



Commonwealth of Puerto Rico
DEPARTMENT OF LABOR AND HUMAN RESOURCES

April 1, 1998

Inquiry No. 14497

Dear Ms. Acevedo:

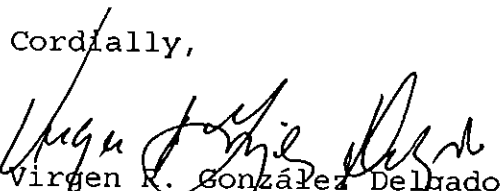
This is in reply to your letter in which you inquire whether union organizers are entitled to overtime compensation under Puerto Rico labor law.

The payment of overtime is required under Act No. 379 of May 15, 1948, as amended, and applies to all employees, as that term is defined in the Act. That definition, contained at 29 LPRA, §288, is the following:

"Employee" includes every employee, workman, day laborer, artisan, laborer, clerk, shop clerk and every person employed for wages, salary, day wages, or any other form of compensation in any occupation, establishment, business or industry, excepting travel agents and peddlers. The word "employee" shall not include executives, administrators, or professionals, as these terms may be defined by the Puerto Rico Minimum Wage Board, nor labor union officials or organizers when acting as such. [emphasis supplied]

We trust the foregoing is responsive to your inquiry.

Cordially,


Virgen R. González Delgado
Solicitor of Labor