



WHD-OL-1981-0001

December 21, 1981

**Name\***

This acknowledges your correspondence with Mr. Mailoy, Area Director of the Wage and Hour Area Office in Columbus, Ohio, and addresses the question you raised with regard to the documentation that would be acceptable as evidence of age for purposes of the Fair Labor Standards Act.

This is to advise you that in those states where neither State nor Federal certificates of age, or State employment certificates or work permits are available, an employer may rely on the documents specified in Regulation 570. 10 that are now accepted in the State of Alaska as evidence of age for minor employees. For the employer's protection, it may be helpful to maintain a copy of the document or to note in payroll records what document was checked.

It is our expectation to amend the Regulation by designating additional States to follow the Alaskan practices of accepting birth or baptismal certificates or attested transcripts thereof when State age or employment certificates are not available. In the meantime, we will not bring an enforcement action if an employer relied on such documents.

A copy of the current Regulation is enclosed. We will be pleased to advise you when the proposed amendment is published in the Federal Register.

Sincerely,

William M. Otter  
Administrator

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