Exempt Analysis Worksheet
Administrative Exemption

This worksheet is to be used only as a guideline to determine exempt or non exempt status. Complete this using an up-to-date, current job description that includes clearly defined job duties and responsibilities. If you are unsure of the designation, the decision must be for non exempt status.

<table>
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<th>Employee Name</th>
<th>Position</th>
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<tr>
<th>Department</th>
<th>Supervisor’s Name</th>
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Evaluator Date of Evaluation

The administrative exemption applies primarily to employees who do not supervise others, but who help set policy not carry it out. The key phrase is that the position performs work related to the management of the business or business operations. Administrative positions perform work under only general supervision, along specialized or technical lines or special assignments. An exempt administrator’s job duties and salary must meet ALL of the following tests:

**Salary Test**

Yes___ No___ The employee must be paid on a salary basis and earn a salary of at least $455 per week/$23,660 annually.

In CA the salary requirement is $640 per week / $33,280 annually.
  As of 7/1/14 new rate will be $720 per week / $37,440 annually.
  As of 1/1/16 new rate will be $800 per week / $41,600 annually.

In CT the salary requirement is $475 per week / $24,700 annually.

In NY the salary requirement $543.75 per week/$28,275 annually.

May NOT prorate for part-time employees – In any state.
Job Duties Test

To meet this requirement, an employee must perform work directly related to assisting with the running or servicing of the business (in the context of public employment, running or servicing the organization as distinguished from carrying out its mission).

1. Employee’s primary duty must consist of the performance of office or non manual work directly related to management policies or general business operation of the employer or the employer’s customers.

   OR

2. Employee must perform 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 as noted above in #1

_________________________________________________________________________________
_________________________________________________________________________________
_________________________________________________________________________________

OR

Describe functions in the administration of a school system, or educational establishment or institution, or of one of its departments or subdivisions as noted above in #2.

_________________________________________________________________________________
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Yes___ No___ Employee’s primary duty requires the exercise of discretion and independent judgment with respect to matters of significance. (This does not imply that the employee has unlimited authority and complete absence of review. It means the employee has the authority to make independent choices, free from immediate direction and supervision. Their decisions can be reviewed at a higher level. Additionally, the employee must exercise “some discretion.” But not necessarily in connection with each task the employee performs).
Describe the ways in which the employee customarily and regularly uses discretion and independent judgment.

____________________________________________________________________________________

____________________________________________________________________________________

Employee must be one who:
1. Regularly and directly assists a proprietor, or an employee employed in a bona fide executive or administrative capacity; or
2. Performs under only general supervision, work along specialized or technical lines requiring special training, experience, or knowledge; or
3. Executes under only general supervision, special assignments and tasks.

Describe the tasks assigned to the employee which meet one or more of the above tests.

____________________________________________________________________________________

____________________________________________________________________________________

The Employee is “primarily engaged” in duties which meet the above test. “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.

<table>
<thead>
<tr>
<th>Exempt Duties</th>
<th>% of time</th>
<th>Nonexempt duties</th>
<th>% of time</th>
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Although a position specific analysis is required, it is generally likely that employees, who meet at least two or three of the factors listed, are exercising discretion and independent judgment.

- The employee has the authority to formulate, affect, interpret, or implement management policies or operating practices.
- The employee carries out major assignments in conducting the operations of the business.
- The employee performs work that affects business operations to a substantial degree, even if the employee’s assignments are related to operation of a particular segment of the business.
- The employee has the authority to waive or deviate from established policies and procedures without prior approval.
- The employee has authority to negotiate and bind the employer on significant matters.
- The employee has the authority to commit the employer in matters that have significant financial impact.
- The employee provides consultation or expert advice to management.
- The employee is involved in planning long-or-short term business objectives.
- The employee investigates and resolves matters of significance on behalf of management.
- The employee represents the organization in handling complaints, arbitrating disputes or resolving grievances.