

## Fair Labor Standards Act (FLSA) Exemption Checklist

Use this checklist to determine if the letter of appointment will perform administrative exempt level work.

Administrative job duties are (1) office or nonmanual work, which is (2) directly related to the management or general business operations of the employer or employer's customers, and (3) a primary component of which involves the exercise of independent judgment and discretion about (4) matters of significance. Independent judgment and discretion involve the comparison and evaluation of possible courses of conduct and having the authority to make an independent choice, free from immediate direction, with respect to matters of significance. Decision making is independent of use of manuals, guidelines, or software packages to make determinations.

<input type="checkbox"/>	Is the employee compensated on a salary basis at a rate not less than \$684 per week?	<b>If no, stop. The employee is not exempt.</b>
<input type="checkbox"/>	Is the employee's primary duty directly related to the management or general business operations of the university or its customers? If yes, please select all applicable administrative operation(s).	<b>If no, stop. The employee is not exempt.</b>
<input type="checkbox"/>	<p>Does the employee's primary duty require the exercise of discretion and independent judgment with respect to matters of significance? If yes, does the employee:</p> <p>Have the authority to formulate, affect, interpret or implement management policies or operating practices?</p> <p><input type="checkbox"/> Carry out assignments in conducting the operations of the university?</p> <p><input type="checkbox"/> Perform work that affects the business operations to a substantial degree?</p> <p><input type="checkbox"/> Have the authority to commit the university in matters that have significant financial impact?</p> <p><input type="checkbox"/> Have authority to waive or deviate from established policies and procedures without prior approval?</p> <p><input type="checkbox"/> Provide consultation or expert advice to management?</p> <p><input type="checkbox"/> Have authority to negotiate or bind the university on significant matters?</p> <p><input type="checkbox"/> Be involved in planning long or short-term business objectives?</p>	<b>If no, stop. The employee is not exempt.</b>

	<p><input type="checkbox"/> Develop guidebooks, manuals, or other policies and procedures for the employer or the employer's customers?</p> <p><input type="checkbox"/> Investigate and resolve matters of significant on behalf of management?</p> <p><input type="checkbox"/> Represent the university in handling complaints, arbitrating disputes, or resolving grievances?</p>	
<input type="checkbox"/>	Does the employee's primary duty consist of the performance of office or non-manual work, directly related to academic instruction or training in an educational institution?	<b>If no, stop. The employee is not exempt.</b>