MATTERS TO BE CONSIDERED:

1. Approval of Agenda.
3. Consideration of Matters Related to the Design and Development of a Demonstration Project for the Competitive Bidding of Funds Granted by the Legal Services Corporation.
4. Consideration of Use of Carryover Funds.
7. Consideration of Provision for the Corporation's Office of the Inspector General. The Board of Directors will also receive and consider a report on current investigations from the Inspector General. The closing is authorized by the relevant sections of the Government in the Sunshine Act [5 U.S.C. Sections 552b(c)(2), (6), and (10)], and the corresponding regulation of the Legal Services Corporation [45 C.F.R. Sections 1622.5(a), (e), and (h)]. The closing will be certified by the Corporation's General Counsel as authorized by the above-cited provisions of law. A copy of the General Counsel's certification will be posted for public inspection at the Corporation's headquarters, located at 400 Virginia Avenue, S.W., Washington, D.C. 20024, in its three reception areas, and will otherwise be available upon request.


Patricia Batie, Executive Office, (202) 863-1839.

CONTACT PERSON FOR INFORMATION:
Patricia Batie, Corporate Secretary.
[FR Doc. 91-28866 Filed 11-26-91; 3:32 pm]
BILLING CODE 7050-01-M

LEGAL SERVICES CORPORATION BOARD OF DIRECTORS
Meeting; Notice

TIME AND DATE: A meeting of the Board of Directors Audit and Appropriations Committee will be held on December 8, 1991. The meeting will commence at 12:00 p.m. 1

PLACE: The Clarion Hotel, 200 South 4th Street; The Mississippi Room, St. Louis, Missouri 63102, (314) 241-9500.

STATUS OF MEETING: Open

MATTERS TO BE CONSIDERED:
1. Approval of Agenda.
2. Approval of Minutes of November 17, 1991 Meeting.
3. Consideration of Use of Carryover Funds.
4. Consideration of Provision for the Corporation's Office of the Inspector General. The Board of Directors will also receive and consider a report on current investigations from the Inspector General. The closing is authorized by the relevant sections of the Government in the Sunshine Act [5 U.S.C. Sections 552b(c)(2), (6), and (10)], and the corresponding regulation of the Legal Services Corporation [45 C.F.R. Sections 1622.5(a), (e), and (h)]. The closing will be certified by the Corporation's General Counsel as authorized by the above-cited provisions of law. A copy of the General Counsel's certification will be posted for public inspection at the Corporation's headquarters, located at 400 Virginia Avenue, S.W., Washington, D.C. 20024, in its three reception areas, and will otherwise be available upon request.


Patricia D. Batie, Corporate Secretary.
[FR Doc. 91-28866 Filed 11-26-91; 3:32 pm]
BILLING CODE 7050-01-M

LEGAL SERVICES CORPORATION BOARD OF DIRECTORS
Meeting; Notice

TIME AND DATE: A meeting of the Board of Directors will be held on December 10, 1991. The meeting will commence at 10:00 a.m. 2

PLACE: The Clarion Hotel, 200 South 4th Street, The Mississippi Room St. Louis, Missouri 63102, (314) 241-9500.

STATUS OF MEETING: Open, except that a portion of the meeting may be closed pursuant to a vote of a majority of the Board of Directors. At the closed session, subject to the aforementioned majority vote, the Board of Directors will hear and consider the report of the General Counsel on litigation to which the Corporation is a party, and will consider, in consultation with its counsel, pending personnel actions and personnel-related rules and practices, including matters related to current investigations being undertaken by the Corporation’s Office of the Inspector General. The Board of Directors will also receive and consider a report on current investigations from the Inspector General. The closing is authorized by the relevant sections of the Government in the Sunshine Act [5 U.S.C. Sections 552b(c)(2), (6), and (10)], and the corresponding regulation of the Legal Services Corporation [45 C.F.R. Sections 1622.5(a), (e), and (h)]. The closing will be certified by the Corporation’s General Counsel as authorized by the above-cited provisions of law. A copy of the General Counsel’s certification will be posted for public inspection at the Corporation’s headquarters, located at 400 Virginia Avenue, S.W., Washington, D.C. 20024, in its three reception areas, and will otherwise be available upon request.

MATTERS TO BE CONSIDERED:

OPEN SESSION:
1. Approval of Agenda.
2. Approval of Minutes of November 17, 1991 Meeting.
3. Chairman’s and Members’ Reports.
4. President’s Report.

