

FEDERAL PAYROLL TAX LAWS & REGULATIONS

TABLE OF CONTENTS

WAGES AND HOURS

FAIR LABOR STANDARDS ACT (LAW)

U.S. Code, Title 29 — Labor

Chapter 8 — Fair Labor Standards

29 USC §201. Short title.....	2
29 USC §202. Congressional finding and declaration of policy.....	2
29 USC §203. Definitions.....	2
29 USC §204. Administration.....	4
29 USC §205. [Repealed].....	5
29 USC §206. Minimum wage.....	5
29 USC §207. Maximum hours.....	6
29 USC §208. [Repealed].....	10
29 USC §209. Attendance of witnesses.....	10
29 USC §210. Court review of wage orders in Puerto Rico and the Virgin Islands.....	10
29 USC §211. Collection of data.....	10
29 USC §212. Child labor provisions.....	10
29 USC §213. Exemptions.....	11
29 USC §214. Employment under special certificates.....	14
29 USC §215. Prohibited acts; prima facie evidence.....	16
29 USC §216. Penalties.....	16
29 USC §216a. [Repealed].....	18
29 USC §216b. Liability for overtime work performed prior to July 20, 1949.....	18
29 USC §217. Injunction proceedings.....	18
29 USC §218. Relation to other laws.....	18
29 USC §218a. [Repealed].....	18
29 USC §218b. Notice to employees.....	18
29 USC §218c. Protections for employees.....	18
29 USC §218d. Breastfeeding accommodations in the workplace.....	19
29 USC §219. Separability.....	19

PORTAL-TO-PORTAL ACT (LAW)

U.S. Code, Title 29 — Labor

Chapter 9 — Portal-to-Portal Pay

29 USC §251. Congressional findings and declaration of policy.....	20
29 USC §252. Relief from certain existing claims under the Fair Labor Standards Act of 1938, as amended, the Walsh-Healey Act, and the Bacon-Davis Act.....	20
29 USC §253. Compromise and waiver.....	21
29 USC §254. Relief from liability and punishment under the Fair Labor Standards Act of 1938, the Walsh-Healey Act, and the Bacon-Davis Act for failure to pay minimum wage or overtime compensation.....	21
29 USC §255. Statute of limitations.....	21
29 USC §256. Determination of commencement of future actions.....	22
29 USC §257. Pending collective and representative actions.....	22
29 USC §258. Reliance on past administrative rulings, etc.....	22
29 USC §259. Reliance in future on administrative rulings, etc.....	22
29 USC §260. Liquidated damages.....	22
29 USC §261. Applicability of “area of production” regulations.....	22
29 USC §262. Definitions.....	22

FAIR LABOR STANDARDS ACT (REGULATIONS)

Code of Federal Regulations, Title 29 — Labor

Chapter V — Wage and Hour Division, Department of Labor

29 CFR PART 515. UTILIZATION OF STATE AGENCIES FOR INVESTIGATIONS AND INSPECTIONS

29 CFR §515.1. Definitions.....	24
29 CFR §515.2. Agreements with State agencies.....	24
29 CFR §515.3. Qualifications of the State agency.....	24
29 CFR §515.4. Submission of plan.....	24
29 CFR §515.5. Additional requirements.....	25
29 CFR §515.6. Audits.....	25
29 CFR §515.7. Transmission of official mail.....	25
29 CFR §515.8. Enforcement.....	25
29 CFR §515.9. Agreements and approved plans.....	25
29 CFR §515.10. Amendments and repeal.....	25

29 CFR PART 516. RECORDS TO BE KEPT BY EMPLOYER

29 CFR §516.1. Form of records; scope of regulations 25

Subpart A. General Requirements

29 CFR §516.2. Employees subject to minimum wage or minimum wage and overtime provisions pursuant to section 6 or sections 6 and 7(a) of the Act 25

29 CFR §516.3. Bona fide executive, administrative, and professional employees (including academic administrative personnel and teachers in elementary or secondary schools), and outside sales employees employed pursuant to section 13(a)(1) of the Act 26

29 CFR §516.4. Posting of notices 26

29 CFR §516.5. Records to be preserved 3 years 26

29 CFR §516.6. Records to be preserved 2 years 26

29 CFR §516.7. Place for keeping records and their availability for inspection 27

29 CFR §516.8. Computations and reports 27

29 CFR §516.9. Petitions for exceptions 27

29 CFR §516.10. [Reserved] 27

Subpart B. Records Pertaining to Employees Subject to Miscellaneous Exemptions under the Act; Other Special Requirements

29 CFR §516.11. Employees exempt from both minimum wage and overtime pay requirements under section 13(a) (2), (3), (4), (5), (8), (10), (12), or 13(d) of the Act 27

29 CFR §516.12. Employees exempt from overtime pay requirements pursuant to section 13(b) (1), (2), (3), (5), (9), (10), (15), (16), (17), (20), (21), (24), (27), or (28) of the Act 27

29 CFR §516.13. Livestock auction employees exempt from overtime pay requirements under section 13(b)(13) of the Act 27

29 CFR §516.14. Country elevator employees exempt from overtime pay requirements under section 13(b)(14) of the Act 27

29 CFR §516.15. Local delivery employees exempt from overtime pay requirements pursuant to section 13(b)(11) of the Act 28

29 CFR §516.16. Commission employees of a retail or service establishment exempt from overtime pay requirements pursuant to section 7(i) of the Act 28

29 CFR §516.17. Seamen exempt from overtime pay requirements pursuant to section 13(b)(6) of the Act 28

29 CFR §516.18. Employees employed in certain tobacco, cotton, sugar cane or sugar beet services, who are partially exempt from overtime pay requirements pursuant to section 7(m), 13(h), 13(i) or 13(j) of the Act 28

29 CFR §516.19. [Reserved] 28

29 CFR §516.20. Employees under certain collective bargaining agreements who are partially exempt from overtime pay requirements as provided in section 7(b)(1) or section 7(b)(2) of the Act 28

29 CFR §516.21. Bulk petroleum employees partially exempt from overtime pay requirements pursuant to section 7(b)(3) of the Act 28

29 CFR §516.22. Employees engaged in charter activities of carriers pursuant to section 7(n) of the Act 29

29 CFR §516.23. Employees of hospitals and residential care facilities compensated for overtime work on the basis of a 14-day work period pursuant to section 7(j) of the Act 29

29 CFR §516.24. Employees employed under section 7(f) “Belo” contracts 29

29 CFR §516.25. Employees paid for overtime on the basis of “applicable” rates provided in sections 7(g)(1) and 7(g)(2) of the Act 29

29 CFR §516.26. Employees paid for overtime at premium rates computed on a “basic” rate authorized in accordance with section 7(g)(3) of the Act 29

29 CFR §516.27. “Board, lodging, or other facilities” under section 3(m) of the Act 29

29 CFR §516.28. Tipped employees and employer-administered tip pools 30

29 CFR §516.29. Employees employed by a private entity operating an amusement or recreational establishment located in a national park or national forest or on land in the National Wildlife Refuge System who are partially exempt from overtime pay requirements pursuant to section 13(b)(29) of the Act 30

29 CFR §516.30. Learners, apprentices, messengers, students, or handicapped workers employed under special certificates as provided in section 14 of the Act 30

29 CFR §516.31. Industrial homeworkers 30

29 CFR §516.32. [Reserved] 31

29 CFR §516.33. Employees employed in agriculture pursuant to section 13(a)(6) or 13(b)(12) of the Act 31

29 CFR §516.34. Exemption from overtime pay for time spent by certain employees receiving remedial education pursuant to section 7(q) of the Act 31

29 CFR PART 519. EMPLOYMENT OF FULL-TIME STUDENTS AT SUBMINIMUM WAGES

Subpart A. Retail or Service Establishments, and Agriculture

29 CFR §519.1. Applicability of the regulations in this subpart 31

29 CFR §519.2. Definitions 32

29 CFR §519.3. Application for a full-time student certificate 32

29 CFR §519.4. Procedure for action upon an application 32

29 CFR §519.5. Conditions governing issuance of full-time student certificates 33

29 CFR §519.6. Terms and conditions of employment under full-time student certificates and under temporary authorization 33

29 CFR §519.7. Records to be kept 34

29 CFR §519.8. Amendment or replacement of a full-time student certificate 34

29 CFR §519.9. Reconsideration and review 34

Subpart B. Institutions of Higher Education

29 CFR §519.11. Applicability of the regulations in this subpart 34

29 CFR §519.12. Definitions 35

29 CFR §519.13. Application for a full-time student certificate 35

29 CFR §519.14. Procedure for action upon an application 35

29 CFR §519.15. Conditions governing issuance of full-time student certificates 36

29 CFR §519.16. Terms and conditions of employment under full-time student certificates and under temporary authorization 36

29 CFR §519.17. Records to be kept	36
29 CFR §519.18. Amendment or replacement of a full-time student certificate	37
29 CFR §519.19. Reconsideration and review	37

29 CFR PART 520. EMPLOYMENT UNDER SPECIAL CERTIFICATE OF MESSENGERS, LEARNERS (INCLUDING STUDENT-LEARNERS), AND APPRENTICES

Subpart A. [Reserved]

Subpart B. What are the General Provisions Governing the Employment of Messengers, Learners (Including Student-Learners), and Apprentices at Subminimum Wages?

29 CFR §520.200. What is the legal authority for payment of wages lower than the minimum wage required by section 6(a) of the Fair Labor Standards Act?	37
29 CFR §520.201. How are those classifications of workers which may be paid subminimum wages under section 14(a) of the Fair Labor Standards Act defined?	37
29 CFR §520.202. How do persons who want to apply for a particular certificate find out what is needed?	37
29 CFR §520.203. What records does an employer have to keep when subminimum wage certificates are granted? How long do they have to be kept?	37
29 CFR §520.204. If someone does not agree with the Department of Labor's decision on a certificate, can the decision be appealed?	38
29 CFR §520.205. How do these rules affect other Federal, state and local laws and collective bargaining agreements?	38

Subpart C. Definitions

29 CFR §520.300. Definitions	38
------------------------------------	----

Subpart D. Messengers, Learners (Excluding Student-Learners), and Apprentices

29 CFR §520.400. Who are messengers, learners, and apprentices?	39
29 CFR §520.401. Are there any industries, occupations, etc. that do not qualify for a certificate to employ messengers, learners, or apprentices at subminimum wages?	39
29 CFR §520.402. How do I obtain authority to employ messengers, learners, or apprentices at subminimum wages?	39
29 CFR §520.403. What information is required when applying for authority to pay less than the minimum wage?	39
29 CFR §520.404. What must I demonstrate in my application for a messenger, learner, or apprentice certificate to receive a favorable review?	40
29 CFR §520.405. Must I notify my employees that I am applying for a certificate to employ messengers and/or learners at subminimum wages?	40
29 CFR §520.406. What happens once I have submitted my request for authorization to pay messengers, learners, or apprentices subminimum wages?	40
29 CFR §520.407. What is the subminimum wage for messengers and what must I do to comply with the terms of my certificate?	40
29 CFR §520.408. What is the subminimum wage for learners and what must I do to comply with the terms of my certificate?	41
29 CFR §520.409. When will authority to pay apprentices special minimum wages become effective and what is the special minimum wage rate?	41
29 CFR §520.410. How long does a messenger, learner, or apprentice certificate remain in effect?	41
29 CFR §520.411. Does a certificate authorizing payment of subminimum wages to messengers and/or learners remain in effect during the renewal process?	41
29 CFR §520.412. What records, in addition to those required by Part 516 of this chapter and section 520.203 of this part, must I keep relating to the employment of messengers, learners, or apprentices under special certificate?	41

Subpart E. Student-Learners

29 CFR §520.500. Who is a student-learner?	42
29 CFR §520.501. How do I obtain authority to employ student-learners at subminimum wages?	42
29 CFR §520.502. What information must an application to employ student-learners at subminimum wages contain?	42
29 CFR §520.503. What must I demonstrate in my application for a student-learner certificate to receive a favorable review?	42
29 CFR §520.504. When will authority to pay student-learners subminimum wages become effective?	43
29 CFR §520.505. How will I be notified that my request to employ student-learners at subminimum wages has been denied and can I appeal the denial?	43
29 CFR §520.506. What is the subminimum wage for student-learners and what must I do to comply with the terms of my student-learner certificate?	43
29 CFR §520.507. How long does my certificate remain in effect?	43
29 CFR §520.508. What records, in addition to those required by Part 516 of this chapter and section 520.203 of this part, must I keep when student-learners are employed?	43

29 CFR PART 525. EMPLOYMENT OF WORKERS WITH DISABILITIES UNDER SPECIAL CERTIFICATES

29 CFR §525.1. Introduction	43
29 CFR §525.2. Purpose and scope	44
29 CFR §525.3. Definitions	44
29 CFR §525.4. Patient workers	44
29 CFR §525.5. Wage payments	44
29 CFR §525.6. Compensable time	44
29 CFR §525.7. Application for certificates	44
29 CFR §525.8. Special provisions for temporary authority	45
29 CFR §525.9. Criteria for employment of workers with disabilities under certificates at special minimum wage rates	45
29 CFR §525.10. Prevailing wage rates	45
29 CFR §525.11. Issuance of certificates	45
29 CFR §525.12. Terms and conditions of special minimum wage certificates	45
29 CFR §525.13. Renewal of special minimum wage certificates	46
29 CFR §525.14. Posting of notices	47

29 CFR §525.15. Industrial homework.....	47
29 CFR §525.16. Records to be kept by employers.....	47
29 CFR §525.17. Revocation of certificates.....	47
29 CFR §525.18. Review.....	47
29 CFR §525.19. Investigations and hearings.....	47
29 CFR §525.20. Relation to other laws.....	47
29 CFR §525.21. Lowering of wage rates.....	47
29 CFR §525.22. Employee's right to petition.....	48
29 CFR §525.23. Work activities centers.....	48
29 CFR §525.24. Advisory Committee on Special Minimum Wages.....	48

29 CFR PART 528. ANNULMENT OR WITHDRAWAL OF CERTIFICATES FOR THE EMPLOYMENT OF STUDENT-LEARNERS, APPRENTICES, LEARNERS, MESSENGERS, HANDICAPPED PERSONS, STUDENT-WORKERS, AND FULL-TIME STUDENTS IN AGRICULTURE OR IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGE RATES

29 CFR §528.1. Applicability of the regulations in this part.....	48
29 CFR §528.2. Definition of terms.....	48
29 CFR §528.3. Withdrawal and annulment of certificates.....	49
29 CFR §528.4. According opportunity to demonstrate or achieve compliance.....	49
29 CFR §528.5. Proceedings for withdrawal or annulment.....	49
29 CFR §528.6. Review.....	49
29 CFR §528.7. Effect of order of annulment or withdrawal.....	49

29 CFR PART 530. EMPLOYMENT OF HOMEWORKERS IN CERTAIN INDUSTRIES

Subpart A. General

29 CFR §530.1. Definitions.....	49
29 CFR §530.2. Restriction of homework.....	50
29 CFR §530.3. Application forms for individual homeworker certificates.....	50
29 CFR §530.4. Terms and conditions for the issuance of individual homeworker certificates.....	51
29 CFR §530.5. Investigation.....	51
29 CFR §530.6. Termination of individual homeworker certificates.....	51
29 CFR §530.7. Revocation and cancellation of individual homeworker certificates.....	51
29 CFR §530.8. Preservation of individual homeworker certificates.....	51
29 CFR §530.9. Records and reports.....	51
29 CFR §530.10. Delegation of authority to grant, deny, or cancel an individual homeworker certificate.....	51
29 CFR §530.11. Petition for review.....	51
29 CFR §530.12. Special provisions.....	51

Subpart B. Homeworker Employer Certificates

29 CFR §530.101. General.....	52
29 CFR §530.102. Requests for employer certificates.....	52
29 CFR §530.103. Employer assurances.....	52
29 CFR §530.104. Bonding or security payments.....	52
29 CFR §530.105. Investigations.....	53

Subpart C. Denial/Revocation of Homeworker Employer Certificates

29 CFR §530.201. Conflict with State law.....	53
29 CFR §530.202. Piece rates — work measurement.....	53
29 CFR §530.203. Outstanding violations and open investigations.....	53
29 CFR §530.204. Discretionary denial or revocation.....	53
29 CFR §530.205. Mandatory denial or revocation.....	53
29 CFR §530.206. Special circumstances.....	54

Subpart D. Civil Money Penalties

29 CFR §530.301. General.....	54
29 CFR §530.302. Amounts of civil money penalties.....	54
29 CFR §530.303. Considerations in determining amounts.....	54
29 CFR §530.304. Procedures for assessment.....	54

Subpart E. Administrative Procedures

29 CFR §530.401. Applicability of procedures and rules.....	54
29 CFR §530.402. Notice of determination.....	54
29 CFR §530.403. Request for hearing.....	55
29 CFR §530.404. Referral to Administrative Law Judge.....	55
29 CFR §530.405. General.....	55
29 CFR §530.406. Decision and order of Administrative Law Judge.....	55
29 CFR §530.407. Procedures for initiating and undertaking review.....	55
29 CFR §530.408. Notice of the Administrative Review Board to review decision.....	55
29 CFR §530.409. Decision of the Secretary.....	55
29 CFR §530.410. Special procedures.....	55
29 CFR §530.411. Emergency certificate revocation procedures.....	55
29 CFR §530.412. Alternative summary proceedings.....	56
29 CFR §530.413. Certification of the record.....	56
29 CFR §530.414. Equal Access to Justice Act.....	56

29 CFR PART 531. WAGE PAYMENTS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Subpart A. Preliminary Matters

29 CFR §531.1. Definitions.....56
29 CFR §531.2. Purpose and scope.....56

Subpart B. Determinations of “Reasonable Cost” and “Fair Value” Effects of Collective Bargaining Agreements

29 CFR §531.3. General determinations of “reasonable cost.”.....56
29 CFR §531.4. Making determinations of “reasonable cost”.....57
29 CFR §531.5. Making determinations of “fair value.”.....57
29 CFR §531.6. Effects of collective bargaining agreements.....57
29 CFR §531.7. [Reserved].....57

Subpart C. Interpretations

29 CFR §531.25. Introductory statement.....57
29 CFR §531.26. Relation to other laws.....57

How Payments May Be Made

29 CFR §531.27. Payment in cash or its equivalent required.....58
29 CFR §531.28. Restrictions applicable where payment is not in cash or its equivalent.....58
29 CFR §531.29. Board, lodging, or other facilities.....58
29 CFR §531.30. “Furnished” to the employee.....58
29 CFR §531.31. “Customarily” furnished.....58
29 CFR §531.32. “Other facilities.”.....58
29 CFR §531.33. “Reasonable cost”; “fair value.”.....59
29 CFR §531.34. Payment in scrip or similar medium not authorized.....59
29 CFR §531.35. “Free and clear” payment; “kickbacks.”.....59

Payment Where Additions or Deductions Are Involved

29 CFR §531.36. Nonovertime workweeks.....59
29 CFR §531.37. Overtime workweeks.....59

Payments Made to Persons Other Than Employees

29 CFR §531.38. Amounts deducted for taxes.....60
29 CFR §531.39. Payments to third persons pursuant to court order.....60
29 CFR §531.40. Payments to employee’s assignee.....60

