

U. S. DEPARTMENT OF LABOR  
WAGE AND HOUR AND PUBLIC CONTRACTS DIVISIONS

P. D.

WASHINGTON, D.C. 20210



MAY 14 1970

24 AB 706.1

This is in further reference to your letter of March 31, 1970, and enclosures, in which you inquire whether in the case of one of your member hospitals, the payment of a higher wage rate to men building-maintenance workers than to women building-service workers is a violation of the equal pay provisions of the Fair Labor Standards Act.

The application of the equal pay standard has to be determined in each case by applying the terms and provisions of the Act to the full factual situation. On the basis of the information you provide, and with the understanding that the job descriptions and work schedules of the employees in question are accurate, it is our opinion that the jobs of building-service worker and building-maintenance worker appear to be equal within the meaning of the statute.

We note that in conjunction with the job descriptions you have provided a breakdown of the employees' duties in terms of percentages of time. For further discussion on this subject your attention is directed to Interpretative Bulletin, Part 800, section 800.123.

If you have any further questions, we would suggest that you get in touch with our Area Director Leon Rosenberg, 143 East State Street, Trenton, New Jersey 08608. That office is in a better position to ascertain the necessary facts and will be pleased to assist you in any way possible.

Sincerely,

ROBERT D. MORAN

Robert D. Moran  
Administrator

Enclosure