62 Stat. 445.

Section 49n, Pub. L. 88-136, title I, Oct. 11, 1963, 77 Stat. 226, relating to personnel standards, was from the Department of Labor Appropriation Act, 1964, and was not repeated in the Department of Labor Appropriation Act of 1965. Similar provisions were contained in the following prior appropriations acts:

Aug. 14, 1962, Pub. L. 87-582, title I, 76 Stat. 363.
 Sept. 22, 1961, Pub. L. 87-290, title I, 75 Stat. 591.
 Sept. 2, 1960, Pub. L. 86-703, title I, 74 Stat. 757.
 Aug. 14, 1959, Pub. L. 86-158, title I, 73 Stat. 341.
 Aug. 1, 1958, Pub. L. 85-580, title I, 72 Stat. 458.
 June 29, 1957, Pub. L. 85-67, title I, 71 Stat. 212.
 June 29, 1956, ch. 477, title I, 70 Stat. 425.
 Aug. 1, 1955, ch. 437, title I, 69 Stat. 398.
 July 2, 1954, ch. 457, title I, 68 Stat. 435.
 July 31, 1953, ch. 296, title I, 67 Stat. 246.
 July 5, 1952, ch. 575, title I, 66 Stat. 359.
 Aug. 31, 1951, ch. 273, title I, 65 Stat. 210.
 Sept. 6, 1950, ch. 896, ch. V, title I, 64 Stat. 644.
 June 29, 1949, ch. 275, title II, 63 Stat. 284.
 June 16, 1948, ch. 472, title I, 62 Stat. 445.
 July 8, 1947, ch. 210, title I, 61 Stat. 263.
 July 26, 1946, ch. 672, title I, 60 Stat. 685.

CHAPTER 4C—APPRENTICE LABOR

Sec.

- 50. Promotion of labor standards of apprenticeship.
- 50a. Publication of information; national advisory committees.
- 50b. Appointment of employees.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1605, 1645, 1732 of this title; title 20 sections 1211b, 2382, 2403, 2471, 5934, 6143; title 38 sections 3452, 3501.

§ 50. Promotion of labor standards of apprenticeship

The Secretary of Labor is authorized and directed to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices, to extend the application of such standards by encouraging the inclusion thereof in contracts of apprenticeship, to bring together employers and labor for the formulation of programs of apprenticeship, to cooperate with State agencies engaged in the formulation and promotion of standards of apprenticeship, and to cooperate with the Sec-

retary of Education in accordance with section 17 of title 20. For the purposes of this chapter the term "State" shall include the District of Columbia.

(Aug. 16, 1937, ch. 663, § 1, 50 Stat. 664; 1939 Reorg. Plan No. I, §§ 201, 204, 206, eff. July 1, 1939, 4 F.R. 2728, 53 Stat. 1424, 1425; July 12, 1943, ch. 221, title VII, 57 Stat. 518; 1953 Reorg. Plan No. 1, §§ 5, 8, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Pub. L. 93-198, title II, § 204(h), Dec. 24, 1973, 87 Stat. 784; Pub. L. 96-88, title III, § 301(a)(1), Oct. 17, 1979, 93 Stat. 677.)

REFERENCES IN TEXT

Section 17 of title 20, referred to in text, was repealed by Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 643.

CODIFICATION

Words "with the National Youth Administration" were omitted from text in view of abolition of National Youth Administration by act July 12, 1943.

AMENDMENTS

1973—Pub. L. 93-198 inserted provision that "State" includes the District of Columbia.

EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by Pub. L. 93-198 effective July 1, 1974, see section 771(b) of Pub. L. 93-198, set out in part as a note under section 49b of this title.

SHORT TITLE

The act of Aug. 16, 1937, ch. 663, 50 Stat. 664, which enacted this chapter, is popularly known as the "National Apprenticeship Act".

TRANSFER OF FUNCTIONS

"Secretary of Education" substituted in text for "Office of Education under the Department of Health, Education, and Welfare", pursuant to section 301(a)(1) of Pub. L. 96-88, which is classified to section 3441(a)(1) of Title 20, Education, and which transferred all functions of Office of Education to Secretary of Education.

Functions of Federal Security Administrator transferred to Secretary of Health, Education, and Welfare and all agencies of Federal Security Agency transferred to Department of Health, Education, and Welfare by section 5 of Reorg. Plan No. 1 of 1953, set out in the Appendix to Title 5, Government Organization and Employees. Federal Security Agency and office of Administrator abolished by section 8 of Reorg. Plan No. 1 of 1953.

Reorg. Plan No. I of 1939, consolidated National Youth Administration and Office of Education, with other agencies, into Federal Security Agency under supervision and direction of Federal Security Administrator.

§ 50a. Publication of information; national advisory committees

The Secretary of Labor may publish information relating to existing and proposed labor standards of apprenticeship, and may appoint national advisory committees to serve without compensation. Such committees shall include representatives of employers, representatives of labor, educators, and officers of other executive departments, with the consent of the head of any such department.

(Aug. 16, 1937, ch. 663, § 2, 50 Stat. 665.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 38 sections 3672, 3687.

§ 50b. Appointment of employees

The Secretary of Labor is authorized to appoint such employees as he may from time to time find necessary for the administration of this chapter, with regard to existing laws applicable to the appointment and compensation of employees of the United States.

(Aug. 16, 1937, ch. 663, § 3, 50 Stat. 665; July 12, 1943, ch. 221, title VII, 57 Stat. 518.)

CODIFICATION

Proviso authorizing employment of certain persons in the division of apprentice training of National Youth Administration, was omitted in view of abolition of that agency by act July 12, 1943.

Provision formerly in this section relieved National Youth Administration, after August 16, 1937, of responsibility for promotion of labor standards of apprenticeship, and directed transfer of records and papers to Department of Labor.

CHAPTER 5—LABOR DISPUTES; MEDIATION AND INJUNCTIVE RELIEF

Sec.

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| 51. | Repealed. |
| 52. | Statutory restriction of injunctive relief. |
| 53. | "Person" or "persons" defined. |

§ 51. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 642

Section, act Mar. 4, 1913, ch. 141, § 8, 37 Stat. 738, related to mediation in labor disputes and the appointment of commissioners of conciliation. See section 172 of this title.

§ 52. Statutory restriction of injunctive relief

No restraining order or injunction shall be granted by any court of the United States, or a judge or the judges thereof, in any case between an employer and employees, or between employers and employees, or between employees, or between persons employed and persons seeking employment, involving, or growing out of, a dispute concerning terms or conditions of employment, unless necessary to prevent irreparable injury to property, or to a property right, of the party making the application, for which injury there is no adequate remedy at law, and such property or property right must be described with particularity in the application, which must be in writing and sworn to by the applicant or by his agent or attorney.

And no such restraining order or injunction shall prohibit any person or persons, whether singly or in concert, from terminating any relation of employment, or from ceasing to perform any work or labor, or from recommending, advising, or persuading others by peaceful means so to do; or from attending at any place where any such person or persons may lawfully be, for the purpose of peacefully obtaining or communicating information, or from peacefully persuading any person to work or to abstain from working; or from ceasing to patronize or to employ any party to such dispute, or from recommending, advising, or persuading others by peaceful and lawful means so to do; or from paying or giving to, or withholding from, any person engaged in such dispute, any strike benefits or other moneys or things of value; or from peaceably assembling in a lawful manner, and