



April 19, 2007

VICE PRESIDENTS, AREA OPERATIONS

SUBJECT: Compliance with the Fair Labor Standards Act (FLSA)

The Fair Labor Standards Act (FLSA) requires that the Postal Service pay all non-exempt employees overtime wages for work beyond 40 hours in a pay week. Additionally, Postal Service regulations (ELM) and the National Agreements with the postal unions require supplemental pay for both exempt and non-exempt employees in certain circumstances. Every manager and supervisor is responsible for complying with the overtime and supplemental pay requirements set out in the FLSA, ELM, and National Agreements.

Not fulfilling its obligations in this area would expose the Postal Service to legal and administrative sanctions and public discredit. And, perhaps more importantly, it deprives our fellow postal workers of the wages they have earned through their hard work.

Every manager should ensure that he or she, and subordinate managers and supervisors, comply with the overtime and compensation regulations contained in Chapter 4 of the ELM, particularly sections 410 through 440. Particular emphasis should be paid to the requirement that work hours be properly reported.

Upper-level managers are ultimately responsible for their subordinate managers' compliance with all compensation regulations. Therefore, upper-level managers should regularly review their subordinate's compensation practices and records to ensure compliance.


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