

Learned Professional Employee

Is the employee's primary duty to perform work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction? _____

2. Is the advanced knowledge obtained by completing an academic course of study resulting in a four-year college degree or leading to certification? _____

3. Is the employee paid the equivalent of at least \$455 per week on a salary basis? _____

4. The employee may qualify under the Highly Compensated Test requiring a minimum annual salary of \$23,660 with at least \$455 in every week.

Exceptions to the Rules:

Those who've completed the educational requirements for a law or medical degree need not meet the minimum salary requirement. Also, teachers need not be certified or meet the minimum salary requirement to qualify as learned professionals.

Creative Professional Employee

1. Is the employee's primary duty to perform work requiring invention, originality or talent in a recognized field of artistic endeavor such as music, writing, acting, and the graphic arts? _____

2. Does the work require an **actual talent** more than intelligence, diligence and accuracy? _____

3. Is the employee paid the equivalent of at least ~~\$200~~ per week on a salary or fee basis? _____

4. The employee may qualify under the Highly Compensated Test requiring a minimum annual salary of ~~\$20,000~~ with at least ~~\$200~~ in every week.

Computer Professional

~~3~~ Is the employee paid at least ~~\$200~~ per week on a salary or fee basis or, if paid hourly, at a rate of not less than \$27.63 per hour? _____

~~3~~ Is the employee's primary duty:

- Application of system analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications; or
- 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; or
- Design, testing, documentation, creation or modification of computer programs related to machine operating systems; or
- A combination of the aforementioned duties requiring the same level of skills?

If you answered "No" to #1 or were unable to answer "Yes" to any parts under #2, you may have misclassified the worker as an exempt computer professional.

4. The employee may qualify under the Highly Compensated Test requiring a minimum annual salary of ~~\$20,000~~ with at least ~~\$200~~ in every week.

Outside Sales Employee

1. Is the worker's primary duty making outside sales? _____
2. Does he regularly work away from the company's place of business? _____
3. Does the worker sell tangible or intangible items, such as goods, insurance, stocks, bonds or real estate, or obtain orders or contracts for services or the use of facilities? _____
4. Does the worker have the ability to 'call the shot, slash the price, and make the deal'? _____

Based on the criteria above and detailed guidance provided by the Department of Labor my determination is:

_____ holds the position of _____ that qualifies for classification as an Overtime Exempt status employee under the _____ level exemption.

The status of this position, job description and the duties performed will be evaluated on at least an annual basis.

Signed by

Date