

OKLAHOMA POLICY GUIDELINES

# FLSA

THE UNITED STATES FAIR LABOR STANDARDS ACT

Revised 2016



# STATE OF OKLAHOMA

## Office of Management and Enterprise Services

### FLSA Policy Guidelines

#### TABLE OF CONTENTS

<b>I. POLICY STATEMENT .....</b>	<b>5</b>
<b>II. OVERVIEW OF THE FAIR LABOR STANDARDS ACT (FLSA).....</b>	<b>6</b>
<b>III. FAIR LABOR STANDARDS ACT JOB CATEGORIES.....</b>	<b>7</b>
A. EXEMPTIONS .....	8
1. <i>Executive Employees</i> .....	10
2. <i>Administrative Employees</i> .....	12
3. <i>Professional Employees</i> .....	14
4. <i>Computer Employees</i> .....	17
5. <i>Miscellaneous</i> .....	18
B. SALARY TEST .....	19
1. <i>Salary Basis Requirement</i> .....	19
2. <i>Permissible Employer Deductions in Salary</i> .....	19
3. <i>Exemption for Employees of Public Agencies</i> .....	19
4. <i>Effect of Improper Deductions from Salary</i> .....	20
<b>IV. RECORDKEEPING.....</b>	<b>21</b>
A. THE RECORDKEEPING REQUIREMENTS .....	21
B. TIMEKEEPING .....	21
1. <i>Meals</i> .....	21
2. <i>Rest or Break Periods</i> .....	22
3. <i>Training</i> .....	22
4. <i>Travel</i> .....	22
5. <i>Sleep Time</i> .....	25
6. <i>Waiting Time</i> .....	26
7. <i>Vacation, Sick Leave and Holidays</i> .....	26
<b>V. ESTABLISHMENT OF THE WORKWEEK .....</b>	<b>27</b>
A. REGULAR WORKWEEK .....	27
B. HOSPITALS .....	27
C. LAW ENFORCEMENT ACTIVITIES.....	27
D. FIRE PROTECTION EMPLOYEES .....	28
<b>VI. OVERTIME PAYMENT CALCULATION .....</b>	<b>30</b>
A. HOURS WORKED .....	30
B. UNAUTHORIZED WORK.....	30
C. REQUIREMENTS—REGULAR RATE .....	30
D. ON-CALL .....	30



E. CALL-BACK PAY .....	31
F. SPECIAL PAY PROVISIONS.....	31
G. TIME OF PAYMENT .....	31
H. COMPENSATORY TIME.....	32
I. WORKWEEK ADJUSTMENT.....	33
<b>VII. OVERTIME COMPENSATION OF EXEMPT EMPLOYEES .....</b>	<b>34</b>
<b>VIII. MISCELLANEOUS.....</b>	<b>35</b>
A. BONA FIDE VOLUNTEERS.....	35
B. MULTIPLE JOB SITUATIONS .....	35
C. SUBSTITUTION.....	35
D. LEGISLATIVE EMPLOYEE EXCLUSION.....	35
E. ELECTED OFFICIAL EXCLUSION .....	35
F. INCLUSION OF NON-DISCRETIONARY BONUSES AND INCENTIVE PAYMENTS .....	36
<b>IX. FREQUENTLY ASKED QUESTIONS AND ANSWERS ABOUT THE 2016 REVISIONS.....</b>	<b>37</b>

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## INTRODUCTION

On Feb. 19, 1985, the Supreme Court of the United States, in the decision on *Garcia V. San Antonio Metropolitan Transit Authority*, placed the State of Oklahoma in a position of liability with regard to the wage and hour provisions of the Fair Labor Standards Act of 1938 as amended. Previous to the February 1985 opinion, the employees of the state were exempted from the provisions of the federal law related to minimum wages, maximum hours and overtime. Further, the state was generally exempted from the record-keeping aspects of the federal law and the regulations issued pursuant to the law. As a result of the *Garcia* decision, the State of Oklahoma falls under the provisions of the act. Our primary consideration is to ensure compliance with the federal law and the Fair Labor Standards Act.

On Nov. 13, 1985, President Reagan signed into law a bill which was designed to lessen the impact of the Fair Labor Standards Act (FLSA) on states and local governments. Under this law (P.L.99-150), the Fair Labor Standards Act was amended to allow the use of compensatory time, clarify the use of volunteers, and delay coverage of the act for traditional functions of states and local governments.

In 2002, in response to widespread criticism that the rules pertaining to exemptions were “seriously outdated,” the secretary of labor reaffirmed the DOL’s commitment to changing the rules; and on March 31, 2003, the department published proposed new regulations covering “white collar” or “exempt” employees. A 90-day comment period was provided, during which the department received 75,280 comments from a wide variety of employees, employers, trade and professional associations, small business owners, labor unions, government entities, law firms and others. In addition, the department's proposal prompted vigorous public policy debate in Congress and the media. After carefully considering all of the relevant comments, the department made numerous changes, resulting in the final rule published on April 23, 2004. This final rule is effective on Aug. 23, 2004, 120 days after being published in the Federal Register.

On May 25, 2007, President Bush signed into law a supplemental appropriation bill (H.R. 2206) which contains the Fair Minimum Wage Act of 2007. This provision amended the FLSA to provide for the increase of the federal minimum wage by an incremental plan, culminating in a minimum wage of \$7.25 per hour by July 24, 2009.

Also, Section 4207 of the Patient Protection and Affordable Care Act (H.R. 3590) amends Section 7 of the FLSA to add that employers shall provide break time for nursing mothers to express milk and that “a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public” should be available for employees to express milk.

On March 13, 2014, President Obama signed a Presidential Memorandum directing the department to update the regulations defining which white collar workers are protected by the FLSA's minimum wage and overtime standards. 79 FR 18737 (Apr. 3, 2014). The memorandum instructed the department to look for ways to modernize and simplify the regulations while



ensuring that the FLSA's intended overtime protections are fully implemented. The department published a proposal to update the part 541 regulations on July 6, 2015. Among many comments received, there was expressed need to reduce the burden of implementation. Therefore, the department has set an effective date of Dec. 1, 2016, for the final rule.

The department determined the final salary level required for executive, administrative, and professional workers will be \$913 per week, or \$47,476 annually, based on the 40th percentile of weekly earnings of full-time salaried workers in the South.

The Policy Guidelines: Fair Labor Standards Act has been designed to provide an overview of and reference to the provisions of the act and the corresponding federal and state regulations. This guide is not a comprehensive listing of the Fair Labor Standards Act (29 U.S.C. 201 et. seq.) and regulations promulgated thereunder or the Oklahoma Merit Rules on payment of overtime (OAC 530:10-7-12) and is not intended to conflict with the act, the regulations or the Merit Rules. A copy of each agency's overtime policy shall be made available by the appointing authority to interested persons upon request and the appointing authority shall so notify employees. Copies of such policy shall be forwarded to the Office of Management and Enterprise Services.



## **I. Policy Statement**

It is the policy of the State of Oklahoma to adopt and implement the provisions of the Fair Labor Standards Act (FLSA) as the basic overtime policy of the state (§ 61-3 & § 74-840-2.15). Any overtime work necessary to the continued effective operations of the state should be managed in the most efficient and economical manner possible.

In order to facilitate the implementation of this policy, the administrator of the Office of Management and Enterprise Services Human Capital Management division issues these guidelines to assist each state agency in implementing the overtime provisions of the Fair Labor Standards Act for its specific programs and work force.

Additionally, the guidelines include information to facilitate the development and implementation of agency policy that will control and limit the use of, allotment of or compensation of overtime within the state service that is consistent with federal law and the policy of the State of Oklahoma.

After reviewing the guidelines, each agency, institution, board and commission shall submit a comprehensive overtime policy to -the Office of Management and Enterprise Services that is substantially in accordance with these guidelines (Merit Rule 260:25-7-12(a)).

Agency heads and supervisors shall limit hours worked by the employee to the employer's established work periods, as defined by the FLSA, except in those cases where additional hours of work are necessary because of weather conditions, seasonal activity or emergencies. It shall be the responsibility of each agency to determine that the use of overtime is administered in the best interest of the state. Although each agency head is responsible for the manner in which overtime is authorized, it is equally important to control unauthorized overtime. Unauthorized work shall be counted as hours worked if the employer should have stopped it but did not, or if he/she knows or has reason to know of the work. Each agency is responsible for internal controls which will provide a means of reviewing and evaluating the use of overtime. Such review should take into consideration organizational structure, scheduling of work, position complement and personnel classifications.



## **II. Overview of the Fair Labor Standards Act (FLSA)**

The Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201 et seq.), establishes minimum wage, overtime, record keeping and other requirements. In 1974, the Fair Labor Standards Act was amended to extend coverage to state and local governments.

The Fair Labor Standards Act is enforced by the United States Department of Labor. The secretary of labor is authorized to investigate employers and institute litigation to recover unpaid wages and overtime. Where a recovery is made, liquidated damages, attorney's fees and court costs are usually assessed.

Under this act, overtime at a rate of one and one-half times the employee's basic rate of pay must be paid for work in excess of 40 hours in any workweek. Each workweek must be considered separately when computing overtime. There are certain exemptions from the coverage of the act for employees who work in an executive, administrative, professional or computer capacity. There also are special overtime rules for employees of public agencies who work in firefighting or law enforcement activities, including working in correctional institutions.

The Fair Labor Standards Act requires payment of wages for all time that an employee is required or permitted to work. Under this concept, employees who voluntarily work before or after their assigned shifts would be entitled to payment. All that is required is that the employer knows or has reason to believe that they are working. Management has the duty of ensuring that such work does not occur unless authorized.

The Department of Labor has issued a large amount of interpretive material on the Fair Labor Standards Act. This material can be found in Volume 29, Code of Federal Regulations, Parts 500 to 899 or on the DOL website at <http://www.dol.gov>.



### III. Fair Labor Standards Act Job Categories

The FLSA recognizes two basic categories of jobs:

- exempt (E) - those employees not covered by the act, and
- non-exempt (N) - those employees covered by the act.

The exempt category consists of four subordinate categories which are applicable to the state services:

- **executive**
- **administrative**
- **professional**
- **computer employees**

FLSA requirements apply to positions and employees—not to job families. However, Office of Management and Enterprise Services job family descriptors can serve as a general guide in determining whether individual positions are exempt or non-exempt under the provisions of the FLSA. All state classifications will be identified as follows:

**E—exempt**

**N—non-exempt**

This identification system is to be used as a tentative guide only. Each individual position within a job family level identified as exempt or non-exempt must be analyzed by agency staff to determine whether or not it is exempt. Appendix A provides a listing of the state classifications and the tentative identification of exempt or non-exempt status.

Agencies which do not have job family descriptors should develop such specifications before determining the exempt or non-exempt status of groups of jobs.



## **A. Exemptions**

Unlike most other exemptions under the FLSA, the white-collar exemptions cut across classifications. Virtually every employer under the law faces the problem of deciding which white-collar workers may qualify for an exempt status.

The law exempts certain categories from both minimum-wage and overtime requirements: executives, administrative employees and professional employees. The secretary of labor is authorized to "define and delineate" these exempt categories. The secretary's definitions are set forth in 29 CFR 541.0-.6. The Department of Labor policy has the force of law as long as it is not set aside by the courts as arbitrary or capricious.

