

establishment where employees subject to the provisions of § 728.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the U.S. Department of Labor and shall give such other notice as the Administrator may prescribe.

**PART 729—RESTAURANT AND FOOD SERVICE INDUSTRY IN PUERTO RICO**

Sec.

729.1 Definition.

729.2 Wage rates.

729.3 Notices.

AUTHORITY: Secs. 5, 6, 8, 52 Stat. 1062, 1064; 29 U.S.C. 205, 206, 208.

SOURCE: 32 FR 6093, Apr. 18, 1967, unless otherwise noted.

§ 729.1 Definition.

The restaurant and food service industry in Puerto Rico, to which this part shall apply, is defined as follows: The operation of restaurants and other food service establishments engaged in the preparation or offering of food or beverages for human consumption either on the premises, or by such other services as catering, banquet, box lunch, or curb or counter service, to the public, to employees (or to members or guests of members of clubs): *Provided, however,* That the restaurant and food service industry in Puerto Rico shall not include food service in retail establishments: *Provided further,* That the industry shall not include any activity to which the Fair Labor Standards Act of 1938 would have applied prior to the Fair Labor Standards Amendments of 1966.

§ 729.2 Wage rates.

Wages at rates not less than those prescribed in this section shall be paid under section 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees who in any workweek is engaged in an activity in the restaurant and food service industry in Puerto Rico, which was brought within the purview of section 6 of the Act by the Fair Labor Standards Amendments of 1966.

(a) *Tipped employee classification.*  
(1) The minimum wage for this classification is \$1.60 an hour.

(2) This classification is defined as all activities in the restaurant and food service industry in Puerto Rico, performed by any employee in any occupation in which he customarily and regularly receives more than \$20 a month in tips.

(b) *Other employees classification.*  
(1) The minimum wage for this classification is \$1.50 an hour.

(2) This classification is defined as all activities in the restaurant and food service industry in Puerto Rico other than those activities included in the tipped employee classification of this industry.

[32 FR 6093, Apr. 18, 1967, as amended at 36 FR 1059, Jan. 22, 1971]

§ 729.3 Notices.

Every employer subject to the provisions of § 729.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 729.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the U.S. Department of Labor and shall give such other notices as the Administrator may prescribe.

**PART 730—RUBBER AND PLASTICS FOOTWEAR INDUSTRY IN PUERTO RICO**

Sec.

730.1 Definition.

730.2 Wage rates.

730.3 Notices.

AUTHORITY: Secs. 5, 6, 8, 52 Stat. 1062, 1064, as amended; 29 U.S.C. 205, 206, 208.

SOURCE: 39 FR 13271, Apr. 12, 1974, unless otherwise noted.

§ 730.1 Definition.

The Rubber and Plastics Footwear Industry in Puerto Rico is defined as the manufacture of footwear made by vulcanizing soles to fabric uppers, footwear made by molding plastic soles to fabric uppers, rubber and plastics protective footwear, plastics footwear molded to shape, and rubber and

plastics sandals and slippers: *Provided, however,* That the industry shall not include any activity included in the nonrubber footwear industry or the rubber and miscellaneous plastics products industry.

#### § 730.2 Wage rates.

Wages at rates not less than those prescribed in this section shall be paid under section 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the rubber and plastics footwear industry in Puerto Rico who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce, as these terms are defined in section 3 of the Act.

##### (a) *Pre-1961 coverage classification.*

(1) The minimum wage for this classification is \$1.45 an hour.

(2) This classification is defined as all activities in the industry to which section 6 of the Act would have applied prior to the Fair Labor Standards Amendments of 1961.

##### (b) *1961 coverage classifications.*

The classifications for 1961 coverage apply to all activities in the industry to which section 6 of the Act applies solely by reason of the Fair Labor Standards Amendments of 1961.

(1) *Rubber footwear classification.* (i) The minimum wage for this classification is \$1.45 an hour.

(ii) This classification is defined as the manufacture or partial manufacture of footwear made by vulcanizing the entire article or made by vulcanizing soles to fabric uppers.

(2) *Other products and activities classification.* (i) The minimum wage for this classification is \$1.45 an hour.

(ii) This classification is defined as the manufacture of all products and all activities that are not specifically included in the other 1961 coverage classification of the industry.

(c) *1966 coverage classification.* (i) The minimum wage is \$1.60 an hour.

(ii) This classification is defined as all activities in the industry to which section 6 of the Act applies solely by reason of the Fair Labor Standards Amendments of 1966.

#### § 730.3 Notices.

Every employer subject to the provisions of § 730.3 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 730.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour Division of the U.S. Department of Labor and shall give such other notice as the Administrator may prescribe.