

Completion of this questionnaire assists in determining the exemption status for your **TEMPORARY EXEMPT EMPLOYEE**. For Classified Staff Positions, please contact your [HR Representative](#).

INSTRUCTIONS: Check the appropriate exemption (Executive, Administrative, Professional, Computer-Related, Outside Sales and Highly Compensated). Then check all boxes under the selected exemption that are applicable. To qualify for an exemption, all boxes must be checked for that exemption. To access the Department of Labor (DOL) online resources for FairPay (CFR 29, Part 541), click [here](#).

ADMINISTRATIVE

(examples: manager, supervisor, administrator)

- Salary Test:** Is paid at least \$684 weekly.
- Primary duty consists of performing office or nonmanual work directly related to the management or general business operations of the employer or the employer's customers.
- Work includes the exercise of discretion and independent judgment with respect to matters of significance.

To link to the DOL Administrative Exemption information, click [here](#).

PROFESSIONAL: LEARNED AND CREATIVE

(examples: accountant, nurse, engineer, composer, singer, graphic designer)

- Salary Test:** Is paid at least \$684 weekly.
- Note:** For employee's whose primary duty is teaching, practicing law and medicine (must be licensed and certified), medical interns and residents covered under this exemption, the salary basis and salary requirements do **NOT** apply.

Learned Professional

- Primary duty consists of the performance of work that requires advanced knowledge (beyond high school) and that is predominantly intellectual in character and consistently includes the exercise of discretion and independent judgment.
- The advanced knowledge is in a field of science or learning.
- The advanced knowledge was acquired by a prolonged course of specialized intellectual instruction (position possesses the appropriate academic degree or has substantially the same knowledge level and performs substantially the same work as degreed employees but possesses advanced knowledge only through a combination of work experience and intellectual instruction)

Creative Professional

- Primary duty consists of the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor as opposed to routine mental, manual, mechanical or physical work.
- To link to the DOL Professional Exemption information, click [here](#).

COMPUTER-RELATED

(examples: network or database analyst, developer, programmer, software engineer)

- Is paid at least \$684 weekly. That is, this exemption does **NOT** have to meet the salary basis requirement to regularly receive a predetermined amount constituting all or part of the employee's salary, which is not subject to reduction because of variations in the quality or quantity of work performed **IF** paid at least \$27.63 on an hourly basis.

Primary duty consists of:

The application of system-analyst techniques and procedures, including consulting with users to determine hardware, software or systems functional specifications, OR

The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, OR

The design, documentation, testing, creation or modification of computer programs related to machine-operating systems, OR

A combination of these duties which requires the same level of skills.

To link to the DOL Computer-Related Exemption information, click [here](#).

OUTSIDE SALES

(examples: salespersons, contract negotiators)

The salary basis and salary requirements do **NOT** apply for this exemption. That is, this exemption does **NOT** have the salary basis requirement to regularly receive a predetermined amount constituting all or part of the employee's salary, which is not subject to reduction because of variations in the quality or quantity of work performed, **AND** this exemption does **NOT** have to be paid a minimum salary.

Primary duty consists of making sales or obtaining orders for contracts for services or for the use of facilities for which consideration will be paid by the client or customer.

Customarily and regularly is engaged away from the employers place or places of business.

To link to the DOL Outside Sales Exemption information, click [here](#).

EXECUTIVE

(examples: chief executive officer, controller, vice president, director)

Regularly receives a predetermined amount constituting all or part of the employee's salary, which is not subject to reduction because of variations in the quality or quantity of work performed. To link to the DOL salary basis information, click [here](#)

Is paid at least \$684 weekly.

Primary duty consists of managing the enterprise or a customarily recognized department or subdivision of the enterprise.

Customarily and regularly directs the work of two or more full-time employees or their equivalents (for example, one full-time employee and two half-time employees).

Has the authority to hire or fire other employees **OR** makes recommendations that carry particular weight as to the hiring, firing, advancement, promotion or any other change in status of other employees.

To link to the DOL Executive Exemption information, click [here](#).

HIGHLY COMPENSATED EMPLOYEES

(PERFORMING EXECUTIVE, PROFESSIONAL OR ADMINISTRATIVE DUTIES)

Is paid an annual total compensation of \$107,432 effective January 1, 2020, which includes at least \$684 per week on a salary basis. The required total annual compensation of \$107,342.

- Primary duty consists of performing office, nonmanual work. Note: No matter how highly paid, manual workers or other blue-collar workers, including nonmanagement construction workers, who perform work involving repetitive operations with their hands, physical skill and energy are not eligible for this exemption.
- Customarily and regularly performs at least one of the exempt duties or responsibilities of the Executive, Professional or Administrative Exemption.

To link to the DOL Highly Compensated Exemption information, click [here](#).