

[29 U.S.C. § 207(q)]

Any employer may employ any employee for a period or periods of not more than 10 hours in the aggregate in any workweek in excess of [40 hours] without paying the compensation for overtime employment prescribed [by the FLSA], if during such period or periods the employee is receiving remedial education that is -

- (1) provided to employees who lack a high school diploma or educational attainment at the eighth grade level;
- (2) designed to provide reading and other basic skills at an eighth grade level or below; and
- (3) does not include job specific training.