The exemptions provided by FLSA Section 13(a)(1) apply only to "white-collar" employees who meet the salary and duties tests set forth in the Part 541 regulations. The exemptions do not apply to manual laborers or other "blue-collar" workers who perform work involving repetitive operations with their hands, physical skill and energy. FLSA-covered, non-management employees in production, maintenance, construction and similar occupations such as carpenters, electricians, mechanics, plumbers, iron workers, craftsmen, operating engineers, longshoremen, construction workers and laborers are entitled to minimum wage and overtime premium pay under the FLSA, and are not exempt under the Part 541 regulations no matter how highly paid they might be.

A basic rule in applying the white-collar exemption is that bona fide executive, administrative, and professional employees (including academic administrative personnel or teachers) are exempt from the minimum wage and overtime requirements of the act if they meet all of the tests set for each category.

Whether an employee is exempt depends on their duties, responsibilities, and whether or not they are paid on a salaried basis.

Any employee who is paid at least the minimum salary specified and who also meets all the duties and responsibilities specified is exempt from the minimum wage and overtime pay requirements of the law. An honorific title does not make an employee exempt; nor is an employee exempt simply because they are salaried.

### **Typical examples of exempt duties:**

- Interviewing, selecting and training employees.
- Setting and adjusting pay rates and work hours.
- Directing work.
- Keeping production records of subordinates for use in supervision.
- Evaluating employees' efficiency and productivity.
- Handling employees' complaints.



- Disciplining employees.
- Planning work.
- Determining techniques.
- Distributing work.
- Deciding on type of materials, supplies, machinery or tools.
- Controlling flow and distribution of materials and supplies.
- Providing for safety of employees and property.

**Typical examples of non-exempt duties:**

- Performing the same kind of work as subordinate employees.
- Performing any production work, even though not like that performed by subordinate employees, which is not part of supervisory functions.
- Replenishing stocks, returning stock to shelves, except for supervisory training or demonstration purposes.
- Performing routine clerical duties, such as bookkeeping, billing, filing, operating business machines.
- Checking and inspecting goods as a production operation, rather than as a supervisory function.
- Keeping records for employees not under his/her supervision.
- Preparing payrolls.
- Performing maintenance work.
- Repairing machines, as distinguished from an occasional adjustment.
- Cleaning around machinery, or taking an employee's place at the workbench.



## **1. Executive Employees**

To qualify for the executive employee exemption, all of the following tests must be met (29 CFR 541.100):

- The employee must be compensated on a salary basis (as defined in the regulations) at a rate not less than \$913 per week or \$47,476 annually for a full year worker;
- The employee's primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise;
- The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and
- The employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight.

### **Primary Duty**

"Primary duty" means the principal, main, major or most important duty that the employee performs. Determination of an employee's primary duty must be based on all the facts in a particular case, with the major emphasis on the character of the employee's job as a whole. Time alone is not the sole test, and nothing in the regulations requires exempt employees to spend more than 50 percent of their time performing exempt work. Factors to consider when determining primary duty may include, but are not limited to, relative importance of exempt duties as compared with other types of duties, amount of time spent performing exempt work, employee's relative freedom from direct supervision, and relationship between the employee's salary and wages compared to other employees for the kind of non-exempt work performed by the employee (29 CFR 541.700).

### **Management**

Generally, "management" includes, but is not limited to, activities such as interviewing, selecting and training of employees; setting and adjusting their rates of pay and hours of work; directing the work of employees; maintaining production or sales records for use in supervision or control; appraising employees' productivity and efficiency for the purpose of recommending promotions or other changes in status; handling employee complaints and grievances; disciplining employees; planning the work; determining the techniques to be used; apportioning the work among the employees; determining the type of materials, supplies, machinery, equipment or tools to be used or merchandise to be bought, stocked and sold; controlling the flow and distribution of materials or merchandise and supplies; providing for the safety and security of the employees or the property; planning and controlling the budget; and monitoring or implementing legal compliance measures (29 CFR 541.102).



**Department or Subdivision**

The phrase “a customarily recognized department or subdivision” is intended to distinguish between a mere collection of employees assigned from time to time to a specific job or series of jobs and a unit with permanent status and function (29 CFR 541.103 (b),(c)).

**Customarily and Regularly**

The phrase “customarily and regularly” means greater than occasional but less than constant; it includes work normally done every workweek, but does not include isolated or one-time tasks (29 CFR 541.103 (a)).

**Employees**

The phrase “two or more other employees” means two full-time employees or their equivalent. For example, one full-time and two half-time employees are equivalent to two full-time employees. The supervision can be distributed among two, three or more employees, but each such employee must customarily and regularly direct the work of two or more other full-time employees or the equivalent. For example, a department with five full-time non-exempt workers may have up to two exempt supervisors if each supervisor directs the work of two of those workers (29 CFR 541.104).

**Particular Weight**

Factors to be considered in determining whether an employee’s recommendations as to hiring, firing, advancement, promotion or any other change of status are given “particular weight” include, but are not limited to, whether it is part of the employee’s job duties to make such recommendations, and the frequency with which such recommendations are made, requested and relied upon. Generally, an executive’s recommendations must pertain to employees whom the executive customarily and regularly directs. It does not include occasional suggestions. An employee’s recommendations may still be deemed to have “particular weight” even if a higher level manager’s recommendation has more importance and even if the employee does not have authority to make the ultimate decision as to the employee’s change in status (29 CFR 541.105).



## 2. Administrative Employees

To qualify for the administrative employee exemption, the employee must meet all the following tests (29 CFR 541.200):

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$913 per week, or \$47,476 annually for a full year worker;
- The employee's 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; and
- The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

### Primary Duty

"Primary duty" means the principal, main, major or most important duty that the employee performs. Determination of an employee's primary duty must be based on all the facts in a particular case, with the major emphasis on the character of the employee's job as a whole. Time alone is not the sole test, and nothing in the regulations requires exempt employees to spend more than 50 percent of their time performing exempt work. Factors to consider when determining primary duty may include, but not limited to, relative importance of exempt duties as compared with other types of duties, amount of time spent performing exempt work, employee's relative freedom from direct supervision, and relationship between the employee's salary and wages compared to other employees for the kind of non-exempt work performed by the employee (29 CFR 541.700).

### Directly Related to Management or General Business Operations

To meet the "directly related to management or general business operations" requirement, an employee must perform work directly related to assisting with the running or servicing of the business, as distinguished, for example from working on a manufacturing production line or selling a product in a retail or service establishment. Work "directly related to management or general business operations" includes, but is not limited to, work in functional areas such as tax; finance; accounting; budgeting; auditing; insurance; quality control; purchasing; procurement; advertising; marketing; research; safety and health; personnel management; human resources; employee benefits; labor relations; public relations; government relations; computer network, Internet and database administration; legal and regulatory compliance; and similar activities (29 CFR 541.201 (a)).

### Employer's Customers

An employee may qualify for the administrative exemption if the employee's primary duty is the performance of work directly related to the management or general business operations of the employer's customers. Thus, employees acting as advisors or consultants to their employer's clients or customers—as tax experts or financial consultants, for example—may be exempt (29 CFR 541.201 (c)).



### **Discretion and Independent Judgment**

In general, the exercise of discretion and independent judgment involves the comparison and the evaluation of possible courses of conduct and acting or making a decision after the various possibilities have been considered. The term must be applied in light of all the facts involved in the employee's particular employment situation, and implies that the employee has authority to make an independent choice, free from immediate direction or supervision. Factors to consider include, but are not limited to: whether the employee has authority to formulate, affect, interpret, or implement management policies or operating practices; whether the employee carries out major assignments in conducting the operations of the business; whether the employee performs work that affects business operations to a substantial degree; whether the employee has authority to commit the employer in matters that have significant financial impact; whether the employee has authority to waive or deviate from established policies and procedures without prior approval; and other factors set forth in the regulation. The fact that an employee's decisions are revised or reversed after review does not mean that the employee is not exercising discretion and independent judgment. The exercise of discretion and independent judgment must be more than the use of skill in applying well-established techniques, procedures or specific standards described in manuals or other sources (29 CFR 541.202).

### **Matters of Significance**

The term "matters of significance" refers to the level of importance or consequence of the work performed. An employee does not exercise discretion and independent judgment with respect to matters of significance merely because the employer will experience financial losses if the employee fails to perform the job properly. Similarly, an employee who operates very expensive equipment does not exercise discretion and independent judgment with respect to matters of significance merely because improper performance of the employee's duties may cause serious financial loss to the employer (29 CFR 541.202 (d)).



### 3. Professional Employees

#### **Learned Professional Exemption**

To qualify for the learned professional employee exemption, all of the following tests must be met (29 CFR 541.301):

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$913 per week or \$47,476 annually for a full-year worker;
- The employee's primary duty must be 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;
- The advanced knowledge must be in a field of science or learning; and
- The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

#### **Primary Duty**

"Primary duty" means the principal, main, major or most important duty that the employee performs. Determination of an employee's primary duty must be based on all the facts in a particular case, with the major emphasis on the character of the employee's job as a whole. Time alone is not the sole test, and nothing in the regulations requires exempt employees to spend more than 50 percent of their time performing exempt work. Factors to consider when determining primary duty may include, but not limited to, relative importance of exempt duties as compared with other types of duties, amount of time spent performing exempt work, employee's relative freedom from direct supervision, and relationship between the employee's salary and wages compared to other employees for the kind of non-exempt work performed by the employee (29 CFR 541.700).

#### **Work Requiring Advanced Knowledge**

"Work requiring advanced knowledge" means work which is predominantly intellectual in character, and which includes work requiring the consistent exercise of discretion and judgment. Professional work is therefore distinguished from work involving routine mental, manual, mechanical or physical work. A professional employee generally uses the advanced knowledge to analyze, interpret or make deductions from varying facts or circumstances. Advanced knowledge cannot be attained at the high school level (29 CFR 541.301 (b)).



### **Field of Science or Learning**

Fields of science or learning include law, medicine, theology, accounting, actuarial computation, engineering, architecture, teaching, various types of physical, chemical and biological sciences, pharmacy and other occupations that have a recognized professional status and are distinguishable from the mechanical arts or skilled trades where the knowledge could be of a fairly advanced type, but is not in a field of science or learning (29 CFR 541.301 (c)).

### **Specialized Intellectual Instruction**

The learned professional exemption is restricted to professions where specialized academic training is a standard prerequisite for entrance into the profession. The best evidence of meeting this requirement is having the appropriate academic degree. However, the word “customarily” means the exemption may be available to employees in such professions who have substantially the same knowledge level and perform substantially the same work as the degreed employees, but who attained the advanced knowledge through a combination of work experience and intellectual instruction. This exemption does not apply to occupations in which most employees acquire their skill by experience rather than by advanced specialized intellectual instruction (29 CFR 541.301 (d)).

### **Creative Professional Exemption**

To qualify for the creative professional employee exemption, all of the following tests must be met (29 CFR 541.302):

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$913 per week or \$47,476 annually for a full-year worker;
- The employee’s primary duty must be the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor.

