

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

PART 541 - REGULATIONS DEFINING AND DELIMITING THE TERMS "ANY EMPLOYEE EMPLOYED IN A BONA FIDE EXECUTIVE, ADMINISTRATIVE, PROFESSIONAL, OR LOCAL RETAILING CAPACITY, OR IN THE CAPACITY OF OUTSIDE SALESMAN" PURSUANT TO SECTION 13(a)(1) OF THE FAIR LABOR STANDARDS ACT

The following amendment to Regulations, Part 541 (Regulations Defining and Delimiting the Terms "Any Employee Employed in a Bona Fide Executive, Administrative Professional, or Local Retailing Capacity, or in the Capacity of Outside Salesman" Pursuant to Section 13(a)(1) of the Fair Labor Standards Act) is hereby issued. This amendment amends section 541.2, defining the term "employee employed in a bona fide \* \* \* administrative \* \* \* capacity," as used in section 13(a)(1) of the Fair Labor Standards Act. Said amendment shall become effective upon my signing the original and upon the publication thereof in the Federal Register, and shall be in force and effect until repealed by regulations hereafter made and published.

SECTION 541.2--Administrative

The term "employee employed in a bona fide \* \* \* administrative \* \* \* capacity" in section 13(a)(1) of the act shall mean any employee--

- (A) who is compensated for his services on a salary or fee basis at a rate of not less than \$200 per month (exclusive of board, lodging or other facilities), and
- (B) (1) who regularly and directly assists an employee employed in a bona fide executive or administrative capacity (as such terms are defined in these regulations), where such assistance is nonmanual in nature and requires the exercise of discretion and independent judgement; or
- (2) who performs under only general supervision, responsible nonmanual office or field work, directly related to management policies or general business operations, along specialized or technical lines requiring special training, experience, or knowledge, and which requires the exercise of discretion and independent judgement; or
- (3) whose work involves the execution under only general supervision of special nonmanual assignments and tasks directly related to management policies or general business operations involving the exercise of discretion and independent judgement; or
- (4) who is engaged in transporting goods or passengers for hire and who performs, under only general supervision, responsible outside work of a specialized or technical nature requiring special training, experience, or knowledge, and whose duties require the exercise of discretion and independent judgement.

Signed at Washington, D. C. this 16th day of January, 1942.

*Thomas W. Holland*

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Thomas W. Holland, Administrator  
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