Subpart D. Tipped Employees

29 CFR §531.50. Statutory provisions with respect to tipped employees.....60
29 CFR §531.51. Conditions for taking tip credits in making wage payments.....60
29 CFR §531.52. General restrictions on an employer’s use of its employees’ tips.....60
29 CFR §531.53. Payments which constitute tips.....61
29 CFR §531.54. Tip pooling.....61
29 CFR §531.55. Examples of amounts not received as tips.....61
29 CFR §531.56. “More than \$30 a month in tips.”.....61
29 CFR §531.57. Receiving the minimum amount “customarily and regularly.”.....62
29 CFR §531.58. Initial and terminal months.....63
29 CFR §531.59. The tip wage credit.....63
29 CFR §531.60. Overtime payments.....63

29 CFR PART 536. AREA OF PRODUCTION

29 CFR §536.1. [Reserved].....63
29 CFR §536.2. [Reserved].....63
29 CFR §536.3. “Area of production” as used in section 13(b)(14) of the Fair Labor Standards Act.....63

PART 541. DEFINING AND DELIMITING THE EXEMPTIONS FOR EXECUTIVE, ADMINISTRATIVE, PROFESSIONAL, COMPUTER AND OUTSIDE SALES EMPLOYEES

Subpart A. General Regulations

29 CFR §541.0. Introductory statement.....64
29 CFR §541.1. Terms used in regulations.....64
29 CFR §541.2. Job titles insufficient.....64
29 CFR §541.3. Scope of the section 13(a)(1) exemptions.....64
29 CFR §541.4. Other laws and collective bargaining agreements.....64

Subpart B. Executive Employees

29 CFR §541.100. General rule for executive employees.....64
29 CFR §541.101. Business owner.....65
29 CFR §541.102. Management.....65
29 CFR §541.103. Department or subdivision.....65
29 CFR §541.104. Two or more other employees.....65
29 CFR §541.105. Particular weight.....65
29 CFR §541.106. Concurrent duties.....65

Subpart C. Administrative Employees

29 CFR §541.200. General rule for administrative employees.....66
29 CFR §541.201. Directly related to management or general business operations.....66
29 CFR §541.202. Discretion and independent judgment.....66

29 CFR §541.203. Administrative exemption examples.....	67
29 CFR §541.204. Educational establishments.....	67
Subpart D. Professional Employees	
29 CFR §541.300. General rule for professional employees.....	68
29 CFR §541.301. Learned professionals.....	68
29 CFR §541.302. Creative professionals.....	69
29 CFR §541.303. Teachers.....	69
29 CFR §541.304. Practice of law or medicine.....	69
Subpart E. Computer Employees	
29 CFR §541.400. General rule for computer employees.....	70
29 CFR §541.401. Computer manufacture and repair.....	70
29 CFR §541.402. Executive and administrative computer employees.....	70
Subpart F. Outside Sales Employees	
29 CFR §541.500. General rule for outside sales employees.....	70
29 CFR §541.501. Making sales or obtaining orders.....	70
29 CFR §541.502. Away from employer's place of business.....	70
29 CFR §541.503. Promotion work.....	71
29 CFR §541.504. Drivers who sell.....	71
Subpart G. Salary Requirements	
29 CFR §541.600. Amount of salary required.....	71
29 CFR §541.601. Highly compensated employees.....	71
29 CFR §541.602. Salary basis.....	72
29 CFR §541.603. Effect of improper deductions from salary.....	73
29 CFR §541.604. Minimum guarantee plus extras.....	73
29 CFR §541.605. Fee basis.....	73
29 CFR §541.606. Board, lodging or other facilities.....	74
29 CFR §541.607. [Removed and Reserved].....	74
Subpart H. Definitions and Miscellaneous Provisions	
29 CFR §541.700. Primary duty.....	74
29 CFR §541.701. Customarily and regularly.....	74
29 CFR §541.702. Exempt and nonexempt work.....	74
29 CFR §541.703. Directly and closely related.....	74
29 CFR §541.704. Use of manuals.....	75
29 CFR §541.705. Trainees.....	75
29 CFR §541.706. Emergencies.....	75
29 CFR §541.707. Occasional tasks.....	75
29 CFR §541.708. Combination exemptions.....	75
29 CFR §541.709. Motion picture producing industry.....	75
29 CFR §541.710. Employees of public agencies.....	75
 PART 541. DEFINING AND DELIMITING THE EXEMPTIONS FOR EXECUTIVE, ADMINISTRATIVE, PROFESSIONAL, COMPUTER, AND OUTSIDE SALES EMPLOYEES [PROPOSED]	
PROPOSED 29 CFR §541.5. Severability.....	76
PROPOSED 29 CFR §541.100. General rule for executive employees.....	76
PROPOSED 29 CFR §541.200. General rule for administrative employees.....	76
PROPOSED 29 CFR §541.204. Educational establishments.....	76
PROPOSED 29 CFR §541.300. General rule for professional employees.....	76
PROPOSED 29 CFR §541.400. General rule for computer employees.....	76
PROPOSED 29 CFR §541.600. Amount of salary required.....	76
PROPOSED 29 CFR §541.601. Highly compensated employees.....	77
PROPOSED 29 CFR §541.604. Minimum guarantee plus extras.....	77
PROPOSED 29 CFR §541.605. Fee basis.....	77
PROPOSED 29 CFR §541.607. Automatic updates to amounts of salary and compensation required.....	78
PROPOSED 29 CFR §541.709. Motion picture producing industry.....	78
 29 CFR PART 547. REQUIREMENTS OF A "BONA FIDE THRIFT OR SAVINGS PLAN"	
29 CFR §547.0. Scope and effect of part.....	78
29 CFR §547.1. Essential requirements for qualifications.....	78
29 CFR §547.2. Disqualifying provisions.....	79
 29 CFR PART 548. AUTHORIZATION OF ESTABLISHED BASIC RATES FOR COMPUTING OVERTIME PAY	
Subpart A. General Regulations	
29 CFR §548.1. Scope and effect of regulations.....	79
29 CFR §548.2. General conditions.....	79
29 CFR §548.3. Authorized basic rates.....	79
29 CFR §548.4. Application for authorization of a "basic rate".....	80

Subpart B. Interpretations

Introduction

29 CFR §548.100. Introductory statement.....	80
--	----

Requirements for a Basic Rate

29 CFR §548.200. Requirements.....	81
------------------------------------	----

Authorized Basic Rates

29 CFR §548.300. Introductory statement.....	81
29 CFR §548.301. Salaried employees.....	81
29 CFR §548.302. Average earnings for period other than a workweek.....	81
29 CFR §548.303. Average earnings for each type of work.....	82
29 CFR §548.304. Excluding value of lunches furnished.....	82
29 CFR §548.305. Excluding certain additions to wages.....	82
29 CFR §548.306. Average earnings for year or quarter year preceding the current quarter.....	83

Rates Authorized on Application

29 CFR §548.400. Procedures.....	84
29 CFR §548.401. Agreement or understanding.....	85
29 CFR §548.402. Applicable overtime provisions.....	85
29 CFR §548.403. Description of method of calculation.....	85
29 CFR §548.404. Kinds of jobs or employees.....	85
29 CFR §548.405. Representative period.....	85

Computation of Overtime Pay

29 CFR §548.500. Methods of computation.....	85
29 CFR §548.501. Overtime hours based on nonstatutory standards.....	85
29 CFR §548.502. Other payments.....	86

29 CFR PART 549. REQUIREMENTS OF A “BONA FIDE PROFIT-SHARING PLAN OR TRUST”

29 CFR §549.0. Scope and effect of regulations.....	86
29 CFR §549.1. Essential requirements for qualifications.....	86
29 CFR §549.2. Disqualifying provisions.....	86
29 CFR §549.3. Distinction between plan and trust.....	87

29 CFR PART 550. DEFINING AND DELIMITING THE TERM “TALENT FEES”

29 CFR §550.1. “Talent fees” as used in section 7(e)(3)(c) of the Fair Labor Standards Act, as amended.....	87
29 CFR §550.2. Definitions.....	87

29 CFR PART 551. LOCAL DELIVERY DRIVERS AND HELPERS; WAGE PAYMENT PLANS

29 CFR §551.1. Statutory provision.....	87
29 CFR §551.2. Findings authorized by this part.....	87
29 CFR §551.3. Petition for a finding.....	88
29 CFR §551.4. Requirements for petition.....	88
29 CFR §551.5. Information to be submitted.....	88
29 CFR §551.6. Action on petition.....	88
29 CFR §551.7. Finding.....	88
29 CFR §551.8. Definitions.....	89
29 CFR §551.9. Recordkeeping requirements.....	89

29 CFR PART 552. APPLICATION OF THE FAIR LABOR STANDARDS ACT TO DOMESTIC SERVICE

Subpart A. General Regulations

29 CFR §552.1. Terms used in regulations.....	89
29 CFR §552.2. Purpose and scope.....	89
29 CFR §552.3. Domestic service employment.....	90
29 CFR §552.4. Babysitting services.....	90
29 CFR §552.5. Casual basis.....	90
29 CFR §552.6. Companionship services.....	90

Subpart B. Interpretations

29 CFR §552.99. Basis for coverage of domestic service employees.....	90
29 CFR §552.100. Application of minimum wage and overtime provisions.....	90
29 CFR §552.101. Domestic service employment.....	91
29 CFR §552.102. Live-in domestic service employees.....	91
29 CFR §552.103. Babysitting services in general.....	91
29 CFR §552.104. Babysitting services performed on a casual basis.....	91
29 CFR §552.105. Individuals performing babysitting services in their own homes.....	91
29 CFR §552.106. Companionship services.....	91
29 CFR §552.107. Yard maintenance workers.....	91
29 CFR §552.108. Child labor provisions.....	91
29 CFR §552.109. Third party employment.....	92
29 CFR §552.110. Recordkeeping requirements.....	92

29 CFR PART 553. APPLICATION OF THE FAIR LABOR STANDARDS ACT TO EMPLOYEES OF STATE AND LOCAL GOVERNMENTS

Subpart A. General

Introduction

29 CFR §553.1. Definitions..... 92
29 CFR §553.2. Purpose and scope..... 92
29 CFR §553.3. Coverage — general..... 92

Section 3(e)(2)(C) — Exclusions

29 CFR §553.10. General..... 92
29 CFR §553.11. Exclusion for elected officials and their appointees..... 93
29 CFR §553.12. Exclusion for employees of legislative branches..... 93

Section 7(o) — Compensatory Time and Compensatory Time Off

29 CFR §553.20. Introduction..... 93
29 CFR §553.21. Statutory provisions..... 93
29 CFR §553.22. “FLSA compensatory time” and “FLSA compensatory time off”..... 94
29 CFR §553.23. Agreement or understanding prior to performance of work..... 94
29 CFR §553.24. “Public safety”, “emergency response”, and “seasonal” activities..... 94
29 CFR §553.25. Conditions for use of compensatory time (“reasonable period”, “unduly disrupt”)..... 95
29 CFR §553.26. Cash overtime payments..... 95
29 CFR §553.27. Payments for unused compensatory time..... 95
29 CFR §553.28. Other compensatory time..... 96

Other Exemptions

29 CFR §553.30. Occasional or sporadic employment — section 7(p)(2)..... 96
29 CFR §553.31. Substitution — section 7(p)(3)..... 97
29 CFR §553.32. Other FLSA exemptions..... 97

Recordkeeping

29 CFR §553.50. Records to be kept of compensatory time..... 97
29 CFR §553.51. Records to be kept for employees paid pursuant to Section 7(k)..... 97

Subpart B. Volunteers

29 CFR §553.100. General..... 98
29 CFR §553.101. “Volunteer” defined..... 98
29 CFR §553.102. Employment by the same public agency..... 98
29 CFR §553.103. “Same type of services” defined..... 98
29 CFR §553.104. Private individuals who volunteer services to public agencies..... 98
29 CFR §553.105. Mutual aid agreements..... 98
29 CFR §553.106. Payment of expenses, benefits, or fees..... 98

Subpart C. Fire Protection and Law Enforcement Employees of Public Agencies

General Principles

29 CFR §553.200. Statutory provisions: section 13(b)(20)..... 99
29 CFR §553.201. Statutory provisions: section 7(k)..... 99
29 CFR §553.202. Limitations..... 99

Exemption Requirements

29 CFR §553.210. Fire protection activities..... 99
29 CFR §553.211. Law enforcement activities..... 99
29 CFR §553.212. Twenty percent limitation on nonexempt work..... 100
29 CFR §553.213. Public agency employees engaged in both fire protection and law enforcement activities..... 100
29 CFR §553.214. Trainees..... 100
29 CFR §553.215. [Reserved]..... 100
29 CFR §553.216. Other exemptions..... 100

Tour of Duty and Compensable Hours of Work Rules

29 CFR §553.220. “Tour of duty” defined..... 101
29 CFR §553.221. Compensable hours of work..... 101
29 CFR §553.222. Sleep time..... 101
29 CFR §553.223. Meal time..... 101
29 CFR §553.224. “Work period” defined..... 102
29 CFR §553.225. Early relief..... 102
29 CFR §553.226. Training time..... 102
29 CFR §553.227. Outside employment..... 102

Overtime Compensation Rules

29 CFR §553.230. Maximum hours standards for work periods of 7 to 28 days — section 7(k)..... 103
29 CFR §553.231. Compensatory time off..... 103
29 CFR §553.232. Overtime pay requirements..... 103
29 CFR §553.233. “Regular rate” defined..... 103

29 CFR PART 570. CHILD LABOR REGULATIONS, ORDERS AND STATEMENTS OF INTERPRETATION

Subpart A. General

29 CFR §570.1. Definitions..... 103
29 CFR §570.2. Minimum age standards..... 104

Subpart B. Certificates of Age

29 CFR §570.5. Certificates of age and their effect. 104
29 CFR §570.6. Contents and disposition of certificates of age. 104
29 CFR §570.7. Documentary evidence required for issuance of a certificate of age..... 105
29 CFR §570.8. Issuance of a Federal certificate of age. 105
29 CFR §570.9. States in which State certificates of age are accepted..... 105
29 CFR §570.10. Rules for certificates of age in the State of Alaska and the Territory of Guam. 105
29 CFR §570.11. Continued acceptability of certificates of age. 105
29 CFR §570.12. Revoked certificates of age..... 106

Provisions of Other Laws

29 CFR §570.25. Effect on laws other than the Federal child labor standards. 106

Subpart C. Employment of Minors Between 14 and 16 Years of Age (Child Labor Reg. 3)

29 CFR §570.31. Secretary’s determinations concerning the employment of minors 14 and 15 years of age. 106
29 CFR §570.32. Effect of this subpart..... 106
29 CFR §570.33. Occupations that are prohibited to minors 14 and 15 years of age..... 106
29 CFR §570.34. Occupations that may be performed by minors 14 and 15 years of age..... 107
29 CFR §570.35. Hours of work and conditions of employment permitted for minors 14 and 15 years of age..... 108
29 CFR §570.36. Work experience and career exploration program. 109
29 CFR §570.37. Work-study program..... 110
29 CFR §570.38. Effect of a certificate of age under this subpart..... 110
29 CFR §570.39. Effect of this subpart on other laws..... 110

Subpart D. [Reserved]

Subpart E. Occupations Particularly Hazardous for the Employment of Minors Between 16 and 18 Years of Age or Detrimental to Their Health or Well-Being

29 CFR §570.50. General..... 111
29 CFR §570.51. Occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components (Order 1). 111
29 CFR §570.52. Occupations of motor-vehicle driver and outside helper (Order 2). 112
29 CFR §570.53. Coal-mine occupations (Order 3). 112
29 CFR §570.54. Forest fire fighting and forest fire prevention occupations, timber tract occupations, forestry service occupations, logging occupations, and occupations in the operation of any sawmill, lath mill, shingle mill, or cooperage stock mill (Order 4). 112
29 CFR §570.55. Occupations involved in the operation of power-driven woodworking machines (Order 5). 114
29 CFR §570.57. Exposure to radioactive substances and to ionizing radiations (Order 6). 114
29 CFR §570.58. Occupations involved in the operation of power-driven hoisting apparatus (Order 7). 114
29 CFR §570.59. Occupations involved in the operation of power-driven metal forming, punching, and shearing machines (Order 8). 115
29 CFR §570.60. Occupations in connection with mining, other than coal (Order 9). 115
29 CFR §570.61. Occupations in the operation of power-driven meat-processing machines and occupations involving slaughtering, meat and poultry packing, processing, or rendering (Order 10). 115
29 CFR §570.62. Occupations involved in the operation of bakery machines (Order 11). 116
29 CFR §570.63. Occupations involved in the operation of balers, compactors, and paper-products machines (Order 12). 116
29 CFR §570.64. Occupations involved in the manufacture of brick, tile, and kindred products (Order 13). 117
29 CFR §570.65. Occupations involving the operation of circular saws, band saws, guillotine shears, chain saws, reciprocating saws, wood chippers, and abrasive cutting discs (Order 14). 118
29 CFR §570.66. Occupations involved in wrecking, demolition, and shipbreaking operations (Order 15). 118
29 CFR §570.67. Occupations in roofing operations and on or about a roof (Order 16). 118
29 CFR §570.68. Occupations in excavation operations (Order 17). 118

Subpart E-1. Occupations in Agriculture Particularly Hazardous for the Employment of Children Below the Age of 16

29 CFR §570.70. Purpose and scope. 119
29 CFR §570.71. Occupations involved in agriculture. 119
29 CFR §570.72. Exemptions..... 119

Subpart F. [Reserved]

Subpart G. General Statements of Interpretation of the Child Labor Provisions of the Fair Labor Standards Act of 1938, as Amended

General

29 CFR §570.101. Introductory statement. 121
29 CFR §570.102. General scope of statutory provisions..... 121
29 CFR §570.103. Comparison with wage and hour provisions. 121

Coverage of Section 12(a)

29 CFR §570.104. General..... 121
29 CFR §570.105. “Producer, manufacturer, or dealer”..... 122
29 CFR §570.106. “Ship or deliver for shipment in commerce”..... 122
29 CFR §570.107. “Goods”..... 122
29 CFR §570.108. “Produced”..... 122
29 CFR §570.109. “Establishment situated in the United States”..... 122
29 CFR §570.110. “In or about”..... 123
29 CFR §570.111. Removal “within 30 days”..... 123

Coverage of Section 12(c)

29 CFR §570.112. General..... 123
29 CFR §570.113. Employment “in commerce or in the production of goods for commerce”..... 123

Joint and Separate Applicability of Sections 12(a) and 12(c)

29 CFR §570.114. General..... 124
29 CFR §570.115. Joint applicability..... 124
29 CFR §570.116. Separate applicability..... 124

Oppressive Child Labor

29 CFR §570.117. General..... 124
29 CFR §570.118. Sixteen-year minimum..... 125
29 CFR §570.119. Fourteen-year minimum..... 125
29 CFR §570.120. Eighteen-year minimum..... 125
29 CFR §570.121. Age certificates..... 125

Exemptions

29 CFR §570.122. General..... 125
29 CFR §570.123. Agriculture..... 125
29 CFR §570.124. Delivery of newspapers..... 126
29 CFR §570.125. Actors and performers..... 126
29 CFR §570.126. Parental exemption..... 126
29 CFR §570.127. Homeworkers engaged in the making of evergreen wreaths..... 126
29 CFR §570.128. Loading of certain scrap paper balers and paper box compactors..... 126
29 CFR §570.129. Limited driving of automobiles and trucks by 17-year-olds..... 127
29 CFR §570.130. Employment of certain youth inside and outside of places of business that use power-driven machinery to process wood products..... 127