### **Invention, Imagination, Originality or Talent**

This requirement distinguishes the creative professions from work that primarily depends on intelligence, diligence and accuracy. Exemption as a creative professional depends on the extent of the invention, imagination, originality or talent exercised by the employee. Whether the exemption applies, therefore, must be determined on a case-by-case basis. The requirements are generally met by actors, musicians, composers, soloists, certain painters, writers, cartoonists, essayists, novelists and others as set forth in the regulations. Journalists may satisfy the duties and requirements for the creative professional exemption if their primary duty is work requiring invention, imagination, originality or talent. Journalists are not exempt creative professionals if they only collect, organize and record information that is routine or already public, or if they do not contribute a unique interpretation or analysis to a news product (29 CFR 541.302 (c)).

### **Teachers**

Teachers are exempt if their primary duty is teaching, tutoring, instructing or lecturing in the activity of imparting knowledge, and if they are employed and engaged in this activity as a



teacher in an educational establishment. Exempt teachers include, but are not limited to: regular academic teachers; kindergarten or nursery school teachers; teachers of gifted or disabled children; teachers of skilled and semi-skilled trades and occupations; teachers engaged in automobile driving instruction; aircraft flight instructors; home economics teachers; and vocal or instrument music teachers. The salary and salary basis requirements do not apply to bona fide teachers (29 CFR 541.303).

**Practice of Law or Medicine**

An employee holding a valid license or certificate permitting the practice of law or medicine is exempt if the employee is actually engaged in such a practice. An employee who holds the requisite academic degree for the general practice of medicine is also exempt if he or she is engaged in an internship or resident program for the profession. The salary and salary basis requirements do not apply to bona fide practitioners of law or medicine (29 CFR 541.304).



#### **4. Computer Employees**

To qualify for the computer employee exemption, the following tests must be met (29 CFR 541.400):

- The employee must be compensated either on a salary or fee basis at a rate not less than \$913 per week and meet the white-collar exemptions test or, if compensated on an hourly basis, at a rate not less than \$27.63 an hour;
- The employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below;
- The employee's primary duty must consist of:
  - 1) The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
  - 2) The 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;
  - 3) The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
  - 4) A combination of the aforementioned duties, the performance of which requires the same level of skills.

#### **Primary Duty**

"Primary duty" means the principal, main, major or most important duty that the employee performs. Determination of an employee's primary duty must be based on all the facts in a particular case, with the major emphasis on the character of the employee's job as a whole. Time alone is not the sole test, and nothing in the regulations requires exempt employees to spend more than 50 percent of their time performing exempt work. Factors to consider when determining primary duty may include, but are not limited to, relative importance of exempt duties as compared with other types of duties, amount of time spent performing exempt work, employee's relative freedom from direct supervision, and relationship between the employee's salary and wages compared to other employees for the kind of non-exempt work performed by the employee (29 CFR 541.700).

#### **Computer Manufacture and Repair**

The computer employee exemption does not include employees engaged in the manufacture or repair of computer hardware and related equipment. Employees whose work is highly dependent upon, or facilitated by, the use of computers and computer software programs (e.g., engineers, drafters and others skilled in computer-aided design software), but who are not primarily engaged in computer systems analysis and programming or other similarly skilled computer-related occupations identified in the primary duties test described above, are also not exempt under the computer employee exemption (29 CFR 541.401).



## 5. Miscellaneous

### **Highly Compensated Employees**

Highly compensated employees performing office or non-manual work and paid total annual compensation of \$134,004 or more (which must include at least \$913 per week paid on a salary or fee basis) are exempt from the FLSA if they customarily and regularly perform at least one of the duties of an exempt executive, administrative or professional employee identified in the standard duty tests for exemption (29 CFR 541.601).

### **Trainees**

The professional exemption does not apply to employees training for employment in an executive, administrative or professional capacity who are not actually performing the duties of a professional employee (29 CFR 541.705).



## **B. Salary Test**

### **1. Salary Basis Requirement**

To qualify for exemption, employees generally must be paid at not less than \$913 per week on a salary basis. These salary requirements do not apply to outside sales employees, teachers and employees practicing law or medicine. Exempt computer employees may be paid at least \$913 on a salary basis or on an hourly basis at a rate not less than \$27.63 an hour.

Being paid on a “salary basis” means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee’s work. Subject to exceptions listed below, an exempt employee must receive the full salary for any week in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee’s predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a “salary basis.” If the employee is ready, willing and able to work, deductions may not be made for time when work is not available (29 CFR 541.602 (a)).

### **2. Permissible Employer Deductions in Salary**

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; for penalties imposed in good faith for infractions of safety rules of major significance; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Also, an employer is not required to pay the full salary in the initial or terminal week of employment, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act (29 CFR 541.602 (b)).

### **3. Exemption for Employees of Public Agencies**

An employee of a public agency who otherwise meets the requirements of Sec. 541.602 shall not be disqualified from exemption under Sections 541.100, 541.200, 541.300, or 541.400 on the basis that such employee is paid according to a pay system established by statute, ordinance or regulation, or by a policy or practice established pursuant to principles of public accountability, under which the employee accrues personal leave and sick leave and which requires the public agency employee's pay to be reduced or such employee to be placed on leave without pay for absences for personal reasons or because of illness or injury of less than one workday when accrued leave is not used by an employee because:

- (1) Permission for its use has not been sought or has been sought and denied;
- (2) Accrued leave has been exhausted; or
- (3) The employee chooses to use leave without pay.



Deductions from the pay of an employee of a public agency for absences due to a budget-required furlough shall not disqualify the employee from being paid "on a salary basis" except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced (29 CFR 541.710).

#### **4. Effect of Improper Deductions from Salary**

The employer will lose the exemption if it has an "actual practice" of making improper deductions from salary. Factors to consider when determining whether an employer has an actual practice of making improper deductions include, but are not limited to: the number of improper deductions, particularly as compared to the number of employee infractions warranting deductions; the time period during which the employer made improper deductions; the number and geographic location of both the employee whose salary was improperly reduced and the manager responsible; and whether the employer has a clearly communicated policy permitting or prohibiting improper deductions. If an "actual practice" is found, the exemption is lost during the time period of the deductions for employee in the same job classification working for the same manager responsible for the improper deductions. Isolated or inadvertent improper deductions will not result in loss of the exemption if the employer reimburses the employee for the improper deductions (29 CFR 541.603).

#### **Safe Harbor**

If an employer (1) has a clearly communicated policy prohibiting improper deductions and including a complaint mechanism, (2) reimburses employees for any improper deductions, and (3) makes a good faith commitment to comply in the future, the employer will not lose the exemption for any employees unless the employer willfully violates the policy by continuing the improper deductions after receiving employee complaints (29 CFR 541.603 (d)).



## **IV. Recordkeeping**

### ***A. The Recordkeeping Requirements***

All employers subject to the act are required by Section 11(c) to make and preserve employment records in accordance with regulations issued by the administrator. These regulations require no particular form of records, but they specify, in detail, the information that the records must contain for various types of employees. (29 CFR 516.2-.9).

In general, the data required to be kept for each employee are these: (1) full name, with any identifying number; (2) home address; (3) birth date, if under 19; (4) occupation; (5) day and hour when employee's workweek begins; (6) regular hourly rate of pay, basis on which wages are paid, and nature and amount of each payment excluded from regular rate under Section 7(d); (7) hours worked each workday and each workweek; (8) total daily or weekly straight-time earnings; (9) total weekly premium pay for overtime; (10) total additions to or deductions from wages paid each pay period; (11) total wages paid each pay period; and (12) date of payment and pay period covered (29 CFR 516.2). Production of such records may be required on motion in the federal courts, as well as by exercise of the administrative subpoena powers.

The regulations require that the employer preserve and keep available for inspection and transcription by the Wage-Hour Division (a) for a period of three years, all payroll or other records containing the required data, plus union contracts and other basic employment records; and (b) for a period of two years, various supplementary records—such as customer orders and bills of lading—employee time cards, production tables and rate schedules. In addition, the employer is required to keep posted in conspicuous places, notices that have been prescribed by the administrator as being applicable under the act. (29 CFR 516.4-6).

### ***B. Timekeeping***

The work for which non-exempt employees must be paid at least the minimum wage and which must be counted in computing liability for weekly overtime pay includes all the time an employee is actually at work or is required to be on duty and cannot use the time for his/her own purposes. Not all time needs to be counted as working time. Activities such as bona fide meal periods, for example, are not regarded as working time. There is not a limitation on the number of hours that may be worked so long as employees are paid at time and one-half their regular rate for all hours worked above 40 in any work week.

#### **1. Meals**

A bona fide meal period is a span of at least 30 consecutive minutes (never less) during which an employee is completely relieved of duty and free to use the time for his/her own



purposes. It is not counted as hours worked or paid time. Any so-called "meal period" of less than 30 consecutive minutes must be paid as hours worked. It is not necessary that an employee be permitted to leave the premises during the meal period. However, the time will have to be counted as time worked if the employee is required or permitted to perform any duties while eating (29 CFR 785.19).

## **2. Rest or Break Periods**

There are no requirements for breaks or rest periods in the FLSA. However, rest periods of short duration, running from 5 minutes to about 20 minutes, are common in industry. They promote the efficiency of the employee and are customarily paid for as working time. They must be counted as hours worked. Compensable time of rest periods may not be offset against other working time such as compensable waiting time or on-call time (29 CFR 785.18).

## **3. Training**

Time spent by non-exempt employees attending lectures, meetings and training programs sponsored by the employer is generally considered time worked. However, it does not have to be counted as hours worked provided all four conditions are met (29 CFR 785.27-.31):

- a. The meetings are held outside working hours.
- b. Attendance by employees is truly voluntary.
- c. The course, lecture or meeting is not directly related to the employee's job.
- d. The employee doesn't perform any other work during training attendance.

## **4. Travel**

Whether travel time is considered as hours worked depends on the circumstances:

### **a. Home to Work in Ordinary Situations**

An employee who travels from home before the regular workday and returns home at the end of the workday is engaged in ordinary home-to-work travel which is a non-manual incident of employment. This is true whether he/she works at a fixed location or at different job sites. Normal travel from home to work is not work time (29 CFR 785.35).

### **b. Home to Work in Emergency Situations**

There may be instances when travel from home to work is overtime. For example, if an employee who has gone home after completing his day's work is subsequently called out at night to travel a substantial distance to perform an emergency job for one of his employer's customers, all time spent on such travel is working time. The divisions are taking no position on whether travel to the job and back home by an employee who



receives an emergency call outside of his regular hours to report back to his regular place of business to do a job is working time (29 CFR 785.36).

**c. Home to Work on Special One-Day Assignment in Another City**

When an employee who regularly works at a fixed location in one city is given a special one-day assignment in another city, such travel cannot be regarded as home-to-work travel. For example, an employee who works in Oklahoma City with regular working hours from 8:00 a.m. to 5:00 p.m., may be given a special assignment in another city, with instructions to leave Oklahoma City at 7:00 a.m. He/she arrives at 12 noon, ready for work. The special assignment is completed at 3:00 p.m., and the employee arrives back in Oklahoma City at 8:00 p.m. Such travel cannot be regarded as ordinary home-to-work travel occasioned merely by the fact of employment. It was performed for the state's benefit and at the state's request to meet the needs of the particular assignment. It would, therefore, qualify as an integral part of the "principal" activity which the employee was hired to perform on that particular workday. All the time involved, however, need not be counted as work time. Since, except for the special assignment, the employee would have had to report to his/her regular work site, the travel between home and the airport, or the usual time required to travel from home to work, may be deducted, such time being in the "home-to-work" category. The usual meal time would also be deductible (29 CFR 785.37).

