

P.D.
21A0101

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
WASHINGTON, D.C. 20210



5 AUG 1974

This is in reply to your letter of May 22, 1974, regarding the application of the Fair Labor Standards Act to volunteers serving the Foster Grandparent Program and the Senior Companion Program under section 211 of P. L. 93 - 113, the Domestic Volunteer Services Act of 1973.

It is our opinion that section 418 of the Act makes clear that Congress did not intend to bring volunteers participating in either of the above programs within the purview of the Fair Labor Standards Act. In this connection, we have been advised by our Kansas City Regional Office that the grantee acting as the agency of the State of Nebraska has also been advised that it does not appear that such volunteers would be considered as employees within the meaning of the Fair Labor Standards Act.

Sincerely,

Signed

Betty Southard Murphy
Administrator
Wage and Hour Division

Enclosure