Enforcement

29 CFR §570.140. General..... 127
29 CFR §570.141. Good faith defense..... 127
29 CFR §570.142. Relation to other laws..... 127

29 CFR PART 575. WAIVER OF CHILD LABOR PROVISIONS FOR AGRICULTURAL EMPLOYMENT OF 10 AND 11 YEAR OLD MINORS IN HAND HARVESTING OF SHORT SEASON CROPS

29 CFR §575.1. Purpose and scope..... 128
29 CFR §575.2. Definitions..... 128
29 CFR §575.3. Application for waiver..... 128
29 CFR §575.4. Information to be included in application..... 129
29 CFR §575.5. Supporting data to accompany application..... 129
29 CFR §575.6. Procedure for action on an application..... 129
29 CFR §575.7. Statutory conditions for employment under the waiver..... 130
29 CFR §575.8. Secretary’s conditions for employment under the waiver..... 130
29 CFR §575.9. Failure to comply with the terms and conditions of the waiver..... 130

29 CFR PART 578. TIP RETENTION, MINIMUM WAGE, AND OVERTIME VIOLATIONS—CIVIL MONEY PENALTIES

29 CFR §578.1. What does this part cover?..... 131
29 CFR §578.2. Definitions..... 131
29 CFR §578.3. What types of violations may result in a penalty being assessed?..... 131
29 CFR §578.4. Determination of penalty..... 131

29 CFR PART 579. CHILD LABOR VIOLATIONS—CIVIL MONEY PENALTIES

29 CFR §579.1. Purpose and scope..... 131
29 CFR §579.2. Definitions..... 132
29 CFR §579.3. Violations for which child labor civil money penalties may be assessed..... 133
29 CFR §579.4. [Reserved]..... 133
29 CFR §579.5. Determining the amount of the penalty and assessing the penalty..... 133

29 CFR PART 580. CIVIL MONEY PENALTIES—PROCEDURES FOR ASSESSING AND CONTESTING PENALTIES

29 CFR §580.1. Definitions..... 134
29 CFR §580.2. Applicability of procedures and rules..... 134
29 CFR §580.3. Written notice of determination required..... 134
29 CFR §580.4. Contents of notice..... 134
29 CFR §580.5. Finality of notice..... 135
29 CFR §580.6. Exception to determination of penalty and request for hearing..... 135

Rules of Practice

29 CFR §580.7. General..... 135
29 CFR §580.8. Service and computation of time..... 135
29 CFR §580.9. Commencement of proceeding..... 135

Referral for Hearing

29 CFR §580.10. Referral to Administrative Law Judge.....	135
29 CFR §580.11. Appointment of Administrative Law Judge and notification of prehearing conference and hearing date.....	135
29 CFR §580.12. Decision and Order of Administrative Law Judge.....	135
29 CFR §580.13. Procedures for appeals to the Administrative Review Board.....	136
29 CFR §580.14. [Reserved].....	136
29 CFR §580.15. Responsibility of the Office of Administrative Law Judges for the administrative record.....	136
29 CFR §580.16. Decision of the Administrative Review Board.....	136
29 CFR §580.17. Retention of official record.....	136
29 CFR §580.18. Collection and recovery of penalty.....	136

SUBCHAPTER B. STATEMENTS OF GENERAL POLICY OR INTERPRETATION NOT DIRECTLY RELATED TO REGULATIONS

29 CFR PART 775. GENERAL

29 CFR §775.0. General enforcement policy.....	136
29 CFR §775.1. Advisory interpretations announced by the Administrator.....	137

29 CFR PART 776. INTERPRETATIVE BULLETIN ON THE GENERAL COVERAGE OF THE WAGE AND HOURS PROVISIONS OF THE FAIR LABOR STANDARDS ACT OF 1938

Subpart A. General

29 CFR §776.0. Subpart limited to individual employee coverage.....	137
---	-----

Individual Employee Coverage

29 CFR §776.0a. Introductory statement.....	137
---	-----

How Coverage Is Determined

29 CFR §776.1. General interpretative guides.....	137
29 CFR §776.2. Employee basis of coverage.....	138
29 CFR §776.3. Persons engaging in both covered and noncovered activities.....	138
29 CFR §776.4. Workweek standard.....	138
29 CFR §776.5. Coverage not dependent on method of compensation.....	138
29 CFR §776.6. Coverage not dependent on place of work.....	138
29 CFR §776.7. Geographical scope of coverage.....	138

Engaging "In Commerce"

29 CFR §776.8. The statutory provisions.....	138
29 CFR §776.9. General scope of "in commerce" coverage.....	139
29 CFR §776.10. Employees participating in the actual movement of commerce.....	139
29 CFR §776.11. Employees doing work related to instrumentalities of commerce.....	139
29 CFR §776.12. Employees traveling across State lines.....	139
29 CFR §776.13. Commerce crossing international boundaries.....	140

Engaging in "The Production of Goods for Commerce"

29 CFR §776.14. Elements of "production" coverage.....	140
29 CFR §776.15. "Production".....	140
29 CFR §776.16. Employment in "producing, * * * or in any other manner working on" goods.....	140
29 CFR §776.17. Employment in a "closely related process or occupation directly essential to" production of goods.....	141
29 CFR §776.18. Employees of producers for commerce.....	142
29 CFR §776.19. Employees of independent employers meeting needs of producers for commerce.....	142
29 CFR §776.20. "Goods".....	144
29 CFR §776.21. "For" commerce.....	144

Subpart B. Construction Industry

29 CFR §776.22. Subpart limited to individual employee coverage.....	146
--	-----

Enterprise Coverage

29 CFR §776.22a. Extension of coverage to employment in certain enterprises.....	146
--	-----

Individual Employee Coverage in the Construction Industry

29 CFR §776.22b. Guiding principles.....	146
29 CFR §776.23. Employment in the construction industry.....	146
29 CFR §776.24. Travel in connection with construction projects.....	147
29 CFR §776.25. Regular and recurring activities as basis of coverage.....	147
29 CFR §776.26. Relationship of the construction work to the covered facility.....	147
29 CFR §776.27. Construction which is related to covered production.....	147
29 CFR §776.28. Covered preparatory activities.....	148
29 CFR §776.29. Instrumentalities and channels of interstate commerce.....	148
29 CFR §776.30. Construction performed on temporarily idle facilities.....	150

29 CFR PART 778. OVERTIME COMPENSATION

Subpart A. General Considerations

29 CFR §778.0. Introductory statement.....	150
29 CFR §778.1. Introductory statement.....	150
29 CFR §778.2. Coverage and exemptions not discussed.....	150
29 CFR §778.3. Interpretations made, continued, and superseded by this part.....	150

29 CFR §778.4. Reliance on interpretations.....	150
29 CFR §778.5. Relation to other laws generally.....	150
29 CFR §778.6. Effect of Davis-Bacon Act.....	150
29 CFR §778.7. Effect of Service Contract Act of 1965.....	151
Subpart B. The Overtime Pay Requirements	
Introductory	
29 CFR §778.100. The maximum-hours provisions.....	151
29 CFR §778.101. Maximum nonovertime hours.....	151
29 CFR §778.102. Application of overtime provisions generally.....	151
29 CFR §778.103. The workweek as the basis for applying section 7(a).....	151
29 CFR §778.104. Each workweek stands alone.....	151
29 CFR §778.105. Determining the workweek.....	151
29 CFR §778.106. Time of payment.....	152
Principles for Computing Overtime Pay Based on the “Regular Rate”	
29 CFR §778.107. General standard for overtime pay.....	152
29 CFR §778.108. The “regular rate”.....	152
29 CFR §778.109. The regular rate is an hourly rate.....	152
29 CFR §778.110. Hourly rate employee.....	152
29 CFR §778.111. Pieceworker.....	152
29 CFR §778.112. Day rates and job rates.....	153
29 CFR §778.113. Salaried employees — general.....	153
29 CFR §778.114. Fluctuating Workweek Method of Computing Overtime.....	153
29 CFR §778.115. Employees working at two or more rates.....	154
29 CFR §778.116. Payments other than cash.....	154
29 CFR §778.117. Commission payments — general.....	154
29 CFR §778.118. Commission paid on a workweek basis.....	154
29 CFR §778.119. Deferred commission payments — general rules.....	154
29 CFR §778.120. Deferred commission payments not identifiable as earned in particular workweeks.....	154
29 CFR §778.121. Commission payments — delayed credits and debits.....	155
29 CFR §778.122. Computation of overtime for commission employees on established basic rate.....	155
Subpart C. Payments That May Be Excluded From the “Regular Rate”	
The Statutory Provisions	
29 CFR §778.200. Provisions governing inclusion, exclusion, and crediting of particular payments.....	155
Extra Compensation Paid for Overtime	
29 CFR §778.201. Overtime premiums — general.....	156
29 CFR §778.202. Premium pay for hours in excess of a daily or weekly standard.....	156
29 CFR §778.203. Premium pay for work on Saturdays, Sundays, and other “special days”.....	156
29 CFR §778.204. “Clock pattern” premium pay.....	157
29 CFR §778.205. Premiums for weekend and holiday work — example.....	157
29 CFR §778.206. Premiums for work outside basic workday or workweek — examples.....	157
29 CFR §778.207. Other types of contract premium pay distinguished.....	157
Bonuses	
29 CFR §778.208. Inclusion and exclusion of bonuses in computing the “regular rate.”.....	158
29 CFR §778.209. Method of inclusion of bonus in regular rate.....	158
29 CFR §778.210. Percentage of total earnings as bonus.....	158
29 CFR §778.211. Discretionary bonuses.....	158
29 CFR §778.212. Gifts, Christmas and special occasion bonuses.....	159
29 CFR §778.213. Profit-sharing, thrift, and savings plans.....	159
29 CFR §778.214. Benefit plans; including profit-sharing plans or trusts providing similar benefits.....	159
29 CFR §778.215. Conditions for exclusion of benefit-plan contributions under section 7(e)(4).....	159
Payments Not for Hours Worked	
29 CFR §778.216. The provisions of section 7(e)(2) of the Act.....	160
29 CFR §778.217. Reimbursement for expenses.....	160
29 CFR §778.218. Pay for certain idle hours.....	161
29 CFR §778.219. Pay for foregoing holidays and unused leave.....	161
29 CFR §778.220. “Show-up” or “reporting” pay.....	162
29 CFR §778.221. “Call-back” pay.....	162
29 CFR §778.222. Other payments similar to “call-back” pay.....	163
29 CFR §778.223. Pay for non-productive hours distinguished.....	163
29 CFR §778.224. “Other similar payments”.....	163
Talent Fees in the Radio and Television Industry	
29 CFR §778.225. Talent fees excludable under regulations.....	164
Subpart D. Special Problems	
Introductory	
29 CFR §778.300. Scope of subpart.....	164
Change in the Beginning of the Workweek	
29 CFR §778.301. Overlapping when change of workweek is made.....	164
29 CFR §778.302. Computation of overtime due for overlapping workweeks.....	164

Additional Pay for Past Period

29 CFR §778.303. Retroactive pay increases.....	164
---	-----

How Deductions Affect the Regular Rate

29 CFR §778.304. Amounts deducted from cash wages —general.....	164
29 CFR §778.305. Computation where particular types of deductions are made.....	164
29 CFR §778.306. Salary reductions in short workweeks.....	164
29 CFR §778.307. Disciplinary deductions.....	165

Lump Sum Attributed to Overtime

29 CFR §778.308. The overtime rate is an hourly rate.....	165
29 CFR §778.309. Fixed sum for constant amount of overtime.....	165
29 CFR §778.310. Fixed sum for varying amounts of overtime.....	165
29 CFR §778.311. Flat rate for special job performed in overtime hours.....	165

“Task” Basis of Payment

29 CFR §778.312. Pay for task without regard to actual hours.....	166
29 CFR §778.313. Computing overtime pay under the Act for employees compensated on task basis.....	166
29 CFR §778.314. Special situations.....	166

Effect of Failure to Count or Pay for Certain Working Hours

29 CFR §778.315. Payment for all hours worked in overtime workweek is required.....	167
29 CFR §778.316. Agreements or practices in conflict with statutory requirements are ineffective.....	167
29 CFR §778.317. Agreements not to pay for certain nonovertime hours.....	167
29 CFR §778.318. Productive and nonproductive hours of work.....	167

Effect of Paying for but Not Counting Certain Hours

29 CFR §778.319. Paying for but not counting hours worked.....	167
29 CFR §778.320. Hours that would not be hours worked if not paid for.....	167

Reduction in Workweek Schedule With No Change in Pay

29 CFR §778.321. Decrease in hours without decreasing pay — general.....	168
29 CFR §778.322. Reducing the fixed workweek for which a salary is paid.....	168
29 CFR §778.323. Effect if salary is for variable workweek.....	168
29 CFR §778.324. Effect on hourly rate employees.....	168
29 CFR §778.325. Effect on salary covering more than 40 hours’ pay.....	168
29 CFR §778.326. Reduction of regular overtime workweek without reduction of take-home pay.....	168
29 CFR §778.327. Temporary or sporadic reduction in schedule.....	169
29 CFR §778.328. Plan for gradual permanent reduction in schedule.....	169
29 CFR §778.329. Alternating workweeks of different fixed lengths.....	169

Prizes as Bonuses

29 CFR §778.330. Prizes or contest awards generally.....	169
29 CFR §778.331. Awards for performance on the job.....	169
29 CFR §778.332. Awards for activities not normally part of employee’s job.....	169
29 CFR §778.333. Suggestion system awards.....	170

Subpart E. Exceptions From the Regular Rate Principles

Computing Overtime Pay on an “Established” Rate

29 CFR §778.400. The provisions of section 7(g)(3) of the Act.....	170
29 CFR §778.401. Regulations issued under section 7(g)(3).....	170

Guaranteed Compensation Which Includes Overtime Pay

29 CFR §778.402. The statutory exception provided by section 7(f) of the Act.....	170
29 CFR §778.403. Constant pay for varying workweeks including overtime is not permitted except as specified in section 7(f).....	170
29 CFR §778.404. Purposes of exemption.....	171
29 CFR §778.405. What types of employees are affected.....	171
29 CFR §778.406. Nonovertime hours as well as overtime hours must be irregular if section 7(f) is to apply.....	171
29 CFR §778.407. The nature of the section 7(f) contract.....	171
29 CFR §778.408. The specified regular rate.....	171
29 CFR §778.409. Provision for overtime pay.....	172
29 CFR §778.410. The guaranty under section 7(f).....	172
29 CFR §778.411. Sixty-hour limit on pay guaranteed by contract.....	172
29 CFR §778.412. Relationship between amount guaranteed and range of hours employee may be expected to work.....	172
29 CFR §778.413. Guaranty must be based on rates specified in contract.....	173
29 CFR §778.414. “Approval” of contracts under section 7(f).....	173

Computing Overtime Pay on the Rate Applicable to the Type of Work Performed in Overtime

Hours (Secs. 7(g) (1) and (2))

29 CFR §778.415. The statutory provisions.....	173
29 CFR §778.416. Purpose of provisions.....	173
29 CFR §778.417. General requirements of section 7(g).....	173
29 CFR §778.418. Pieceworkers.....	174
29 CFR §778.419. Hourly workers employed at two or more jobs.....	174
29 CFR §778.420. Combined hourly rates and piece rates.....	174
29 CFR §778.421. Offset hour for hour.....	174

**Subpart F. Pay Plans Which Circumvent the Act
Devices to Evade the Overtime Requirements**

29 CFR §778.500. Artificial regular rates. 174
29 CFR §778.501. The “split-day” plan. 175

Pseudo-bonuses

29 CFR §778.502. Artificially labeling part of the regular wages a “bonus”. 175
29 CFR §778.503. Pseudo “percentage bonuses.” 175

Subpart G. Miscellaneous

29 CFR §778.600. Veterans’ subsistence allowances. 176
29 CFR §778.601. Special overtime provisions available for hospital and residential care establishments under section 7(j). 176
29 CFR §778.602. Special overtime provisions under section 7(b). 176
29 CFR §778.603. Special overtime provisions for certain employees receiving remedial education under section 7(q). 177

**29 CFR PART 779. THE FAIR LABOR STANDARDS ACT AS APPLIED TO RETAILERS OF
GOODS OR SERVICES**

Subpart A. General

Introductory

29 CFR §779.0. Purpose of interpretative bulletin. 177
29 CFR §779.1. General scope of the Act. 177
29 CFR §779.2. Previous and new coverage. 177
29 CFR §779.3. Pay standards for employees subject to previous coverage of the Act. 177
29 CFR §779.4. Pay standards for newly covered employment. 178
29 CFR §779.5. Matters discussed in this part. 178
29 CFR §779.6. Matters discussed in other interpretative bulletins. 178

Interpretations of the Law

29 CFR §779.7. Significance of official interpretations. 178
29 CFR §779.8. Basic support for interpretations. 178
29 CFR §779.9. Reliance on interpretations. 178
29 CFR §779.10. Interpretations made, continued, and superseded by this part. 178

Some Basic Definitions

29 CFR §779.11. General statement. 179
29 CFR §779.12. Commerce. 179
29 CFR §779.13. Production. 179
29 CFR §779.14. Goods. 179
29 CFR §779.15. Sale and resale. 179
29 CFR §779.16. State. 179
29 CFR §779.17. Wage and wage payments to tipped employees. 179
29 CFR §779.18. Regular rate. 180
29 CFR §779.19. Employer, employee, and employ. 180
29 CFR §779.20. Person. 180
29 CFR §779.21. Enterprise. 180
29 CFR §779.22. Enterprise engaged in commerce or in the production of goods for commerce. 181
29 CFR §779.23. Establishment. 181
29 CFR §779.24. Retail or service establishment. 181

**Subpart B. Employment to Which the Act May Apply: Basic Principles and Individual
Coverage**

General Principles

29 CFR §779.100. Basic coverage in general. 181
29 CFR §779.101. Guiding principles for applying coverage and exemption provisions. 182
29 CFR §779.102. Scope of this subpart. 182

Employees Engaged in Commerce or in the Production of Goods for Commerce

29 CFR §779.103. Employees “engaged in commerce.” 182
29 CFR §779.104. Employees “engaged in the production of goods for commerce.” 182
29 CFR §779.105. Employees engaged in activities “closely related” and “directly essential” to the production of goods for commerce. 182
29 CFR §779.106. Employees employed by an independent employer. 183
29 CFR §779.107. Goods defined. 183
29 CFR §779.108. Goods produced for commerce. 183
29 CFR §779.109. Amount of activities which constitute engaging in commerce or in the production of goods for commerce. 183
29 CFR §779.110. Employees in retailing whose activities may bring them under the Act. 183
29 CFR §779.111. Buyers and their assistants. 183
29 CFR §779.112. Office employees. 183
29 CFR §779.113. Warehouse and stock room employees. 183
29 CFR §779.114. Transportation employees. 183
29 CFR §779.115. Watchmen and guards. 183
29 CFR §779.116. Custodial and maintenance employees. 183
29 CFR §779.117. Salesmen and sales clerks. 184
29 CFR §779.118. Employees providing central services for multi-unit organizations. 184
29 CFR §779.119. Exempt occupations. 184

Subpart C. Employment to Which the Act May Apply; Enterprise Coverage

Enterprise; the Business Unit

29 CFR §779.200. Coverage expanded by 1961 and 1966 amendments.	184
29 CFR §779.201. The place of the term “enterprise” in the Act.	184
29 CFR §779.202. Basic concepts of definition.	184
29 CFR §779.203. Distinction between “enterprise,” “establishment,” and “employer.”	184
29 CFR §779.204. Common types of “enterprise.”	184

