

DIVISION OF LABOR STANDARDS ENFORCEMENT

POLICIES AND INTERPRETATIONS MANUAL

| Letter No. | Manual Section | Description |
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| 1986.05.20 | 15.1.10 | Vacation: Car allowance |
| 1986.09.15 | 4.3.1 | Termination Pay: Obligation to return in case of quit |
| 1986.10.28 | 15.1.4; 15.1.12 | Termination Pay: Unearned vacation time advanced to employee deducted at time of termination; Differentiation between sick leave and vacation pay |
| 1986.11.04 | 15.1.4; 15.1.12 | Hours Worked: Vacation, flex time off |
| 1986.11.17 | 15.1.10 | Vacation: Calculation on draw, percentages of commissions |
| 1986.12.01 | 48.1.3 | Hours worked: Work week |
| 1986.12.13 | 15.1.13 | Vacation: Sabbatical Leave |
| 1986.12.23 | 5.2.4 | Bonus: Pay day obligations - quarterly bonus Pay Day Obligations: Quarterly Bonus |
| 1986.12.30 | 15.1.4; 15.1.5 | Vacation: Accrual rate may not decelerate during employment |
| 1987.01.14 | 15.1.10 | Vacation: Use it or lose it clause, cap reasonableness |
| 1987.01.14-1 | 15.1.12 | Vacation: Personal days off |
| 1987.02.17 | 49.2.1.2 | Wages: value of prizes calculated in overtime |
| 1987.03.03 | 34.2 | Pay: Minimum wage, draw offsets |
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| 1987.03.16 | 15.1.5 | Vacation: Based on proportionate accrual and no forfeiture |
| 1987.05.11 | 15.1.10 | Vacation: Pro rata pay case-by-case basis |
| 1987.05.14 | 15.1.2 | Vacation: When not paid, employees allowed unpaid time off |
| 1987.06.03 | 35.5 | Bonus: Substantial performance rule |
| 1987.06.13 | 43.6.11 | Vacation: Federal Service Contract Act |
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| 1987.10.06 | 15.1.14 | Vacation: Sabbatical leave |

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| 1988.05.05 | 5.2.4 | Wages: Pay day obligations (LC §204) |
| 1988.05.16 | 46.6.4 | Hours Worked: Uniforms, change time |
| 1988.06.15 | 49.2.1.2 | Wages: Hourly Rate plus commissions |
| 1988.07.14 | 49.2.1.2 | Bonus: payment on monthly basis, L.C. § 204 |
| 1988.07.25 | 15.1.1 | Vacation: “Use it or lose it” clause prohibited |
| 1988.08.04 | 15.1.4; 15.1.5 | Vacation: Probationary periods, accrual and acceleration |
| 1988.08.31 | 56.23.8 | Alternative Work Week: Regularly scheduled work week |
| 1988.08.31-1 | 15.1.10 | Vacation: Annual hours earning accrual |
| 1988.10.27 | 43.6.5; 43.6.7 | Volunteers: Definition of volunteer vs. employee Minimum Wage: No exemption for employees of religious organizations |
| 1990.09.18 | 45.5.6 | Uniforms - Tropical shirts |
| 1990.09.24 | 15.1.3 | Vacation: “Paid time off” |
| 1990.10.01 | 34.4; 34.4.1; | Commissions: Reserve accounts, loss reconciliation; Overtime: “Belo” contracts; premium pay |
| 1991.01.07 | 15.1.4; 15.1.4.1 | Vacation: Earnings cap |
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| 1991.02.25 | 15.1.9 | Vacation: Statute of limitation; no voluntary waivers unless vacation already paid |
| 1991.03.06 | 35.7 | Wages, Regular Rate: sporadic bonuses; incentive bonuses included in overtime calculation |
| 1991.04.02 | 50.7.1.3 | Overtime: Collective Bargaining |
| 1991.04.10 | 56.23.8 | Alternative Work Week: Fluctuating schedules |
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| 1991.08.30 | 29.2.3.1 | Costs of operating truck; Compensable time |
| 1992.01.28 | 47.5.6.1 | Hours Worked: Pagers |