CLOSED SESSION:
11. Consideration of the General Counsel’s Report on Pending Litigation to which the Corporation is a Party.

OPEN SESSION:
12. Consideration of Report by Staff on the Status of Applications for Migrant Funding.
13. Consideration of Other Business.

1. Due to the possibility that the Legal Services Corporation Board of Directors’ terms may expire when Congress concludes this session, members of the public are requested to call the telephone number listed below to confirm that this meeting will be held as noticed.

2. Due to the possibility that the Legal Services Corporation Board of Directors’ terms may expire when Congress concludes this session, members of the public are requested to call the telephone number listed below to confirm that this meeting will be held as noticed.
CONTACT PERSON FOR INFORMATION:
Patricia D. Batie, Executive Office, (202) 863-1839.
Date Issued: November 26, 1991.
Patricia D. Batie,
Corporate Secretary
[FR Doc. 91-28866 Filed 11-26-91, 3:32 pm]
This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 73

[(bucket No. 88-181]

Scabies in Cattle

Correction

In rule document 91-25299 beginning on page 52462 in the issue of Monday, October 21, 1991, make the following correction:

§ 73.1 [Corrected]

On page 52463, in the second column, in § 73.1, in the third line insert after "APHIS" the words "and in the text of paragraph (b) "a Veterinary Services" is changed to "an APHIS"."

BILLING CODE 1505-01-D

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

7 CFR Part 1430

Milk Price Support Program

Correction

In rule document 91-25299 beginning on page 52462 in the issue of Monday, October 21, 1991, make the following correction:

§ 73.19 [Corrected]

On page 52463, in the second column, in § 73.9, in the third line insert after "APHIS" the words "and in the text of paragraph (b) "a Veterinary Services" is changed to "an APHIS"."

BILLING CODE 1505-01-D

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[bucket No. 910102-1217]

RIN 0648-AD01

Atlantic Bluefin Tuna Fishery

Correction

In rule document 91-23769 beginning on page 50061 in the issue of Thursday, October 3, 1991, make the following correction:

§ 285.21 [Corrected]

On page 50063, in the first column, in § 285.21, in the first line, "(3)" should read "(e)".

BILLING CODE 1505-01-D

DEPARTMENT OF ENERGY

Office of Fossil Energy

[FE bucket No. 91-74-NG]

Enron Gas Marketing Inc.; Application for Blanket Authorization to Import and Export Natural Gas

Correction

In rule document 91-26152 beginning on page 55917, in the issue of Wednesday, October 30, 1991, make the following corrections:

1. On page 55917, in the first column, the bucket number should read as set forth above.
2. On page 55918, in the second column, in the first file line, "FR Doc. 91-26152" should read "FR Doc. 91-26152".

BILLING CODE 1505-01-D

DEPARTMENT OF LABOR

Employment and Training Administration

Federal-State Unemployment Compensation Program; Unemployment Insurance Program Letters Interpreting Federal Unemployment Insurance Law

Correction

In notice document 91-4878 appearing on page 8792 in the issue of Friday, March 1, 1991, in the third column, in the file line at the end of the document, "FR Doc. 91-4873" should read "FR Doc. 91-4878".

BILLING CODE 1505-01-D

DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration


Grant of Individual Exemptions; Columbia Artists Management, Inc. Profit Sharing Plan, et al.

Correction

In notice document 91-13009 beginning on page 25139, in the issue of Monday, June 3, 1991, make the following correction:
On page 25140, in the second column, in the file line at the end of the document, “FR Doc. 91-1300” should read “FR Doc. 91-13009”.

