

13 NCAC 12 .0302 COMPUTATION OF REASONABLE COST

(a) For the purpose of calculating the wage paid to an employee, in an establishment which regularly provides meals to the public, the reasonable cost of furnishing employees meals will be computed as 50 percent of the established retail rate for the meals. In establishments without an established retail rate, the cost will be computed as 50 percent of the retail rate charged for comparable meals of like quality and kind within the community.

(b) With respect to lodging furnished to an employee, the employer may count as wages the full retail cost of the facilities furnished. Where there is no retail cost, the employer may compute the retail rate charged for comparable services of like quality within the community.

(c) In order to include the reasonable cost of board, lodging or other facilities as a wage paid to an employee, the employer must keep accurate and complete records of the board, lodging and other facilities provided to the employee. Obtaining the signature or initials of the employee monthly or for each pay period on a written record which specifies dollar amounts constitutes acknowledgement by the employee of receipt of such benefits, and subject to the other provisions of this Section, these costs will be computed as wage compensation. Where permanent lodging is provided for an employee, a blanket acknowledgement may be signed by the employee when the employee begins residence so long as the acknowledgement specifies a dollar amount which is to be credited as wages.

(d) Homes for dependent children with live-in employees who are exempt from overtime and recordkeeping provisions pursuant to G.S. 95-25.14(c)(6), may contract with any resident employee to pay such employee an annual wage of 2,080 times the minimum wage. Such a contract shall satisfy the requirements of the minimum wage law, but the employer shall not be entitled to any additional credits for meals and lodging.

*History Note: Authority G.S. 95-25.2; 95-25.15; 95-25.19;
Eff. November 1, 1980;
Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016.*