



Understanding the Basics of the Fair Labor Standards Act **Resources**

Statute:

- Fair Labor Standards Act (29 U.S.C. §§ 201–219)
<https://uscode.house.gov/view.xhtml?path=/prelim@title29/chapter8&edition=prelim#201>

Regulations:

- Title 29: Labor, Chapter V: Wage and Hour Division, Dept. of Labor (29 C.F.R. §§ 500–899)
<https://www.ecfr.gov/current/title-29/subtitle-B/chapter-V>
- “Part 780—Exemptions Applicable to Agriculture, Processing of Agricultural Commodities, and Related Subjects Under the Fair Labor Standards Act” (29 C.F.R. § 780)
<https://www.ecfr.gov/current/title-29/subtitle-B/chapter-V/subchapter-B/part-780>
- “Occupations in Agriculture Particularly Hazardous for the Employment of Children Below the Age of 16” (29 C.F.R. §§ 570.70–570.72)
<https://www.ecfr.gov/current/title-29/subtitle-B/chapter-V/subchapter-A/part-570/subpart-E-1>

Department of Labor Resources:

- Fair Labor Standards Act in Agriculture
<https://www.dol.gov/agencies/whd/agriculture/flsa>
- Agricultural Employees FLSA Poster
<https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/wh1386Agrcltr.pdf>
- State Child Labor Laws Applicable to Agricultural Employment
<https://www.dol.gov/agencies/whd/state/child-labor/agriculture>
- Cultivating Compliance: An Agricultural Guide to Federal Labor Law
<https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/AgGuideEnglish.pdf>
- Agricultural Employer’s Pocket Guide on Youth Employment
https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/ag_pocket_guide.pdf
- Fact Sheet #12: Agricultural Employers Under the Fair Labor Standards Act (FLSA)
<https://www.dol.gov/agencies/whd/fact-sheets/12-flsa-agriculture>
- Fact Sheet #21: Recordkeeping Requirements under the Fair Labor Standards Act (FLSA)
<https://www.dol.gov/agencies/whd/fact-sheets/21-flsa-recordkeeping>
- Fact Sheet #40: Overview of Youth Employment (Child Labor) Provisions of the Fair Labor Standards Act (FLSA) for Agricultural Occupations
<https://www.dol.gov/agencies/whd/fact-sheets/40-child-labor-farms>
- Child Labor Bulletin 102: Child Labor Requirements in Agricultural Occupations Under the Fair Labor Standards Act
<https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/childlabor102.pdf>
- Prohibited Occupations for Agricultural Employees
<https://webapps.dol.gov/elaws/whd/flsa/docs/hazag.asp>



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Department of Labor Opinion Letters

- FLSA2020-18 (Nov. 2020) “Addressing whether insect farming qualifies as "agriculture" under Section 3(f) of the FLSA, and whether certain workers employed on an insect farming operation may be exempt from overtime under Section 13(b)(12).”
https://www.dol.gov/sites/dolgov/files/WHD/opinion-letters/FLSA/2020_11_30_18_FLSA.pdf
- FLSA2019-5 (April 2019) “Application of the agricultural exemption to the freezing, cutting, packing, storing, and/or transportation of a farm's own fruit, vegetable, or meat products”
https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/2019_04_02_05_FLSA.pdf
- FLSA2006-17NA (July 6, 2006) “Dairy farm work as agriculture”
https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/2006_07_06_17NA_FLSA.pdf
- FLSA2005-11 (Jan. 2005) “Brush eradication and agriculture”
https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/2005_01_11_11_FLSA_BrushEradication.pdf
- FLSA2004-2 (Feb. 2004) “Seafood processing plants not agriculture”
https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/2004_02_05_2_FLSA.pdf

USDA Resources

- Summary of Federal Laws and Regulations Affecting Agricultural Employers, 2000. Jack L. Runyan. Food and Rural Economics Division, Economic Research Service, U.S. Department of Agriculture. https://www.ers.usda.gov/webdocs/publications/41928/19072_ah719_1_.pdf?v=0

Academic Resources

- Labor, National Agricultural Law Center <https://nationalaglawcenter.org/research-by-topic/labor/>
- The Fair Labor Standards Act, Center for Agricultural and Shale Law
<https://aglaw.psu.edu/ag-law-in-the-spotlight/the-fair-labor-standards-act/>
- Apprentices, Interns, and Volunteers, Center for Agricultural and Shale Law
<https://aglaw.psu.edu/ag-law-in-the-spotlight/apprentices-interns-and-volunteers/>

State Law Compilations

- Agricultural Worker Overtime, National Agricultural Law Center
<https://nationalaglawcenter.org/state-compilations/agpay/overtime/>
- Agricultural Worker Minimum Wage, National Agricultural Law Center
<https://nationalaglawcenter.org/state-compilations/agpay/minimumwage/>