

WAGE AND HOUR DIVISION
U. S. DEPARTMENT OF LABOR
WASHINGTON, D. C.

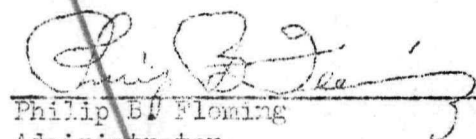
TITLE 29 - CHAPTER V

PART 516 - REGULATIONS ON RECORDS
TO BE KEPT BY EMPLOYERS PURSUANT
TO SECTION 11(c) OF THE FAIR LABOR
STANDARDS ACT.

The following amendments 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), are hereby issued. The footnote to Section 516.1(h) is amended so as to conform to paragraphs 6 through 9 of Interpretative Bulletin No. 3 by indicating that Section 516.1(h) applies where overtime is worked as well as where the cash wage is below the minimum wage. The final footnote to Section 516.4(f)(ii) is amended so as to include in computations of regular rate of pay the reasonable cost to the employer of furnishing board, lodging and other facilities and to limit exclusions from regular rate of pay computations to gifts or gratuities and extra compensation for overtime.

Such amendments shall become effective upon March 25, 1941, after the publication thereof in the Federal Register and shall be in force and effect until repealed or modified by regulations thereafter made and published.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 18th day of March, 1941.



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

Published in Federal Register, March 25, 1941.

Section 516.1(h) Footnote

This information is pertinent to both Sections 6 and 7 of the Act, and is required where the cash wage actually paid is less than the minimum wage required by the Act or where overtime is worked. This matter is dealt with further in Interpretative Bulletin No. 3 of the Wage and Hour Division. See particularly paragraphs 6 through 9 of that bulletin. The reasonable cost of board, lodging, and other facilities, as part of wages, is defined and delimited by

Section 516.1(h) Footnote continued

Regulations of the Wage and Hour Division: Part 531 - (Regulations determining the reasonable cost of board, lodging, and other facilities pursuant to Section 3(m) of the Fair Labor Standards Act).

Section 516.4(f)(ii) Final footnote

In computing the average hourly rate all wages (including the reasonable cost to the employer of furnishing board, lodging, or other facilities) earned or paid during a particular work-week must be included except: (a) gifts or gratuities (i.e., payments, regardless of their designation, which are in no sense compensation for services rendered); (b) extra compensation attributable to the excess of the overtime rate over the regular rate.