
29 C.F.R. § 778.207

Other types of contract premium pay distinguished.

(a) *Overtime premiums are those defined by the statute.* The various types of premium payments which provide extra compensation qualifying as overtime premiums to be excluded from the regular rate (under sections 7(e)(5), (6), and (7) and credited toward statutory overtime pay requirements (under section 7(h)) have been described in §§ 778.201 through 778.206. The plain wording of the statute makes it clear that extra compensation provided by premium rates other than those described in the statute cannot be treated as overtime premiums. When such other premiums are paid, they must be included in the employee's regular rate before statutory overtime compensation is computed; no part of such premiums may be credited toward statutory overtime pay.

This document is only available to subscribers. Please [log in](#) or [purchase access](#).

[Purchase Login](#)