Exempt Worksheet

Instructions:

Complete this after reviewing the employee's current job description and consulting with the employee's supervisor.

Employees can be classified as exempt under one or more of the following exemption categories: professional; administrative; executive; outside sales; and computer-related professional.

To qualify under any one of these exemptions, all numbered items must be answered in the affirmative for the respective exemption test—that is, professional; administrative; executive; outside sales; or computer-related professional.

Note that only salaried employees are eligible for executive, administrative, and professional exemptions. All EMPLOYER positions generally meet the salary threshold requirement of $455 per week. Computer professionals must earn an hourly rate of at least $27.63 an hour to be eligible for an FLSA exemption. Outside salespersons need not be paid any salary if their compensation is based solely on commission.
### Professional Exemption Test

1. Work requiring an advanced knowledge normally acquired through a prolonged course of study; OR
2. Original or creative work of an artistic type?

### Administrative Exemption Test

1. Do the employee's primary duties consist of office or nonmanual work directly related to management policies or general business operations?
2. Does the employee customarily and regularly exercise discretion and independent judgment on matters of significance?

### Executive Exemption Test

1. Is the employee's primary duty the management of a customarily recognized department or subdivision?
2. Is the employee's primary duty the customary and regular direction of two or more full-time employees?
3. Does the employee:
   a. Have the authority to hire or fire other employees; OR
   b. Make recommendations as part of his or her job regarding: hiring or firing; employee advancement and promotion; or similar human resource changes?
4. Does the employee customarily and regularly exercise discretionary power? (Discretion involves the comparison and evaluation of possible courses of conduct in acting and making decisions after various possibilities have been considered.)

### Outside Salesperson Test

Do the employee's primary duties consist of making sales or obtaining orders away from the employer's premises?

### Computer-Related Professions Test

1. Does the employee work in the software development field rather than in the computer hardware operations, manufacture, repair, or maintenance fields?
2. Does the employee work independently and generally without close supervision?
3. Are the employee's primary duties:
   a. Application of systems analysis techniques and procedures—including consulting with users—to determine hardware, software, or system functional specifications;
   b. 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;
   c. Design, documentation, testing, creation, or modification of computer programs related to machine operating systems; OR
   d. A combination of the above duties?

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Employee Name: __________________________
Job Title: __________________________
Department: __________________________
Employee's Supervisor: __________________________

Based on the above analysis, the position is classified as (check one):

- ___ Exempt
- ___ Nonexempt

Reviewer's Signature: __________________________
Date: __________________________

Supervisor's Signature: __________________________
Date: __________________________