section 206 of this title, repealing sections 205 and 208 of this title, and enacting provisions set out as notes under section 206 of this title] may be cited as the 'Fair Minimum Wage Act of 2007'.''

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106–202, § 1, May 18, 2000, 114 Stat. 308, provided that: ''This Act [amending section 207 of this title and enacting provisions set out as notes under section 207 of this title] may be cited as the 'Worker Economic Opportunity Act'.''

SHORT TITLE OF 1998 AMENDMENTS

Pub. L. 105–334, § 1, Oct. 31, 1998, 112 Stat. 3137, provided that: ''This Act [amending section 213 of this title and enacting provisions set out as a note under section 213 of this title] may be cited as the 'Drive for Teen Employment Act'.''

Pub. L. 105–221, § 1, Aug. 7, 1998, 112 Stat. 1248, provided that: ''This Act [amending section 203 of this title] may be cited as the 'Amy Somers Volunteers at Food Banks Act'.''

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104–188, [title II], § 2104(a), Aug. 20, 1996, 110 Stat. 1928, provided that: ''This section [amending section 206 of this title] may be cited as the 'Minimum Wage Increase Act of 1996'.''

SHORT TITLE OF 1995 AMENDMENT

Pub. L. 104–26, § 1, Sept. 6, 1995, 109 Stat. 264, provided that: ''This Act [amending section 207 of this title and enacting provisions set out as a note under section 207 of this title] may be cited as the 'Court Reporter Fair Labor Amendments of 1995'.''

SHORT TITLE OF 1989 AMENDMENT

Pub. L. 101–157, § 1(a), Nov. 17, 1989, 103 Stat. 938, provided that: ''This Act [enacting section 60k of Title 2, The Congress, amending sections 203, 205 to 208, 213, 214, and 216 of this title, and enacting provisions set out as notes under sections 203 and 206 of this title] may be cited as the 'Fair Labor Standards Amendments of 1989'.''

SHORT TITLE OF 1985 AMENDMENT

Pub. L. 99–150, § 1(a), Nov. 13, 1985, 99 Stat. 787, provided that: ''This Act [amending sections 203, 207, and 211 of this title and enacting provisions set out as notes under sections 203, 207, 215, and 216 of this title] may be cited as the 'Fair Labor Standards Amendments of 1985'.''

SHORT TITLE OF 1977 AMENDMENT

Pub. L. 95–151, § 1(a), Nov. 1, 1977, 91 Stat. 1245, provided that: ''This Act [amending sections 203, 206, 208, 213, 214, and 216 of this title and enacting provisions set out as notes under sections 203, 204, and 213 of this title] may be cited as the 'Fair Labor Standards Amendments of 1977'.''

SHORT TITLE OF 1974 AMENDMENT

Pub. L. 93–259, § 1(a), Apr. 8, 1974, 88 Stat. 55, provided that: ''This Act [enacting section 633a of this title, amending sections 202 to 208, 210, 212 to 214, 216, 255, 260, 630, and 634 of this title, and enacting provisions set out as notes under this section and sections 202, 206, 207, 213, and 621 of this title] may be cited as the 'Fair Labor Standards Amendments of 1974'.''

SHORT TITLE OF 1966 AMENDMENT

Pub. L. 89–601, § 1, Sept. 23, 1966, 80 Stat. 830, provided: ''That this Act [amending sections 203, 206, 207, 213, 214, 216, 218, and 255 of this title, and enacting provisions set out as notes under sections 207 and 214 of this title, section 1082 of former Title 5, Executive Departments and Government Officers and Employees, and section 2000e–14 of Title 42, The Public Health and Welfare] may be cited as the 'Fair Labor Standards Amendments of 1966'.''

SHORT TITLE OF 1963 AMENDMENT

Pub. L. 88–38, § 1, June 10, 1963, 77 Stat. 56, provided: ''That this Act [amending section 206 of this title and enacting provisions set out as notes under section 206 of this title] may be cited as the 'Equal Pay Act of 1963'.''

SHORT TITLE OF 1961 AMENDMENT

Pub. L. 87–30, § 1, May 5, 1961, 75 Stat. 65, provided: ''That this Act [amending sections 203 to 208, 212 to 214, 216, and 217 of this title and enacting provisions set out as a note under section 213 of this title] may be cited as the 'Fair Labor Standards Amendments of 1961'.''

SHORT TITLE OF 1956 AMENDMENT

Act Aug. 8, 1956, ch. 1035, § 1, 70 Stat. 1118, provided: ''That this Act [amending sections 206, 213, and 216 of this title] may be cited as the 'American Samoa Labor Standards Amendments of 1956'.''

SHORT TITLE OF 1955 AMENDMENT

Act Aug. 12, 1955, ch. 867, § 1, 69 Stat. 711, provided: ''That this Act [amending sections 204–206, 208, and 210 of this title and enacting provisions set out as notes under sections 204, 206, and 208 of this title] may be cited as the 'Fair Labor Standards Amendments of 1955'.''

SHORT TITLE OF 1949 AMENDMENT

Act Oct. 26, 1949, ch. 736, § 1, 63 Stat. 910, provided: ''That this Act [enacting section 216b of this title, amending sections 202 to 208, 211 to 216, and 217 of this title, and repealing section 216a of this title] may be cited as the 'Fair Labor Standards Amendments of 1949'.''