BILLING CODE 1505-01-D
Part II

Department of Labor

Wage and Hour Division

29 CFR Parts 516 and 778
Records To Be Kept by Employers; Overtime Compensation; Final Rule
DEPARTMENT OF LABOR
Wage and Hour Division
29 CFR Parts 516 and 778
RIN 1215-AA54
Records To Be Kept by Employers; Overtime Compensation
AGENCY: Wage and Hour Division, Employment Standards Administration, Labor.
ACTION: Final rule.
SUMMARY: This document provides final regulations for the maximum hours exemption under the Fair Labor Standards Amendments of 1989 for certain employees who receive remedial education under specified conditions. Under the terms of the statute, employees who lack a high school diploma or whose educational attainment is below the eighth grade level can be required to spend up to ten hours in a workweek engaged in remedial reading or training in other basic skills without receiving time and one-half overtime pay for these hours. The employees must, however, receive their normal, regular rate of pay for these hours and the training must not be job-specific. Minor revisions are made to existing regulations on overtime compensation and recordkeeping to conform to these provisions of the 1989 Amendments.
FOR FURTHER INFORMATION CONTACT: Charles E. Pugh, Assistant Administrator, Office of Policy, Planning and Review, Wage and Hour Division, U.S. Department of Labor, room S-3506, 200 Constitution Avenue, N.W., Washington, DC 20210, (202) 523-5409. This is not a toll-free number.
SUPPLEMENTARY INFORMATION:
Paperwork Reduction Act
These rules contain recordkeeping requirements subject to the Paperwork Reduction Act of 1980 (Pub. L. 96-511), which have been approved by the Office of Management and Budget (OMB) and assigned OMB control number 1215-0175. Public reporting and recordkeeping burdens for this new collection of information were estimated to average as follows: one minute per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. No comments were received regarding this burden estimate or any other aspect of this collection of information.
Background
Employees subject to the overtime provisions of the Fair Labor Standards Act (FLSA) ordinarily must be paid one and one-half times their regular rate of pay for all hours worked over 40 in each workweek. The Fair Labor Standards Amendments of 1989, Public Law 101-157 (103 Stat. 938) (November 17, 1989), changed certain provisions of the FLSA concerning coverage, exemptions, and the tip credit, raised the minimum wage, added penalties for violations of the minimum wage and overtime compensation requirements, and added a new training wage provision. Section 7 of the amendments allows employers to provide up to ten hours per week of remedial education to certain employees, whether voluntarily undertaken by the employee or required by the employer as a condition of employment, without compensation at the time-and-one-half overtime rate set forth in FLSA section 7(a). The applicability of this exemption is limited to only those employees who lack a high school diploma or whose reading level or basic skills are at or below the eighth grade level. Further, to qualify for the exemption, the employer-provided remedial education must be designed to provide these basic skills and may not include job-specific training. Consistent with the legislative history and intent, the regulations under this exemption also permit an employer to provide training designed to fulfill the requirements for a high school diploma (or General Educational Development certificate). The remedial education must be conducted during discrete periods of time set aside for such a program, and, to the maximum extent practicable, away from the employee's normal work station. Although employers are not required to pay the time-and-one-half overtime premium for hours in which the employee is engaged in remedial education activities, employees must receive compensation at their regular rate of pay for the time spent in such activities.
The Department of Labor published a Notice of Proposed Rulemaking in the Federal Register on March 5, 1991 (56 FR 9183), inviting comments for 60 days on proposed changes to existing regulations on overtime compensation and recordkeeping requirements to correspond with the statutory changes in overtime compensation for employees within the scope of the remedial education exemption, as noted above. No comments were received on the proposal. Accordingly, the proposed regulations are hereby adopted as final rules without change.
Executive Order 12291
This rule is not classified as a “major rule” under Executive Order 12291 on Federal Regulations, because it is not likely to result in: (1) an annual effect on the economy of $100 million or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. Therefore, no regulatory impact analysis is required.
Regulatory Flexibility Act
These rules, if promulgated, will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act. The Secretary certified to the Chief Counsel for Advocacy of the Small Business Administration that this effect. The regulatory revisions will only affect employers who choose to avail themselves of the exemption from overtime pay for employees receiving remedial education under the terms of the Fair Labor Standards Amendments of 1989, and should not result in any significant economic impact in any case.
Summary of Rule
Pursuant to section 7(q) of the Act, an employer may require that an employee spend up to 10 hours in the aggregate in any workweek in remedial education without payment of overtime compensation provided that: (1) The employee lacks a high school diploma or educational attainment at the eighth-grade level; (2) the remedial education is designed to provide reading and other basic skills at an eighth-grade level or below, or to fulfill the requirements for a high school diploma (or General Educational Development (GED) certificate); and (3) the remedial education does not include job-specific training. Employees must be compensated at their regular rate of pay for the time spent receiving such remedial education.
A new § 516.34 is added to 29 CFR Part 516 that describes the records that must be maintained and preserved in order to demonstrate compliance with the requirements of the exemption. Employers are required to keep records of the hours that employees spend in remedial education and the amounts paid for the time so spent. A new § 778.603 is added to Subpart G of 29 CFR Part 778 to explain the conditions...
applicable to the exemption and otherwise describe the statutory terms.

