

U. S. DEPARTMENT OF LABOR  
WAGE AND HOUR DIVISION  
Washington

HOMEWORK NOT PROHIBITED BY WAGE AND HOUR ACT

Elmer F. Andrews, Administrator of the Wage and Hour Division, today pointed out to homeworkers and their employers that the Fair Labor Standards Act does not prohibit industrial home work.

"The Act makes no mention of homeworkers," said the Administrator. "Consequently it applies to this class of worker exactly as it applies to all other employees of firms or individuals engaged in commerce or the production of goods for commerce."

"In other words, all workers so employed must be paid at a rate not less than 25 cents an hour, even though such work is done on a piece-work basis and in the home."

"The overtime provision of the Act requiring payment at not less than the rate of time and one-half for all hours in excess of 44 worked in any one workweek applies to homework as well as work done in a factory."

The statement was issued to dispel misapprehension which apparently arose following issuance of regulations for keeping records of industrial homeworkers which became effective April 1.

The volume of correspondence received by the Wage and Hour Division after issuance of these regulations disclosed that this misapprehension was widespread. Many letters from former homeworkers indicated that they had been erroneously informed that homework no longer was permitted under the Act. Many other letters indicated that some employers had requested their former homeworkers to plead for a modification of the regulations.