Related Activities

29 CFR §779.205. Enterprise must consist of “related activities.”	185
29 CFR §779.206. What are “related activities.”	185
29 CFR §779.207. Related activities in retail operations.	185
29 CFR §779.208. Auxiliary activities which are “related activities.”	185
29 CFR §779.209. Vertical activities which are “related activities.”	186
29 CFR §779.210. Other activities which may be part of the enterprise.	186
29 CFR §779.211. Status of activities which are not “related.”	186

Common Business Purpose

29 CFR §779.212. Enterprise must consist of related activities performed for a “common business purpose.”	186
29 CFR §779.213. What is a common business purpose.	186
29 CFR §779.214. “Business” purpose.	186

Unified Operation or Common Control

29 CFR §779.215. General scope of terms.	187
29 CFR §779.216. Statutory construction of the terms.	187
29 CFR §779.217. “Unified operation” defined.	187
29 CFR §779.218. Methods to accomplish “unified operation.”	187
29 CFR §779.219. Unified operation may be achieved without common control or common ownership.	187
29 CFR §779.220. Unified operation may exist as to separately owned or controlled activities which are related.	187
29 CFR §779.221. “Common control” defined.	188
29 CFR §779.222. Ownership as factor.	188
29 CFR §779.223. Control where ownership vested in individual or single organization.	188
29 CFR §779.224. Common control in other cases.	188

Leased Departments, Franchise and Other Business Arrangements

29 CFR §779.225. Leased departments.	188
29 CFR §779.226. Exception for an independently owned retail or service establishment under certain franchise and other arrangements.	189
29 CFR §779.227. Conditions which must be met for exception.	189
29 CFR §779.228. Types of arrangements contemplated by exception.	189
29 CFR §779.229. Other arrangements.	189
29 CFR §779.230. Franchise and other arrangements.	190
29 CFR §779.231. Franchise arrangements which do not create a larger enterprise.	190
29 CFR §779.232. Franchise or other arrangements which create a larger enterprise.	190
29 CFR §779.233. Independent contractors performing work “for” an enterprise.	190
29 CFR §779.234. Establishments whose only regular employees are the owner or members of his immediate family.	191
29 CFR §779.235. Other “enterprises.”	191

Covered Enterprises

29 CFR §779.236. In general.	191
29 CFR §779.237. Enterprise engaged in commerce or in the production of goods for commerce.	191
29 CFR §779.238. Engagement in described activities determined on annual basis.	191
29 CFR §779.239. Meaning of “engaged in commerce or in the production of goods for commerce.”	191

Employees Handling, Selling, or Otherwise Working on Goods That Have Been Moved in or Produced for Commerce by Any Person

29 CFR §779.240. Employees “handling * * * or otherwise working on goods.”	192
29 CFR §779.241. Selling.	192
29 CFR §779.242. Goods that “have been moved in” commerce.	192
29 CFR §779.243. Goods that have been “produced for commerce by any person.”	192

Covered Retail Enterprise

29 CFR §779.244. “Covered enterprises” of interest to retailers of goods or services.	192
29 CFR §779.245. Conditions for coverage of retail or service enterprises.	192

The Gasoline Service Establishment Enterprise

29 CFR §779.254. Summary of coverage and exemptions prior to and following the 1966 amendments.	193
29 CFR §779.255. Meaning of “gasoline service establishment.”	193
29 CFR §779.256. Conditions for enterprise coverage of gasoline service establishments.	193

Annual Gross Volume of Sales Made or Business Done

29 CFR §779.258. Sales made or business done.	193
29 CFR §779.259. What is included in annual gross volume.	194
29 CFR §779.260. Trade-in allowances.	194

Excise Taxes

29 CFR §779.261. Statutory provision.	194
29 CFR §779.262. Excise taxes at the retail level.	194
29 CFR §779.263. Excise taxes not at the retail level.	194
29 CFR §779.264. Excise taxes separately stated.	195

Computing the Annual Volume

29 CFR §779.265. Basis for making computations.	195
29 CFR §779.266. Methods of computing annual volume of sales or business.	195
29 CFR §779.267. Fluctuations in annual gross volume affecting enterprise coverage and establishment exemptions.	195
29 CFR §779.268. Grace period of 1 month for computation.	195
29 CFR §779.269. Computations for a new business.	195

Subpart D—Exemptions for Certain Retail or Service Establishments

General Principles

29 CFR §779.300. Purpose of subpart.	196
29 CFR §779.301. Statutory provisions.	196

“Establishment” Basis of Exemptions

29 CFR §779.302. Exemptions depend on character of establishment.	196
29 CFR §779.303. “Establishment” defined; distinguished from “enterprise” and “business.”	197
29 CFR §779.304. Illustrations of a single establishment.	197
29 CFR §779.305. Separate establishments on the same premises.	197
29 CFR §779.306. Leased departments not separate establishments.	197
29 CFR §779.307. Meaning and scope of “employed by” and “employee of.”	197
29 CFR §779.308. Employed within scope of exempt business.	197
29 CFR §779.309. Employed “in” but not “by.”	198
29 CFR §779.310. Employees of employers operating multi-unit businesses.	198
29 CFR §779.311. Employees working in more than one establishment of same employer.	198

Statutory Meaning of Retail or Service Establishment

29 CFR §779.312. “Retail or service establishment”, defined in section 13(a)(2).	198
29 CFR §779.313. Requirements summarized.	198

Making Sales of Goods and Services “Recognized as Retail”

29 CFR §779.314. “Goods” and “services” defined.	198
29 CFR §779.315. Traditional local retail or service establishments.	199
29 CFR §779.316. Establishments outside “retail concept” not within statutory definition; lack first requirement.	199
29 CFR §779.317. [Removed and Reserved]	199
29 CFR §779.318. Characteristics and examples of retail or service establishments.	199
29 CFR §779.319. A retail or service establishment must be open to general public.	199
29 CFR §779.320. [Removed and Reserved]	199
29 CFR §779.321. Inapplicability of “retail concept” to some types of sales or services of an eligible establishment.	199

“Recognized” as Retail “in the Particular Industry”

29 CFR §779.322. Second requirement for qualifying as a “retail or service establishment.”	200
29 CFR §779.323. Particular industry.	200
29 CFR §779.324. Recognition “in.”	200
29 CFR §779.325. Functions of the Secretary and the courts.	200
29 CFR §779.326. Sources of information.	200
29 CFR §779.327. Wholesale sales.	201
29 CFR §779.328. Retail and wholesale distinguished.	201
29 CFR §779.329. Effect of type of customer and type of goods or services.	201

Sales Not Made for Resale

29 CFR §779.330. Third requirement for qualifying as a “retail or service establishment”	201
29 CFR §779.331. Meaning of sales “for resale.”	201
29 CFR §779.332. Resale of goods in an altered form or as parts or ingredients of other goods or services.	202
29 CFR §779.333. Goods sold for use as raw materials in other products.	202
29 CFR §779.334. Sales of services for resale.	202
29 CFR §779.335. Sales of building materials for residential or farm building construction.	202
29 CFR §779.336. Sales of building materials for commercial property construction.	202

General Tests of Exemption Under Section 13(a)(2)

29 CFR §779.337. Requirements of exemption summarized.	202
29 CFR §779.338. Effect of 1961 and 1966 amendments.	203

Sales Made Within the State

29 CFR §779.339. More than 50 percent intrastate sales required.	203
29 CFR §779.340. Out-of-State customers.	203
29 CFR §779.341. Sales “made within the State” and “engagement in commerce” distinguished.	203

Computing Annual Dollar Volume and Combination of Exemptions

29 CFR §779.342. Methods of computing annual volume of sales.	203
29 CFR §779.343. Combinations of exemptions.	203

Engaging in Manufacturing and Processing Activities; Section 13(a)(4)

29 CFR §779.345. Exemption provided in section 13(a)(4).	204
29 CFR §779.346. Requirements for exemption summarized.	204
29 CFR §779.347. Exemption limited to “recognized retail establishment”; factories not exempt.	204
29 CFR §779.348. Goods must be made at the establishment which sells them.	204
29 CFR §779.349. The 85-percent requirement.	204
29 CFR §779.350. The section 13(a)(4) exemption does not apply to service establishments.	205

Engaging in Contract Telegraph Agency Operations; Section 13(a)(11)

29 CFR §779.351. Exemption provided.	205
29 CFR §779.352. Requirements for exemption.	205

Classification of Sales and Establishments in Certain Industries	
29 CFR §779.353. Basis for classification.....	205
Lumber and Building Materials Dealers	
29 CFR §779.354. Who may qualify as exempt 13(a)(2) or 13(a)(4) establishments.....	205
29 CFR §779.355. Classification of lumber and building materials sales.....	205
29 CFR §779.356. Application of exemptions to employees.....	206
Coal Dealers	
29 CFR §779.357. May qualify as exempt 13(a)(2) establishments; classification of coal sales.....	206
Ice Manufacturers and Ice Dealers	
29 CFR §779.358. May qualify as exempt 13(a)(2) or 13(a)(4) establishments.....	206
Liquefied-Petroleum-Gas and Fuel Oil Dealers	
29 CFR §779.359. May qualify as exempt 13(a)(2) establishments.....	207
29 CFR §779.360. Classification of liquefied-petroleum-gas sales.....	207
29 CFR §779.361. Classification of other fuel oil sales.....	207
Feed Dealers	
29 CFR §779.362. May qualify as exempt 13(a)(2) or 13(a)(4) establishments.....	207
Monument Dealers	
29 CFR §779.363. May qualify as exempt 13(a)(2) or 13(a)(4) establishments.....	208
Frozen-Food Locker Plants	
29 CFR §779.364. May qualify as exempt 13(a)(2) or 13(a)(4) establishments.....	208
Automotive Tire Establishments	
29 CFR §779.365. May qualify as exempt 13(a)(2) or 13(a)(4) establishments.....	209
29 CFR §779.366. Recapping or retreading tires for sale.....	209
Commercial Stationers	
29 CFR §779.367. Commercial stationers may qualify as exempt 13(a)(2) establishments.....	209
29 CFR §779.368. Printing and engraving establishments not recognized as retail.....	210
Funeral Homes	
29 CFR §779.369. Funeral home establishments may qualify as exempt 13(a)(2) establishments.....	210
Cemeteries	
29 CFR §779.370. Cemeteries may qualify as exempt 13(a)(2) establishments.....	210
Automobile, Truck and Farm Implement Sales and Services, and Trailer, Boat and Aircraft Sales	
29 CFR §779.371. Some automobile, truck, and farm implement establishments may qualify for exemption under section 13(a)(2).....	211
29 CFR §779.372. Nonmanufacturing establishments with certain exempt employees under section 13(b)(10).....	212
Other Establishments for Which Special Exceptions or Exemptions Are Provided	
29 CFR §779.381. Establishments within special exceptions or exemptions.....	212
Hotels and Motels	
29 CFR §779.382. May qualify as exempt 13(a)(2) establishments.....	213
29 CFR §779.383. “Hotel” and “motel” exemptions under section 13(b)(8).....	213
Motion Picture Theaters	
29 CFR §779.384. May qualify as exempt establishments.....	213
29 CFR §779.385. May qualify as exempt establishments.....	214
Restaurants and Establishments Providing Food And Beverage Service	
29 CFR §779.386. Restaurants may qualify as exempt 13(a)(2) establishments.....	214
29 CFR §779.387. “Restaurant” exemption under section 13(b) (8).....	214
29 CFR §779.388. Exemption provided for food or beverage service employees.....	214
Subpart E. Provisions Relating to Certain Employees of Retail or Service Establishments	
General Principles	
29 CFR §779.400. Purpose of subpart.....	215
Executive, Administrative, and Professional Employees and Outside Salesmen	
29 CFR §779.401. Statutory provision.....	215
29 CFR §779.402. “Executive” and “administrative” employees defined.....	215
29 CFR §779.403. Administrative and executive employees in covered enterprises employed in other than retail or service establishments.....	215
29 CFR §779.404. Other section 13(a)(1) employees employed in covered enterprises.....	215
Students, Learners, and Handicapped Workers	
29 CFR §779.405. Statutory provisions.....	215
29 CFR §779.406. “Student-learners”.....	216
29 CFR §779.407. Learners other than “student-learners”.....	216
29 CFR §779.408. “Full-time students”.....	216
29 CFR §779.409. Handicapped workers.....	216
Employees Compensated Principally by Commissions	
29 CFR §779.410. Statutory provision.....	216
29 CFR §779.411. Employee of a “retail or service establishment”.....	217
29 CFR §779.412. Compensation requirements for overtime pay exemption under section 7(i).....	217
29 CFR §779.413. Methods of compensation of retail store employees.....	217
29 CFR §779.414. Types of employment in which this overtime pay exemption may apply.....	217
29 CFR §779.415. Computing employee’s compensation for the representative period.....	217

29 CFR §779.416. What compensation “represents commissions”	217
29 CFR §779.417. The “representative period” for testing employee’s compensation	218
29 CFR §779.418. Grace period for computing portion of compensation representing commissions	218
29 CFR §779.419. Dependence of the section 7(i) overtime pay exemption upon the level of the employee’s “regular rate” of pay	218
29 CFR §779.420. Recordkeeping requirements	219
29 CFR §779.421. Basic rate for computing overtime compensation of nonexempt employees receiving commissions	219

Subpart F. Other Provisions Which May Affect Retail Enterprises

General

29 CFR §779.500. Purpose of subpart	219
-------------------------------------	-----

Equal Pay Provisions

29 CFR §779.501. Statutory provisions	219
---------------------------------------	-----

Child Labor Provisions

29 CFR §779.502. Statutory provisions; regulations in Part 1500 of this title	219
29 CFR §779.503. The retailer and section 12(a)	220
29 CFR §779.504. The retailer and section 12(c)	220
29 CFR §779.505. “Oppressive child labor” defined	220
29 CFR §779.506. Sixteen-year minimum	220
29 CFR §779.507. Fourteen-year minimum	220
29 CFR §779.508. Eighteen-year minimum	220

Driver or Driver’s Helper Making Local Deliveries

29 CFR §779.509. Statutory provision	220
29 CFR §779.510. Conditions that must be met for section 13(b)(11) exemption	220
29 CFR §779.511. “Finding by Secretary”	221

Records to Be Kept by Employers

29 CFR §779.512. The recordkeeping regulations	221
29 CFR §779.513. Order and form of records	221
29 CFR §779.514. Period for preserving records	221
29 CFR §779.515. Regulations should be consulted	221

29 CFR PART 780. EXEMPTIONS APPLICABLE TO AGRICULTURE, PROCESSING OF AGRICULTURAL COMMODITIES, AND RELATED SUBJECTS UNDER THE FAIR LABOR STANDARDS ACT

Subpart A. Introductory

29 CFR §780.0. Purpose of interpretative bulletins in this part	221
29 CFR §780.1. General scope of the Act	221
29 CFR §780.2. Exemptions from Act’s requirements	221
29 CFR §780.3. Exemptions discussed in this part	221
29 CFR §780.4. Matters not discussed in this part	222
29 CFR §780.5. Significance of official interpretations	222
29 CFR §780.6. Basic support for interpretations	222
29 CFR §780.7. Reliance on interpretations	222
29 CFR §780.8. Interpretations made, continued, and superseded by this part	222
29 CFR §780.9. Related exemptions are interpreted together	222
29 CFR §780.10. Workweek standard in applying exemptions	222
29 CFR §780.11. Exempt and nonexempt work during the same workweek	223
29 CFR §780.12. Work exempt under another section of the Act	223

Subpart B. General Scope of Agriculture

Introductory

29 CFR §780.100. Scope and significance of interpretative bulletin	223
29 CFR §780.101. Matters discussed in this subpart	223
29 CFR §780.102. Pay requirements for agricultural employees	223
29 CFR §780.103. “Agriculture” as defined by the Act	223
29 CFR §780.104. How modern specialization affects the scope of agriculture	223
29 CFR §780.105. “Primary” and “secondary” agriculture under section 3(f)	224

Exemption for “Primary” Agriculture Generally

29 CFR §780.106. Employment in “primary” agriculture is farming regardless of why or where work is performed	224
--	-----

Farming in All Its Branches

29 CFR §780.107. Scope of the statutory term	224
29 CFR §780.108. Listed activities	224
29 CFR §780.109. Determination of whether unlisted activities are “farming”	224

Cultivating and Tillage of the Soil

29 CFR §780.110. Operations included in “cultivation and tillage of the soil”	224
---	-----

Dairying

29 CFR §780.111. “Dairying” as a farming operation	224
--	-----

Agricultural or Horticulturing Commodities

29 CFR §780.112. General meaning of “agriculture or horticultural commodities”	224
29 CFR §780.113. Seeds, spawn, etc.	225
29 CFR §780.114. Wild commodities	225

29 CFR §780.115. Forest products	225
29 CFR §780.116. Commodities included by reference to the Agricultural Marketing Act	225
“Production, Cultivation, Growing, and Harvesting” of Commodities	
29 CFR §780.117. “Production, cultivation, growing.”	225
29 CFR §780.118. “Harvesting.”	226
Raising of Livestock, Bees, Fur Bearing Animals, or Poultry	
29 CFR §780.119. Employment in the specified operations generally.	226
29 CFR §780.120. Raising of “livestock.”	226
29 CFR §780.121. What constitutes “raising” of livestock.	226
29 CFR §780.122. Activities relating to race horses.	226
29 CFR §780.123. Raising of bees.	226
29 CFR §780.124. Raising of fur-bearing animals.	226
29 CFR §780.125. Raising of poultry in general.	226
29 CFR §780.126. Contract arrangements for raising poultry.	227
29 CFR §780.127. Hatchery operations.	227
Practices Exempt Under “Secondary” Meaning of Agriculture Generally	
29 CFR §780.128. General statement on “secondary” agriculture.	227
29 CFR §780.129. Required relationship of practices to farming operations.	227
Practices Performed “By a Farmer”	
29 CFR §780.130. Performance “by a farmer” generally.	227
29 CFR §780.131. Operations which constitute one a “farmer.”	227
29 CFR §780.132. Operations must be performed “by” a farmer.	227
29 CFR §780.133. Farmers’ cooperative as a “farmer.”	228
Practices Performed “On a Farm”	
29 CFR §780.134. Performance “on a farm” generally.	228
29 CFR §780.135. Meaning of “farm.”	228
29 CFR §780.136. Employment in practices on a farm.	228
“Such Farming Operation” of the Farmer	
29 CFR §780.137. Practices must be performed in connection with farmer’s own farming.	228
29 CFR §780.138. Application of the general principles.	228
29 CFR §780.139. Pea vining.	228
29 CFR §780.140. Place of performing the practice as a factor.	229
“Such Farming Operations” on the farm	
29 CFR §780.141. Practices must relate to farming operations on the particular farm.	229
29 CFR §780.142. Practices on a farm not related to farming operations.	229
29 CFR §780.143. Practices on a farm not performed for the farmer.	229
Performance of the Practice “As an Incident to or in Conjunction With” the Farming Operations	
29 CFR §780.144. “As an incident to or in conjunction with” the farming operations.	229
29 CFR §780.145. The relationship is determined by consideration of all relevant factors.	229
29 CFR §780.146. Importance of relationship of the practice to farming generally.	230
29 CFR §780.147. Practices performed on farm products — special factors considered.	230
Practices Included When Performed as Provided in Section 3(f)	
29 CFR §780.148. “Any” practices meeting the requirements will qualify for exemption.	230
29 CFR §780.149. Named practices as well as others must meet the requirements.	230
Preparation for Market	
29 CFR §780.150. Scope and limits of “preparation for market.”	230
29 CFR §780.151. Particular operations on commodities.	230
Specified Delivery Operations	
29 CFR §780.152. General scope of specified delivery operations.	231
29 CFR §780.153. Delivery “to storage.”	231
29 CFR §780.154. Delivery “to market.”	231
29 CFR §780.155. Delivery “to carriers for transportation to market.”	231
Transportation Operations Not Mentioned in Section 3(f)	
29 CFR §780.156. Transportation of farm products from the fields or farm.	231
29 CFR §780.157. Other transportation incident to farming.	231
Other Unlisted Practices Which May Be Within Section 3(f)	
29 CFR §780.158. Examples of other practices within section 3(f) if requirements are met.	232
29 CFR §780.159. Forest products.	232
Subpart C. Agriculture as It Relates to Specific Situations	
Forestry or Lumbering Operations	
29 CFR §780.200. Inclusion of forestry or lumbering operations in agriculture is limited.	232
29 CFR §780.201. Meaning of “forestry or lumbering operations.”	232
29 CFR §780.202. Subordination to farming operations is necessary for exemption.	233
29 CFR §780.203. Performance of operations on a farm but not by the farmer.	233
29 CFR §780.204. Number of employees engaged in operations not material.	233

