



WHD-OL-1971-0009

*** FLSA-485 ***

April 14, 1971

Dear Ms. **Name***

This is in reply to your letter of January 2 to **Name***, Regional Director, Nashville, Tennessee, concerning the applicability of the Fair Labor Standards Act to post-doctoral research associates.

You state that these research fellows have Ph.D. degrees in chemistry and spend one or two additional years at the University in research activities. The purpose of this post-doctoral training is to get additional research experience and increase their professional competence.

The end product of the research is a solved problem of chemistry which is normally published in a scientific journal and is available to the entire scientific community. These research fellows are paid from grants given usually by Federal agencies. The University derives only indirect economic benefit from the research.

A post-graduate fellow may do some substitute teaching for which he may receive extra compensation. They often train pre-doctoral students in research operations and methods.

On the basis of the facts presented above and during the telephone conversation on April 5, 1971, between **Name*** and Mr. McAuliffe of my office, we would find these post-doctoral associates to be exempt as professionals under Regulations, Part 541.

Sincerely,

Robert D. Moran
Administrator

*Note: The actual name(s) was removed to protect privacy in accordance with 5 U.S.C. § 552(b)(7).