

UNITED STATES GOVERNMENT

Memorandum # 71

TO : Agencies Administering Statutes Referred
to in 29 CFR, Subtitle A, Part 5

DATE: May 18, 1967

FROM : Charles Donahue
Solicitor of Labor *C.D.*

SUBJECT: Summer Employment of Youth on Federally
Financed and Federally assisted Construction
Projects

To facilitate a fuller participation in the Youth Opportunity Campaign, this Department will take no exception to the practice of paying summer employees below the journeyman's rate where this practice is agreed to by the collective bargaining agent and is part of a bona fide Youth Opportunity Program. Accordingly - -

- (1) Where an agreement has been reached between labor and management providing for the employment of summer help at a reduced rate, the contracting agency may establish an additional classification and rate for such employee. The establishment and use of such a classification and rate must be in complete accord with the terms of the agreement. If it has not already been done, the agency should require that the agreement be reduced to writing and that it be furnished a copy prior to any employment under it.
- (2) If for some reason an agency does not wish to follow the reclassification procedure outlined above, it may permit the use of a rate lower than that predetermined for a particular classification, provided again that it conforms to the terms of the particular agreement providing for a reduced rate for summer assistance.
- (3) A report of these reclassification actions, as well as any question or dispute as to the action taken, should be submitted to this Department by the agency in the same manner as provided for routine reclassification actions in Section 5.5(a)(1)(ii) of 29 CFR, Part 5.
- (4) The agency should make such inquiry or investigation as it deems necessary to assure that such employees are bona fide students employed on a temporary basis for the summer months only.