Nursery and Landscaping Operations

29 CFR §780.205. Nursery activities generally.....	233
29 CFR §780.206. Planting and lawn mowing.....	233
29 CFR §780.207. Operations with respect to wild plants.....	233
29 CFR §780.208. Forest and Christmas tree activities.....	233
29 CFR §780.209. Packing, storage, warehousing, and sale of nursery products.....	233

Hatchery Operations

29 CFR §780.210. The typical hatchery operations constitute “agriculture.”.....	234
29 CFR §780.211. Contract production of hatching eggs.....	234
29 CFR §780.212. Hatchery employees working on farms.....	234
29 CFR §780.213. Produce business.....	234
29 CFR §780.214. Feed sales and other activities.....	234
29 CFR §780.215. Meaning of forestry or lumbering operations.....	234
29 CFR §780.216. Nursery activities generally and Christmas tree production.....	234
29 CFR §780.217. Forestry activities.....	234

29 CFR PART 782. EXEMPTION FROM MAXIMUM HOURS PROVISIONS FOR CERTAIN EMPLOYEES OF MOTOR CARRIERS

29 CFR §782.0. Introductory statement.....	234
29 CFR §782.1. Statutory provisions considered.....	235
29 CFR §782.2. Requirements for exemption in general.....	235
29 CFR §782.3. Drivers.....	237
29 CFR §782.4. Drivers’ helpers.....	237
29 CFR §782.5. Loaders.....	238
29 CFR §782.6. Mechanics.....	238
29 CFR §782.7. Interstate commerce requirements of exemption.....	239
29 CFR §782.8. Special classes of carriers.....	241

29 CFR PART 783. APPLICATION OF THE FAIR LABOR STANDARDS ACT TO EMPLOYEES EMPLOYED AS SEAMEN

Introductory

29 CFR §783.0. Purpose of this part.....	241
29 CFR §783.1. General scope of the Act.....	241
29 CFR §783.2. Matters discussed in this part.....	242
29 CFR §783.3. Significance of official interpretations.....	242
29 CFR §783.4. Basic support for interpretations.....	242
29 CFR §783.5. Interpretations made, continued, and superseded by this part.....	242

Some Basic Definitions

29 CFR §783.6. Definitions of terms used in the Act.....	242
29 CFR §783.7. “Employer”, “employee”, and “employ”.....	242
29 CFR §783.8. “Person”.....	242
29 CFR §783.9. “Enterprise”.....	242
29 CFR §783.10. “Establishment”.....	243
29 CFR §783.11. “Enterprise engaged in commerce or in the production of goods for commerce”.....	243
29 CFR §783.12. “Commerce”.....	243
29 CFR §783.13. “Production”.....	243
29 CFR §783.14. “Goods”.....	243
29 CFR §783.15. “State”.....	243
29 CFR §783.16. “Wage”.....	243
29 CFR §783.17. “American vessel”.....	243

Application in General of the Act’s Provisions

29 CFR §783.18. Commerce activities of employees.....	243
29 CFR §783.19. Commerce activities of enterprises in which employee is employed.....	243
29 CFR §783.20. Exemptions from the Act’s provisions.....	244
29 CFR §783.21. Guiding principles for applying coverage and exemption provisions.....	244
29 CFR §783.22. Pay standards for employees subject to “old” coverage of the Act.....	244
29 CFR §783.23. Pay standards for “newly covered” employees.....	244

The Statutory Provisions Regarding Seamen

29 CFR §783.24. The section 13(a)(14) exemption.....	244
29 CFR §783.25. The section 13(b)(6) exemption.....	244
29 CFR §783.26. The section 6(b)(2) minimum wage requirement.....	244
29 CFR §783.27. Scope of the provisions regarding “seamen”.....	245

Legislative History and Judicial Construction of the Exemptions

29 CFR §783.28. General legislative history.....	245
29 CFR §783.29. Adoption of the exemption in the original 1938 Act.....	245
29 CFR §783.30. The 1961 Amendments.....	245

Who Is “Employed as a Seaman”

29 CFR §783.31. Criteria for employment “as a seaman” 245
29 CFR §783.32. “Seaman” includes crew members 246
29 CFR §783.33. Employment “as a seaman” depends on the work actually performed. 246
29 CFR §783.34. Employees aboard vessels who are not “seamen” 246
29 CFR §783.35. Employees serving as “watchmen” aboard vessels in port 246
29 CFR §783.36. Barge tenders 246
29 CFR §783.37. Enforcement policy for non-seaman’s work 246

What Is an “American Vessel”

29 CFR §783.38. Statutory definition of “American vessel” 246
29 CFR §783.39. “Vessel” includes all means of water transportation. 247
29 CFR §783.40. “Documented” vessel 247
29 CFR §783.41. “Numbered” vessel 247
29 CFR §783.42. Vessels neither “documented” nor “numbered” 247

Computation of Wages and Hours

29 CFR §783.43. Computation of seaman’s minimum wage 247
29 CFR §783.44. Board and lodging as wages 247
29 CFR §783.45. Deductions from wages 247
29 CFR §783.46. Hours worked 248
29 CFR §783.47. Off-duty periods 248

Application of the Exemptions

29 CFR §783.48. Factors determining application of exemptions 248
29 CFR §783.49. Workweek unit in applying the exemptions 248
29 CFR §783.50. Work exempt under another section of the Act 248
29 CFR §783.51. Seamen on a fishing vessel 248

29 CFR PART 784. PROVISIONS OF THE FAIR LABOR STANDARDS ACT APPLICABLE TO FISHING AND OPERATIONS ON AQUATIC PRODUCTS

Subpart A. General

Introductory

29 CFR §784.0. Purpose 248
29 CFR §784.1. General scope of the Act 248
29 CFR §784.2. Matters discussed in this part 249
29 CFR §784.3. Matters discussed in other interpretations 249
29 CFR §784.4. Significance of official interpretations 249
29 CFR §784.5. Basic support for interpretations 249
29 CFR §784.6. Interpretations made, continued, and superseded by this part 249

Some Basic Definitions

29 CFR §784.7. Definition of terms used in the Act 249
29 CFR §784.8. “Employer,” “employee,” and “employ” 249
29 CFR §784.9. “Person” 250
29 CFR §784.10. “Enterprise” 250
29 CFR §784.11. “Establishment” 250
29 CFR §784.12. “Commerce” 250
29 CFR §784.13. “Production” 250
29 CFR §784.14. “Goods” 250
29 CFR §784.15. “State” 250
29 CFR §784.16. “Regular rate” 250

Application of Coverage and Exemptions Provisions of the Act

29 CFR §784.17. Basic coverage in general 250
29 CFR §784.18. Commerce activities of employees 250
29 CFR §784.19. Commerce activities of enterprise in which employee is employed 250
29 CFR §784.20. Exemptions from the Act’s provisions 251
29 CFR §784.21. Guiding principles for applying coverage and exemption provisions 251

Subpart B. Exemptions Provisions Relating to Fishing and Aquatic Products

The Statutory Provisions

29 CFR §784.100. The section 13(a)(5) exemption 251

Legislative History of Exemptions

29 CFR §784.102. General legislative history 251
29 CFR §784.103. Adoption of the exemption in the original 1938 Act 251
29 CFR §784.104. The 1949 amendments 252
29 CFR §784.105. The 1961 amendments 252

Principles Applicable to the Two Exemptions

29 CFR §784.106. Relationship of employee’s work to the named operations 252
29 CFR §784.107. Relationship of employee’s work to operations on the specified aquatic products 252
29 CFR §784.108. Operations not included in named operations on forms of aquatic “life” 253
29 CFR §784.109. Manufacture of supplies for named operations is not exempt 253
29 CFR §784.110. Performing operations both on nonaquatic products and named aquatic products 253
29 CFR §784.111. Operations on named products with substantial amounts of other ingredients are not exempt 253

29 CFR §784.112. Substantial amounts of nonaquatic products; enforcement policy.....	253
29 CFR §784.113. Work related to named operations performed in off- or dead-season.....	253
29 CFR §784.114. Application of exemptions on a workweek basis.....	253
29 CFR §784.115. Exempt and noncovered work performed during the workweek.....	254
29 CFR §784.116. Exempt and nonexempt work in the same workweek.....	254
29 CFR §784.117. Combinations of exempt work.....	254
General Character and Scope of the Section 13(a)(5) Exemption	
29 CFR §784.118. The exemption is intended for work affected by natural factors.....	254
29 CFR §784.119. Effect of natural factors on named operations.....	254
29 CFR §784.120. Application of exemption to “offshore” activities in general.....	254
29 CFR §784.121. Exempt fisheries operations.....	254
29 CFR §784.122. Operations performed as an integrated part of fishing.....	254
29 CFR §784.123. Operations performed on fishing equipment.....	255
29 CFR §784.124. Going to and returning from work.....	255
29 CFR §784.125. Loading and unloading.....	255
29 CFR §784.126. Operation of the fishing vessel.....	255
29 CFR §784.127. Office and clerical employees under section 13(a)(5).....	255
First Processing, Canning, or Packing of Marine Products Under Section 13(a)(5)	
29 CFR §784.128. Requirements for exemption of first processing, etc., at sea.....	255
29 CFR §784.129. “Marine products”.....	255
29 CFR §784.130. “At sea”.....	256
29 CFR §784.131. “As an incident to, or in conjunction with,” fishing operations.....	256
29 CFR §784.132. The exempt operations.....	256
29 CFR §784.133. “First processing”.....	256
29 CFR §784.134. “Canning”.....	256
29 CFR §784.135. “Packing”.....	256
General Character and Scope of the Section 13(a)(4) Exemption	
29 CFR §784.136. “Shore” activities exempted under section 13(b)(4).....	256
29 CFR §784.137. Relationship of exemption to exemption for “offshore” activities.....	257
29 CFR §784.138. Perishable state of the aquatic product as affecting exemption.....	257
29 CFR §784.139. Scope of exempt operations in general.....	257
29 CFR §784.140. Fabrication and handling of supplies for use in named operations.....	257
29 CFR §784.141. Examples of nonexempt employees.....	257
“Canning”	
29 CFR §784.142. Meaning and scope of “canning” as used in section 13(b)(4).....	258
29 CFR §784.143. “Necessary preparatory operations”.....	258
29 CFR §784.144. Preliminary processing by the canner.....	258
29 CFR §784.145. Preliminary processing by another employer as part of “canning”.....	258
29 CFR §784.146. “Subsequent operations”.....	258
29 CFR §784.147. Employees “employed in” canning.....	258
Processing, Freezing, and Curing	
29 CFR §784.148. General scope of processing, freezing, and curing activities.....	259
29 CFR §784.149. Typical operations that may qualify for exemption.....	259
29 CFR §784.150. Named operations performed on previously processed aquatic products.....	259
29 CFR §784.151. Operations performed after product is rendered nonperishable.....	259
29 CFR §784.152. Operations performed on byproducts.....	259
Marketing, Storing, Packing for Shipment, and Distributing	
29 CFR §784.153. General scope of named operations.....	259
29 CFR §784.154. Relationship to other operations as affecting exemption.....	259
29 CFR §784.155. Activities performed in wholesale establishments.....	259
Application of Section 13(b)(4) in Certain Establishments	
29 CFR §784.156. Establishments exclusively devoted to named operations.....	260
29 CFR PART 785. HOURS WORKED	
Subpart A. General Considerations	
29 CFR §785.1. Introductory statement.....	260
29 CFR §785.2. Decisions on interpretations; use of interpretations.....	260
29 CFR §785.3. Period of effectiveness of interpretations.....	260
29 CFR §785.4. Application to Walsh-Healey Public Contracts Act.....	260
Subpart B. Principles for Determination of Hours Worked	
29 CFR §785.5. General requirements of sections 6 and 7 of the Fair Labor Standards Act.....	260
29 CFR §785.6. Definition of “employ” and partial definition of “hours worked”.....	260
29 CFR §785.7. Judicial construction.....	261
29 CFR §785.8. Effect of custom, contract, or agreement.....	261
29 CFR §785.9. Statutory exemptions.....	261
Subpart C. Applications of Principles	
29 CFR §785.10. Scope of subpart.....	261

Employees “Suffered or Permitted” to Work

29 CFR §785.11. General..... 261
29 CFR §785.12. Work performed away from the premises or job site..... 261
29 CFR §785.13. Duty of management..... 261

Waiting Time

29 CFR §785.14. General..... 261
29 CFR §785.15. On duty..... 261
29 CFR §785.16. Off duty..... 262
29 CFR §785.17. On-call time..... 262

Rest and Meal Periods

29 CFR §785.18. Rest..... 262
29 CFR §785.19. Meal..... 262

Sleeping Time and Certain Other Activities

29 CFR §785.20. General..... 262
29 CFR §785.21. Less than 24-hour duty..... 262
29 CFR §785.22. Duty of 24 hours or more..... 262
29 CFR §785.23. Employees residing on employer’s premises or working at home..... 262

Preparatory and Concluding Activities

29 CFR §785.24. Principles noted in Portal-to-Portal Bulletin..... 263
29 CFR §785.25. Illustrative U.S. Supreme Court decisions..... 263
29 CFR §785.26. Section 3(o) of the Fair Labor Standards Act..... 263

Lectures, Meetings and Training Programs

29 CFR §785.27. General..... 263
29 CFR §785.28. Involuntary attendance..... 263
29 CFR §785.29. Training directly related to employee’s job..... 263
29 CFR §785.30. Independent training..... 263
29 CFR §785.31. Special situations..... 263
29 CFR §785.32. Apprenticeship training..... 264

Travel time

29 CFR §785.33. General..... 264
29 CFR §785.34. Effect of section 4 of the Portal-to-Portal Act..... 264
29 CFR §785.35. Home to work; ordinary situation..... 264
29 CFR §785.36. Home to work in emergency situations..... 264
29 CFR §785.37. Home to work on special one-day assignment in another city..... 264
29 CFR §785.38. Travel that is all in the day’s work..... 264
29 CFR §785.39. Travel away from home community..... 264
29 CFR §785.40. When private automobile is used in travel away from home community..... 264
29 CFR §785.41. Work performed while traveling..... 265

Adjusting Grievances, Medical Attention, Civic and Charitable Work, and Suggestion

Systems

29 CFR §785.42. Adjusting grievances..... 265
29 CFR §785.43. Medical attention..... 265
29 CFR §785.44. Civic and charitable work..... 265
29 CFR §785.45. Suggestion systems..... 265

Subpart D. Recording Working Time

29 CFR §785.46. Applicable regulations governing keeping of records..... 265
29 CFR §785.47. Where records show insubstantial or insignificant periods of time..... 265
29 CFR §785.48. Use of time clocks..... 265

Subpart E. Miscellaneous Provisions

29 CFR §785.49. Applicable provisions of the Fair Labor Standards Act..... 265
29 CFR §785.50. Section 4 of the Portal-to-Portal Act..... 265

29 CFR PART 786. MISCELLANEOUS EXEMPTIONS AND EXCLUSIONS FROM COVERAGE

Subpart A. Carriers by Air

29 CFR §786.1. Enforcement policy concerning performance of nonexempt work..... 266

Subpart B. [Reserved]

Subpart C. Switchboard Operator Exemption

29 CFR §786.100. Enforcement policy concerning performance of nonexempt work..... 266

Subpart D. Employers Subject to Part 1 of Interstate Commerce Act

29 CFR §786.150. Enforcement policy concerning performance of nonexempt work..... 266

Subpart E. Taxicab Operators

29 CFR §786.200. Enforcement policy concerning performance of nonexempt work..... 266

Subpart F. Newspaper Publishing

29 CFR §786.250. Enforcement policy..... 266

Subpart G—Youth Opportunity Wage

29 CFR §786.300. Application of the youth opportunity wage..... 267

Subpart H—Volunteers at Private Non-Profit Food Banks

29 CFR §786.350. Exclusion from definition of “employee” of volunteers at private nonprofit food banks..... 267

29 CFR PART 789. GENERAL STATEMENT ON THE PROVISIONS OF SECTION 12(A) AND SECTION 15(A)(1) OF THE FAIR LABOR STANDARDS ACT OF 1938, RELATING TO WRITTEN ASSURANCES

29 CFR §789.0. Introductory statement. 267
29 CFR §789.1. Statutory provisions and legislative history. 267
29 CFR §789.2. “*** in reliance on written assurance from the producer ***” 267
29 CFR §789.3. “*** goods were produced in compliance with” *** the requirements referred to..... 268
29 CFR §789.4. Scope and content of assurances of compliance. 268
29 CFR §789.5. “*** acquired *** in good faith *** for value without notice ***” 268

29 CFR PART 790. GENERAL STATEMENT AS TO THE EFFECT OF THE PORTAL-TO-PORTAL ACT OF 1947 ON THE FAIR LABOR STANDARDS ACT OF 1938

General

29 CFR §790.1. Introductory statement. 269
29 CFR §790.2. Interrelationship of the two acts. 269

Provisions Relating to Certain Activities Engaged in by Employees on or After May 14, 1947

29 CFR §790.3. Provisions of the statute. 269
29 CFR §790.4. Liability of employer; effect of contract, custom, or practice..... 270
29 CFR §790.5. Effect of Portal-to-Portal Act on determination of hours worked. 270
29 CFR §790.6. Periods within the “workday” unaffected. 271
29 CFR §790.7. “Preliminary” and “postliminary” activities. 271
29 CFR §790.8. “Principal” activities. 272
29 CFR §790.9. “Compensable *** by an express provision of a written or nonwritten contract.” 272
29 CFR §790.10. “Compensable *** by a custom or practice.” 272
29 CFR §790.11. Contract, custom or practice in effect “at the time of such activity.” 273
29 CFR §790.12. “Portion of the day.” 273

Defense of Good Faith Reliance on Administrative Regulations, etc.

