



EXEMPT/NON-EXEMPT EMPLOYEE STATUS

I. PURPOSE

To define exempt and non-exempt employee status and to provide guidelines for determining this status according to law.

II. SCOPE

This policy applies to all City employees.

III. POLICY

It is the intention of the City to classify all positions as either exempt or non-exempt in compliance with law and for payroll administration purposes.

IV. DEFINITIONS

Definitions of exempt and non-exempt status are based on provisions of the Fair Labor Standards Act (FLSA) and state law. These definitions are summarized as follows:

A. Exempt

Exempt employees primarily include those individuals occupying bona fide executive, administrative, and professional positions under the FLSA.

B. Non-exempt

Non-exempt employees include hourly employees (where pay is directly related to the number of hours worked) and some non-exempt salaried workers (clerical, supervisory, and paraprofessional job categories). See [Overtime: Non-exempt employees # 220](#).



V. PROCEDURE

- A. In cases where the exempt/non-exempt status of an employee is in doubt, the Human Resources Department will review position duties and responsibilities against FLSA exemption tests.
- B. The Human Resources Department will make the final decision in all cases.