

APPLICABILITY TO COLLECTIVE BARGAINING
AGREEMENTS

Amendment by Pub. L. 95-524 not to affect terms and conditions of any collective bargaining agreement whether in effect prior to or entered into after Oct. 27, 1978, see section 6(e) of Pub. L. 95-524, set out as an Effective Date note under section 175a of this title.

§ 187. Unlawful activities or conduct; right to sue; jurisdiction; limitations; damages

(a) It shall be unlawful, for the purpose of this section only, in an industry or activity affecting commerce, for any labor organization to engage in any activity or conduct defined as an unfair labor practice in section 158(b)(4) of this title.

(b) Whoever shall be injured in his business or property by reason or¹ any violation of subsection (a) may sue therefor in any district court of the United States subject to the limitations and provisions of section 185 of this title without respect to the amount in controversy, or in any other court having jurisdiction of the parties, and shall recover the damages by him sustained and the cost of the suit.

(June 23, 1947, ch. 120, title III, § 303, 61 Stat. 158; Pub. L. 86-257, title VII, § 704(e), Sept. 14, 1959, 73 Stat. 545.)

AMENDMENTS

1959—Subsec. (a). Pub. L. 86-257 struck out provisions which specified particular practices that were unlawful, and inserted reference to practices defined in section 158(b)(4) of this title, which section defines the unfair labor practices formerly enumerated in this subsection.

§ 188. Repealed. Aug. 9, 1955, ch. 690, § 4(3), 69 Stat. 625

Section, act June 23, 1947, ch. 120, title III, § 305, 61 Stat. 160, forbade striking by Government employees, required discharge of striking employee and forfeiture of his civil-service status, and made him ineligible for employment for three years. See sections 3333 and 7311 of Title 5, Government Organization and Employees, and section 1918 of Title 18, Crimes and Criminal Procedure.

SUBCHAPTER V—CONGRESSIONAL JOINT
COMMITTEE ON LABOR-MANAGEMENT
RELATIONS

§§ 191 to 197. Omitted

CODIFICATION

Section 191, act June 23, 1947, ch. 120, title IV, § 401, 61 Stat. 160, related to establishment and composition of Joint Committee on Labor-Management Relations.

Section 192, act June 23, 1947, ch. 120, title IV, § 402, 61 Stat. 160, related to a study by committee of the entire field of labor-management relations.

Section 193, acts June 23, 1947, ch. 120, title IV, § 403, 61 Stat. 160; Aug. 10, 1948, ch. 833, 62 Stat. 1286, related to a final report to Congress to be submitted no later than March 1, 1949.

Section 194, act June 23, 1947, ch. 120, title IV, § 404, 61 Stat. 161, related to employment and compensation of experts and other personnel.

Section 195, act June 23, 1947, ch. 120, title IV, § 405, 61 Stat. 161, related to hearings, calling of witnesses, production of evidence.

Section 196, act June 23, 1947, ch. 120, title IV, § 406, 61 Stat. 161, related to reimbursement of committee members for expenses.

¹ So in original. Probably should be “of”.

Section 197, act June 23, 1947, ch. 120, title IV, § 407, 61 Stat. 161, related to appropriation of funds.

CHAPTER 8—FAIR LABOR STANDARDS

Sec.	
201.	Short title.
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216.	Penalties.
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216b.	Liability for overtime work performed prior to July 20, 1949.
217.	Injunction proceedings.
218.	Relation to other laws.
218a.	Repealed.
218b.	Notice to employees.
218c.	Protections for employees.
219.	Separability.

§ 201. Short title

This chapter may be cited as the “Fair Labor Standards Act of 1938”.

(June 25, 1938, ch. 676, § 1, 52 Stat. 1060.)

SHORT TITLE OF 2007 AMENDMENT

Pub. L. 110-28, title VIII, § 8101, May 25, 2007, 121 Stat. 188, provided that: “This subtitle [subtitle A (§§ 8101-8104) of title VIII of Pub. L. 110-28, amending section 206 of this title, repealing sections 205 and 208 of this title, and enacting provisions set out as notes under section 206 of this title] may be cited as the ‘Fair Minimum Wage Act of 2007’.”