29 CFR §790.13. General nature of defense. 273
29 CFR §790.14. “In conformity with.” 273
29 CFR §790.15. “Good faith.” 274
29 CFR §790.16. “In reliance on.” 274
29 CFR §790.17. “Administrative regulation, order, ruling, approval, or interpretation.” 274
29 CFR §790.18. “Administrative practice or enforcement policy.” 275
29 CFR §790.19. “Agency of the United States.” 276

Restrictions and Limitations on Employee Suits

29 CFR §790.20. Right of employees to sue; restrictions on representative actions. 276
29 CFR §790.21. Time for bringing employee suits. 276
29 CFR §790.22. Discretion of court as to assessment of liquidated damages. 277

29 CFR PART 791. [REMOVED AND RESERVED]

29 CFR PART 793. EXEMPTION OF CERTAIN RADIO AND TELEVISION STATION EMPLOYEES FROM OVERTIME PAY REQUIREMENTS UNDER SECTION 13(B)(9) OF THE FAIR LABOR STANDARDS ACT

Introductory

29 CFR §793.0. Purpose of interpretative bulletin. 277
29 CFR §793.1. Reliance upon interpretations. 277
29 CFR §793.2. General explanatory statement. 277

Requirements for Exemption

29 CFR §793.3. Statutory provision. 277
29 CFR §793.4. General requirements for exemption. 277
29 CFR §793.5. What determines application of the exemption. 277
29 CFR §793.6. Exemption limited to employees in named occupations..... 278
29 CFR §793.7. “Announcer.” 278
29 CFR §793.8. “News editor.” 278
29 CFR §793.9. “Chief engineer.” 278
29 CFR §793.10. Primary employment in named occupation. 278
29 CFR §793.11. Combination announcer, news editor and chief engineer. 278
29 CFR §793.12. Related and incidental work. 278
29 CFR §793.13. Limitation on related and incidental work. 278
29 CFR §793.14. Employed by. 278
29 CFR §793.15. Duties away from the station. 278
29 CFR §793.16. “Radio or television station.” 279
29 CFR §793.17. “Major studio.” 279
29 CFR §793.18. Location of “major studio.” 279

Workweek Application of Exemption

29 CFR §793.19. Workweek is used in applying the exemption. 279
29 CFR §793.20. Exclusive engagement in exempt work. 279
29 CFR §793.21. Exempt and nonexempt work. 279

29 CFR PART 794. PARTIAL OVERTIME EXEMPTION FOR EMPLOYEES OF WHOLESALE OR BULK PETROLEUM DISTRIBUTORS UNDER SECTION 7(B)(3) OF THE FAIR LABOR STANDARDS ACT

Subpart A. General

29 CFR §794.1. General scope of the Act..... 280
29 CFR §794.2. Purpose of this part..... 280
29 CFR §794.3. Matters discussed in this part..... 280
29 CFR §794.4. Significance of official interpretations..... 280
29 CFR §794.5. Basic support for interpretations..... 280
29 CFR §794.6. Reliance on interpretations..... 280
29 CFR §794.7. Interpretations made, continued, and superseded by this part..... 280

Subpart B. Exemption From Overtime Pay Requirement Under Section 7(b)(3) of the Act

Scope and Application in General

29 CFR §794.100. The statutory provision..... 280
29 CFR §794.101. Intended scope of exemption..... 281
29 CFR §794.102. Guides for construing exemptions..... 281
29 CFR §794.103. Dependence of exemption on engagement in described distribution..... 281
29 CFR §794.104. Enterprises engaged in described distribution and in other activities..... 281
29 CFR §794.105. Other requirements for exemption..... 281

The “Enterprise”

29 CFR §794.106. Statutory definition of “enterprise.”..... 282
29 CFR §794.107. “Establishment” distinguished..... 282
29 CFR §794.108. Scope of enterprise must be known before exemption tests can be applied..... 282
29 CFR §794.109. Statutory basis for inclusion of activities in enterprise..... 282
29 CFR §794.110. Activities excluded from the enterprise by the statute..... 282
29 CFR §794.111. General characteristics of the statutory enterprise..... 282

“Independently Owned and Controlled Local Enterprise”

29 CFR §794.112. Only independent and local enterprises qualify for exemption..... 282
29 CFR §794.113. The enterprise must be “local”..... 282
29 CFR §794.114. The enterprise must be “independently owned and controlled.”..... 283
29 CFR §794.115. “Independently owned.”..... 283
29 CFR §794.116. “Independently *** controlled.”..... 283
29 CFR §794.117. Effect of franchises and other arrangements..... 283
29 CFR §794.118. Effect of unrelated activities..... 284

Annual Gross Volume of Sales

29 CFR §794.119. Dependence of exemption on sales volume of the enterprise..... 284
29 CFR §794.120. Meaning of “annual gross volume of sales.”..... 284
29 CFR §794.121. Exclusion of excise taxes..... 284
29 CFR §794.122. Ascertainment of “annual” gross sales volume..... 284
29 CFR §794.123. Method of computing annual volume of sales..... 284
29 CFR §794.124. Computations on a fiscal year basis..... 284
29 CFR §794.125. Grace period of 1 month for compliance..... 284
29 CFR §794.126. Computations for a new business..... 284

Sales Made Within the State

29 CFR §794.127. Exemption conditioned on making 75 percent of sales within the State..... 285
29 CFR §794.128. Sales made to out-of-State customers..... 285
29 CFR §794.129. Sales “made within the State” not limited to noncovered activity..... 285

Sales Made to Other Bulk Distributors

29 CFR §794.130. Not more than 25 percent of sales may be to customers engaged in bulk distribution of petroleum products for resale..... 285
29 CFR §794.131. “Customer *** engaged in bulk distribution”..... 285
29 CFR §794.132. “Petroleum products”..... 285
29 CFR §794.133. “Bulk” distribution..... 285
29 CFR §794.134. Distribution “for resale.”..... 285

Application of Exemption to Employees

29 CFR §794.135. Employees who are exempt..... 286
29 CFR §794.136. Employees whose activities may qualify them for exemption..... 286
29 CFR §794.137. Effect of activities other than “wholesale or bulk distribution of petroleum products”..... 286
29 CFR §794.138. Workweek unit in applying the exemption..... 286
29 CFR §794.139. Exempt and nonexempt activities in the workweek..... 286
29 CFR §794.140. Compensation requirements for a workweek under section 7(b)(3)..... 286
29 CFR §794.141. Workweeks when hours worked do not exceed 12 in any day or 56 in the week; compensation requirements..... 287
29 CFR §794.142. Special compensation when overtime in excess of 12 daily or 56 weekly hours is worked in the workweek..... 287
29 CFR §794.143. Work exempt under another section of the Act..... 288

Records to be Kept by Employers

29 CFR §794.144. Records to be maintained..... 288

29 CFR PART 795. EMPLOYEE OR INDEPENDENT CONTRACTOR CLASSIFICATION UNDER THE FAIR LABOR STANDARDS ACT

29 CFR §795.100. Introductory statement 288
29 CFR §795.105. Determining employee and independent contractor classification under the FLSA 288
29 CFR §795.110. Economic reality test to determine economic dependence 289
29 CFR §795.115 Severability..... 289

FAMILY AND MEDICAL LEAVE

FAMILY AND MEDICAL LEAVE ACT (LAW)

U.S. Code, Title 29 – Labor

Chapter 28 – Family And Medical Leave

29 USC §2601. Findings and purposes..... 292

Subchapter I. General Requirements for Leave

29 USC §2611. Definitions 294
29 USC §2612. Leave requirement 296
29 USC §2613. Certification 297
29 USC §2614. Employment and benefits protection..... 298
29 USC §2615. Prohibited acts 299
29 USC §2616. Investigative authority 299
29 USC §2617. Enforcement 299
29 USC §2618. Special rules concerning employees of local educational agencies..... 300
29 USC §2619. Notice 301
29 USC §2620. Public health Emergency Leave..... 301

Subchapter II. Commission on Leave

29 USC §2631. Establishment..... 302
29 USC §2632. Duties 302
29 USC §2633. Membership 302
29 USC §2634. Compensation..... 303
29 USC §2635. Powers 303
29 USC §2636. Termination..... 303

Subchapter III. Miscellaneous Provisions

29 USC §2651. Effect on other laws 303
29 USC §2652. Effect on existing employment benefits..... 303
29 USC §2653. Encouragement of more generous leave policies 303
29 USC §2654. Regulations..... 303

FAMILY AND MEDICAL LEAVE ACT (REGULATIONS)

Code of Federal Regulations, Title 29 – Labor

Chapter V – Wage and Hour Division, Department of Labor

29 CFR PART 825. THE FAMILY AND MEDICAL LEAVE ACT OF 1993

Subpart A. Coverage Under the Family and Medical Leave Act

29 CFR §825.100. The Family and Medical Leave Act 304
29 CFR §825.101. Purpose of the Act 304
29 CFR §825.102. Definitions 304
29 CFR §825.103. [Reserved]..... 308
29 CFR §825.104. Covered employer..... 308
29 CFR §825.105. Counting employees for determining coverage..... 308
29 CFR §825.106. Joint employer coverage..... 309
29 CFR §825.107. Successor in interest coverage..... 309
29 CFR §825.108. Public agency coverage 309
29 CFR §825.109. Federal agency coverage 310
29 CFR §825.110. Eligible employee 310
29 CFR §825.111. Determining whether 50 employees are employed within 75 miles..... 311
29 CFR §825.112. Qualifying reasons for leave, general rule 311
29 CFR §825.113. Serious health condition..... 312
29 CFR §825.114. Inpatient care..... 312
29 CFR §825.115. Continuing treatment 312
29 CFR §825.116. [Reserved]..... 312
29 CFR §825.117. [Reserved]..... 312
29 CFR §825.118. [Reserved]..... 312
29 CFR §825.119. Leave for treatment of substance abuse 312
29 CFR §825.120. Leave for pregnancy or birth..... 313
29 CFR §825.121. Leave for adoption or foster care 313
29 CFR §825.122. Definitions of covered servicemember, spouse, parent, son or daughter, next of kin of a covered servicemember, adoption, foster care, son or daughter on covered active duty or call to covered active duty status, son or daughter of a covered servicemember, and parent of a covered servicemember..... 314
29 CFR §825.123. Unable to perform the functions of the position 314

29 CFR §825.124. Needed to care for a family member or covered servicemember.....	315
29 CFR §825.125. Definition of health care provider.....	315
29 CFR §825.126. Leave because of a qualifying exigency.....	315
29 CFR §825.127. Leave to care for a covered servicemember with a serious injury or illness (military caregiver leave).....	316
Subpart B. Employee Leave Entitlements Under the Family and Medical Leave Act	
29 CFR §825.200. Amount of leave.....	318
29 CFR §825.201. Leave to care for a parent.....	318
29 CFR §825.202. Intermittent leave or reduced leave schedule.....	319
29 CFR §825.203. Scheduling of intermittent or reduced schedule leave.....	319
29 CFR §825.204. Transfer of an employee to an alternative position during intermittent leave or reduced schedule leave.....	319
29 CFR §825.205. Increments of FMLA leave for intermittent or reduced schedule leave.....	320
29 CFR §825.206. Interaction with the FLSA.....	320
29 CFR §825.207. Substitution of paid leave.....	321
29 CFR §825.208. [Reserved].....	321
29 CFR §825.209. Maintenance of employee benefits.....	321
29 CFR §825.210. Employee payment of group health benefit premiums.....	322
29 CFR §825.211. Maintenance of benefits under multi-employer health plans.....	322
29 CFR §825.212. Employee failure to pay health plan premium payments.....	322
29 CFR §825.213. Employer recovery of benefit costs.....	323
29 CFR §825.214. Employee right to reinstatement.....	323
29 CFR §825.215. Equivalent position.....	323
29 CFR §825.216. Limitations on an employee's right to reinstatement.....	324
29 CFR §825.217. Key employee, general rule.....	325
29 CFR §825.218. Substantial and grievous economic injury.....	325
29 CFR §825.219. Rights of a key employee.....	325
29 CFR §825.220. Protection for employees who request leave or otherwise assert FMLA rights.....	325
Subpart C. Employee and Employer Rights and Obligations Under the Act	
29 CFR §825.300. Employer notice requirements.....	326
29 CFR §825.301. Designation of FMLA leave.....	327
29 CFR §825.302. Employee notice requirements for foreseeable FMLA leave.....	328
29 CFR §825.303. Employee notice requirements for unforeseeable FMLA leave.....	328
29 CFR §825.304. Employee failure to provide notice.....	329
29 CFR §825.305. Certification, general rule.....	329
29 CFR §825.306. Content of medical certification for leave taken because of an employee's own serious health condition or the serious health condition of a family member.....	330
29 CFR §825.307. Authentication and clarification of medical certification for leave taken because of an employee's own serious health condition or the serious health condition of a family member; second and third opinions.....	330
29 CFR §825.308. Recertifications for leave taken because of an employee's own serious health condition or the serious health condition of a family member.....	331
29 CFR §825.309. Certification for leave taken because of a qualifying exigency.....	332
29 CFR §825.310. Certification for leave taken to care for a covered servicemember (military caregiver leave).....	332
29 CFR §825.311. Intent to return to work.....	333
29 CFR §825.312. Fitness-for-duty certification.....	334
29 CFR §825.313. Failure to provide certification.....	334
Subpart D. Enforcement Mechanisms	
29 CFR §825.400. Enforcement, general rules.....	335
29 CFR §825.401. Filing a complaint with the Federal Government.....	335
29 CFR §825.402. Violations of the posting requirement.....	335
29 CFR §825.403. Appealing the assessment of a penalty for willful violation of the posting requirement.....	335
29 CFR §825.404. Consequences for an employer when not paying the penalty assessment after a final order is issued.....	335
Subpart E. Recordkeeping Requirements	
29 CFR §825.500. Recordkeeping requirements.....	335
Subpart F. Special Rules Applicable to Employees of Schools	
29 CFR §825.600. Special rules for school employees, definitions.....	336
29 CFR §825.601. Special rules for school employees, limitations on intermittent leave.....	336
29 CFR §825.602. Special rules for school employees, limitations on leave near the end of an academic term.....	337
29 CFR §825.603. Special rules for school employees, duration of FMLA leave.....	337
29 CFR §825.604. Special rules for school employees, restoration to an equivalent position.....	337
Subpart G. Effect of Other Laws, Employer Practices, and Collective Bargaining Agreements on Employee Rights Under FMLA	
29 CFR §825.700. Interaction with employer's policies.....	337
29 CFR §825.701. Interaction with State laws.....	337
29 CFR §825.702. Interaction with Federal and State anti-discrimination laws.....	338
Subpart H—Special Rules Applicable to Airline Flight Crew Employees	
29 CFR §825.800. Special rules for airline flight crew employees, general.....	339
29 CFR §825.801. Special rules for airline flight crew employees, hours of service requirement.....	339
29 CFR §825.802. Special rules for airline flight crew employees, calculation of leave.....	339
29 CFR §825.803. Special rules for airline flight crew employees, recordkeeping requirements.....	339

29 CFR PART 826. PAID LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT [EXPIRED]

IMMIGRATION AND EMPLOYMENT VERIFICATION

IMMIGRATION REFORM AND CONTROL ACT (LAW)

U.S. Code, Title 8 – Aliens and Nationality

Chapter 12 – Immigration and Nationality

8 USC §1324a. Unlawful employment of aliens.....	342
8 USC §1324b. Unfair immigration-related employment practices.....	350
8 USC §1324c. Penalties for document fraud.....	352

IMMIGRATION REFORM AND CONTROL ACT (REGULATIONS)

Code Federal Regulations, Title 8 – Aliens and Nationality

Chapter I – Department of Homeland Security (Immigration and Naturalization)

8 CFR PART 274a. CONTROL OF EMPLOYMENT OF ALIENS

Subpart A. Employer Requirements

8 CFR §274a.1. Definitions.....	354
8 CFR §274a.2. Verification of identity and employment authorization.....	354
8 CFR §274a.3. Continuing employment of unauthorized aliens.....	359
8 CFR §274a.4. Good faith defense.....	359
8 CFR §274a.5. Use of labor through contract.....	360
8 CFR §274a.6. State employment agencies.....	360
8 CFR §274a.7. Pre-enactment provisions for employees hired prior to November 7, 1986 or in the CNMI prior to the transition program effective date.....	361
8 CFR §274a.8. Prohibition of indemnity bonds.....	361
8 CFR §274a.9. Enforcement procedures.....	361
8 CFR §274a.10. Penalties.....	362
8 CFR §274a.11. [Reserved].....	363

Subpart B. Employment Authorization

8 CFR §274a.12. Classes of aliens authorized to accept employment.....	363
8 CFR §274a.13. Application for employment authorization.....	367
8 CFR §274a.14. Termination of employment authorization.....	368

IMMIGRATION REFORM AND CONTROL ACT (REGULATIONS)

Code of Federal Regulations, Title 28 – Judicial Administration

Chapter I – Department of Justice

28 CFR PART 44. UNFAIR IMMIGRATION-RELATED EMPLOYMENT PRACTICES

28 CFR §44.100. Purpose.....	369
28 CFR §44.101. Definitions.....	369
28 CFR §44.102. Computation of time.....	370
28 CFR §44.200. Unfair immigration-related employment practices.....	370
28 CFR §44.201. [Reserved].....	370
28 CFR §44.202. Counting employees for jurisdictional purposes.....	370
28 CFR §44.300. Filing a charge.....	370
28 CFR §44.301. Receipt of charge.....	370
28 CFR §44.302. Investigation.....	371
28 CFR §44.303. Determination.....	371
28 CFR §44.304. Special Counsel acting on own initiative.....	371
28 CFR §44.305. Regional offices.....	371

28 CFR PART 85. CIVIL MONETARY PENALTIES INFLATION ADJUSTMENT

28 CFR §85.1. In general.....	371
28 CFR §85.2. [Reserved].....	371
28 CFR §85.3. Adjustments to penalties for violations occurring on or before November 2, 2015.....	371
28 CFR §85.5. Adjustments to penalties for violations occurring after November 2, 2015.....	372

IMMIGRATION REFORM AND CONTROL ACT (REGULATIONS)
Code of Federal Regulations, Title 48 — Federal Acquisition Regulations System
Chapter 1 — Federal Acquisition Regulation

48 CFR PART 22. APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS

Subpart 22.18. Employment Eligibility Verification

48 CFR §22.1800. Scope.....	374
48 CFR §22.1801. Definitions.....	374
48 CFR §22.1802. Policy.....	374
48 CFR §22.1803. Contract clause.....	375

48 CFR PART 52. SOLICITATION PROVISIONS AND CONTRACT CLAUSES

Subpart 52.2. Text of Provisions and Clauses

48 CFR §52.222-54. Employment Eligibility Verification.....	375
---	-----

CHILD SUPPORT AND CREDITOR GARNISHMENT

CONSUMER CREDIT PROTECTION ACT (LAW)

U.S. Code, Title 15 — Commerce and Trade

Chapter 41 — Consumer Credit Protection

Subchapter II — Restrictions on Garnishment

15 USC §1671. Congressional findings and declaration of purpose.....	378
15 USC §1672. Definitions.....	378
15 USC §1673. Restriction on garnishment.....	378
15 USC §1674. Restriction on discharge from employment by reason of garnishment.....	378
15 USC §1675. Exemption for State-regulated garnishments.....	378
15 USC §1676. Enforcement by Secretary of Labor.....	379
15 USC §1677. Effect on State laws.....	379

CONSUMER CREDIT PROTECTION ACT (REGULATIONS)