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| 1992.07.06 | 54.8.1; 54.8.5 | Learned and artistic professionals |
| 1993.01.07-1 | 43.6.8 | Employees, Vocational trainees (students) Minimum Wage: Trainees, application, exemption |
| 1993.01.19 | 35.2 | Bonus: Effect of voluntary termination |
| 1993.01.19-2 | 22.3 | Employer must pay for mandated safety training |
| 1993.02.02 | 43.6.11 | IWC - Air charter service (Order 9) |
| 1993.02.16-1 | 15.1.4 | Vacation: Earnings cap (reasonableness) |
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| 1993.02.22-1 | 49.2.1.2 | Wages: Calculation of regular rate of pay involving piece rate |
| 1993.02.22-2 | 11.2.4; 22.3 | Deductions: Section 9, IWC Orders |
| 1993.02.22-3 | 29.2.3.1; 22.3 | Deductions: LC §2802: costs of insurance required by employer are recoverable |
| 1993.03.08 | 34.3.1; 34.8 | Commissions: Effect of termination |
| 1993.03.31 | 46.1.1; 47.4.2; 47.5.6.1 | Hours Worked: On-call Time - Beepers Compensation: "Control of the employer" test for compensation to be due to employee |
| 1993.04.19 | 5.2.4 | Pay Day Obligations (LC §204) |
| 1993.04.19-1 | 11.3.2 | Deductions: Unauthorized Deductions: Section 8, IWC Orders Gross negligence, simple negligence Posting of bond: Employer protection against loss of goods |
| 1993.05.04 | 3.2.2 | Discharge: Lay off |
| 1993.05.04-2 | 24.3 | LC § 973: No advertisement.solicitation of employees during trade dispute |
| 1993.05.17 | 15.1.4; 15.1.4.1; 15.1.8 | Vacation: "Use it or lose it" not allowed; earnings cap (reasonableness) |
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| 1993.10.21 | 43.6.8 | Trainees: Exempt status; 11-point test employer.employee |
| 1993.11.03 | 43.7.1.3 | IWC: Printing (Order 1) IWC: Newspaper Publishing (Order 4) |
| 1993.12.09 | 48.1.2 | Hours Worked: Work Day Overtime: Pyramiding |
| 1994.01.07 | 19.3.5 | Overtime: Banquet service charges as bonus Bonus: Banquet service charges, overtime |
| 1994.01.27 | 11.2.4; 11.3.1 | Deductions: Cost of processing lost or stolen check |
| 1994.02.03-1 | 9.1.9; 9.1.9.3; 41.2.3 | Pay Day Obligations: Direct deposit |
| 1994.02.03-3 | 46.6.4; 48.1.9.1 | Hours Worked: Uniforms, change time |
| 1994.02.03-4 | 50.9.8 | Overtime Exemption: ambulance drivers |
| 1994.02.07 | 50.6; 50.6.4.3 | Overtime Exemption: Commissioned sales (use of draw in computing) |
| 1994.02.16 | 46.2 | Hours Worked: On call time (tests, travel & training) |
| 1994.02.16-1 | 45.5.2 | Uniforms: Requirement, clothing without metal |
| 1994.03.03 | 46.1.1; 47.4.2 | Hours Worked |
| 1994.03.08 | 15.1.10 | Vacation - Cash out at lesser rates prohibited |
| 1994.06.17-1 | 49.2.1.2 | Wages: Regular rate of pay |
| 1994.06.21 | 31.3.2.1 | Employment Applications: Release of liability for disclosure of information |
| 1994.08.04 | 43.6.1 | Jurisdiction: Military bases |
| 1994.08.14 | 29.2.3.1 | LC § 2802 |
| 1994.10.03 | 43.7.1.3 | IWC: Multi-purpose firm with distinctly separate units |
| 1994.10.03-2 | 55.3.3 | Personal Attendant: "Other significant work" |
| 1994.11.17 | 29.2.3.4 | Cost of licensure training not usually payable by employer |

