

§ 553.233

than compensatory time off, such wages must be paid at one and one-half times the employees' regular rates of pay. In addition, employees who have accrued the maximum 480 hours of compensatory time must be paid cash wages of time and one-half their regular rates of pay for overtime hours in excess of the maximum for the work period set forth in § 553.230.

§ 553.233 "Regular rate" defined.

The rules for computing an employee's "regular rate", for purposes of the Act's overtime pay requirements, are set forth in part 778 of this title. These rules are applicable to employees for whom the section 7(k) exemption is claimed when overtime compensation is provided in cash wages. However, wherever the word "workweek" is used in part 778, the words "work period" should be substituted.

PART 570—CHILD LABOR REGULATIONS, ORDERS AND STATEMENTS OF INTERPRETATION

Subpart A—General

Sec.

- 570.1 Definitions.
- 570.2 Minimum age standards.

Subpart B—Certificates of Age

- 570.5 Authorized certificates and their effect.
- 570.6 Contents and disposition of certificate.
- 570.7 Documentary evidence required for issuance of certificate.
- 570.8 Federal certificates of age.
- 570.9 States in which State certificates are accepted.
- 570.10 Designation of the State of Alaska and the Territory of Guam.
- 570.11 Continued acceptability of certificates.
- 570.12 Revoked certificates.

PROVISIONS OF OTHER LAWS

- 570.25 Effect on other laws.

PROVISION FOR REVISION

- 570.27 Revision of this subpart.

Subpart C—Employment of Minors Between 14 and 16 Years of Age (Child Labor Reg. 3)

- 570.31 Determination.
- 570.32 Effect of this subpart.
- 570.33 Occupations.

29 CFR Ch. V (7–1–04 Edition)

- 570.34 Occupations in retail, food service, and gasoline service establishments.
- 570.35 Periods and conditions of employment.
- 570.35a Work experience and career exploration programs.
- 570.36 Certificates of age; effect.
- 570.37 Effect on other laws.
- 570.38 Revision of this subpart.

Subpart D [Reserved]

Subpart E—Occupations Particularly Hazardous for the Employment of Minors Between 16 and 18 Years of Age or Detrimental to Their Health or Well-Being

- 570.50 General.
- 570.51 Occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components (Order 1).
- 570.52 Occupations of motor-vehicle driver and outside helper (Order 2).
- 570.53 Coal-mine occupations (Order 3).
- 570.54 Logging occupations and occupations in the operation of any sawmill, lath mill, shingle mill, or cooperage stock mill (Order 4).
- 570.55 Occupations involved in the operation of power-driven woodworking machines (Order 5).
- 570.57 Exposure to radioactive substances and to ionizing radiations (Order 6).
- 570.58 Occupations involved in the operation of power-driven hoisting apparatus (Order 7).
- 570.59 Occupations involved in the operations of power-driven metal forming, punching, and shearing machines (Order 8).
- 570.60 Occupations in connection with mining, other than coal (Order 9).
- 570.61 Occupations in the operation of power-driven meat-processing machines and occupations involving slaughtering, meat packing or processing, or rendering (Order 10).
- 570.62 Occupations involved in the operation of bakery machines (Order 11).
- 570.63 Occupations involved in the operation of paper-products machines (Order 12).
- 570.64 Occupations involved in the manufacture of brick, tile, and kindred products (Order 13).
- 570.65 Occupations involved in the operations of circular saws, band saws, and guillotine shears (Order 14).
- 570.66 Occupations involved in wrecking, demolition, and shipbreaking operations (Order 15).
- 570.67 Occupations in roofing operations (Order 16).

Wage and Hour Division, Labor

§ 570.2

570.68 Occupations in excavation operations (Order 17).

Subpart E-1—Occupations in Agriculture Particularly Hazardous for the Employment of Children Below the Age of 16

570.70 Purpose and scope.
570.71 Occupations involved in agriculture.
570.72 Exemptions.

Subpart F [Reserved]

Subpart G—General Statements of Interpretation of the Child Labor Provisions of the Fair Labor Standards Act of 1938, as Amended

GENERAL

570.101 Introductory statement.
570.102 General scope of statutory provisions.
570.103 Comparison with wage and hour provisions.

COVERAGE OF SECTION 12(a)

570.104 General.
570.105 “Producer, manufacturer, or dealer”.
570.106 “Ship or deliver for shipment in commerce”.
570.107 “Goods”.
570.108 “Produced”.
570.109 “Establishment situated in the United States”.
570.110 “In or about”.
570.111 Removal “within 30 days”.

COVERAGE OF SECTION 12(c)

570.112 General.
570.113 Employment “in commerce or in the production of goods for commerce”.

JOINT AND SEPARATE APPLICABILITY OF SECTIONS 12(a) AND 12(c)

570.114 General.
570.115 Joint applicability.
570.116 Separate applicability.

OPPRESSIVE CHILD LABOR

570.117 General.
570.118 Sixteen-year minimum.
570.119 Fourteen-year minimum.
570.120 Eighteen-year minimum.
570.121 Age certificates.

EXEMPTIONS

570.122 General.
570.123 Agriculture.
570.124 Delivery of newspapers.
570.125 Actors and performers.
570.126 Parental exemption.

ENFORCEMENT

570.127 General.
570.128 Good faith defense.

570.129 Relation to other laws.

SOURCE: 16 FR 7008, July 20, 1951, unless otherwise noted. Redesignated at 28 FR 1634, Feb. 21, 1963. Redesignated and amended at 36 FR 25156, Dec. 29, 1971.

Subpart A—General

AUTHORITY: Secs. 3, 11, 12, 52 Stat. 1060, as amended, 1066, as amended, 1067, as amended; 29 U.S.C. 203, 211, 212.

SOURCE: 41 FR 26834, June 29, 1976, unless otherwise noted.

§ 570.1 Definitions.

As used in this part:

(a) *Act* means the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U.S.C. 201-219).

(b) *Oppressive child labor* means employment of a minor in an occupation for which he does not meet the minimum age standards of the Act, as set forth in § 570.2 of this subpart.

(c) *Oppressive child labor age* means an age below the minimum age established under the Act for the occupation in which a minor is employed or in which his employment is contemplated.

(d) A *certificate of age* means a certificate as provided in § 570.5(b) (1) or (2) of this part.

(e) [Reserved]

(f) *Secretary* or *Secretary of Labor* means the Secretary of Labor, United States Department of Labor, or his authorized representative.

(g) *Wage and Hour Division* means the Wage and Hour Division, Employment Standards Administration, United States Department of Labor.

(h) *Administrator* means the Administrator of the Wage and Hour Division or his authorized representative.

(i) *State agency* means any officer, executive department, board, bureau or commission of a State or any division or unit thereof authorized to take action with respect to the application of laws relating to minors.

§ 570.2 Minimum age standards.

(a) *All occupations except in agriculture.* (1) The Act, in section 3(1), sets a general 16-year minimum age which applies to all employment subject to