§ 201. Short title

This chapter may be cited as the “Fair Labor Standards Act of 1938”.

(June 25, 1938, ch. 767, §1, 52 Stat. 1060.)

Statutory Notes and Related Subsidiaries

Short Title of 2007 Amendment


Short Title of 2000 Amendment

Pub. L. 106–202, §1, May 18, 2000, 114 Stat. 308, provided that: “This Act [amending section 207 of this title and enacting provisions set out as notes under section 207 of this title] may be cited as the ‘Worker Economic Opportunity Act.’”

Short Title of 1998 Amendments


Short Title of 1996 Amendment


Short Title of 1995 Amendment

Pub. L. 104–26, §1, Sept. 6, 1995, 109 Stat. 264, provided that: “This Act [amending section 207 of this title and enacting provisions set out as notes under section 207 of this title] may be cited as the ‘Court Reporter Fair Labor Amendments of 1995.’”

Short Title of 1989 Amendment


Short Title of 1985 Amendment


Short Title of 1977 Amendment

Pub. L. 95–151, §1(a), Nov. 1, 1977, 91 Stat. 1245, provided that: “This Act [amending sections 203, 206, 208, 213, 214, and 216 of this title and enacting provisions set out as notes under sections 203, 204, and 213 of this title] may be cited as the ‘Fair Labor Standards Amendments of 1977.’”

Short Title of 1974 Amendment


Short Title of 1966 Amendment


Short Title of 1963 Amendment


Short Title of 1961 Amendment


Short Title of 1956 Amendment

Act Aug. 8, 1956, ch. 1035, §1, 70 Stat. 1118, provided: “That this Act [amending sections 206, 213, and 216 of this title] may be cited as the ‘American Samoa Labor Standards Amendments of 1956.’”

Short Title of 1955 Amendment

Act Aug. 12, 1955, ch. 867, §1, 69 Stat. 711, provided: “That this Act [amending sections 204–208, 206, and 210 of this title and enacting provisions set out as notes under sections 201, 206, and 208 of this title] may be cited as the ‘Fair Labor Standards Amendments of 1955.’”

Short Title of 1949 Amendment

Act Oct. 28, 1949, ch. 736, §1, 63 Stat. 910, provided: “That this Act [enacting section 216b of this title, amending sections 202 to 208, 211 to 216, and 217 of this title, and repealing section 216a of this title] may be cited as the ‘Fair Labor Standards Amendments of 1949.’”
§ 202. Congressional finding and declaration of policy

(a) The Congress finds that the existence, in industries engaged in commerce or in the production of goods for commerce, of labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers (1) causes commerce and the channels and instrumentalities of commerce to be used to spread and perpetuate such labor conditions among the workers of the several States; (2) burdens commerce and the free flow of goods in commerce; (3) constitutes an unfair method of competition in commerce; (4) leads to labor disputes burdening and obstructing commerce and the free flow of goods in commerce; and (5) interferes with the orderly and fair marketing of goods in commerce. That Congress further finds that the employment of persons in domestic service in households affects commerce.

(b) It is declared to be the policy of this chapter, through the exercise by Congress of its power to regulate commerce among the several States and with foreign nations, to correct and as rapidly as practicable to eliminate the conditions above referred to in such industries without substantially curtailing employment or earning power.


Editorial Notes

AMENDMENTS


Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1974 AMENDMENT

Pub. L. 93-259, § 29(a), Apr. 8, 1974, 88 Stat. 76, provided that: "Except as provided in paragraphs (2), (3), and (4), the term "employee" means any individual employed by an employer.

(2) In the case of an individual employed by a public agency, such term means—

(A) any individual employed by the Government of the United States—

(i) as a civilian in the military departments (as defined in section 102 of title 5),

(ii) in any executive agency (as defined in section 105 of such title),

(iii) in any unit of the judicial branch of the Government which has positions in the competitive service,

(iv) in a nonappropriated fund instrumentality under the jurisdiction of the Armed Forces,

(v) in the Library of Congress, or

(vi) the Government Publishing Office;

(B) any individual employed by the United States Postal Service or the Postal Regulatory Commission; and

(C) any individual employed by a State, political subdivision of a State, or an interstate governmental agency, other than such an individual—

(i) who is not subject to the civil service laws of the State, political subdivision, or agency which employs him; and

(ii) who—

(I) holds a public elective office of that State, political subdivision, or agency,

(II) is selected by the holder of such an office to be a member of his personal staff,

(III) is appointed by such an officeholder to serve on a policymaking level,

(IV) is an immediate adviser to such an officeholder with respect to the constitutional or legal powers of his office, or

(V) is an employee in the legislative branch or legislative body of that State, political subdivision, or agency and is not employed by the legislative library of such State, political subdivision, or agency.

(3) For purposes of subsection (u), such term does not include any individual employed by an employer engaged in agriculture if such indi-

1 So in original. Probably should be preceded by "in".