



Position Exemption Status Evaluation

Position Title:

Date of Evaluation:

Current Exemption Status: Exempt Non-Exempt

Below are the six (6) most common potential employment categories that may be considered “exempt” under federal and state guidelines. To determine whether the position you are evaluating meets the criteria for one or more of these categories, and therefore may be legally considered exempt and excused for overtime pay, complete the checklists below. In general, a response of “yes” to every statement for a category supports a determination of exempt status for that category; a response of “no” to one or more statements supports a determination of nonexempt status. A position may qualify under more than one exemption status. We encourage you discuss your results with an HR Partner before taking action.

Executive Exemption

- The employee is compensated on a salary basis at a rate not less than \$51,480 (2022) annually, exclusive of board, lodging, or other facilities.
- The employee's primary duty is managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise.
- The employee customarily and regularly (at least weekly) directs the work of at least two or more other full-time employees or their equivalent.
- The employee has the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees are given particular weight.

Executive Status Exemption Test met? Yes No

Administrative Exemption

- The employee is compensated on a salary basis at a rate not less than \$51,480 (2022) annually, exclusive of board, lodging, or other facilities.
- The employee's primary duty is the performance of office or non-manual work (work that does not involve repetitive operations with their hands, physical skill, and energy) directly related to the management or general business operations of the employer or the employer's customers (generally this is work directly related to assisting with the running or servicing of the business (non-production or retail)).
- The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance. Generally this involves the comparison and evaluation of possible courses of conduct and acting or making a decision after the various possibilities have been considered, and having the authority to make this decision independent from immediate direction or supervision. Decisions must be considered significant beyond the potential that they could cause significant financial loss to the employer.

Administrative Status Exemption Test met? Yes No

Outside Sales Exemption

- The employee is compensated on a salary basis at a rate not less than \$23,660 annually, exclusive of board, lodging, or other facilities.
- The employee customarily and regularly is engaged **away from** the employer's place or places of business.

Outside Sales Status Exemption Test met? Yes No



Position Exemption Status Evaluation

Computer Employee Exemption

1. The employee is compensated on a salary basis at a rate not less than \$23,660 annually, exclusive of board, lodging, or other facilities.
2. The employee is a computer systems analyst, computer programmer, software engineer, or other similarly skilled worker in the computer field.
3. The employee's primary duty consists of one or more of the following:
 - The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
 - The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
 - The design, documentation, testing, creation or modification of computer programs related to machine operating systems

Computer Employee Status Exemption Test met? Yes No

Creative Professional Exemption

1. The employee is compensated on a salary basis at a rate not less than \$23,660 annually, exclusive of board, lodging, or other facilities.
2. The employee's primary duty is the performance of work requiring invention, imagination, originality, or talent in a recognized field of artistic or creative endeavor (typically actors, musicians, etc.).

Creative Professional Status Exemption Test met? Yes No

Learned Professional Exemption

1. The employee is compensated on a salary basis at a rate not less than \$35,568 (as of 2020) annually, exclusive of board, lodging, or other facilities.
2. The employee's primary duty is the performance of work requiring advanced knowledge. This is work which is predominantly intellectual in character, and which includes work requiring the consistent exercise of discretion and judgment.
3. The advanced knowledge is in a field of science or learning (requires a specialized degree).
4. The advanced knowledge is customarily acquired by a prolonged course of specialized intellectual instruction (usually refers to a degree, or extensive training/practice).

Learned Professional Status Exemption Test met? Yes No

New Position Exemption Status: Exempt (Position meets criteria for one or more categories above) Non-Exempt

Completed By: _____

Signature: _____