

DEPARTMENT OF LABOR
Office of the Solicitor
September 28, 1942

LEGAL FIELD LETTER

No. 81

SUBJECT: Pathological Research Work Performed for Physicians Nonexempt
under Section 13(a)(2)

Attention is directed to the opinion reprinted at page 11 of Legal Field Letter No. 42. This opinion expressed the view that pathological research work performed in a laboratory for physicians was work of an exempt type under section 13(a)(2). That opinion was at the time consistent with the views expressed in Inspection Field Letter No. 8, Supplement B. That Inspection Field Letter, however, has been superseded by the revision of Interpretative Bulletin No. 6, see Field Operations Bulletin, Volume I, No. 12, Item 4. Under paragraphs 11 and 25 of Interpretative Bulletin No. 6, work of the type discussed in the opinion in question would now be considered non-exempt.

To the same extent and for the same reasons the opinion expressed at page 37 of Legal Field Letter No. 34 is superseded.