

POSITION/EMPLOYEE FLSA STATUS WORKSHEET

Employee Name (Last, First)	_____		
Pos. No.	_____	<input type="checkbox"/> Civil Service	<input type="checkbox"/> Exempt from Civil Service
Class Code, Class Title, Pay Grade, BU	_____		
Dept/Division/Branch	_____		

EMPLOYEE IS FLSA NON-EXEMPT (COVERED) FOR THE FOLLOWING REASON(S):

<input type="checkbox"/> Paid on an hourly basis	<input type="checkbox"/> Clerical work	<input type="checkbox"/> First responder
<input type="checkbox"/> Paid less than \$455/week	<input type="checkbox"/> Blue collar work	<input type="checkbox"/> Trainee
<input type="checkbox"/> Other (explain below):	<input type="checkbox"/> Technician	<input type="checkbox"/> Does not meet exemption tests

EMPLOYEE IS FLSA EXEMPT (NOT COVERED) BASED ON THE FOLLOWING EXEMPTION:

<input type="checkbox"/> Executive	<input type="checkbox"/> Administrative	<input type="checkbox"/> Learned Professional	<input type="checkbox"/> Creative Professional	<input type="checkbox"/> Highly Compensated Wkr	<input type="checkbox"/> Computer Employee
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EMPLOYEE IS EXCLUDED FROM FLSA BASED ON THE FOLLOWING:

<input type="checkbox"/> Governor/Lt. Governor	<input type="checkbox"/> Department Director/ Deputy Director	<input type="checkbox"/> Gov/Lt. Gov Personal Staff Member	<input type="checkbox"/> Full-Time National Guard Member
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PROGRAM	DEPARTMENT PERSONNEL OFFICE
Contact Name: Job Title: Phone: E-mail: Date:	Reviewed by: Job Title: Phone: E-mail: Date:

FLSA EXEMPTION ANALYSIS

EMPLOYEE MEETS ALL THREE TESTS FOR ADMINISTRATIVE EXEMPTION AND IS PAID AT LEAST \$455 PER WEEK ON A SALARIED BASIS. Indicate employee's gross weekly pay: _____

Primary duty is the performance of office or non-manual work directly related to the management or general business operations (work directly related to the running or servicing of the business) of the employer.

Performs work in one of the following areas (check all that apply):

<input type="checkbox"/> Tax	<input type="checkbox"/> Quality control	<input type="checkbox"/> Public relations
<input type="checkbox"/> Finance	<input type="checkbox"/> Purchasing and procurement	<input type="checkbox"/> Government relations
<input type="checkbox"/> Accounting	<input type="checkbox"/> Human resources	<input type="checkbox"/> Research
<input type="checkbox"/> Auditing	<input type="checkbox"/> Labor relations	<input type="checkbox"/> Legal and regulatory compliance
<input type="checkbox"/> Budgeting	<input type="checkbox"/> Safety and health	<input type="checkbox"/> Insurance adjuster
<input type="checkbox"/> Computer network, internet and database administration	<input type="checkbox"/> Marketing/advertising	
<input type="checkbox"/> Other (explain):		

Primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

Must be responsible for at least 3 of the duties listed below (check all that apply):

<input type="checkbox"/> Authority to formulate, affect, interpret or implement management policies or operating policies
<input type="checkbox"/> Carries out major assignment in conducting business operations
<input type="checkbox"/> Performs work that affects operations to a substantial degree
<input type="checkbox"/> Authority to commit employer in matters having significant financial impact
<input type="checkbox"/> Authority to waive or deviate from established policies and procedures without prior approval
<input type="checkbox"/> Authority to negotiate and bind the State on significant matters
<input type="checkbox"/> Provides consultation or expert advice to management
<input type="checkbox"/> Plans long- or short-term business objectives
<input type="checkbox"/> Authority to investigate and resolve matters of significance on behalf of management
<input type="checkbox"/> Represents the State in handling complaints, arbitration or resolving grievances (negotiating on behalf of employer with some degree of settlement authority).

