

UNITED STATES DEPARTMENT OF LABOR
WAGE AND HOUR DIVISION

WASHINGTON, D. C.

TITLE 29 - LABOR
CHAPTER V - WAGE AND HOUR DIVISION

PART 516

REGULATIONS ON RECORDS TO BE KEPT BY EMPLOYERS
PURSUANT TO SECTION 11(c) OF THE FAIR LABOR
STANDARDS ACT

The following amendment to Regulations, Part 516 (Regulations on Records to be Kept by Employers Pursuant to Section 11(c) of the Fair Labor Standards Act of 1938) is hereby issued. This amendment amends Section 516.1 of said regulations (Records Required) with respect to the records required to be kept by employers who employ or purport to employ any employee in pursuance of the provisions of Section 7(b)(1) or Section 7(b)(2), and shall become effective upon my signing the original and publication thereof in the Federal Register and shall be in force and effect until repealed or modified by regulations thereafter made and published.

Signed at Washington, D. C., this 10th day of June, 1940.



Philip B. Fleming
Administrator
Wage and Hour Division
U. S. Department of Labor

Published in Federal Register, June 18, 1940.

SECTION 516.1 - RECORDS REQUIRED

* * *

Provided further, That with respect to employees employed or purported to be employed by an employer in pursuance of the provisions of Section 7(b)(1) or Section 7(b)(2) of the Fair Labor Standards Act, employers shall comply with each of the following additional requirements:

(a) Keep and preserve a copy of each collective bargaining agreement which entitles or purports to entitle an employer to employ any of his employees in pursuance of the provisions of Section 7(b)(1) or Section 7(b)(2) of the Fair Labor Standards Act.

(b) Report and file with the Administrator at Washington, D. C., within thirty days after such collective bargaining agreement has been made, a copy of each such collective bargaining agreement. Likewise, a copy of each amendment or addition thereto shall be reported and filed with the Administrator at Washington, D. C., within thirty days after such amendment or addition has been agreed upon. If any such collective bargaining agreement, or amendment or addition thereto, was made prior to the 25th day of April, 1939, a copy thereof shall be reported and filed with the Administrator at Washington, D. C., on or before the 26th day of May, 1939. The reporting and filing of any collective bargaining agreement or amendment or addition thereto shall not be construed to mean that such collective bargaining agreement or amendment or addition thereto is a collective bargaining agreement within the meaning of the provisions of Section 7(b)(1) or Section 7(b)(2).

(c) Make and preserve a record designating each employee employed pursuant to each such collective bargaining agreement and each amendment and addition thereto.

* (d) (1) In the case of each such collective bargaining agreement which provides that no employee employed in pursuance of the provisions of Section 7(b)(1) shall work more than 1,000 hours "during any period of 26 consecutive weeks" and specifies a 26 week period, make and preserve a record of the total hours worked during the specified 26 week period by each such employee.

(2) In the case of each such collective bargaining agreement which provides that no employee employed in pursuance of the provisions of Section 7(b)(1) shall work more than 1,000 hours "during any period of 26 consecutive weeks" but does not specify a 26 week period, make and preserve a record of the total hours worked during each of the 26 week periods after each week of operation under the agreement by each such employee.

* Clause (d) contains the new requirement added by this amendment.

###