Document Preparation

This document was prepared under the direction and control of Samuel D. Walker, Acting Administrator, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor.

List of Subjects

29 CFR Part 516
Minimum wage, Reporting and recordkeeping requirements.

29 CFR Part 778
Hours of work, Overtime pay, Salaries, Wages.
For the reasons set forth above, parts 516 and 778 of title 29 of the Code of Federal Regulations are amended as set forth below.

Signed at Washington, DC, on this 21st day of November 1991.
Lynn Martin,
Secretary of Labor.
Carl M. Dominguez,
Assistant Secretary for Employment Standards.
Samuel D. Walker,
Acting Administrator, Wage and Hour Division.

PART 516—RECORDS TO BE KEPT BY EMPLOYERS

1. The authority citation for part 516 is revised to read as follows:
Authority: Sec. 11, 52 Stat. 1066, as amended, 29 U.S.C. 211. Section 516.33 also issued under 52 Stat. 1066, as amended; 29 U.S.C. 201 et seq. Section 516.34 also issued under Sec. 7, 103 Stat. 944, 29 U.S.C. 207(q).

2. A new § 516.34 is added to read as follows:

§ 516.34 Exemption from overtime pay for time spent by certain employees receiving remedial education pursuant to section 7(q) of the Act.
With respect to each employee exempt from the overtime pay requirements of the Act for time spent receiving remedial education pursuant to section 7(q) of the Act and § 778.603 of this title, the employer shall maintain and preserve records containing all the information and data required by § 516.2 and, in addition, shall also make and preserve a record, either separately or as a notation on the payroll, showing the hours spent each workday and total hours each workweek that the employee is engaged in receiving such remedial education that does not include any job-specific training but that is designed to provide reading and other basic skills at or below the eighth-grade level or to fulfill the requirements for a high school diploma (or General Educational Development certificate), and the compensation (at not less than the employee’s regular rate of pay) paid each pay period for the time so engaged.

PART 778—OVERTIME COMPENSATION

3. The authority citation for part 778 is revised to read as follows:
Authority: 52 Stat. 1060, as amended; 29 U.S.C. 201 et seq.

4. A new § 778.603 is added to read as follows:

§ 778.603 Special overtime provisions for certain employees receiving remedial education under section 7(q).
Section 7(q) of the Act, enacted as part of the 1989 Amendments, provides an exemption from the overtime pay requirements for time spent by certain employees who are receiving remedial education. The exemption provided by section 7(q), as implemented by these regulations, allows any employer to require that an employee spend up to 10 hours in the aggregate in any workweek in remedial education without payment of overtime compensation provided that the employee lacks a high school diploma or educational attainment at the eighth-grade level; the remedial education is designed to provide reading and other basic skills at an eighth-grade level or below, or to fulfill the requirements for a high school diploma or General Educational Development (GED) certificate; and the remedial education does not include job-specific training. Employees must be compensated at their regular rate of pay for the time spent receiving such remedial education. The employer must maintain a record of the hours that an employee is engaged each workday and each workweek in receiving remedial education, and the compensation paid each pay period for the time so engaged, as described in 29 CFR 516.34. The remedial education must be conducted during discrete periods of time set aside for such a program, and, to the maximum extent practicable, away from the employee’s normal work station. An employer has the burden to establish compliance with all applicable requirements of this special overtime provision as set forth in section 7(q) of the Act and in this section of the regulations. Section 7(q) is solely an exemption from the overtime provisions of section 7(a) of the Act. It is not an exemption from the requirements of any other law that regulates employment practices, including the standards that are used to select individuals for employment. An employer creating a remedial education program pursuant to section 7(q) should be mindful not to violate other applicable requirements. See, for example, title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq.; Executive Order 11246, as amended, 3 CFR part 339 (1964–1965 Compilation), reprinted in 42 U.S.C. section 2000e note; the Rehabilitation Act of 1973, as amended, 29 U.S.C. 701 et seq.; and the Uniform Guidelines on Employee Selection Procedures published at 41 CFR part 60-3.

[FR Doc. 91–28452 Filed 11–27–91; 8:45 am]