Wage and Hour Division Special Employment Team Resource Material
Number: 106 May 2007 Disclosable

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Dear Name*:

You are correct in your assumption that clients are not required to receive remuneration while in the workshop if they are occupied in activities involving personal and social development, arts and crafts (not for sale), recreation and physical exercise. This general rule is subject, however, to two important qualifications:

- a. Such activity is not primarily for the purpose of increasing productivity on the job.
- b. If the workshop chooses not to remunerate the clients for such activities, the workshop's records should clearly distinguish between time spent in such activities and working time.

The activities you listed are included within a broader group of rehabilitation services, which also include counseling, psychological testing, medical treatments, and physical therapy.

I am looking forward with some anticipation to seeing the film which a member of the Department's Advisory Committee on Sheltered Workshops, Mr. James Sears, informs me you made. As you know, there are many problems in applying the generic requirement of commensurate wage payments and in precisely determining what is in fact commensurate.

Name* Dunn sends her greetings.

Sincerely,

Arthur H. Korn, Chief Branch of Handicapped Worker Problems

cc: Name*

Key Words: Hours worked

Rehabilitation Services Non work activities