**d. Travel All in the Day's Work**

Time spent by an employee in travel as part of his/her principal activity, such as travel from job site to job site during the workday, must be counted as hours worked. When an employee is required to report at the employer's premises, or at a meeting place, to receive instructions or to perform other work there, the travel time from this designated place to work place is part of the day's work and must be counted as hours worked. If an employee normally finished work at a particular job site at 5:00 p.m., and is required to go to another job which is finished at 8:00 p.m., and is required to return to the employer's premises arriving at 9:00 p.m., all of the time is working time. However, if the employee goes home instead of returning to the employer's premises, the travel after 8:00 p.m. is home-to-work travel and is not counted as hours worked (29 CFR 785.38).

**e. Travel Away from Home Community**

Travel that keeps an employee away from home overnight is travel away from home. Travel time away from home community is work time when it cuts across the employee's regular scheduled work days. The time is not only hours worked on regular working days, during normal working hours, but also during the corresponding hours on non-working days. Therefore, if an employee regularly works from 8:00 a.m. to 5:00 p.m., from Monday through Friday, the travel time during these hours is work time on Saturday and Sunday, as well as on the other days. Regular meal period time is not counted. That time spent in travel, away from home, outside of regular working hours



(8:00-5:00) as a passenger on an airplane, train, bus or automobile is not considered as work time (29 CFR 785.39).

The example below will help explain the accountability for travel time away from home community.

**Example:**

An employee who has headquarters in Oklahoma City leaves for Amarillo on Sunday afternoon at 2:00 p.m., and arrives in Amarillo at 7:00 p.m.:

- (1) The three hours traveled between 2:00 p.m. and 5:00 p.m., are hours worked and must be included in the total hours worked within the workweek. If the total hours worked exceeds 40 per week, the employee is to be compensated in accordance with the state's overtime payment policy.
- (2) The two hours traveled between 5:00 p.m. and 7:00 p.m. are not considered as time worked for the purpose of determining total hours worked.

Time spent by an employee who is engaged in driving a vehicle, either a vehicle provided by the employer or owned by the employee, to and from another city for the benefit of the employer, is considered time worked. In the example above, all of the time from 2:00 p.m. to 7:00 p.m. spent driving would be considered compensable.

**f. Multiple Work Locations**

All non-exempt employees who are required to travel from one work location to another work location to perform services for the agency, including training assignments and attendance at meetings, will be paid in accordance with the legal regulations.

All time spent in such travel is considered time worked under the following circumstances:

- (1) When the employee is required to travel to and from another city in the same work day;
- (2) When the employee is required to travel from one work site to another, after reporting for the day's work;
- (3) When the employee is required to travel to and from a work location which keeps the employee away from home overnight, if work is performed while traveling; or
- (4) When travel is within normal working hours in any day of the week.



Normal meal periods and the time that it would normally take the employee to travel from home to the regular work site and home again will be excluded, however, when determining working time during such travel.

**g. Travel in a Private Vehicle**

If an employee is offered public transportation, but requests to drive his or her own car instead, the employer is required to count only those hours worked during working hours that would have occurred had the employee used the public conveyance (29 CFR 785.40).

**h. Work Performed While Traveling**

Any work which an employee is required to perform while traveling must, of course, be counted as hours worked. An employee who drives a truck, bus, automobile, boat or airplane, or an employee who is required to ride therein as an assistant or helper, is working while riding, except during bona fide meal periods or when he is permitted to sleep in adequate facilities furnished by the employer (29 CFR 785.41).

**5. Sleep Time**

**a. Duty of Less Than 24 Hours:**

Under certain conditions an employee is considered to be working even though some of his/her time is spent in sleeping or in certain other activities. Thus, an employee who is required to be on duty for less than 24 hours is working even though the employee is permitted to sleep or engage in other personal activities when not busy. It makes no difference if the employee is furnished facilities for sleeping. The employee's time is given to the employer. The employee is required to be on duty and the time is work time (29 CFR 785.21).

**b. Duty of 24 Hours or More:**

Where an employee is required to be on duty for 24 hours or more, the employer and the employee may agree to exclude bona fide meal periods and a bona fide regularly scheduled sleeping period of not more than eight hours from hours worked, provided adequate sleeping facilities are furnished by the employer and the employee can usually enjoy an uninterrupted night's sleep. If the sleeping period is of more than eight hours, only eight hours will be credited. Where no expressed or implied agreement to the contrary is present, the eight hours sleeping time and lunch periods constitute hours worked. If the sleeping period is interrupted by a call to duty, the interruption must be counted as hours worked. If the period is interrupted to such an extent that the employee cannot get a reasonable night's sleep, the entire period must be counted. For enforcement purposes, the division has adopted the rule that if the employee cannot get at least five hours sleep during the scheduled period the entire time is working time (29 CFR 785.22).



### **c. Employees Residing on Employer's Premises or Working at Home:**

An employee who resides on the employer's premises on a permanent basis or for extended periods of time is not considered as working all the time the employee is on the premises. Ordinarily, the employee may engage in normal private pursuits and thus have enough time for eating, sleeping, entertaining and other periods of complete freedom from all duties when he/she may leave the premises for purposes of their own. It is, of course, difficult to determine the exact hours worked under these circumstances, and any reasonable agreement of the parties that takes into consideration all the pertinent facts will be accepted (29 CFR ~ 785.23).

## **6. Waiting Time**

Whether any waiting time is compensable under the FLSA requires close scrutiny of all the facts. The question to be answered in all cases is whether the employee was engaged to wait, or waiting to be engaged. If the employee is engaged to wait, then that waiting time is compensable. The question must be answered with common sense and the general concept of the world or employment (29 CFR 785.14-.15).

The employees in the examples below are engaged to wait:

- a. A stenographer reads a book while waiting for dictation.
- b. A messenger works a crossword puzzle while awaiting an assignment.
- c. A fireman plays checkers while awaiting alarms.

## **7. Vacation, Sick Leave and Holidays**

In determining the number of hours worked by an employee within a given week, time spent on vacation, sick leave and holidays will not be counted as time worked. Such time off must be included in straight-time pay for non-exempt employees, but is not included in computing hours of work for overtime pay (29 CFR 778.102).



## **V. Establishment of the Workweek**

### ***A. Regular Workweek***

A workweek is a regularly recurring period of 168 consecutive hours. The workweek need not coincide with the calendar week. It may begin any day of the week and any hour of the day, but it must in each case be established in advance. The workweek may be changed, but only if the change is intended to be permanent and is not made to evade the policy.

Overtime, under the Wage-Hour Law, must be paid for all hours over 40 worked by an employee in a workweek, except as provided in the sections below. If the workweek of different employees begins on different days, the payroll record of each employee should show the day and hour on which their workweek begins. Averaging of hours over a two or three-week period is not permitted. An exception can be made where two workweeks overlap because of a change in the designated workweek. A workweek cannot be changed to circumvent the intent of the FLSA (29 CFR 778.105).

### ***B. Hospitals***

Hospitals and other institutions primarily engaged in the care of the sick, the aged or the mentally ill may use a work period of 14 consecutive days in computing overtime pay, provided there is agreement in advance with the employees concerned. If a 14-consecutive day work period is elected, overtime pay of at least one and one-half times the employee's regular rate of pay is due after eight hours in a workday or after 80 hours in a work period. The extra compensation provided by the premium rate paid after eight hours in a day may be credited toward any overtime compensation payable for hours worked in excess of 80 hours in the 14-day work period (29 CFR 778.601).

### ***C. Law Enforcement Activities***

29 CFR 553.211 outlines special provisions pertaining to law enforcement overtime. The term "employees in law enforcement activities" refers to any employee (1) who is a uniformed or plainclothes member of a body of officers and subordinates who are empowered by statute or local ordinance to enforce laws designed to maintain public peace and order and to protect both life and property from accidental or willful injury, and to prevent and detect crimes; (2) who has the power of arrest; and (3) who is presently undergoing or has undergone or will undergo on-the-job training and/or a course of instruction and study which typically includes physical training, self-defense, firearm proficiency, criminal and civil law principles, investigative and law enforcement techniques, community relations, medical aid and ethics.

Employees who meet these tests are considered to be engaged in law enforcement activities regardless of their rank or of their status as "trainee," "probationary" or "permanent employee," and regardless of their assignment to duties incidental to the performance of their law enforcement activities.



The term "employees in law enforcement activities" also includes security personnel in correctional institutions. This includes any government facility maintained as part of a penal system for the incarceration or detention of persons suspected or convicted of having breached the peace or committed some other crime.

Employees of correctional institutions who qualify are those who have responsibility for controlling and maintaining custody of inmates and of safeguarding them from other inmates or for supervising such functions regardless of whether their duties are performed inside the correctional institution or outside the institution (as in the case of work details). These employees are considered to be engaged in law enforcement activities regardless of their rank.

Because of the varied nature of law enforcement activities throughout the state it may not be possible for all law enforcement classifications to be considered under the same plans for overtime. Under the Wage and Hour Law, two options are permissible (29 CFR 553.211).

1. For schedules requiring a 40-hour workweek, the policies on hours of work and overtime pay for a 40-hour workweek will apply.
2. For schedules requiring more than 40 hours in a workweek the following is permissible: The "work period" will consist of 28 consecutive days. In the workweek period of 28 consecutive days the employee shall receive, for tours of duty which in the aggregate exceed 171 hours, compensation at a rate of one and one-half times the regular hourly rate at which employed.

The exempt or non-exempt status of law enforcement personnel will be determined under the terms of exemption for executive, administrative and professional employees as outlined above.

These limits are subject to change by the Wage and Hour Division. Those employees determined to be non-exempt must be compensated for all additional hours at one and one-half times the employees regular rate of pay.

#### ***D. Fire Protection Employees***

To be covered by the section 207(k) exemption for fire protection, an employee must meet all of the following tests (29 CFR 553.210):

1. Be employed by an organized state or local fire department.
2. Be trained in his or her duties.
3. Have the legal authority and responsibility to engage in the prevention, control or extinguishments of fire.
4. Perform activities during 80 percent or more of his or her working time that are required for and directly concerned with the prevention, control or extinguishments of fire, including:
  - fire spotting or lookout activities.



- work involved in clearing fire breaks.
- administrative work.
- equipment maintenance.
- lecturing on fire prevention.
- attending community fire drills.
- inspecting schools for fire hazards.
- work as a trainee and probationary firefighting employee.

Firefighters employed by fire departments and those who work for forest conservation agencies or other public agencies are covered. Not qualifying for the section 207(k) exemptions are civilian employees of fire departments or forest services, such as dispatchers, alarm operators, clerks, mechanics, camp cooks or stenographers. Under the Wage and Hour Law, two options are permissible in calculation of overtime for fire protection employees:

1. For schedules requiring a 40-hour workweek, the policies on hours of work and overtime pay for a 40-hour workweek will apply.
2. For schedules requiring more than 40 hours in a workweek the following is permissible: The "work period" will consist of 28 consecutive days. In the workweek period of 28 consecutive days, the employee shall receive, for tours of duty which in the aggregate exceed 212 hours, compensation at a rate of one and one-half times the regular hourly rate at which employed.