§ 202. Congressional finding and declaration of policy

(a) The Congress finds that the existence, in industries engaged in commerce or in the production of goods for commerce, of labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers (1) causes commerce and the channels and instrumentalities of commerce to be used to spread and perpetuate such labor conditions among the workers of the several States; (2) burdens commerce and the free flow of goods in commerce; (3) constitutes an unfair method of competition in commerce; (4) leads to labor disputes burdening and obstructing commerce and the free flow of goods in commerce; and (5) interferes with the orderly and fair marketing of goods in commerce. That Congress further finds that the employment of persons in domestic service in households affects commerce.

(b) It is declared to be the policy of this chapter, through the exercise by Congress of its power to regulate commerce among the several States and with foreign nations, to correct and as rapidly as practicable to eliminate the conditions above referred to in such industries without substantially curtailing employment or earning power.

(June 25, 1938, ch. 676, § 2, 52 Stat. 1060; Oct. 26, 1949, ch. 736, § 2, 63 Stat. 910; Pub. L. 93–259, § 7(a), Apr. 8, 1974, 88 Stat. 62.)

AMENDMENTS

1974—Subsec. (a). Pub. L. 93–259 inserted finding of Congress that employment of persons in domestic service in households affects commerce.

1949—Subsec. (b). Act Oct. 26, 1949, inserted reference to regulation of commerce with foreign nations.

EFFECTIVE DATE OF 1974 AMENDMENT

Section 29(a) of Pub. L. 93–259 provided that: ''Except as otherwise specifically provided, the amendments made by this Act [see Short Title of 1974 Amendment note set out under section 201 of this title] shall take effect on May 1, 1974.''

EFFECTIVE DATE OF 1949 AMENDMENT

Section 16(a) of act Oct. 26, 1949, provided that: ''The amendments made by this Act [enacting section 216b of this title, amending this section and sections 203 to 208, 211 to 216, and 217 of this title, and repealing section 216a of this title] shall take effect upon the expiration of ninety days from the date of its enactment [Oct. 26, 1947]; except that the amendment made by section 4 [amending section 204 of this title] shall take effect on the date of its enactment [Oct. 26, 1949].''

RULES, REGULATIONS, AND ORDERS WITH REGARD TO FAIR LABOR STANDARDS AMENDMENTS OF 1974

Section 29(b) of Pub. L. 93–259 provided that: ''Notwithstanding subsection (a) [set out as an Effective Date of 1974 Amendment note above], on and after the date of the enactment of this Act [Apr. 8, 1974] the Secretary of Labor is authorized to prescribe necessary rules, regulations, and orders with regard to the amendments made by this Act [see Short Title of 1974 Amendment note set out under section 201 of this title].''

§ 203. Definitions

As used in this chapter—

(a) ''Person'' means an individual, partnership, association, corporation, business trust, legal representative, or any organized group of persons.

(b) ''Commerce'' means trade, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

(c) ''State'' means any State of the United States or the District of Columbia or any Territory or possession of the United States.

(d) ''Employer'' includes any person acting directly or indirectly in the interest of an employer in relation to an employee and includes a public agency, but does not include any labor organization (other than when acting as an employer) or anyone acting in the capacity of officer or agent of such labor organization.

(e)(1) Except as provided in paragraphs (2), (3), and (4), the term ''employee'' means any individual employed by an employer.

(2) In the case of an individual employed by a public agency, such term means—

(A) any individual employed by the Government of the United States—

(i) as a civilian in the military departments (as defined in section 102 of title 5),

(ii) in any executive agency (as defined in section 105 of such title),

(iii) in any unit of the judicial branch of the Government which has positions in the competitive service,

(iv) in a nonappropriated fund instrumentality under the jurisdiction of the Armed Forces,

(v) in the Library of Congress, or

(vi) the[1] Government Printing Office;

(B) any individual employed by the United States Postal Service or the Postal Regulatory Commission; and

(C) any individual employed by a State, political subdivision of a State, or an interstate governmental agency, other than such an individual—

(i) who is not subject to the civil service laws of the State, political subdivision, or agency which employs him; and

(ii) who—

(I) holds a public elective office of that State, political subdivision, or agency,

(II) is selected by the holder of such an office to be a member of his personal staff,

(III) is appointed by such an officeholder to serve on a policymaking level,

(IV) is an immediate adviser to such an officeholder with respect to the constitutional or legal powers of his office, or

(V) is an employee in the legislative branch or legislative body of that State, political subdivision, or agency and is not employed by the legislative library of such State, political subdivision, or agency.

(3) For purposes of subsection (u) of this section, such term does not include any individual employed by an employer engaged in agriculture if such individual is the parent, spouse, child, or other member of the employer's immediate family.

(4)(A) The term ''employee'' does not include any individual who volunteers to perform services for a public agency which is a State, a political subdivision of a State, or an interstate governmental agency, if—

(i) the individual receives no compensation or is paid expenses, reasonable benefits, or a nominal fee to perform the services for which the individual volunteered; and

(ii) such services are not the same type of services which the individual is employed to perform for such public agency.

(B) An employee of a public agency which is a State, political subdivision of a State, or an interstate governmental agency may volunteer to perform services for any other State, political subdivision, or interstate governmental agency, including a State, political subdivision or agency with which the employing State, political subdivision, or agency has a mutual aid agreement.

(5) The term ''employee'' does not include individuals who volunteer their services solely for humanitarian purposes to private non-profit food banks and who receive from the food banks groceries.

(f) ''Agriculture'' includes farming in all its branches and among other things includes the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities (including commodities defined as agricultural commodities in section 1141j(g) of title 12), the raising of livestock, bees, fur-bearing animals, or poultry, and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market, delivery to stor-

[1] So in original. Probably should be preceded by ''in''.