



## Fair Labor Standards Act (FLSA) Exemption Checklist

### EXECUTIVE EXEMPTION

Exempt executive employees generally are responsible for the success or failure of business operations under their management. Other critical elements are (1) whether management is the employee's primary duty (principal, main, major, most important), (2) whether the employee directs the work of two or more full-time equivalent employees, and (3) whether the employee has the authority to hire/fire other employees or, alternatively, whether the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion, or other change of status of other employees are given particular weight. Joint or shared supervision with another exempt employee is insufficient. Additionally, supervision in the regular manager's absence is insufficient.

### POSITION INFORMATION

Position Title:	
Position Number:	
Division and Department:	
Incumbent:	
Immediate Supervisor:	
Preparer/Business Officer:	

**Directions:** Click on each box that applies to this position to mark it with an "x". Only select the boxes that are applicable to this position. Give **specific** and **detailed** answers where an explanation or description is requested. Upload the completed form under the Supplemental Documents tab to attach it to the position action request in NinerTalent.

### CHECKLIST

Is the employee compensated on a salary basis at a rate not less than \$684 per week?	YES <input type="checkbox"/> If Yes, please provide specifics below.	NO <input type="checkbox"/> If not, stop. The employee is not exempt.
Does the employee's primary duty consist of managing the enterprise or a customarily recognized department or division thereof? If yes, please describe.	YES <input type="checkbox"/> If Yes, please provide specifics below.	NO <input type="checkbox"/> If not, stop. The employee is not exempt.
<u>Please describe the employee's primary duty.</u>		
Does the employee regularly and customarily supervise two or more full time employees (or the equivalent) who are employed in the department or subdivision that the employee manages?	YES <input type="checkbox"/> If Yes, please provide specifics below.	NO <input type="checkbox"/> If not, stop. The employee is not exempt.
Does the employee interview, select, and train employees? Coach employees in proper job performance techniques and procedures?	YES <input type="checkbox"/>	NO <input type="checkbox"/>

Does the employee direct the work of employees and set/adjust their rates of pay and hours of work?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Does the employee maintain records on employee productivity for use in supervision or control?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Does the employee appraise employee productivity and efficiency to recommend promotions or other changes in status?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Does the employee handle employee complaints and grievances and discipline employees when necessary?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Does the employee plan other employees' work and determine the techniques used in their work?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Does the employee apportion work among different employees?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Does the employee determine the types of materials, supplies, or tools to be used by other employees? Control the flow and distribution of materials and supplies?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Does the employee provide for the safety of employees and the property of the employer?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Does the employee control the budget?	YES <input type="checkbox"/> If Yes, please provide specifics below.	NO <input type="checkbox"/>
<u>If yes, give specific details (size, scope, authority)</u>		
Does the employee monitor or implement legal compliance measures?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Does the employee have shared supervision responsibilities with another supervisor?	YES <input type="checkbox"/> If Yes, please provide specifics below.	NO <input type="checkbox"/>
<u>If yes, provide details (number, departments, authority level).</u>		
Does the employee have the authority to hire or fire other employees?	YES <input type="checkbox"/>	NO <input type="checkbox"/> If No, please provide specifics below.
If not, is it part of the employee's job to make recommendations on hiring, firing, advancement, promotion, or other changes of status?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
What percentage of working time does the employee spend providing the leadership duties and responsibilities described above?		
List the employees whose work is customarily and regularly directed by the employee. Provide the first and last name, position title, hours worked per week, and employment status (permanent, temporary, or student) for each employee listed.		

<b>CERTIFICATION</b>	
<input type="checkbox"/>	By checking this box, I certify that all information provided on this form is to the best of my knowledge is true, accurate, and complete. I understand that this information will be used to determine overtime eligibility or ineligibility for any incumbent assigned to this position
<input type="checkbox"/>	By checking this box, I certify that I uploaded this completed form under the Supplemental Documents tab to attach it to the position action request in the NinerTalent system for HR review and approval.