## **VI. Overtime Payment Calculation**

### ***A. Hours Worked***

Generally, all time during which an employee is required or permitted to be on the employer's premises on duty or at a prescribed work place, except for meals or other periods when he/she is free from duty, is considered as hours worked. This is even so if the duties are pleasurable rather than burdensome, and even if no productive work is actually performed.

As a general rule, hours worked will include:

1. All time during which an employee is required to be on duty on the employer's premises or at a prescribed work place.
2. All time during which an employee is required to work, or permitted to work, whether or not required to do so. In the large majority of cases, the determination of an employee's working hours will be easily calculable under this formula and will include, in the ordinary case, all hours from the beginning of the work day to the end with the exception of periods when the employee is relieved of all duties for the purpose of eating meals.

### ***B. Unauthorized Work***

Hours worked by an employee without the employer's permission or contrary to instructions will be considered as hours worked. The burden is on the employer to exercise control of the work time.

### ***C. Requirements—Regular Rate***

Employees who come within the general coverage of the Wage-Hour Act and who are not specifically exempted from the overtime requirements must be paid time and one-half their regular rate for all hours worked in excess of the weekly maximum. The regular rate includes all remuneration for employment paid to, or on behalf of, the employee except for certain payments excluded by law. Included in the regular rate are shift differential, on-call and longevity pay. Excluded are payments for rest periods or breaks, unworked holidays, annual leave and sick leave. The regular rate is a rate per hour although it is not required that employees be compensated on an hourly rate.

Overtime for an employee working in two positions with different rates of pay is paid at the rate for the position in which the overtime occurs.

### ***D. On-Call***

Time spent by an employee who is required to remain on-call on the employer's premises or so close, thereto, that the employee cannot use the time for his/her own purposes, is considered



working time. Employees who are merely required to leave work as to where they may be reached or required to carry and respond to a pager are not on-call in this sense. The fact that an employee lives on the employer's premises and is on-call for 24 hours a day does not mean that he/she is entitled to pay for all those hours. Such an employee has regular duties to perform but is not subject to work at any time except in the event of an emergency. Ordinarily, he/she has a normal night's sleep, ample eating time and may, during certain periods, come and go as he/she pleases. An agreement should be reached with an employee in this category as to the extent of duty which will make clear the time that should be considered as hours not worked. As a rule, allowance for eight hours sleep and three hours for meal periods might be reasonable, plus any other hours that the employee may be free of unnecessary restrictions of use of his/her time.

On-call pay is normally paid only when an employee is required to return to duty to perform work outside the employee's normal tour of duty. This type of on-call pay is not figured as part of the regular rate. If, however, on-call pay is included as part of the employee's pay regardless of number of hours worked, "sometimes considered inconvenience pay," then it must be considered as part of the regular rate.

### ***E. Call-Back Pay***

Title 74 Section 840-2.29 of the Oklahoma state statute requires that agencies compensate classified employees for a minimum of two hours work if the employee is required to report to work while on call. Employees are guaranteed compensation for each occasion in which a call back is made after having left the regular work station. The compensation may be in the form of compensatory time in lieu of cash payment. Unless compensation under this provision is for hours actually worked in excess of 40 hours in a workweek, the entitlement is to straight-time compensation only.

### ***F. Special Pay Provisions***

In calculating the rate of overtime payment, it is necessary to include longevity pay, shift differential and on-call pay. Longevity pay is converted to an hourly figure by dividing the next anniversary payment by 2080 hours. For agencies paying a monthly on-call or shift differential, it is necessary to convert to an hourly figure by multiplying by 12 (the number of months) and dividing by 2080 (hours). The hourly rate for longevity pay and the special pay is divided by two and added to the half portion of the 1 1/2 times hourly rate. This figure is multiplied by the number of overtime hours worked.

### ***G. Time of Payment***

There is no requirement that overtime compensation be paid weekly. The general rule is that overtime pay earned in a particular workweek must be paid on the regular pay day for the period in which the workweek ends. If the correct amount of overtime pay cannot be determined until sometime after the regular pay period, the employer must pay the overtime compensation as soon after the regular pay period as practicable. Payment may not be delayed for a period longer than is reasonably necessary for the employer to compute and arrange for



payment and in no event may payment be delayed beyond the next pay day after such computation can be made.

### ***H. Compensatory Time***

Compensatory time, in lieu of overtime payment, may be given to non-exempt employees under certain conditions. Compensatory time at the rate of time and one-half may be given to a non-exempt employee for overtime hours worked in lieu of overtime payment subject to the following conditions:

1. An employee has 180 days to use accrued compensatory time following the pay period in which it was accrued. The balance of a non-exempt employee's compensatory time earned but not taken shall be paid to the employee.
2. The maximum compensatory time which may be accrued by a non-exempt employee shall be 480 hours (320 hours actual overtime worked) for those employees engaged in a public safety or firefighting activity and 240 hours (180 hours actual overtime worked) for all other non-exempt employees.
3. An employee who has accrued the maximum number of compensatory hours shall be paid overtime compensation for any additional overtime hours worked at the rate of one and one-half times their regular rate of pay for each overtime hour worked.
4. Payment for accrued compensatory time upon termination of employment with the agency shall be calculated at the average regular rate of pay for the final three years of employment, or the final regular rate received by the employee, whichever is higher.
5. Overtime and compensatory time are accrued by work period, as defined by the FLSA.
6. Compensatory time may not be transferred from one agency to another agency.
7. An employee's request to take compensatory time off shall be approved, unless the employee's absence on that day unduly disrupts agency operations or endangers public health, safety or property.
8. Accrued compensatory time must be exhausted before approving a non-exempt employee's request for annual leave, except when the employee is subject to lose said leave due to the accrual cap (Merit Rule 530:10-7-12(c)(9)).
9. Adjustments in scheduled work time may be made on an hour-for-hour basis within the defined work period.



## ***I. Workweek Adjustment***

Compensatory time at the rate of hour-for-hour may be given within the workweek it was accrued. e.g., if an employee normally works from 8:00 a.m. to 5:00 p.m., from Monday through Friday, and has worked 40 hours by 1:00 p.m. Friday, he/she may be given time off from 1:00 p.m. to 5:00 p.m. on the Friday of that workweek. This is referred to as a workweek adjustment.



## VII. Overtime Compensation of Exempt Employees

Any overtime work necessary to the continued effective operations of the state should be managed in the most efficient and economical manner possible. Agencies **may** provide compensatory time off to exempt employees with the following stipulations:

1. The compensatory time off must be taken within 180 days following the pay period in which it was accrued.
2. Compensatory time can only be given on an hour-for-hour basis, one hour off for each hour worked overtime.
3. Payments shall not be made for compensatory time accrued by an exempt employee for any reason, except under the circumstances described in the paragraph below.

Agencies may also provide overtime payments for normally exempt classes based on a prevailing market condition (Merit Rule 530:10-7-3(b)). Agencies are required to make notification of such market exceptions to Office of Management and Enterprise Services. Market exceptions may be based on the payment of overtime in similar types of exempt work in the prevailing market. An example of this is the payment of overtime to nurses in local hospitals.



## **VIII. Miscellaneous**

### ***A. Bona Fide Volunteers***

Individuals who volunteer their services to state government and receive no compensation are excluded from the definition of employee and are thus excluded from coverage. They may be paid expenses, reasonable benefits, nominal fees or a combination of these. However, an individual shall not be considered a volunteer if the individual is otherwise employed by state government to perform similar or identical services as those for which the individual proposes to volunteer (29 CFR 553.101).

### ***B. Multiple Job Situations***

Employees of the state who are employed in fire protection, law enforcement or related activities may at their own option agree to a special detail to work for a separate or independent employer in such activities. The hours worked for the separate and independent employer (public or private) shall be excluded from hours worked for overtime pay purposes by the original employing agency. This provision shall apply even if the principal employer requires that only certain individuals may engage in the employment by the separate and independent employer and facilities or affects the conditions of employment.

### ***C. Substitution***

Employees of the state, at their own option but with the approval of their employer, may substitute during scheduled hours for other employees employed in the same capacity. In the case of such substitution, the hours involved are credited to the scheduled employee and not to the substitute employee. The employer need not maintain a record that the substitution has taken place (29 CFR 553.31).

### ***D. Legislative Employee Exclusion***

The amendments exclude from the definition of "employee" and thus from coverage of FLSA, employees who are not subject to the civil service laws of the state and are employed by the legislative body of a state or a political subdivision of the state, except that employees of legislative libraries would continue to be covered (29 CFR 553.12).

### ***E. Elected Official Exclusion***

The Fair Labor Standards Act (FLSA) excludes personal staff members who are selected or appointed by elected public officials. Generally, members of personal staff include only persons who are under the direct supervision of the selecting elected official and have regular contact with such official. Personal staff members in question must not be subject to the civil service laws of the state (29 CFR 553.11).



### ***F. Inclusion of Non-Discretionary Bonuses and Incentive Payments***

Inclusion of non-discretionary bonuses and incentive payments, including commissions, was added as part of the order to modernize the overtime regulations. These can be used to satisfy up to 10 percent of the standard salary level test. To meet the standard salary level, a catchup payment can be made within one pay period of the end of the quarter.

### **Longevity**

Longevity payments **will not** count towards the salary test requirement because they are not paid at least quarterly.

### **Pay-for-Performance**

There is some gray area on the issue of whether or not our pay-for-performance incentive is a non-discretionary bonus based on the fact that the appointing authority has some control over whether or not the individual receives the pay-for-performance bonus based on the employee's performance rating. Until further guidance is issued we are going to consider this a non-discretionary bonus.

- A pay-for-performance incentive **will** satisfy up to 10 percent towards the salary test requirement if the payment is made each time the employee receives a paycheck.
- A pay-for-performance incentive **will not** count towards the salary test requirement if the payment is made as a one-time lump sum.

### **Skill-Based Pay**

- A skill-based pay incentive **will** satisfy up to 10 percent towards the salary test requirement if the payment is made each time the employee receives a paycheck.
- A skill-based pay incentive **will not** count towards the salary test requirement if the payment is made as a one-time lump sum.



## IX. Frequently Asked Questions and Answers about the 2016 Revisions

### Q. Where can I find more information about FLSA and the new changes?

- A. The United States Department of Labor has developed a helpful area on their website at <https://www.dol.gov/whd/overtime/final2016/> with training seminars and fact sheets. All text of the Final Rule can be found at: <https://www.federalregister.gov/articles/2016/05/23/2016-11754/defining-and-delimiting-the-exemptions-for-executive-administrative-professional-outside-sales-and>

### Q. When are the changes effective?

- A. The effective date of the Final Rule is Dec. 1, 2016. The initial increases to the standard salary level (from \$455 to \$913 per week) and HCE total annual compensation requirement (from \$100,000 to \$134,004 per year) will be effective on that date. Future automatic updates to those thresholds will occur every three years, beginning on Jan. 1, 2020.

### Q. How should agencies comply with the revised regulations?

- A. There is a range of options available for complying with the new salary threshold. Agencies may:
- Raise salaries.
    - For workers whose salaries are close to the new threshold and who pass the duties test, employers may choose to raise these workers' salaries to meet the new threshold and maintain their exempt status.
  - Pay overtime above a salary.
    - Agencies also can continue to pay newly-eligible employees a salary and pay overtime, or provide comp time, for overtime hours in excess of 40 per week.
  - Evaluate and realign employee workload.
    - Employers can limit the need for employees to work overtime by ensuring that workloads are distributed to reduce overtime, that staffing levels are appropriate for the workload, and that workers are managing their time well.
  - Utilize comp time.
    - Agencies can provide comp time rather than cash overtime payments in appropriate circumstances.