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-202, § 1, May 18, 2000, 114 Stat. 308, provided that: “This Act [amending section 207 of this title and enacting provisions set out as notes under section 207 of this title] may be cited as the ‘Worker Economic Opportunity Act’.”

SHORT TITLE OF 1998 AMENDMENTS

Pub. L. 105-334, § 1, Oct. 31, 1998, 112 Stat. 3137, provided that: “This Act [amending section 213 of this title and enacting provisions set out as a note under section 213 of this title] may be cited as the ‘Drive for Teen Employment Act’.”

Pub. L. 105-221, § 1, Aug. 7, 1998, 112 Stat. 1248, provided that: “This Act [amending section 203 of this title] may be cited as the ‘Amy Somers Volunteers at Food Banks Act’.”

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-188, [title II], § 2104(a), Aug. 20, 1996, 110 Stat. 1928, provided that: “This section [amending section 206 of this title] may be cited as the ‘Minimum Wage Increase Act of 1996’.”

SHORT TITLE OF 1995 AMENDMENT

Pub. L. 104-26, § 1, Sept. 6, 1995, 109 Stat. 264, provided that: “This Act [amending section 207 of this title and enacting provisions set out as a note under section 207 of this title] may be cited as the ‘Court Reporter Fair Labor Amendments of 1995’.”

SHORT TITLE OF 1989 AMENDMENT

Pub. L. 101-157, §1(a), Nov. 17, 1989, 103 Stat. 938, provided that: “This Act [enacting section 60k of Title 2, The Congress, amending sections 203, 205 to 208, 213, 214, and 216 of this title, and enacting provisions set out as notes under sections 203 and 206 of this title] may be cited as the ‘Fair Labor Standards Amendments of 1989’.”

SHORT TITLE OF 1985 AMENDMENT

Pub. L. 99-150, §1(a), Nov. 13, 1985, 99 Stat. 787, provided that: “This Act [amending sections 203, 207, and 211 of this title and enacting provisions set out as notes under sections 203, 207, 215, and 216 of this title] may be cited as the ‘Fair Labor Standards Amendments of 1985’.”

SHORT TITLE OF 1977 AMENDMENT

Pub. L. 95-151, §1(a), Nov. 1, 1977, 91 Stat. 1245, provided that: “This Act [amending sections 203, 206, 208, 213, 214, and 216 of this title and enacting provisions set out as notes under sections 203, 204, and 213 of this title] may be cited as the ‘Fair Labor Standards Amendments of 1977’.”

SHORT TITLE OF 1974 AMENDMENT

Pub. L. 93-259, §1(a), Apr. 8, 1974, 88 Stat. 55, provided that: “This Act [enacting section 633a of this title, amending sections 202 to 208, 210, 212 to 214, 216, 255, 260, 630, and 634 of this title, and enacting provisions set out as notes under this section and sections 202, 206, 207, 213, and 621 of this title] may be cited as the ‘Fair Labor Standards Amendments of 1974’.”

SHORT TITLE OF 1966 AMENDMENT

Pub. L. 89-601, §1, Sept. 23, 1966, 80 Stat. 830, provided: “That this Act [amending sections 203, 206, 207, 213, 214, 216, 218, and 255 of this title, and enacting provisions set out as notes under sections 207 and 214 of this title, section 1082 of former Title 5, Executive Departments and Government Officers and Employees, and section 2000e-14 of Title 42, The Public Health and Welfare] may be cited as the ‘Fair Labor Standards Amendments of 1966’.”

SHORT TITLE OF 1963 AMENDMENT

Pub. L. 88-38, §1, June 10, 1963, 77 Stat. 56, provided: “That this Act [amending section 206 of this title and enacting provisions set out as notes under section 206 of this title] may be cited as the ‘Equal Pay Act of 1963’.”