Compares and evaluates possible courses of conduct and acts or makes a decision after various possibilities have been considered and has the authority to make an independent choice, free from immediate direction or supervision. May be subject to review by higher authority and must be more than the use of skill in applying well-established techniques, procedures or specific standards described in manuals or other sources.

<input type="checkbox"/>	<p>EMPLOYEE MEETS ALL THREE TESTS FOR <u>EXECUTIVE EXEMPTION</u> AND IS PAID AT LEAST \$455 PER WEEK ON A SALARIED BASIS. Indicate employee's gross weekly pay: _____</p> <p><input type="checkbox"/> Customarily and regularly directs the work of 2 or more FTE employees. Position numbers, titles and pay grades of employees directly supervised:</p> <p><input type="checkbox"/> Primary duty is management of a department or subdivision thereof. Must actually be in charge of a recognized unit (e.g., division, branch, section) with a continuing function in the organization. Name of department/subdivision managed:</p> <p>Must perform at least 3 of the duties listed below (check all that apply):</p> <p><input type="checkbox"/> Interviews, selects and trains employees. <input type="checkbox"/> Sets and adjusts rates of pay and work hours. <input type="checkbox"/> Directs employees' work. <input type="checkbox"/> Appraises employee productivity and efficiency (evaluates performance). <input type="checkbox"/> Handles employee complaints and grievances. <input type="checkbox"/> Disciplines employees. <input type="checkbox"/> Plans and apportions the work among employees. <input type="checkbox"/> Determines the techniques to be used. <input type="checkbox"/> Determines types of materials, supplies, equipment or tools to be used. <input type="checkbox"/> Provides for the safety and security of employees or property. <input type="checkbox"/> Plans and controls the budget. <input type="checkbox"/> Monitors or implements legal compliance issues.</p> <p><input type="checkbox"/> Recommendations pertaining to changes in employee status are given "particular weight."</p>
<input type="checkbox"/>	<p>EMPLOYEE MEETS EXEMPTION AS A <u>LEARNED PROFESSIONAL</u> AND IS PAID AT LEAST \$455 PER WEEK ON A SALARIED BASIS. (Salary basis requirement does not apply to teachers and employees who practice medicine or law.) Indicate employee's gross weekly pay: _____</p> <p><input type="checkbox"/> Primary duty is the performance of work requiring advanced knowledge in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction. Indicate the field of science or learning: Describe the work that requires advanced knowledge, including consistent exercise of discretion and judgment.</p>
<input type="checkbox"/>	<p>EMPLOYEE MEETS EXEMPTION AS A <u>CREATIVE PROFESSIONAL</u> AND IS PAID AT LEAST \$455 PER WEEK ON A SALARIED BASIS. Indicate employee's gross weekly pay: _____</p> <p><input type="checkbox"/> Primary duty involves performing work requiring invention, imagination, originality or talent. Briefly describe the invention, imagination, originality or talent required in performing the job.</p>
<input type="checkbox"/>	<p>EMPLOYEE MEETS EXEMPTION AS A <u>HIGHLY COMPENSATED EMPLOYEE</u>.</p> <p><input type="checkbox"/> Total annual compensation is at least \$100,000 per year. <input type="checkbox"/> Performs one or more duties identified in the <input type="checkbox"/> Executive exemption <input type="checkbox"/> Administrative exemption <input type="checkbox"/> Professional exemption Identify the duty/duties performed in the appropriate exemption section(s) above.</p>
<input type="checkbox"/>	<p>EMPLOYEE MEETS EXEMPTION AS A <u>COMPUTER EMPLOYEE</u> AND IS PAID AT LEAST \$455 PER WEEK ON A SALARIED BASIS, OR \$27.63 PER HOUR. Indicate employee's gross weekly/hourly pay: _____</p> <p><input type="checkbox"/> Primary duty includes: <input type="checkbox"/> Application of system analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional applications. <input type="checkbox"/> Design, development, analysis, creating, testing or modifying computer system or programs, including prototypes, based on and related to user or system design specifications. <input type="checkbox"/> A combination of the duties described above, the performance of which requires the same level of skills.</p>