### Q. Which job titles are exempt?

- A. A job title alone is insufficient to establish the exempt status of an employee. The exempt or non-exempt status of any employee must be determined on the basis of whether the employee's salary and duties meet the requirements of the regulations (29 CFR 541.2).

### Q. Does my longevity count towards the minimum salary test requirement?

- A. No. Longevity payments **will not** count towards the salary test requirement because they are not paid at least quarterly.



**Q. Does my skill-based pay count towards the minimum salary test requirement?**

- A. A skill-based pay incentive **will** satisfy up to 10 percent towards the salary test requirement if the payment is made each time the employee receives a paycheck. However, a skill-based pay incentive **will not** count towards the salary test requirement if the payment is made as a one-time lump sum payment.

**Q. Does my pay-for-performance incentive count towards the minimum salary test requirement?**

- A. A pay-for-performance incentive **will** satisfy up to 10 percent towards the salary test requirement if the payment is made each time the employee receives a paycheck. However, a pay-for-performance incentive **will not** count towards the salary test requirement if the payment is made as a one-time lump sum payment.



## Index of FLSA Status by Job Family Level

<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
A10A	Insurance Underwriter	H	N
A10B	Insurance Underwriter	J	N
A10C	Insurance Underwriter	K	E
A11A	Insurance Claims Adjuster	H	N
A11B	Insurance Claims Adjuster	J	N
A11C	Insurance Claims Adjuster	K	E
A11D	Insurance Claims Adjuster	L	E
A20A	Insurance Subrogation/Reimbursement Specialist	H	N
A20B	Insurance Subrogation/Reimbursement Specialist	J	N
A20C	Insurance Subrogation/Reimbursement Specialist	K	E
A30A	Member Services Representative	H	N
A30B	Member Services Representative	J	N
A30C	Member Services Representative	K	E
A31A	Flexible Benefits Representative	J	N
A31B	Flexible Benefits Representative	K	N
A31C	Flexible Benefits Representative	L	E
A32A	Insurance Benefits Specialist	G	N
A32B	Insurance Benefits Specialist	H	N
A32C	Insurance Benefits Specialist	I	N
A32D	Insurance Benefits Specialist	J	E
A33A	Provider Contracting Specialist	I	N
A33B	Provider Contracting Specialist	J	N
A33C	Provider Contracting Specialist	L	E
A40A	Insurance Program Administrator	M	E
A40B	Insurance Program Administrator	N	E
A40C	Insurance Program Administrator	O	E
A40D	Insurance Program Administrator	P	E
A50A	Retirement Benefit Analyst	G	N
A50B	Retirement Benefit Analyst	H	N
A50C	Retirement Benefit Analyst	I	N
A50D	Retirement Benefit Analyst	J	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
A51A	Retirement Benefit Administrator	L	E
A51B	Retirement Benefit Administrator	N	E
B10A	Information Systems Network Management Specialist	E	N
B10B	Information Systems Network Management Specialist	F	N
B10C	Information Systems Network Management Specialist	G	E
B10D	Information Systems Network Management Specialist	H	E
B20A	Information Systems Telecommunications Technician	G	N
B20B	Information Systems Telecommunications Technician	H	N
B20C	Information Systems Telecommunications Technician	I	E
B21A	Information Systems Network Management Specialist	I	N
B21B	Information Systems Network Management Specialist	J	E
B21C	Information Systems Network Management Specialist	K	E
B21D	Information Systems Network Management Specialist	L	E
B22A	Information Systems Network Administrator	L	E
B22B	Information Systems Network Administrator	L	E
B22C	Information Systems Network Administrator	M	E
B22D	Information Systems Network Administrator	O	E
B23A	Information Systems Network Technician	H	N
B24A	GIS Technician	F	N
B24B	GIS Technician	G	N
B24C	GIS Technician	H	N
B25A	Geographic Info Sys Spec	I	N
B25B	Geographic Info Sys Spec	J	N
B25C	Geographic Info Sys Spec	K	N
B26A	Geographic Info Sys Manager	M	E
B26B	Geographic Info Sys Manager	N	E
B30A	Information Systems Operating System Specialist	K	N
B30B	Information Systems Operating System Specialist	L	N
B30C	Information Systems Operating System Specialist	M	E
B30D	Information Systems Operating System Specialist	N	E
B31A	Information Systems Manager	M	E
B31B	Information Systems Manager	N	E
B31C	Information Systems Manager	O	E
B32A	Information Systems Administrator	O	E
B32B	Information Systems Administrator	P	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
B32C	Information Systems Administrator	Q	E
B40A	Information Systems Planning Specialist	L	E
B40B	Information Systems Planning Specialist	M	E
B40C	Information Systems Planning Specialist	N	E
B40D	Information Systems Planning Specialist	O	E
B51A	Information Systems Applications Specialist	J	N
B51B	Information Systems Applications Specialist	K	E
B51C	Information Systems Applications Specialist	L	E
B51D	Information Systems Applications Specialist	M	E
B52A	Information Systems Data Management Analyst	K	N
B52B	Information Systems Data Management Analyst	L	E
B52C	Information Systems Data Management Analyst	M	E
B52D	Information Systems Data Management Analyst	N	E
B52E	Information Systems Data Management Analyst	O	E
B55A	Information Systems Services Coordinator	J	N
B55B	Information Systems Services Coordinator	K	N
B55C	Information Systems Services Coordinator	L	N
B55D	Information Systems Services Coordinator	M	E
C10A	Civil Rights Administrator	L	E
C10B	Civil Rights Administrator	N	E
C10C	Civil Rights Administrator	O	E
C12A	Employee Assistance Program Coordinator	K	E
C12B	Employee Assistance Program Coordinator	M	E
C14A	Community Relations Specialist	I	N
C14B	Community Relations Specialist	K	N
C14C	Community Relations Specialist	L	E
C15A	Human Rights Representative	I	N
C15B	Human Rights Representative	K	N
C15C	Human Rights Representative	L	E
C16A	Human Rights Administrator	M	E
C16B	Human Rights Administrator	O	E
C30A	Human Resources Assistant	G	N
C31A	Human Resources Management Specialist	H	N
C31B	Human Resources Management Specialist	J	N
C31C	Human Resources Management Specialist	K	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
C31D	Human Resources Management Specialist	L	E
C32A	Human Resources Programs Manager	M	E
C32B	Human Resources Programs Manager	N	E
C32C	Human Resources Programs Manager	O	E
C33A	Human Resources Programs Director	P	E
C33B	Human Resources Programs Director	Q	E
C37A	Personnel Programs Analyst	K	N
C37B	Personnel Programs Analyst	L	E
C38A	Payroll Administrative Assistant	G	N
C38B	Payroll Administrative Assistant	I	N
C40A	Correctional Training Officer	I	N
C40B	Correctional Training Officer	J	E
C40C	Correctional Training Officer	K	E
C40D	Correctional Training Officer	L	E
C41A	Training Specialist	I	N
C41B	Training Specialist	J	N
C41C	Training Specialist	L	E
C42A	Video Production Specialist	I	N
C42B	Video Production Specialist	J	N
C42C	Video Production Specialist	K	E
C42D	Video Production Specialist	L	E
C43A	National Guard Training Officer	I	E
C43B	National Guard Training Officer	J	E
C43C	National Guard Training Officer	L	E
C44A	Background Investigator	H	N
C44B	Background Investigator	I	N
C44C	Background Investigator	J	N
D10A	Financial Loan Analyst	I	N
D10B	Financial Loan Analyst	J	N
D10C	Financial Loan Analyst	K	E
D10D	Financial Loan Analyst	M	E
D12A	Auditor	I	N
D12B	Auditor	J	N
D12C	Auditor	K	E
D12D	Auditor	L	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
D14A	Accountant	I	N
D14B	Accountant	J	E
D14C	Accountant	K	E
D14D	Accountant	L	E
D18A	Pre-Audit Claims Specialist	E	N
D18B	Pre-Audit Claims Specialist	F	N
D18C	Pre-Audit Claims Specialist	G	N
D18D	Pre-Audit Claims Specialist	H	E
D20A	Budget Analyst	I	N
D20B	Budget Analyst	K	E
D20C	Budget Analyst	L	E
D20D	Budget Analyst	N	E
D21A	Budget Analyst (OMES)	K	N
D21B	Budget Analyst (OMES)	N	E
D21C	Budget Analyst (OMES)	O	E
D21D	Budget Analyst (OMES)	P	E
D30A	Business Manager	K	E
D30B	Business Manager	L	E
D30C	Business Manager	M	E
D33A	Financial Manager/Comptroller	N	E
D33B	Financial Manager/Comptroller	O	E
D33C	Financial Manager/Comptroller	O	E
D33D	Financial Manager/Comptroller	Q	E
D50A	Accounting Technician	F	N
D50B	Accounting Technician	G	N
D50C	Accounting Technician	H	N
D50D	Accounting Technician	I	E
D51A	Insurance/Benefits Accounts Specialist	G	N
D51B	Insurance/Benefits Accounts Specialist	H	N
D51C	Insurance/Benefits Accounts Specialist	I	N
D51D	Insurance/Benefits Accounts Specialist	J	E
D54A	Consumer Credit Examiner	J	N
D54B	Consumer Credit Examiner	K	E
D54C	Consumer Credit Examiner	L	E
E10A	Division Manager	O	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
E10B	Division Manager	P	E
E10C	Division Manager	Q	E
E12A	Administrative Programs Officer	J	E
E12B	Administrative Programs Officer	L	E
E12C	Administrative Programs Officer	M	E
E12D	Administrative Programs Officer	O	E
E13A	Customer Service Representative	D	N
E13B	Customer Service Representative	E	N
E13C	Customer Service Representative	G	E
E14A	Court Reporter	-	N
E15A	Docket Clerk	F	N
E15B	Docket Clerk	G	N
E15C	Docket Clerk	H	E
E16A	Administrative Technician	D	N
E16B	Administrative Technician	E	N
E16C	Administrative Technician	F	N
E16D	Administrative Technician	G	N
E17A	Administrative Assistant	H	N
E17B	Administrative Assistant	I	E
E18A	Business Filing Specialist	G	N
E18B	Business Filing Specialist	H	N
E18C	Business Filing Specialist	I	N
E18D	Business Filing Specialist	J	E
E19A	Medical Transcriptionist	E	N
E19B	Medical Transcriptionist	G	E
E20A	Library Technician	E	N
E20B	Library Technician	F	N
E20C	Library Technician	G	N
E21A	Librarian	I	N
E21B	Librarian	K	E
E21C	Librarian	L	E
E21D	Librarian	L	E
E22A	Administrative Librarian	M	E
E22B	Administrative Librarian	N	E
E24A	Secretary	F	N



