

## FLSA White Collar Exemption Worksheet

Exemption:	Executive	Administrative	Professional	Computer	Outside Sales	Highly Compensated
	Condition satisfied?	Condition satisfied?	Condition satisfied?	Condition satisfied?	Condition satisfied?	Condition satisfied?
<b>Salary Level:</b>	<input type="checkbox"/> Y <input type="checkbox"/> N Employee earns ≥ \$455 per week (or equal amount on a less frequent basis).	<input type="checkbox"/> Y <input type="checkbox"/> N Employee earns ≥ \$455 per week (or equal amount on a less frequent basis).	<input type="checkbox"/> Y <input type="checkbox"/> N Employee earns ≥ \$455 per week (or equal amount on a less frequent basis). <sup>1</sup>	<input type="checkbox"/> Y <input type="checkbox"/> N Employee earns ≥ \$455 per week (or equal amount on a less frequent basis) OR ≥ \$27.63 per hour.	None	<input type="checkbox"/> Y <input type="checkbox"/> N Employee's total annual compensation is ≥ \$100,000
<b>Salary Basis:</b>	<input type="checkbox"/> Y <input type="checkbox"/> N Employee earns ≥ \$455 per week (or equal amount on a less frequent basis) as a "salary basis". <sup>2</sup>	<input type="checkbox"/> Y <input type="checkbox"/> N Employee earns ≥ \$455 per week (or equal amount on a less frequent basis) as a "salary basis". <sup>2</sup>	<input type="checkbox"/> Y <input type="checkbox"/> N Employee earns ≥ \$455 per week (or equal amount on a less frequent basis) as a "salary basis". <sup>2</sup>	<input type="checkbox"/> Y <input type="checkbox"/> N If paid salary (not hourly), employee earns ≥ \$455 per week (or equal amount on a less frequent basis) as a "salary basis". <sup>2</sup>	None	<input type="checkbox"/> Y <input type="checkbox"/> N Of the employee's total compensation, ≥ \$455 per week (or equal amount on a less frequent basis) is paid as a "salary basis". <sup>2</sup>
<b>Duties:</b>	<input type="checkbox"/> Y <input type="checkbox"/> N Primary duty is managing the business  <input type="checkbox"/> Y <input type="checkbox"/> N Employee regularly directs the work of 2 (or more) full-time employees (or their equivalent)  <input type="checkbox"/> Y <input type="checkbox"/> N Regularly makes employment decisions (hiring, firing, promoting, etc)	<input type="checkbox"/> Y <input type="checkbox"/> N Primary duties consist of non-manual work related to the management or general business operations of the company or company's customers  <input type="checkbox"/> Y <input type="checkbox"/> N Employee's primary duties also include exercising discretion & independent judgment on significant business matters	<p align="center"><b>(Learned OR Creative Professional)</b></p> <p><u>Learned Professional</u></p> <input type="checkbox"/> Y <input type="checkbox"/> N Primary duties require advanced knowledge on intellectually characterized work, regularly using discretion & judgment; and  <input type="checkbox"/> Y <input type="checkbox"/> N Advanced knowledge is in a field of learning or science; and  Advanced knowledge was acquired by a prolonged course of specialized intellectual instruction. (Knowledge may be demonstrated either by possessing the appropriate academic degree or by having substantially the same knowledge level through a combination of work experience and intellectual instruction.)  <p><u>Creative Professional</u></p> <input type="checkbox"/> Y <input type="checkbox"/> N Employee's primary duty must be the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor.	<input type="checkbox"/> Y <input type="checkbox"/> N Primary duties consist of :  •The application of system-analyst techniques and procedures, including consulting with users to determine hardware, software or systems functional specifications, <b>OR</b> •The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, <b>OR</b> •The design, documentation, testing, creation or modification of computer programs related to machine-operating systems, <b>OR</b> •A combination of these duties which requires the same level of skills.	<input type="checkbox"/> Y <input type="checkbox"/> N Employee's primary duty is making sales or obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer  <input type="checkbox"/> Y <input type="checkbox"/> N Employee must be customarily and regularly engaged away from the employer's place or places of business.	<input type="checkbox"/> Y <input type="checkbox"/> N The employee customarily and regularly perform at least one of the duties of an exempt executive, administrative or professional employee identified in the standard tests for exemption.

\*\*\*All above criteria must be "Y" in order for the specified white collar exemption to be applicable (except where otherwise indicated).\*\*\*

<sup>1</sup> Salary and salary basis requirements do not apply to bona fide teachers or practitioners of law, or medicine.

<sup>2</sup> Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work.

