

## Definitions and Examples

### **Primary Duty**

The principal, main, major or most important duty that the employee performs. The employee must perform work directly related to assisting with the running or servicing of the business AND typically represents at least 50% of the job function.

Factors to consider include:

- The relative importance of the major or most important duty as compared with other types of duties;
- The amount of time spent performing the major or most important duty;
- The employee's freedom to exercise discretion independent from direct supervision; and
- The relationship between the employee's salary and wages paid to other employees for the same kind of exempt work.

### **Computer Employee**

The Computer Employee exemption generally applies to systems analysts, computer programmers, software engineers, and those with similar skills. Employees should be highly skilled in theoretical and practical application of highly specialized knowledge with computer systems.

The Computer Employee exemption does **not** apply to employees engaged in the manufacture or repair of computer hardware or related equipment. Employees whose work is highly dependent upon, or facilitated by, the use of computer and computer software programs, but who do not work in computer systems analysis and programming occupations are not considered exempt computer professionals.

Computer Employees, whether they meet these exemption requirements or not, may be exempt based on the Executive or Administrative exemption tests.

Date: \_\_\_\_\_ Department: \_\_\_\_\_

Position Number: \_\_\_\_\_ Job Title: \_\_\_\_\_

### **Instructions**

After reviewing the position description, complete this form answering each question with a “yes” or “no” based upon the job functions listed in the position description.

### **Salary Test**

The employee must be compensated on a salary basis at a rate of at least \$913.00 per week, or \$27.63 per hour, in order to be exempted from the FLSA provisions including overtime pay requirements. Pay rates cannot be prorated for employees that work less than 40 hours per week.

Is the employee compensated on a salary basis at a rate not less than the \$913.00 per week or 27.63 per hour?

Yes  No

*\*If the answer is “no,” the employee is non-exempt. He or she must be paid an hourly wage and report hours as they are worked through the department's chosen time keeping method.*

### **Computer Employee Duties Test**

This test should be used for computer employees.

Does the employee's **primary duty** meet any of the following?

1. The application of system analysis techniques and procedures, including consulting with users, to determine hardware, software, or system function specifications?

Yes  No

2. The design, development, documentation, analysis, creation, testing, or modification of computer systems or programs, including prototypes, based on the related to users or system design specifications?

Yes  No

3. The design, documentation, testing, creating, or modification of computer programs related to machine operating systems?

Yes  No

4. A combination of the aforementioned duties, the performance of which requires the same level of skills?

Yes  No

*\*If the answer to the above question is “no,” the employee is non-exempt. He or she must be paid an hourly wage and report hours as they are worked through the department's chosen time keeping method.*

Form Completed By: \_\_\_\_\_  
(Name and R#)

Verification Approved By: \_\_\_\_\_  
(Department Leader and R#)