Code of Federal Regulations, Title 29 — Labor

Subtitle B — Regulations Relating to Labor

29 CFR PART 870. RESTRICTION ON GARNISHMENT

Subpart A. General

29 CFR §870.1. Purpose and scope.....	380
29 CFR §870.2. Amendments to this part.....	380

Subpart B. Determinations and Interpretations

29 CFR §870.10. Maximum part of aggregate disposable earnings subject to garnishment under section 303(a).....	380
29 CFR §870.11. Exceptions to the restrictions provided by section 303(a) of the CCPA and priorities among garnishments.....	381

Subpart C. Exemption for State-regulated Garnishments

29 CFR §870.50. General provision.....	381
29 CFR §870.51. Exemption policy.....	381
29 CFR §870.52. Application for exemption of State-regulated garnishments.....	382
29 CFR §870.53. Action upon an application for exemption.....	382
29 CFR §870.54. Standards governing the granting of an application for exemption.....	382
29 CFR §870.55. Terms and conditions of every exemption.....	382
29 CFR §870.56. Termination of exemption.....	382
29 CFR §870.57. Exemptions.....	382

DEBT COLLECTION IMPROVEMENT ACT (LAW)

U.S. Code, Title 31 — Money and Finance

Subtitle III — Financial Management

31 USC §3720D. Garnishment.....	383
---------------------------------	-----

DEBT COLLECTION IMPROVEMENT ACT (REGULATIONS)

Code of Federal Regulations, Title 31 — Money and Finance: Treasury

Subtitle B — Regulations Relating to Money and Finance

**31 CFR PART 285. DEBT COLLECTION AUTHORITIES UNDER THE DEBT COLLECTION
IMPROVEMENT ACT OF 1996**

31 CFR §285.11. Administrative wage garnishment.....	384
--	-----

DEBT COLLECTION IMPROVEMENT ACT (REGULATIONS)

Code of Federal Regulations, Title 29 – Labor

Subtitle B – Regulations Relating to Labor

Part 100 – Administrative Regulations

Subpart F – Debt Collection Procedures

29 CFR §100.615. Authorities other than offset. 387

DEBT COLLECTION IMPROVEMENT ACT (REGULATIONS)

Code of Federal Regulations, Title 34 – Education

Subtitle A – Office of the Secretary, Department of Education

34 CFR PART 34. ADMINISTRATIVE WAGE GARNISHMENT

34 CFR §34.1. Purpose of this part. 388
34 CFR §34.2. Scope of this part. 388
34 CFR §34.3. Definitions. 388
34 CFR §34.4. Notice of proposed garnishment. 388
34 CFR §34.5. Contents of a notice of proposed garnishment. 389
34 CFR §34.6. Rights in connection with garnishment. 389
34 CFR §34.7. Consideration of objection to the rate or amount of withholding. 389
34 CFR §34.8. Providing a hearing. 389
34 CFR §34.9. Conditions for an oral hearing. 389
34 CFR §34.10. Conditions for a paper hearing. 389
34 CFR §34.11. Timely request for a hearing. 389
34 CFR §34.12. Request for reconsideration. 390
34 CFR §34.13. Conduct of a hearing. 390
34 CFR §34.14. Burden of proof. 390
34 CFR §34.15. Consequences of failure to appear for an oral hearing. 390
34 CFR §34.16. Issuance of the hearing decision. 390
34 CFR §34.17. Content of decision. 391
34 CFR §34.18. Issuance of the wage garnishment order. 391
34 CFR §34.19. Amounts to be withheld under a garnishment order. 391
34 CFR §34.20. Amount to be withheld under multiple garnishment orders. 391
34 CFR §34.21. Employer certification. 391
34 CFR §34.22. Employer responsibilities. 391
34 CFR §34.23. Exclusions from garnishment. 392
34 CFR §34.24. Claim of financial hardship by debtor subject to garnishment. 392
34 CFR §34.25. Determination of financial hardship. 392
34 CFR §34.26. Ending garnishment. 392
34 CFR §34.27. Actions by employer prohibited by law. 392
34 CFR §34.28. Refunds of amounts collected in error. 392
34 CFR §34.29. Enforcement action against employer for noncompliance with garnishment order. 392
34 CFR §34.30. Application of payments and accrual of interest. 393

DEBT COLLECTION IMPROVEMENT ACT (REGULATIONS)

Code of Federal Regulations, Title 45 – Public Welfare

Subtitle A – Department of Health and Human Services

45 CFR PART 32. ADMINISTRATIVE WAGE GARNISHMENT

45 CFR §32.1. Purpose and scope. 394
45 CFR §32.2. Definitions. 394
45 CFR §32.3. General rule. 394
45 CFR §32.4. Notice. 395
45 CFR §32.5. Hearing. 395
45 CFR §32.6. Withholding order. 395
45 CFR §32.7. Certification by employer. 396
45 CFR §32.8. Amounts withheld. 396
45 CFR §32.9. Financial hardship. 396
45 CFR §32.10. Refunds. 396
45 CFR §32.11. Ending garnishment. 396
45 CFR §32.12. Right of action. 396

DEBT COLLECTION IMPROVEMENT ACT (REGULATIONS)

Code of Federal Regulations, Title 49 – Transportation

Subtitle A – Office of the Secretary of Transportation

49 CFR PART 89. Implementation of the Federal Claims Collection Act

49 CFR §89.35. Administrative wage garnishment..... 398

DEBT COLLECTION IMPROVEMENT ACT (REGULATIONS)

Code of Federal Regulations, Title 41 – Public Contracts and Property Management

Chapter 105 – General Services Administration

41 CFR PART 105-57. ADMINISTRATION WAGE GARNISHMENT

41 CFR §105-57.001. Purpose, authority and scope..... 399
41 CFR §105-57.002. Definitions..... 399
41 CFR §105-57.003. General rule..... 400
41 CFR §105-57.004. Notice requirements..... 400
41 CFR §105-57.005. Hearing..... 400
41 CFR §105-57.006. Wage garnishment order..... 401
41 CFR §105-57.007. Certification by employer..... 401
41 CFR §105-57.008. Amounts withheld..... 401
41 CFR §105-57.009. Exclusions from garnishment..... 401
41 CFR §105-57.010. Financial hardship..... 401
41 CFR §105-57.011. Ending garnishment..... 402
41 CFR §105-57.012. Actions prohibited by the employer..... 402
41 CFR §105-57.013. Refunds..... 402
41 CFR §105-57.014. Right of action..... 402

DEBT COLLECTION IMPROVEMENT ACT (REGULATIONS)

Code of Federal Regulations, Title 20 – Employees’ Benefits

Chapter III – Social Security Administration

20 CFR PART 422. ORGANIZATION AND PROCEDURES

Subpart E—Collection of Debts by Administrative Wage Garnishment

20 CFR §422.401. What is the scope of this subpart?..... 403
20 CFR §422.402. What special definitions apply to this subpart?..... 403
20 CFR §422.403. When may we use administrative wage garnishment?..... 403
20 CFR §422.405. What notice will we send you about administrative wage garnishment?..... 404
20 CFR §422.410. What actions will we take after we send you the notice?..... 404
20 CFR §422.415. Will we reduce the amount that your employer must withhold from your pay when withholding that amount causes financial hardship?..... 404
20 CFR §422.420. May you inspect and copy our records related to the debt?..... 405
20 CFR §422.425. How will we conduct our review of the debt?..... 405
20 CFR §422.430. When will we refund amounts of your pay withheld by administrative wage garnishment?..... 405
20 CFR §422.435. What happens when we decide to send an administrative wage garnishment order to your employer?..... 405
20 CFR §422.440. What are your employer’s responsibilities under an administrative wage garnishment order?..... 405
20 CFR §422.445. May we bring a civil action against your employer for failure to comply with our administrative wage garnishment order?..... 406

DEBT COLLECTION IMPROVEMENT ACT (REGULATIONS)

Code of Federal Regulations

Regulations of Other Agencies

Department of Labor..... 407
Federal Election Commission..... 407
Federal Housing Finance Agency..... 407
Federal Labor Relations Authority..... 407
Federal Trade Commission..... 407
Office of Natural Resources Revenue, Department of the Interior..... 407
Office of Personnel Management..... 407
Pension Benefit Guaranty Corporation..... 407

FULL FAITH AND CREDIT FOR CHILD SUPPORT ORDERS ACT (LAW)

U.S. Code, Title 28 – Judiciary and Judicial Procedure

Part V – Procedure

28 USC §1738B. Full faith and credit for child support orders..... 408

CREDITOR GARNISHMENT: STUDENT LOANS (LAW)

U.S. Code, Title 20 – Education

Chapter 28 – Higher Education Resources and Student Assistance

20 USC §1095a. Wage garnishment requirement..... 410

CREDITOR GARNISHMENT: STUDENT LOANS (REGULATIONS)
Code of Federal Regulations, Title 34 – Education
Chapter VI – Office of Postsecondary Education, Department of Education

34 CFR PART 682. FEDERAL FAMILY EDUCATION LOAN (FFEL) PROGRAM
Subpart D. Administration of the Federal Family Education Loan Programs by a Guaranty Agency

34 CFR §682.410. Fiscal, administrative, and enforcement requirements 411

CREDITOR GARNISHMENT: BANKRUPTCY PROVISIONS (LAW)
U.S. Code, Title 11 – Bankruptcy
Chapter 5 – Creditors, the Debtor, and the Estate

11 USC §507. Priorities. 414
11 USC §523. Exceptions to discharge. 415

CREDITOR GARNISHMENT: PAYROLL DEDUCTIONS (REGULATIONS)
Code of Federal Regulations, Title 16 – Commercial Practices
Chapter I – Federal Trade Commission

16 CFR PART 444. CREDIT PRACTICES

16 CFR §444.2. Unfair credit practices. 417

CHILD SUPPORT GARNISHMENT: State Requirements (LAW)
U.S. Code, Title 42 – The Public Health and Welfare
Chapter 7 – Social Security

42 USC §652. Duties of Secretary. 418
42 USC §653. Federal Parent Locator Service. 418
42 USC §653a. State Directory of New Hires. 423
42 USC §654. State plan for child and spousal support. 424
42 USC §654a. Automated data processing. 424
42 USC §654b. Collection and disbursement of support payments. 425
42 USC §659. Consent by the United States to income withholding, garnishment, and similar proceedings for enforcement of child support and alimony obligations. 426
42 USC §659a. International support enforcement. 427
42 USC §666. Requirement of statutorily prescribed procedures to improve effectiveness of child support enforcement. 428

CHILD SUPPORT WITHHOLDING: STATE REQUIREMENTS (REGULATIONS)
Code of Federal Regulations, Title 45 – Public Welfare
Subtitle B – Regulations Relating to Public Welfare

45 CFR PART 303. STANDARDS FOR PROGRAM OPERATIONS

45 CFR §303.100. Procedures for income withholding. 435

CHILD SUPPORT GARNISHMENT: MEDICAL CHILD SUPPORT ORDERS (LAW)
U.S. Code, Title 42 – The Public Health and Welfare
Chapter 7 – Social Security

42 USC §1396g-1. Required laws relating to medical child support. 437

CHILD SUPPORT GARNISHMENT: MEDICAL CHILD SUPPORT ORDERS (LAW)
U.S. Code, Title 29 – Labor

Chapter 18 – Employee Retirement Income Security Program

29 USC §1169. Additional standards for group health plans. 438

CHILD SUPPORT GARNISHMENT: MEDICAL CHILD SUPPORT ORDERS (REGULATIONS)
Code of Federal Regulations, Title 29 – Labor
Chapter XXV – Employee Benefits Security Administration, Department of Labor

29 CFR PART 2590. RULES AND REGULATIONS FOR GROUP HEALTH PLAN REQUIREMENTS

Subpart A. Continuation Coverage, Qualified Medical Child Support Orders, Coverage for Adopted Children

29 CFR §2590.609-1. [Reserved] 440
29 CFR §2590.609-2. National Medical Support Notice. 440

GOVERNMENT CONTRACTOR PROVISIONS

WALSH-HEALEY ACT (LAW)

U.S. Code, Title 41 – Public Contracts

Chapter 65 – Contracts for Materials, Supplies, Articles, and Equipment Exceeding \$10,000

41 USC §6501. Definitions	442
41 USC §6502. Required contract terms	442
41 USC §6503. Breach or violation of required contract terms	442
41 USC §6504. Three-year prohibition on new contracts in case of breach or violation	442
41 USC §6505. Exclusions	443
41 USC §6506. Administrative provisions	443
41 USC §6507. Hearing authority and procedures	443
41 USC §6508. Authority to make exceptions	443
41 USC §6509. Other procedures.....	443
41 USC §6510. Manufacturers and regular dealers	444
41 USC §6511. Effect on other law	444

WALSH-HEALEY ACT (REGULATIONS)

Code of Federal Regulations, Title 41 – Public Contracts and Property Management

Subtitle B – Other Provisions Relating to Public Contracts

41 CFR PART 50-201. GENERAL REGULATIONS

41 CFR §50-201.1. The Walsh-Healey Public Contracts Act.....	445
41 CFR §50-201.2. Administration of the Act.....	445
41 CFR §50-201.3. Insertion of stipulations	445
41 CFR §50-201.4. Statutory exemptions.....	446
41 CFR §50-201.101. Employees affected	446
41 CFR §50-201.102. Overtime.....	446
41 CFR §50-201.103. Dealer as agent of undisclosed principal.....	446
41 CFR §50-201.104. Protection against unintentional employment of underage minors.....	447
41 CFR §50-201.105. Hours worked	447
41 CFR §50-201.201. Breach of stipulations	447
41 CFR §50-201.301. Agency regulations.....	447
41 CFR §50-201.501. Records of employment	447
41 CFR §50-201.502. Record of injuries.....	447
41 CFR §50-201.601. Requests for exceptions and exemptions.....	447
41 CFR §50-201.602. Decisions concerning exceptions and exemptions.....	448
41 CFR §50-201.603. Full administrative exemptions.....	448
41 CFR §50-201.701. Definition of “person.”.....	448
41 CFR §50-201.1101. Minimum wages	448
41 CFR §50-201.1102. Tolerance for apprentices, student-learners, and handicapped workers	448
41 CFR §50-201.1201. [Reserved].....	448
41 CFR §50-201.1202. Complaints	448
41 CFR §50-201.1203. Other contracts	448

41 CFR PART 50-202. MINIMUM WAGE DETERMINATIONS

Subpart A. Application and Scope

41 CFR §50-202.1. Application and scope	448
---	-----

Subpart B. Groups of Industries

41 CFR §50-202.2. Minimum wage in all industries	449
41 CFR §50-202.3. Learners, student learners, apprentices, and handicapped workers.....	449

Subpart C [Reserved]

41 CFR PART 50-203. RULES OF PRACTICE

Subpart A. Proceedings Under Section 5 of the Walsh-Healey Public Contracts Act

41 CFR §50-203.1. Reports of breach or violation	449
41 CFR §50-203.2. Issuance of a formal complaint	449
41 CFR §50-203.3. Answer.....	449
41 CFR §50-203.4. Motions	449
41 CFR §50-203.5. Intervention	450
41 CFR §50-203.6. Witnesses and subpoenas.....	450
41 CFR §50-203.7. Prehearing conferences	450
41 CFR §50-203.8. Hearing.....	450
41 CFR §50-203.9. Briefs.....	451
41 CFR §50-203.10. Decision of the administrative law judge.....	451
41 CFR §50-203.11. Review.....	451
41 CFR §50-203.12. Effective date.....	451

Subpart B. Exceptions and Exemptions Pursuant to Section 6 of the Walsh-Healey Public Contracts Act

41 CFR §50-203.13. Requests for exceptions and exemptions 451
41 CFR §50-203.14. Decisions concerning exceptions and exemptions 451

Subpart C. Minimum Wage Determinations Under the Walsh-Healey Public Contracts Act

41 CFR §50-203.15. Initiation of proceeding 452
41 CFR §50-203.16. Industry panel meetings 452
41 CFR §50-203.17. Hearings 452
41 CFR §50-203.18. Evidence 452
41 CFR §50-203.19. Subpoenas and witness fees 452
41 CFR §50-203.20. Examination of witnesses 452
41 CFR §50-203.21. Decisions 452
41 CFR §50-203.22. Effective date of determinations 452

SERVICE CONTRACT LABOR STANDARDS (LAW)

U.S. Code, Title 41 – Public Contracts

Chapter 67 – Service Contract Labor Standards

41 USC §6701. Definitions 453
41 USC §6702. Contracts to which this chapter applies 453
41 USC §6703. Required contract terms 453
41 USC §6704. Limitation on minimum wage 454
41 USC §6705. Violations 454
41 USC §6706. Three-year prohibition on new contracts in case of violation 454
41 USC §6707. Enforcement and administration of chapter 454

Service Contract Act (Regulations)

Code of Federal Regulations, Title 29 – Labor

Subtitle A – Office of the Secretary of Labor

29 CFR PART 4. LABOR STANDARDS FOR FEDERAL SERVICE CONTRACTS

Subpart A. Service Contract Labor Standards Provisions and Procedures

29 CFR §4.1. Purpose and scope 455
29 CFR §4.1a. Definitions and use of terms 455
29 CFR §4.1b. Payment of minimum compensation based on collectively bargained wage rates and fringe benefits applicable to employment under predecessor contract 455
29 CFR §4.2. Payment of minimum wage specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 under all service contracts 456
29 CFR §4.3. Wage determinations 456
29 CFR §4.4. Obtaining a wage determination 456
29 CFR §4.5. Contract specification of determined minimum wages and fringe benefits 458
29 CFR §4.6. Labor standards clauses for Federal service contracts exceeding \$2,500 458
29 CFR §§4.7–4.9. [Reserved] 461
29 CFR §4.10. Substantial variance proceedings under section 4(c) of the Act 461
29 CFR §4.11. Arm’s length proceedings 462
29 CFR §4.12. Substantial interest proceedings 462

Subpart B. Wage Determination Procedures

29 CFR §4.50. Types of wage and fringe benefit determinations 463
29 CFR §4.51. Prevailing in the locality determinations 463
29 CFR §4.52. Fringe benefit determinations 464
29 CFR §4.53. Collective bargaining agreement (successorship) determinations 464
29 CFR §4.54. Locality basis of wage and fringe benefit determinations 464
29 CFR §4.55. Issuance and revision of wage determinations 465
29 CFR §4.56. Review and reconsideration of wage determinations 465

Subpart C. Application of the McNamara-O’Hara Service Contract Act

Introductory

29 CFR §4.101. Official rulings and interpretations in this subpart 465
29 CFR §4.102. Administration of the Act 466
29 CFR §4.103. The Act 466
29 CFR §4.104. What the Act provides, generally 466
29 CFR §4.105. The Act as amended 466
29 CFR §4.106. [Reserved] 467

Agencies Whose Contracts May Be Covered

29 CFR §4.107. Federal contracts 467
29 CFR §4.108. District of Columbia contracts 467
29 CFR §4.109. [Reserved] 467

Covered Contracts Generally

29 CFR §4.110. What contracts are covered 467
29 CFR §4.111. Contracts “to furnish services” 467
29 CFR §4.112. Contracts to furnish services “in the United States” 468
29 CFR §4.113. Contracts to furnish services “through the use of service employees” 468
29 CFR §4.114. Subcontracts 468

