



March 3, 2003

FLSA2003-2NA

Dear *Name**,

This is in response to your request for an opinion concerning the application of the Fair Labor Standards Act (FLSA) to the posting requirements on multi-employer worksites. We regret the delay in responding to your request.

You represent *Name** an insurance adjusting company that sends its employees to catastrophes all over the United States and the world to adjust claims. You wish to know if every employer on a multi-employer worksite is required to keep posted a notice explaining the FLSA, or if a conspicuous posting by one of the employers is sufficient.

As you know, section 516.4 of Regulations 29 CFR 516 requires that notices be posted in conspicuous places in every establishment where employees who are covered by the FLSA are employed. Therefore, it is our opinion that if employees of *Name** are working in another employer's office on a multi-employer worksite, and the FLSA notice is already conspicuously posted in compliance with section 516.4, no additional posting of this notice is required.

This opinion is based exclusively on the facts and circumstances described in your request and is given on the basis of your representation, explicit or implied, that you have provided a full and fair description of all the facts and circumstances which would be pertinent to our consideration of the question presented. Existence of any other factual or historical background not contained in your request might require a different conclusion than the one expressed herein. You have also represented that this opinion is not sought on behalf of a client or firm which is under investigation by the Wage and Hour Division, or which is in litigation with respect to, or subject to the terms of any agreement or order applying or requiring compliance with, the provisions of the FLSA.

We trust that this information responds to your inquiry.

Sincerely,

Barbara R. Relford
Office of Enforcement Policy
Fair Labor Standards Team

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