SHORT TITLE OF 1961 AMENDMENT

Pub. L. 87-30, §1, May 5, 1961, 75 Stat. 65, provided: “That this Act [amending sections 203 to 208, 212 to 214, 216, and 217 of this title and enacting provisions set out as a note under section 213 of this title] may be cited as the ‘Fair Labor Standards Amendments of 1961’.”

SHORT TITLE OF 1956 AMENDMENT

Act Aug. 8, 1956, ch. 1035, §1, 70 Stat. 1118, provided: “That this Act [amending sections 206, 213, and 216 of this title] may be cited as the ‘American Samoa Labor Standards Amendments of 1956’.”

SHORT TITLE OF 1955 AMENDMENT

Act Aug. 12, 1955, ch. 867, §1, 69 Stat. 711, provided: “That this Act [amending sections 204-206, 208, and 210 of this title and enacting provisions set out as notes under sections 204, 206, and 208 of this title] may be cited as the ‘Fair Labor Standards Amendments of 1955’.”

SHORT TITLE OF 1949 AMENDMENT

Act Oct. 26, 1949, ch. 736, §1, 63 Stat. 910, provided: “That this Act [enacting section 216b of this title, amending sections 202 to 208, 211 to 216, and 217 of this

title, and repealing section 216a of this title] may be cited as the ‘Fair Labor Standards Amendments of 1949’.”

§ 202. Congressional finding and declaration of policy

(a) The Congress finds that the existence, in industries engaged in commerce or in the production of goods for commerce, of labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers (1) causes commerce and the channels and instrumentalities of commerce to be used to spread and perpetuate such labor conditions among the workers of the several States; (2) burdens commerce and the free flow of goods in commerce; (3) constitutes an unfair method of competition in commerce; (4) leads to labor disputes burdening and obstructing commerce and the free flow of goods in commerce; and (5) interferes with the orderly and fair marketing of goods in commerce. That Congress further finds that the employment of persons in domestic service in households affects commerce.

(b) It is declared to be the policy of this chapter, through the exercise by Congress of its power to regulate commerce among the several States and with foreign nations, to correct and as rapidly as practicable to eliminate the conditions above referred to in such industries without substantially curtailing employment or earning power.

(June 25, 1938, ch. 676, §2, 52 Stat. 1060; Oct. 26, 1949, ch. 736, §2, 63 Stat. 910; Pub. L. 93-259, §7(a), Apr. 8, 1974, 88 Stat. 62.)

AMENDMENTS

1974—Subsec. (a). Pub. L. 93-259 inserted finding of Congress that employment of persons in domestic service in households affects commerce.

1949—Subsec. (b). Act Oct. 26, 1949, inserted reference to regulation of commerce with foreign nations.

EFFECTIVE DATE OF 1974 AMENDMENT

Pub. L. 93-259, §29(a), Apr. 8, 1974, 88 Stat. 76, provided that: “Except as otherwise specifically provided, the amendments made by this Act [see Short Title of 1974 Amendment note set out under section 201 of this title] shall take effect on May 1, 1974.”

EFFECTIVE DATE OF 1949 AMENDMENT

Act Oct. 26, 1949, ch. 736, §16(a), 63 Stat. 919, provided that: “The amendments made by this Act [enacting section 216b of this title, amending this section and sections 203 to 208, 211 to 216, and 217 of this title, and repealing section 216a of this title] shall take effect upon the expiration of ninety days from the date of its enactment [Oct. 26, 1947]; except that the amendment made by section 4 [amending section 204 of this title] shall take effect on the date of its enactment [Oct. 26, 1949].”

RULES, REGULATIONS, AND ORDERS WITH REGARD TO FAIR LABOR STANDARDS AMENDMENTS OF 1974

Pub. L. 93-259, §29(b), Apr. 8, 1974, 88 Stat. 76, provided that: “Notwithstanding subsection (a) [set out as an Effective Date of 1974 Amendment note above], on and after the date of the enactment of this Act [Apr. 8, 1974] the Secretary of Labor is authorized to prescribe necessary rules, regulations, and orders with regard to the amendments made by this Act [see Short Title of 1974 Amendment note set out under section 201 of this title].”