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
E24B	Secretary	G	N
E24C	Secretary	H	N
E24D	Secretary	I	N
E24E	Secretary	J	N
E25A	Legal Secretary	G	N
E25B	Legal Secretary	H	N
E25C	Legal Secretary	I	N
E25D	Legal Secretary	J	E
E27A	Insurance Board Executive Assistant	J	N
E28A	Mentor Executive	K	E
E30A	Legal Research Assistant	I	N
E31A	Administrative Hearing Officer	L	E
E31B	Administrative Hearing Officer	M	E
E31C	Administrative Hearing Officer	N	E
E32A	Administrative Hearing Manager	O	N
E33A	Bindery Worker	E	N
E33B	Bindery Worker	F	N
E33C	Bindery Worker	H	E
E34A	Offset Press Operator	F	N
E34B	Offset Press Operator	G	N
E34C	Offset Press Operator	H	N
E34D	Offset Press Operator	I	E
E35A	Duplicating Equipment Operator	C	N
E35B	Duplicating Equipment Operator	D	N
E35C	Duplicating Equipment Operator	E	N
E35D	Duplicating Equipment Operator	F	N
E36A	Optical Imaging Specialist	D	N
E36B	Optical Imaging Specialist	F	N
E36C	Optical Imaging Specialist	H	E
E37A	Reproduction Services Manager	L	E
E38A	Director of Central Printing	N	E
E41A	Archivist/Records Management Specialist	I	N
E41B	Archivist/Records Management Specialist	K	E
E41C	Archivist/Records Management Specialist	L	E
E42A	Administrative Archivist	M	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
E43A	Graphic Artist	H	N
E43B	Graphic Artist	I	N
E43C	Graphic Artist	J	E
E44A	Public Information Officer	I	N
E44B	Public Information Officer	J	N
E44C	Public Information Officer	K	E
E45A	Public Information Manager	L	E
E45B	Public Information Manager	M	E
E46A	Statistical Research Specialist	H	N
E46B	Statistical Research Specialist	I	N
E46C	Statistical Research Specialist	K	E
E46D	Statistical Research Specialist	L	E
E47A	Research Director	M	E
E48A	Planning Coordinator	H	N
E48B	Planning Coordinator	I	E
E48C	Planning Coordinator	K	E
E49A	Management Analyst	L	E
E49B	Management Analyst	N	E
E50A	Photographer	H	E
E51A	Photo lithographer	E	N
E51B	Photo lithographer	F	N
E51C	Photo lithographer	G	N
E55A	Customer Assistance Representative	F	N
E55B	Customer Assistance Representative	G	N
E55C	Customer Assistance Representative	H	N
E55D	Customer Assistance Representative	J	E
F10A	Contracting and Procurement Officer	H	N
F10B	Contracting and Procurement Officer	J	N
F10C	Contracting and Procurement Officer	K	E
F10D	Contracting and Procurement Officer	L	E
F11A	Contracting and Procurement Administrator	N	E
F11B	Contracting and Procurement Administrator	P	E
F12A	Chief Administrator of Acquisitions	Q	E
F13A	Strategic Sourcing Consultant	J	N
F13B	Strategic Sourcing Consultant	K	N



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
F13C	Strategic Sourcing Consultant	L	N
F13D	Strategic Sourcing Consultant	M	N
F14A	Contracting and Acquisitions Agent	H	N
F14B	Contracting and Acquisitions Agent	I	N
F14C	Contracting and Acquisitions Agent	J	E
F14D	Contracting and Acquisitions Agent	K	E
F15A	Contracting and Acquisitions Administrator	N	E
F16A	Surplus Property Agent	H	N
F17A	Property Distribution Administrator	M	E
F17B	Property Distribution Administrator	N	E
F20A	Materiel Management Specialist	D	N
F20B	Materiel Management Specialist	E	N
F20C	Materiel Management Specialist	F	N
F20D	Materiel Management Specialist	G	E
F21A	Materiel Management Officer	H	E
F21B	Materiel Management Officer	I	E
F30A	Minerals Management Specialist	I	N
F30B	Minerals Management Specialist	J	N
F30C	Minerals Management Specialist	K	E
F30D	Minerals Management Specialist	L	E
F31A	Real Estate Management Specialist	I	N
F31B	Real Estate Management Specialist	J	N
F31C	Real Estate Management Specialist	L	E
F31D	Real Estate Management Specialist	M	E
F35A	Director, Service Division	N	E
F36A	Director, Real Estate Management Division	N	E
F36B	Director, Real Estate Management Division	O	E
F38A	Real Property Management Specialist	K	N
F41A	Construction/Maintenance Technician	F	N
F41B	Construction/Maintenance Technician	G	N
F41C	Construction/Maintenance Technician	H	E
F42A	Construction Inspector	K	N
F43A	Exhibit Design Technician	F	N
F43B	Exhibit Design Technician	G	N
F43C	Exhibit Design Technician	H	N



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
F44A	Carpenter	F	N
F44B	Carpenter	G	N
F45A	Construction/Maintenance Administrator	K	E
F45B	Construction/Maintenance Administrator	L	E
F45C	Construction/Maintenance Administrator	M	E
F45D	Construction/Maintenance Administrator	N	E
F46A	Painter	E	N
F46B	Painter	F	N
F47A	Fleet Specialist	E	N
F47B	Fleet Specialist	G	N
F47C	Fleet Specialist	H	N
F47D	Fleet Specialist	I	E
F47E	Fleet Specialist	K	E
F48A	Welder	F	N
F48B	Welder	G	N
F48C	Welder	I	N
F49A	Physical Plant Operator	E	N
F49B	Physical Plant Operator	F	N
F49C	Physical Plant Operator	H	E
F50A	Housekeeping/Custodial Worker	B	N
F50B	Housekeeping/Custodial Worker	C	N
F50C	Housekeeping/Custodial Worker	D	N
F50D	Housekeeping/Custodial Worker	G	E
F50E	Housekeeping/Custodial Worker	I	E
F54A	Light Vehicle Driver	C	N
F56A	Electronics Technician	H	N
F56B	Electronics Technician	I	E
F58A	Security Systems Program Manager	K	E
F60A	Asbestos Equipment/Vehicle Operator	E	N
F61A	Asbestos Supply Officer	E	N
F62A	Asbestos Worker	H	N
F62B	Asbestos Worker	I	N
F62C	Asbestos Worker	J	E
F63A	Asbestos Superintendent	L	E
F63B	Asbestos Superintendent	M	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
F65A	Construction Designer	K	E
F66A	Landscape Architect	K	E
F68A	Interior Designer	J	E
F69A	Architect	L	E
F69B	Architect	M	E
F70A	Facilities Programs Officer (OMD)	L	E
F71A	Roofing Manager	L	E
F72A	Construction Manager	J	E
F73A	Military Construction Consultant (OMD)	L	E
F74A	Mechanical Systems Technician	F	N
F74B	Mechanical Systems Technician	G	N
F74C	Mechanical Systems Technician	H	N
F74D	Mechanical Systems Technician	I	E
F75A	Electrician	G	N
F75B	Electrician	H	N
F75C	Electrician	I	N
F75D	Electrician	J	E
F76A	Plumber	G	N
F76B	Plumber	H	N
F76C	Plumber	I	N
F76D	Plumber	J	E
F77A	Groundskeeper	E	N
F77B	Groundskeeper	F	N
F78A	Equipment Operator	E	N
F78B	Equipment Operator	F	N
F78C	Equipment Operator	G	N
F79A	Laborer	D	N
F79B	Laborer	E	N
G10A	Communications Officer (DPS)	-	N
G10B	Communications Officer (DPS)	-	N
G10C	Communications Officer (DPS)	-	N
G10D	Communications Officer (DPS)	-	E
G10E	Communications Officer (DPS)	-	E
G11A	Law Enforcement Communication Center Director	I	E
G11B	Law Enforcement Communication Center Director	J	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
G11C	Law Enforcement Communication Center Director	K	E
G12A	Criminalist	-	N
G12B	Criminalist	-	N
G12C	Criminalist	-	N
G12D	Criminalist	-	E
G12E	Criminalist	-	E
G13A	Crime Reporting Field Representative	H	N
G13B	Crime Reporting Field Representative	I	N
G13C	Crime Reporting Field Representative	K	E
G14A	Driver's License Examiner	H	N
G14B	Driver's License Examiner	I	N
G14C	Driver's License Examiner	J	N
G14D	Driver's License Examiner	K	N
G15A	Law Enforcement Communications Specialist	G	N
G15B	Law Enforcement Communications Specialist	I	E
G16A	Physical Evidence Technician	F	N
G16B	Physical Evidence Technician	H	N
G16C	Physical Evidence Technician	I	E
G17A	Criminal Intelligence Analyst	J	N
G17B	Criminal Intelligence Analyst	K	N
G18A	Polygraph Examiner	I	N
G19A	Fingerprint Specialist	H	N
G19B	Fingerprint Specialist	I	N
G19C	Fingerprint Specialist	J	N
G19D	Fingerprint Specialist	K	N
G21A	State Fire Marshal Law Enforcement Agent	J	N
G21B	State Fire Marshal Law Enforcement Agent	K	N
G21C	State Fire Marshal Law Enforcement Agent	L	N
G21D	State Fire Marshal Law Enforcement Agent	M	E
G21E	State Fire Marshal Law Enforcement Agent	O	E
G22A	Law Enforcement Special Agent (OSBI)	-	N
G22B	Law Enforcement Special Agent (OSBI)	-	N
G22C	Law Enforcement Special Agent (OSBI)	-	N
G22D	Law Enforcement Special Agent (OSBI)	-	E
G22E	Law Enforcement Special Agent (OSBI)	-	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
G23A	Law Enforcement ABLE Commission Agent	H	N
G23B	Law Enforcement ABLE Commission Agent	J	N
G23C	Law Enforcement ABLE Commission Agent	K	N
G23D	Law Enforcement ABLE Commission Agent	M	E
G23E	Law Enforcement ABLE Commission Agent	N	E
G24A	Law Enforcement Narcotics Agent	I	N
G24B	Law Enforcement Narcotics Agent	J	N
G24C	Law Enforcement Narcotics Agent	K	N
G24D	Law Enforcement Narcotics Agent	L	E
G24E	Law Enforcement Narcotics Agent	M	E
G24F	Law Enforcement Narcotics Agent	O	E
G25A	DHS Investigative Agent	I	N
G25B	DHS Investigative Agent	J	N
G25C	DHS Investigative Agent	K	N
G25D	DHS Investigative Agent	M	N
G25E	DHS Investigative Agent	N	N
G28A	Police Officer	E	N
G28B	Police Officer	F	N
G28C	Police Officer	G	N
G28D	Police Officer	H	E
G28E	Police Officer	J	E
G30A	Licensing Services Hearing Officer (DPS)	J	N
G30B	Licensing Services Hearing Officer (DPS)	K	E
G30C	Licensing Services Hearing Officer (DPS)	L	E
G32A	Gunsmith/Ammunition Reload Specialist	I	N
G33A	Law Enforcement Telecommunications System Specialist	I	N
G33B	Law Enforcement Telecommunications System Specialist	J	N
G33C	Law Enforcement Telecommunications System Specialist	L	N
G33D	Law Enforcement Telecommunications System Specialist	L	E
G33E	Law Enforcement Telecommunications System Specialist	N	E
G40A	Law Enforcement Program Administrator	O	E
G40B	Law Enforcement Program Administrator	P	E
G41A	Deputy Commissioner (DPS)	Q	E
G50A	Law Enforcement Capitol Patrol Officer	-	N
G50B	Law Enforcement Capitol Patrol Officer	-	N



