



Camp Counselor Exemption

Section 13(a)(3) of the Fair Labor Standards Act provides an exemption from the minimum wage and overtime provisions of the FLSA for "any employee employed by an establishment which is an amusement or recreational establishment, if (A) it does not operate for more than seven months in any calendar year, or (B) during the preceding calendar year, its average receipts for any six months of such year were not more than 33-1/3 per centum of its average receipts for the other six months of such year."

In order to be exempt under Section 13(a)(3), the position in the camp must be the only UW-Madison employment the employee has during the camp's operation. If a current UW-Madison employee wishes to work at the camp, they must take a leave from their current position in order for the exemption to apply.

References:

[U.S. Department of Labor Field Operations Handbook – Chapter 25](#)

[Fact Sheet #18: Section 13\(a\)\(3\) Exemption for Seasonal Amusement or Recreational Establishments Under the Fair Labor Standards Act \(FLSA\)](#)

