



Overtime Exemption Worksheet

Employee name: _____

Job title: _____

Department: _____

Employee's supervisor: _____

Date: _____

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 positions must 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

Is the employee's primary duty:

- | | | |
|---|-----|----|
| 1. Work requiring an advanced knowledge normally acquired through a prolonged course of study; OR | Yes | No |
| 2. Original or creative work of an artistic type? | Yes | No |

Administrative Exemption Test

- | | | |
|--|-----|----|
| 1. Do the employee's primary duties consist of office or non-manual work directly related to management policies or general business operations? | Yes | No |
| 2. Does the employee customarily and regularly exercise discretion and independent judgment on matters of significance? | Yes | No |

Executive Exemption Test

- | | | |
|---|-----|----|
| 1. Is the employee's primary duty the management of a customarily recognized department or subdivision? | Yes | No |
|---|-----|----|



2. Is the employee's primary duty the customary and regular direction of two or more full-time employees? Yes No
3. Does the employee:
- a. Have the authority to hire or fire other employees; OR Yes No
- b. Make recommendations as part of his or her job regarding: hiring or firing; employee advancement and promotion; or similar human resource changes? Yes No
4. Does the employee customarily and regularly exercise discretionary power? Yes No
(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? Yes No

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? Yes No
2. Does the employee work independently and generally without close supervision? Yes No
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; Yes No
- 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; Yes No
- c. Design, documentation, testing, creation, or modification of computer programs related to machine operating systems; OR Yes No
- d. A combination of the above duties? Yes No

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

- Exempt
 Nonexempt

Reviewer's signature: _____ Date: _____

Supervisor's signature: _____ Date: _____