

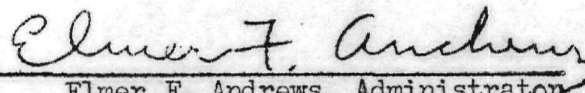
For immediate release  
Wednesday, August 23, 1939

R-382

TITLE 29 -- LABOR  
CHAPTER V -- WAGE AND HOUR DIVISION  
PART 524 -- Regulations Applicable to Employment  
of Handicapped Persons Pursuant to  
Section 14 of the Fair Labor  
Standards Act.

The following amendment to Regulations -- Part 524 --  
(Regulations applicable to employment of handicapped persons  
pursuant to Section 14 of the Fair Labor Standards Act) is  
hereby issued. This amendment amends Section 524.91 as amended,  
by extending the duration of said Section 524.91 from September 1  
1939 to March 1, 1940. Said amendment shall become effective  
upon my signing the original and upon publication thereof in  
the Federal Register, and shall be in force and effect until  
repealed by regulations hereafter made and published.

Signed at Washington, D. C. this 21st day of August, 1939.



Elmer F. Andrews, Administrator  
Wage and Hour Division  
Department of Labor

SECTION 524.91 — TEMPORARY CERTIFICATE OF EXEMPTION FOR HANDICAPPED INDIVIDUALS EMPLOYED BY CERTAIN CHARITABLE NON-PROFIT INSTITUTIONS AND ORGANIZATIONS DURING PERIOD BEFORE NORMAL PROCEDURE IS IN FULL OPERATION.

Notwithstanding any provision in Section 524.90 of Part 524 (providing a temporary certificate of exemption during period before normal procedure is in full operation), from October 24, 1938, to March 1, 1940, or such earlier date as the Administrator may after notice determine, this regulation shall be deemed to be a certificate authorizing charitable organizations and institutions conducted not for profit but for the purpose of carrying out a recognized program of rehabilitation for handicapped individuals and of providing such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature, to employ (or suffer or permit to work) handicapped individuals for such purposes at wage rates less than the minimum rate applicable under Section 6 of the Fair Labor Standards Act, subject to the following conditions:

- (a) the earning capacity of the employee for the particular position held by him or for the work which he is suffered or permitted to do must be, or must be honestly believed by the employer to be, substantially impaired by age or physical or mental deficiency or injury;
- (b) in no event shall the minimum wage paid any such handicapped individual during this period of temporary exemption be less than that proportion of the minimum wage applicable under Section 6 which the handicapped individual's earning capacity bears to the earning capacity of a non-handicapped worker.\*

\* Issued under the authority contained in Section 14, 52 Stat. 1060).