

Exempt Analysis Worksheet - Administrative Exemption

This worksheet is to be used only as a guideline to determine exempt or nonexempt status. The completion of this worksheet does not imply or guarantee that the analysis of the position as exempt will be recognized as accurate by the Division of Labor Standards Enforcement.

Position

Current Employee

Department

Supervisor and Title

Date of Evaluation

Evaluator

Many types of employees might qualify under the administrative exemption. An exempt administrator's job duties and salary must meet all of the following five tests:

1. Duties and responsibilities involve either:
 - (a) The performance of office or non-manual work directly related to management policies or general business operations of the employer or the employer's customers, or
 - (b) The performance of functions in the administration of a school system, or educational establishment or institution, or of one of its departments or subdivisions; in work directly related to its academic instruction or training.

Describe office or non-manual work directly related to management policies or general business operations of the employer or the employer's customers. Examples include advising management, planning, negotiating and representing the company. Work should be of substantial importance to the management or operations of the business.

Or, describe functions in the administration of a school system, or educational establishment or institution, or of one of its departments or subdivisions; in work directly related to its academic instruction or training:

and

2. Customarily and regularly exercises discretion and independent judgment.

Describe the ways in which the employee customarily and regularly uses discretion and independent judgment.

and

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3. Must be one who:
- (a) regularly and directly assists a proprietor, or an employee employed in a bona fide executive or administrative capacity;
 - (b) performs under only general supervision work along specialized or technical lines requiring special training, experience, or knowledge; or
 - (c) executes under only general supervision special assignments and tasks.

Describe the tasks assigned to the employee that meet one or more of the above tests:

and

4. Is "primarily engaged" in duties that meet the above tests. "Primarily engaged in" means that more than one-half of the employee's work time must be spent engaged in exempt work, or work that is directly and closely related to exempt work and work which is properly viewed as a means for carrying out exempt functions.

List the employee's duties and the percentage of time required for each:

<u>Exempt duties (or directly/closely related)</u>	<u>% of time</u>	<u>Nonexempt duties</u>	<u>% of time</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
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_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

and

5. Earns a monthly salary equivalent to no less than two times the state minimum wage¹ for full-time employment.
- Based on the state minimum wage of \$16 per hour, an exempt employee must be paid no less than \$5,546.67 per month (\$16 x 2080 hours = \$33,280 times two = \$66,560/year, divided by 12 = \$5,546.67/month).

Monthly Salary: \$ _____

¹Effective April 1, 2024, the statewide minimum wage for workers working in a limited-service restaurant that is part of a national brand of more than 60 establishments ("fast food worker") will be \$20 per hour. If you have any exempt fast food workers working in restaurants, you must pay a monthly salary equivalent to no less than two times the fast food worker minimum wage.

Effective June 1, 2024, the statewide minimum wage for workers in most health care facilities ("health care workers") will exceed the standard statewide minimum wage. The minimum wage rate for health care workers will depend upon the facility the worker works at. Under these new rates, exempt employees must earn a monthly salary equivalent to either two times the standard statewide minimum wage or 1.5 times the health care worker minimum wage rate, whichever is greater.