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| 1996.05.29 | 6.1 | Comp Time: LC § 204.3 limits |
| 1996.05.30 | 3.2.2 | Discharge: Layoff (contractual recall rights) |
| 1996.07.10 | 50.8.1.1 | Overtime: Provisions of W.O. for two-axle trucks not regulated by DOT |
| 1996.11.12 | 9.1.9 | Pay Day Obligations: Direct deposit |
| 1996.11.20 | 4.6.2 | Waiting Time: “Willfulness” (Inability to pay) |
| 1996.12.30 | 46.6.6 | Exempt trainee intern programs |
| 1997.01.02 | 22.3 | Employer cannot require employee to purchase truck for use in business |
| 1997.02.21-2 | 22.3 | Credit card requirement by employer where no cost to employee |
| 1997.03.05 | 54.10.7.1 | Teachers exempt |
| 1997.03.21-2 | 22.3, 29.2.3.1 | Expenses incurred in maintaining bank account to receive expense reimbursement |
| 1997.05.16 | 50.8.1.1; 50.9.3 | Overtime Exemption: “For hire” motor trucks |
| 1997.05.27 | 50.13.1 | Independent Contractors: “Promotional extras” |
| 1997.12.04 | 37.2.6 | Public Works - partner coverage |
| 1998.08.27 | 42.6 | Personnel Files: Obligations of employer to provide employees access |
| 1998.09.14 | 9.1.2.1 | Wages: Paid in kind |
| 1998.09.17 | 15.1.4 | Vacation: “Use it or lose it” clause Discharge: Pay vacation at termination |
| 1998.10.05 | 52.3 | Overtime: Administrative Exemption |
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| 1998.12.28 | 45.1.5.1; 46.6.3; 47.5.5.1 | Hours Worked |
| 1998.12.28-1 | 19.3.1 | Tip pooling |
| 1999.01.09 | 4.6; 34.9 | Discharge: Payment of commissions upon termination |
| 1999.02.16 | 45.3.1 | Rest Periods |
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| 2000.09.29 | 48.1.6 | Belo Contracts |
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| 2001.03.19 | 45.2.6 | Meal Period: Lunch time training or client meetings |
| 2001.09.17 | 45.3.5; 45.3.6.1 | Rest Periods; Rest Periods, CBA exception |
| 2002.01.21 | 56.27 | Alternative workweek imposed by employer |
| 2002.01.22 | 22.1.1 | Illegal to require payment to apply for employment |
| 2002.01.29 | 43.6.4.1; 44.2.2; 47.4.2; 47.7.1 | Hours Worked: Public transit employees start and end shifts at different locations; minimum wage |
| 2002.02.21 | 46.3; 46.3.1; 46.3.2; 47.5.1.1 | Hours Worked: Whether time spent traveling on out-of-town business trip constitutes |
| 2002.02.22 | 45.3.3 | Rest Period |
| 2002.03.01 | 51.6.6; 51.6.21.1 | Wages: Salary basis test exempt employees |
| 2002.03.12 | 51.6.7 | Exempt Employee: Reduction of salary in conjunction with reduction of hours in workday or days in workweek |
| 2002.04.08 | 51.6.12; 51.6.15 | Exempt Employee: No reduction in salary for day absent if there is a reasonable expectation that employee is to perform some duty |
| 2002.05.01 | 51.6.10 | Exempt Employee: Calculation of pro rata deduction from salary |
| 2002.05.06 | 51.6.1 | Wages: Salary requirement |
| 2002.05.17 | 41.2.1 | Non-exempt salaried employees paid semi-monthly |
| 2002.05.22 | 56.11; 56.11.1 | Alternative Work Week: Reduction of pay not allowed |
| 2002.06.18 | 55.2.1.1; 55.2.1.2; 55.2.1.2.1 | FLSA: Definition of employer |