

U.S. DEPARTMENT OF LABOR
Wage and Hour Division
Washington

SAFETY MEETINGS DO NOT CONSTITUTE WORKING TIME

Time voluntarily spent in attending safety meetings after working hours and as part of a general safety program sponsored or approved by a governmental agency such as the Bureau of Mines or by a recognized independent organization engaged primarily in safety information dissemination, will not, as a general rule, be considered as working time under the Fair Labor Standards Act,

Administrator Elmer F. Andrews of the Wage and Hour Division, U. S. Department of Labor, pointed out today. Many questions have arisen in the mining industry on this point; in order to clarify the situation, Mr. Andrews today made public a copy of a letter he wrote recently to Dan Harrington, Chief of the Health and Safety Branch of the U. S. Bureau of Mines. The letter follows:

"Dear Mr. Harrington:

"Reference is made to your inquiry regarding the applicability of paragraph 15 of Interpretative Bulletin No. 13 to safety meetings.

"You state that the Bureau of Mines and cooperating State agencies have as their purpose the dissemination of safety information in the mineral industries and that you arrange, with the cooperation of employers and employer and employee organizations, to offer instruction in first aid and accident prevention. This instruction which is offered through classes, exhibitions and field meets follows organized plans developed by the Bureau of Mines and cooperating State agencies.

"You will note that paragraph 15 contains two tests: (1) whether attendance is voluntary and (2) whether the meeting or lecture is directly 'related to the employee's work.' In our opinion safety meetings which take place after working hours and are conducted as part of a general safety program which is sponsored or approved by a governmental agency or by any recognized independent organization engaged primarily in disseminating safety information, will not ordinarily be directly 'related to the employee's work' and, if attendance is voluntary, will not be considered as 'hours worked.' Different considerations, as indicated in the Bulletin, apply to mine rescue. The foregoing opinion, although not binding on the courts, will guide the Administrator in carrying out his enforcement duties under the Act.

"Sincerely yours,

Elmer F. Andrews
Administrator"

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