



*The Professional Association for
Compensation, Benefits and Total Rewards*

Executive Employees

	Old Long Test	Old Short Test	FairPay Final Test
Salary	\$155 per week	\$250 per week	\$455 per week
Duties	<p>Primary duty of the management of the enterprise or a recognized department or subdivision</p> <p>Customarily and regularly directs the work of two or more other employees</p> <p>Has authority to hire or fire other employees (or recommendations as to hiring, firing, promotion or other change of status of other employees are given particular weight)</p> <p>Customarily and regularly exercises discretionary powers</p> <p>Does not devote more than 20% (40% in retail or service establishments) of time to activities that are not directly and closely related to exempt work</p>	<p>Primary duty of the management of the enterprise or a recognized department or subdivision</p> <p>Customarily and regularly directs the work of two or more other employees</p>	<p>Primary duty of managing the enterprise or a recognized department or subdivision</p> <p>Customarily and regularly directs the work of two or more other full-time employees (or their equivalent)</p> <p>Has the authority to hire or fire other employees (or recommend as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight)</p>



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Administrative Employees

	Old Long Test	Old Short Test	FairPay Final Test
Salary	\$155 per week	\$250 per week	\$455 per week
Duties	<p>Primary duty of performing office or non-manual work directly related to management policies or general business operations of the employer or the employer's customers</p> <p>Customarily and regularly exercises discretion and independent judgment</p> <p>Regularly and directly assists a proprietor, or exempt executive or administrative employee; or performs specialized or technical work requiring special knowledge under only general supervision; or executes special assignments under only general supervision</p> <p>Does not devote more than 20% (40% in retail or service establishments) of time to activities that are not directly and closely related to exempt work</p>	<p>Primary duty of performing office or non-manual work directly related to management policies or general business operations of the employer or the employer's customers</p> <p>Customarily and regularly exercises discretion and independent judgment</p>	<p>Primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers</p> <p>Exercises discretion and independent judgment with respect to matters of significance</p>



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Learned Professional Employees

	Old Long Test	Old Short Test	FairPay Final Test
Salary	\$170 per week	\$250 per week	\$455 per week
Duties	<p>Primary duty of performing work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study</p> <p>Consistently exercises discretion and judgment</p> <p>Performs work that is predominantly intellectual and varied in character and is of such character that the output produced or result accomplished cannot be standardized in relation to a given period of time</p> <p>Does not devote more than 20% of time to activities that are not an essential part of and necessarily incident to exempt work</p>	<p>Primary duty of performing work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study</p> <p>Consistently exercises discretion and judgment</p>	<p>Primary duty of the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment</p> <p>Advanced knowledge must be in a field of science or learning</p> <p>Advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction</p>



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Creative Professional Employees

	Old Long Test	Old Short Test	FairPay Final Test
Salary	\$170 per week	\$250 per week	\$455 per week
Duties	<p>Primary duty of performing work that is original and creative in a recognized field of artistic endeavor, and the result of which depends primarily on the invention, imagination, or talent of the employee</p> <p>Consistently exercises discretion and judgment</p> <p>Performs work that is predominantly intellectual and varied in character and is of such character that the output produced or result accomplished cannot be standardized in relation to a given period of time</p> <p>Does not devote more than 20% of time to activities that are not directly and closely related to exempt work</p>	<p>Performs work requiring invention, imagination, or talent in a recognized field of artistic endeavor</p>	<p>Primary duty of the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic endeavor</p>



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Computer Employees

	Old Long Test	Old Short Test	Section 13(a)(17) Test	FairPay Final Test
Salary	\$170 per week	\$250 per week	\$27.63 an hour	\$455 per week or \$27.63 an hour
Duties	<p>Primary duty of performing work requiring theoretical and practical application of highly-specialized knowledge in computer systems analysis, programming, and software engineering</p> <p>Employed as a computer systems analyst, computer programmer, software engineer, or other skilled worker in the computer field</p> <p>Consistently exercises discretion and judgment</p> <p>Performs work that is predominantly intellectual and varied in character and is of such character that the output produced or result accomplished cannot be standardized in relation to a given period of time</p> <p>Does not devote more than 20% of time to activities that are not an essential part of and necessarily incident to exempt work</p>	<p>Primary duty of performing work requiring theoretical and practical application of highly-specialized knowledge in computer systems analysis, programming, and software engineering</p> <p>Employed as a computer systems analyst, computer programmer, software engineer, or other skilled worker in the computer field</p> <p>Consistently exercises discretion and judgment</p>	<p>Primary duty of [A] application of systems analysis techniques and procedures, including consulting with users to determine hardware, software, or system functional applications; or [B] 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 [C] design, documentation, testing, creation or modification of computer programs related to machine operating systems or [D] a combination of duties described in [A], [B] and [C], the performance of which requires the same level of skills</p> <p>Employed as a computer systems analyst, computer programmer, software engineer, or other similarly skilled worker in the computer field</p>	<p>Employed as a computer systems analyst, computer programmer, software engineer, or other similarly skilled worker in the computer field performing the following duties:</p> <p>[A] application of systems analysis techniques and procedures, including consulting with users to determine hardware, software, or system functional applications; or [B] 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 [C] design, documentation, testing, creation or modification of computer programs related to machine operating systems or [D] a combination of duties described in [A], [B] and [C], the performance of which requires the same level of skills</p>



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Outside Sales Employees

	Old Long Test	Old Short Test	FairPay Final Test
Salary	None Required	None Required	None Required
Duties	<p>Employed for the purpose of and regularly engaged away from the employer's place of business in making sales; or in obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer</p> <p>Does not devote more than 20% of the hours worked by nonexempt employees of the employer to activities that are not incidental to and in conjunction with the employee's own outside sales or solicitations</p>	No separate "short test"	<p>Primary duty of making sales (any sale, exchange, contract to sell, consignment for sales, shipment for sale or other disposition. It includes the transfer of title to tangible property, and in certain cases, of tangible and valuable evidences of intangible property), or obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer</p> <p>The employee must be customarily and regularly engaged away from the employer's place or places of business</p>

Note: The information above has been extracted from the FairPay regulations found on <http://www.dol.gov>