

FLSA-543

April 4, 1974

This is in reply to your letter of February 15, 1974, requesting an interpretation as to whether certain time would be hours worked under the Fair Labor Standards Act.

You give the following facts. A physical examination is required for employment but the employee is not sent to the doctor until two or three weeks after starting work. You ask if the time required to take such an examination constitutes hours worked when it is done during normal working hours on a day the employee is working.

Where an individual is already employed and on duty, a physical examination required by the employer is an essential requirement for the individual to meet in order to continue his employment and is considered an integral part of his principal activity. In the given facts the individual is already employed on the job, and we would regard the time spent taking such an examination as hours worked.

Sincerely,

Warren D. Landis
Acting Administrator
Wage and Hour Division