Specific Exclusions

29 CFR §4.115. Exemptions and exceptions, generally.	469
29 CFR §4.116. Contracts for construction activity.	469
29 CFR §4.117. Work subject to requirements of Walsh-Healey Act.	469
29 CFR §4.118. Contracts for carriage subject to published tariff rates.	470
29 CFR §4.119. Contracts for services of communications companies.	470
29 CFR §4.120. Contracts for public utility services.	470
29 CFR §4.121. Contracts for individual services.	470
29 CFR §4.122. Contracts for operation of postal contract stations.	470
29 CFR §4.123. Administrative limitations, variances, tolerances, and exemptions.	471
29 CFR §§4.124—4.129. [Reserved]	472

Particular Application of Contract Coverage Principles

29 CFR §4.130. Types of covered service contracts illustrated.	472
29 CFR §4.131. Furnishing services involving more than use of labor.	473
29 CFR §4.132. Services and other items to be furnished under a single contract.	473
29 CFR §4.133. Beneficiary of contract services.	474
29 CFR §4.134. Contracts outside the Act's coverage.	474
29 CFR §4.135—4.139. [Reserved]	474

Determining Amount of Contract

29 CFR §4.140. Significance of contract amount.	474
29 CFR §4.141. General criteria for measuring amount.	474
29 CFR §4.142. Contracts in an indefinite amount.	475

Changes in Contract Coverage

29 CFR §4.143. Effects of changes or extensions of contracts, generally.	475
29 CFR §4.144. Contract modifications affecting amount.	475
29 CFR §4.145. Extended term contracts.	475

Period of Coverage

29 CFR §4.146. Contract obligations after award, generally.	475
29 CFR §§4.147—4.149. [Reserved]	475

Employees Covered by the Act

29 CFR §4.150. Employee coverage, generally.	476
29 CFR §4.151. Employees covered by provisions of section 2(a).	476
29 CFR §4.152. Employees subject to prevailing compensation provisions of sections 2(a)(1) and (2) and 4(c).	476
29 CFR §4.153. Inapplicability of prevailing compensation provisions to some employees.	476
29 CFR §4.154. Employees covered by sections 2(a)(3) and (4).	476
29 CFR §4.155. Employee coverage does not depend on form of employment contract.	476
29 CFR §4.156. Employees in bona fide executive, administrative, or professional capacity.	476
29 CFR §§4.157—4.158. [Reserved]	477

Subpart D. Compensation Standards

29 CFR §4.159. General minimum wage.	477
29 CFR §4.160. Effect of section 6(e) of the Fair Labor Standards Act.	477
29 CFR §4.161. Minimum monetary wages under contracts exceeding \$2,500.	477
29 CFR §4.162. Fringe benefits under contracts exceeding \$2,500.	477
29 CFR §4.163. Section 4(c) of the Act.	477
29 CFR §4.164. [Reserved]	479

Compliance With Compensation Standards

29 CFR §4.165. Wage payments and fringe benefits — in general.	479
29 CFR §4.166. Wage payments — unit of payment.	479
29 CFR §4.167. Wage payments — medium of payment.	479
29 CFR §4.168. Wage payments — deductions from wages paid.	479
29 CFR §4.169. Wage payments — work subject to different rates.	480
29 CFR §4.170. Furnishing fringe benefits or equivalents.	480
29 CFR §4.171. “Bona fide” fringe benefits.	480
29 CFR §4.172. Meeting requirements for particular fringe benefits — in general.	481
29 CFR §4.173. Meeting requirements for vacation fringe benefits.	481
29 CFR §4.174. Meeting requirements for holiday fringe benefits.	482
29 CFR §4.175. Meeting requirements for health, welfare, and/or pension benefits.	483
29 CFR §4.176. Payment of fringe benefits to temporary and part-time employees.	484
29 CFR §4.177. Discharging fringe benefit obligations by equivalent means.	484
29 CFR §4.178. Computation of hours worked.	485
29 CFR §4.179. Identification of contract work.	485

Overtime Pay of Covered Employees

29 CFR §4.180. Overtime pay — in general.	486
29 CFR §4.181. Overtime pay provisions of other Acts.	486
29 CFR §4.182. Overtime pay of service employees entitled to fringe benefits.	486

Notice to Employees

29 CFR §4.183. Employees must be notified of compensation required.	487
29 CFR §4.184. Posting of notice.	487

Records

29 CFR §4.185. Recordkeeping requirements. 487
29 CFR §4.186. [Reserved]..... 487

Subpart E. Enforcement

29 CFR §4.187. Recovery of underpayments..... 487
29 CFR §4.188. Ineligibility for further contracts when violations occur..... 488
29 CFR §4.189. Administrative proceedings relating to enforcement of labor standards..... 490
29 CFR §4.190. Contract cancellation. 490
29 CFR §4.191. Complaints and compliance assistance..... 490

WAGE RATES FOR PUBLIC BUILDINGS AND WORKS (LAW)

U.S. Code, Title 40 — Public Buildings, Property, and Works

Subtitle II — Public Buildings and Works

40 USC §3141. Definitions. 491
40 USC §3142. Rate of wages for laborers and mechanics..... 491
40 USC §3143. Termination of work on failure to pay agreed wages..... 491
40 USC §3144. Authority to pay wages and list contractors violating contracts. 492
40 USC §3145. Regulations governing contractors and subcontractors..... 492
40 USC §3146. Effect on other federal laws. 492
40 USC §3147. Suspension of this subchapter during a national emergency..... 492
40 USC §3148. Application of this subchapter to certain contracts. 492

CONTRACT WORK HOURS AND SAFETY STANDARDS (LAW)

U.S. Code, Title 40 — Public Buildings, Property, and Works

Subtitle II — Public Buildings and Works

Part A — General

Chapter 37 — Contract Work Hours and Safety Standards

40 USC §3701. Definition and application. 493
40 USC §3702. Work hours..... 493
40 USC §3703. Report of violations and withholding of amounts for unpaid wages and liquidated damages..... 493
40 USC §3704. Health and safety standards in building trades and construction industry..... 494
40 USC §3705. Safety programs. 495
40 USC §3706. Limitations, variations, tolerances, and exemptions..... 495
40 USC §3707. Contractor certification or contract clause in acquisition of commercial items not required..... 495
40 USC §3708. Criminal penalties. 495

ELECTRONIC FUNDS TRANSFER

ELECTRONIC FUND TRANSFER ACT (LAW)

U.S. Code, Title 15 — Commerce and Trade

Chapter 41 — Consumer Credit Protection

15 USC §1693. Congressional findings and declaration of purpose. 498
15 USC §1693a. Definitions. 498
15 USC §1693b. Regulations..... 498
15 USC §1693e. Preauthorized Transfers..... 499
15 USC §1693k. Compulsory Use of Electronic Fund Transfers..... 499
15 USC §1693q. Relation to State Laws..... 499

ELECTRONIC FUND TRANSFER ACT (REGULATIONS)

Code of Federal Regulations, Title 12 — Banks and Banking

Chapter X — Bureau of Consumer Financial Protection

12 CFR PART 1005. ELECTRONIC FUND TRANSFERS (REGULATION E)

Subpart A. General

12 CFR §1005.1. Authority and purpose..... 500
12 CFR §1005.2. Definitions. 500
12 CFR §1005.3. Coverage. 501
12 CFR §1005.4. General disclosure requirements; jointly offered services..... 502
12 CFR §1005.5. Issuance of access devices..... 502
12 CFR §1005.6. Liability of consumer for unauthorized transfers..... 502
12 CFR §1005.7. Initial disclosures..... 502
12 CFR §1005.8. Change in terms notice; error resolution notice..... 503
12 CFR §1005.9. Receipts at electronic terminals; periodic statements..... 503
12 CFR §1005.10. Preauthorized transfers..... 504
12 CFR §1005.11. Procedures for resolving errors. 504
12 CFR §1005.12. Relation to other laws..... 505
12 CFR §1005.13. Administrative enforcement; record retention..... 506
12 CFR §1005.14. Electronic fund transfer service provider not holding consumer’s account..... 506

12 CFR §1005.15. Electronic fund transfer of government benefits.....	506
12 CFR §1005.16. Disclosures at automated teller machines.	508
12 CFR §1005.17. Requirements for overdraft services.	508
12 CFR §1005.18. Requirements for financial institutions offering prepaid accounts.....	509
12 CFR §1005.19. Internet posting of prepaid account agreements.....	516
12 CFR §1005.20. Requirements for gift cards and gift certificates.....	517
Appendix A to 12 CFR Part 1005—Model Disclosure Clauses and Forms.....	519
Supplement I to 12 CFR Part 1005—Official Staff Interpretations.....	524

BANK RESPONSIBILITIES UNDER EFTPS (REGULATIONS)

**Code of Federal Regulations, Title 31 — Money and Finance: Treasury
Subtitle B — Regulations Relating to Money and Finance**

31 CFR PART 203. PAYMENT OF FEDERAL TAXES AND THE TREASURY TAX AND LOAN PROGRAM

Subpart A. General Information

31 CFR §203.1. Scope.....	566
31 CFR §203.2. Definitions.	566
31 CFR §203.3. TT&L depositories.....	567
31 CFR §203.4. Financial institution eligibility for designation as a TT&L depository.....	567
31 CFR §203.5. Designation of financial institutions as TT&L depositories.....	567
31 CFR §203.6. Obligations of TT&L depositories.....	568
31 CFR §203.7. Termination of agreement or change of election or option.	568
31 CFR §203.8. Application of part and procedural instructions.....	568

Subpart B. Electronic Federal Tax Payments

31 CFR §203.9. Scope of the subpart.	568
31 CFR §203.10. Electronic payment methods.	568
31 CFR §203.11. Same-day reporting and payment mechanisms.	568
31 CFR §203.12. EFTPS interest assessments.....	568
31 CFR §203.13. Appeal and dispute resolution.	569

Subpart C. PATAX

31 CFR §203.14. Scope of the subpart.	569
31 CFR §203.15. Tax deposits using FTD coupons.	569
31 CFR §203.16. Retainer and investor depositories.	569
31 CFR §203.17. Collector depositories.	569

Subpart D. Investment Program and Collateral Security Requirements for TT&L Depositories

31 CFR §203.18. Scope of the subpart.....	569
31 CFR §203.19. Sources of balances.....	569
31 CFR §203.20. Investment account requirements.....	570
31 CFR §203.21. Collateral security requirements.	570

FEDERAL AGENCY PAYMENTS BY EFT (REGULATIONS)

**Code of Federal Regulations, Title 31 — Money and Finance: Treasury
Subtitle B — Regulations Relating to Money and Finance**

31 CFR PART 208. MANAGEMENT OF FEDERAL AGENCY DISBURSEMENTS

31 CFR §208.1. Scope and application.	572
31 CFR §208.2. Definitions.	572
31 CFR §208.3. Payment by electronic funds transfer.....	573
31 CFR §208.4. Waivers.....	573
31 CFR §208.5. Accounts for disbursement of Federal payments.	573
31 CFR §208.6. Availability of Treasury-sponsored accounts.....	573
31 CFR §208.7. Agency responsibilities.	573
31 CFR §208.8. Recipient responsibilities.....	573
31 CFR §208.9. Compliance.....	573
31 CFR §208.10. Reservation of rights.....	573
31 CFR §208.11. Accounts for disaster victims.....	573

MISCELLANEOUS PAYROLL LAWS AND REGULATIONS

SOCIAL SECURITY TOTALIZATION AGREEMENTS (LAW)

**U.S. Code, Title 42 — The Public Health and Welfare
Chapter 7 — Social Security**

42 USC §433. International agreements.....	576
--	-----

HOLDING PERIOD FOR 401(k) PLAN CONTRIBUTIONS (REGULATIONS)
Code of Federal Regulations, Title 29 – Labor
Chapter XXV – Employee Benefits Security Administration, Department of Labor

29 CFR PART 2510. DEFINITIONS OF TERMS USED IN SUBCHAPTERS C, D, E, F, AND G OF THIS CHAPTER

29 CFR §2510.3-102. Definition of “plan assets” — participant contributions..... 577

MINIMUM WAGE PROVISIONS FOR FEDERAL CONTRACTORS (REGULATIONS)
Code of Federal Regulations, Title 29 – Labor
Subtitle A – Office of the Secretary of Labor

29 CFR PART 10. ESTABLISHING A MINIMUM WAGE FOR CONTRACTORS

Subpart A. General

29 CFR §10.1. Purpose and scope..... 579
 29 CFR §10.2. Definitions..... 579
 29 CFR §10.3. Coverage..... 580
 29 CFR §10.4. Exclusions..... 581
 29 CFR §10.5. Minimum wage for Federal contractors and subcontractors..... 581
 29 CFR §10.6. Antiretaliation..... 581
 29 CFR §10.7. Waiver of rights..... 581

Subpart B. Federal Government Requirements

29 CFR §10.11. Contracting agency requirements..... 581
 29 CFR §10.12. Department of Labor requirements..... 582

Subpart C. Contractor Requirements

29 CFR §10.21. Contract clause..... 582
 29 CFR §10.22. Rate of pay..... 582
 29 CFR §10.23. Deductions..... 583
 29 CFR §10.24. Overtime payments..... 583
 29 CFR §10.25. Frequency of pay..... 583
 29 CFR §10.26. Records to be kept by contractors..... 583
 29 CFR §10.27. Anti-kickback..... 583
 29 CFR §10.28. Tipped employees..... 583
 29 CFR §10.29. Notice..... 585

Subpart D. Enforcement

29 CFR §10.41. Complaints..... 585
 29 CFR §10.42. Wage and Hour Division conciliation..... 585
 29 CFR §10.43. Wage and Hour Division investigation..... 585
 29 CFR §10.44. Remedies and sanctions..... 585

Subpart E. Administrative Proceedings

29 CFR §10.51. Disputes concerning contractor compliance..... 586
 29 CFR §10.52. Debarment proceedings..... 586
 29 CFR §10.53. Referral to Chief Administrative Law Judge; amendment of pleadings..... 586
 29 CFR §10.54. Consent findings and order..... 587
 29 CFR §10.55. Proceedings of the Administrative Law Judge..... 587
 29 CFR §10.56. Petition for review..... 587
 29 CFR §10.57. Administrative Review Board proceedings..... 587
 29 CFR §10.58. Administrator ruling..... 587
 Appendix A to 29 CFR Part 10. Contract Clause..... 588

MINIMUM WAGE PROVISIONS FOR FEDERAL CONTRACTORS (REGULATIONS)
Code of Federal Regulations, Title 48 – Federal Acquisition Regulation
Chapter 1 – Federal Acquisition Regulation

48 CFR PART 22. APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS

Subpart 22.19. Establishing a Minimum Wage for Contractors

48 CFR §22.1900. Scope of subpart..... 590
 48 CFR §22.1901. Definitions..... 590
 48 CFR §22.1902. Policy..... 590
 48 CFR §22.1903. Applicability..... 590
 48 CFR §22.1904. Annual Executive Order Minimum Wage Rate..... 591
 48 CFR §22.1905. Enforcement of Executive Order Minimum Wage Requirements..... 591
 48 CFR §22.1906. Contract clause..... 592

48 CFR PART 52. SOLICITATION PROVISIONS AND CONTRACT CLAUSES

48 CFR PART 52. Solicitation Provisions and Contract Clauses

Subpart 52.2. Text of Provisions and Clauses

48 CFR §52.222-55. Minimum Wages Under Executive Order 14026 592

PAID SICK LEAVE PROVISIONS FOR FEDERAL CONTRACTORS (REGULATIONS)

Code of Federal Regulations, Title 29 – Labor

Subtitle A – Office of the Secretary of Labor

29 CFR PART 13. ESTABLISHING PAID SICK LEAVE FOR FEDERAL CONTRACTORS

Subpart A. General

29 CFR §13.1. Purpose and scope 594
29 CFR §13.2. Definitions 594
29 CFR §13.3. Coverage 596
29 CFR §13.4. Exclusions 596
29 CFR §13.5. Paid sick leave for Federal contractors and subcontractors 597
29 CFR §13.6. Prohibited acts 600
29 CFR §13.7. Waiver of rights 600
29 CFR §13.8. Multiemployer plans or other funds, plans, or programs 600

Subpart B. Federal Government Requirements

29 CFR §13.11. Contracting agency requirements 600
29 CFR §13.12. Department of Labor requirements 601

Subpart C. Contractor Requirements

29 CFR §13.21. Contract clause 601
29 CFR §13.22. Paid sick leave 601
29 CFR §13.23. Deductions 601
29 CFR §13.24. Anti-kickback 601
29 CFR §13.25. Records to be kept by contractors 601
29 CFR §13.26. Notice 602
29 CFR §13.27. Timing of pay 602

Subpart D. Enforcement

29 CFR §13.41. Complaints 602
29 CFR §13.42. Wage and Hour Division conciliation 602
29 CFR §13.43. Wage and Hour Division investigation 602
29 CFR §13.44. Remedies and sanctions 602

Subpart E. Administrative Proceedings

29 CFR §13.51. Disputes concerning contractor compliance 603
29 CFR §13.52. Debarment proceedings 604
29 CFR §13.53. Referral to Chief Administrative Law Judge; amendment of pleadings 604
29 CFR §13.54. Consent findings and order 604
29 CFR §13.55. Administrative Law Judge proceedings 604
29 CFR §13.56. Petition for review 605
29 CFR §13.57. Administrative Review Board proceedings 605
29 CFR §13.58. Administrator ruling 605
Appendix A to 29 CFR Part 13. Contract Clause 605

29 CFR PART 23. INCREASING THE MINIMUM WAGE FOR FEDERAL CONTRACTORS

Subpart A. General

29 CFR §23.10. Purpose and scope 607
29 CFR §23.20. Definitions 607
29 CFR §23.30. Coverage 608
29 CFR §23.40. Exclusions 609
29 CFR §23.50. Minimum wage for Federal contractors and subcontractors 609
29 CFR §23.60. Antiretaliation 609
29 CFR §23.70. Waiver of rights 609
29 CFR §23.80. Severability 609

Subpart B. Federal Government Requirements

29 CFR §23.110. Contracting agency requirements 610
29 CFR §23.120. Department of Labor requirements 610

Subpart C. Contractor Requirements

29 CFR §23.210. Contract clause 610
29 CFR §23.220. Rate of pay 610
29 CFR §23.230. Deductions 611
29 CFR §23.240. Overtime payments 611
29 CFR §23.250. Frequency of pay 611
29 CFR §23.260. Records to be kept by contractors 611
29 CFR §23.270. Anti-kickback 611
29 CFR §23.280. Tipped employees 611
29 CFR §23.290. Notice 612

Subpart D. Enforcement

29 CFR §23.410. Complaints..... 612
29 CFR §23.420. Wage and Hour Division conciliation..... 612
29 CFR §23.430. Wage and Hour Division investigation..... 612
29 CFR §23.440. Remedies and sanctions..... 612

Subpart E. Administrative Proceedings

29 CFR §23.510. Disputes concerning contractor compliance..... 612
29 CFR §23.520. Debarment proceedings..... 613
29 CFR §23.530. Referral to Chief Administrative Law Judge; amendment of pleadings..... 613
29 CFR §23.540. Consent findings and order..... 613
29 CFR §23.550. Proceedings of the Administrative Law Judge..... 614
29 CFR §23.560. Petition for review..... 614
29 CFR §23.570. Administrative Review Board proceedings..... 614
29 CFR §23.580. Administrator ruling..... 614
Appendix A to 29 CFR Part 23. Contract Clause..... 614