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
G50C	Law Enforcement Capitol Patrol Officer	-	N
G50D	Law Enforcement Capitol Patrol Officer	-	E
G51A	Law Enforcement Capitol Patrol Manager	-	E
G51B	Law Enforcement Capitol Patrol Manager	-	E
G52A	Law Enforcement Lake Patrol Officer	-	N
G52B	Law Enforcement Lake Patrol Officer	-	N
G52C	Law Enforcement Lake Patrol Officer	-	E
G52D	Law Enforcement Lake Patrol Officer	-	E
G53A	Law Enforcement Highway Patrol Officer	-	N
G53B	Law Enforcement Highway Patrol Officer	-	N
G53C	Law Enforcement Highway Patrol Officer	-	N
G53D	Law Enforcement Highway Patrol Officer	-	N
G53E	Law Enforcement Highway Patrol Officer	-	E
G54A	Law Enforcement Highway Patrol Manager	-	E
G54B	Law Enforcement Highway Patrol Manager	-	E
G55A	Law Enforcement Highway Patrol Administrator	-	E
G55B	Law Enforcement Highway Patrol Administrator	-	E
G55C	Law Enforcement Highway Patrol Administrator	-	E
H10A	Programs Manager	M	E
H10B	Programs Manager	N	E
H10C	Programs Manager	O	E
H10D	Programs Manager	P	E
H10E	Programs Manager	Q	E
H11A	Programs Field Representative	M	N
H15A	County Director	L	E
H15B	County Director	M	E
H15C	County Director	N	E
H15D	County Director	O	E
H16A	Child Welfare Assistant	D	N
H16B	Child Welfare Assistant	F	N
H16C	Child Welfare Assistant	G	N
H20A	Social Services Specialist	H	N
H20B	Social Services Specialist	I	N
H20C	Social Services Specialist	J	N
H20D	Social Services Specialist	K	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
H21A	Case Manager	I	N
H21B	Case Manager	J	N
H21C	Case Manager	K	N
H21D	Case Manager	L	E
H22A	Social Services Inspector	J	N
H22B	Social Services Inspector	K	N
H22C	Social Services Inspector	L	N
H22D	Social Services Inspector	M	E
H23A	Child Welfare Specialist	I	N
H23B	Child Welfare Specialist	J	N
H23C	Child Welfare Specialist	K	N
H23D	Child Welfare Specialist	L	E
H24A	Child Care Licensing Specialist	H	N
H24B	Child Care Licensing Specialist	I	N
H24C	Child Care Licensing Specialist	J	N
H24D	Child Care Licensing Specialist	K	E
H25A	Medical Social Analyst	I	N
H25B	Medical Social Analyst	K	E
H26A	Adult Protective Services Specialist	I	N
H26B	Adult Protective Services Specialist	J	N
H26C	Adult Protective Services Specialist	K	N
H26D	Adult Protective Services Specialist	L	E
H27A	Clinical Social Worker	J	E
H27B	Clinical Social Worker	K	E
H27C	Clinical Social Worker	L	E
H27D	Clinical Social Worker	M	E
H30A	Child Support Specialist	H	N
H30B	Child Support Specialist	I	N
H30C	Child Support Specialist	J	N
H30D	Child Support Specialist	K	E
H32A	Specialist in Aging	J	N
H33A	Regional After-Care Supervisor	L	E
H50A	Disability Program Specialist	I	N
H50B	Disability Program Specialist	J	N
H50C	Disability Program Specialist	K	N



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
H50D	Disability Program Specialist	L	E
H51A	Planning/Oversight Specialist	K	E
H51B	Planning/Oversight Specialist	L	E
H51C	Planning/Oversight Specialist	M	E
I10A	Correctional Security Officer	F	N
I10B	Correctional Security Officer	G	N
I10C	Correctional Security Officer	H	N
I10D	Correctional Security Officer	I	N
I11A	Correctional Security Manager	K	E
I11B	Correctional Security Manager	L	E
I12A	Correctional Chief of Security	L	E
I12B	Correctional Chief of Security	M	E
I12C	Correctional Chief of Security	N	E
I13A	Intelligence Officer (DOC)	J	N
I14A	Staff Assistant (DOC)	L	N
I15A	Unit Manager (DOC)	L	E
I16A	Correctional Security Consultant	M	N
I17A	Fugitive Apprehension Agent (DOC)	J	N
I17B	Fugitive Apprehension Agent (DOC)	K	N
I17C	Fugitive Apprehension Agent (DOC)	L	N
I20A	Correctional Case Manager	H	N
I20B	Correctional Case Manager	I	N
I20C	Correctional Case Manager	J	N
I20D	Correctional Case Manager	K	E
I21A	Correctional Activities Officer	H	N
I21B	Correctional Activities Officer	J	E
I22A	School Principal	L	E
I22B	School Principal	M	E
I23A	Correctional Teacher	-	E
I23B	Correctional Teacher	-	E
I24A	Correctional Counselor	H	N
I25A	Correctional Records Officer	J	N
I26A	Internal Affairs Special Investigator (DOC)	I	N
I26B	Internal Affairs Special Investigator (DOC)	J	N
I26C	Internal Affairs Special Investigator (DOC)	K	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
I30A	Correctional Industries Manager	F	N
I30B	Correctional Industries Manager	H	E
I30C	Correctional Industries Manager	I	E
I30D	Correctional Industries Manager	L	E
I30E	Correctional Industries Manager	M	E
I35A	Institutional Farms Manager	I	N
I35B	Institutional Farms Manager	J	E
I35C	Institutional Farms Manager	K	E
I35D	Institutional Farms Manager	L	E
I40A	Probation and Parole Officer	I	N
I40B	Probation and Parole Officer	K	N
I40C	Probation and Parole Officer	L	E
I40D	Probation and Parole Officer	M	E
I41A	Pardon and Parole Investigator	I	N
I41B	Pardon and Parole Investigator	J	N
I41C	Pardon and Parole Investigator	K	E
I50A	Correctional Health Services Administrator	M	E
I50B	Correctional Health Services Administrator	N	E
I50C	Correctional Health Services Administrator	O	E
I51A	OCI & Agri-Services Truck Driver	G	N
J10A	Safety Standards Inspector	I	N
J10B	Safety Standards Inspector	J	N
J10C	Safety Standards Inspector	K	N
J10D	Safety Standards Inspector	L	E
J12A	Emergency Management Officer	J	N
J12B	Emergency Management Officer	K	N
J12C	Emergency Management Officer	L	N
J12D	Emergency Management Officer	M	E
J14A	Asbestos Inspector	I	N
J14B	Asbestos Inspector	J	N
J14C	Asbestos Inspector	K	N
J14D	Asbestos Inspector	L	E
J15A	Industrial Hygienist	K	N
J15B	Industrial Hygienist	L	N
J15C	Industrial Hygienist	L	N



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
J15D	Industrial Hygienist	M	E
J16A	Boiler/Pressure Vessel and Alt Fuel Inspector	I	N
J16B	Boiler/Pressure Vessel and Alt Fuel Inspector	J	N
J16C	Boiler/Pressure Vessel and Alt Fuel Inspector	L	E
J16D	Boiler/Pressure Vessel and Alt Fuel Inspector	L	E
J17A	Labor Compliance Officer	I	N
J17B	Labor Compliance Officer	J	N
J17C	Labor Compliance Officer	K	E
J19A	Occupational Licensure Specialist	I	N
J19B	Occupational Licensure Specialist	J	N
J19C	Occupational Licensure Specialist	K	E
J20A	Real Estate Investigator	I	N
J20B	Real Estate Investigator	J	N
J20C	Real Estate Investigator		E
J25A	Safety and Health Director	N	E
J26A	Employment Standards Director	N	E
J30A	Safety Manager	M	E
J30B	Safety Manager	N	E
J31A	Safety Consultant	H	N
J31B	Safety Consultant	I	N
J31C	Safety Consultant	J	E
J31D	Safety Consultant	K	E
J32A	Highway Safety Coordinator	M	E
J33A	Airfield Firefighter	I	N
J33B	Airfield Firefighter	J	N
J33C	Airfield Firefighter	L	E
J33D	Airfield Firefighter	N	E
J40A	Juvenile Security Officer	E	N
J40B	Juvenile Security Officer	F	N
J40C	Juvenile Security Officer	G	N
J40D	Juvenile Security Officer	H	N
J41A	Fire Prevention and Security Officer	D	N
J41B	Fire Prevention and Security Officer	E	N
J41C	Fire Prevention and Security Officer	F	E
J41D	Fire Prevention and Security Officer	F	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
J52A	Cosmetology/Barber Inspector	FI	N
J53A	Pharmacy Inspector	J	N
J53B	Pharmacy Inspector	K	E
J54A	Jail Inspection/Investigation Officer	H	N
J54B	Jail Inspection/Investigation Officer	I	N
J54C	Jail Inspection/Investigation Officer	J	E
J55A	Medical/Dental Investigator	H	N
J55B	Medical/Dental Investigator	I	N
J55C	Medical/Dental Investigator	J	N
J55D	Medical/Dental Investigator	K	E
J55E	Medical/Dental Investigator	L	E
J56A	ODVA Internal Investigator	I	N
J56B	ODVA Internal Investigator	J	E
J56C	ODVA Internal Investigator	K	E
J56D	ODVA Internal Investigator	L	E
K10A	Juvenile Justice Specialist	I	N
K10B	Juvenile Justice Specialist	J	N
K10C	Juvenile Justice Specialist	K	N
K10D	Juvenile Justice Specialist	L	E
K11A	Disability Determination Specialist	H	N
K11B	Disability Determination Specialist	I	N
K11C	Disability Determination Specialist	J	N
K11D	Disability Determination Specialist	L	N
K12A	Disability Determination Technician	F	N
K12B	Disability Determination Technician	G	N
K12C	Disability Determination Technician	H	N
K12D	Disability Determination Technician	I	N
K15A	Manual Sign Language Specialist	F	N
K20A	Rehabilitation Technician	H	N
K20B	Rehabilitation Technician	H	N
K20C	Rehabilitation Technician	I	N
K21A	Vocational Rehabilitation Specialist	J	N
K21B	Vocational Rehabilitation Specialist	K	N
K21C	Vocational Rehabilitation Specialist	L	N
K21D	Vocational Rehabilitation Specialist	M	N



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
K22A	Assistive Technology Specialist	K	E
K22B	Assistive Technology Specialist	L	E
K22C	Assistive Technology Specialist	M	E
K22D	Assistive Technology Specialist	N	E
K23A	Rehabilitation of the Blind Specialist	J	N
K23B	Rehabilitation of the Blind Specialist	K	N
K23C	Rehabilitation of the Blind Specialist	L	N
K23D	Rehabilitation of the Blind Specialist	M	N
K24A	Job Placement Specialist	I	N
K24B	Job Placement Specialist	J	N
K25A	Coordinator for Children's Services	M	E
K27A	Vocational Rehabilitation Teacher	J	E
K28A	Vocational Training Instructor	I	N
K30A	Vending Machine Technician	G	N
K31A	Vending Facility Business Consultant	H	N
K31B	Vending Facility Business Consultant	I	N
L12A	Animal Health Epidemiologist	O	E
L13A	Agricultural Market Development Coordinator	I	N
L13B	Agricultural Market Development Coordinator	K	N
L13C	Agricultural Market Development Coordinator	M	N
L16A	Agriculture Field Inspector	I	N
L16B	Agriculture Field Inspector	J	N
L16C	Agriculture Field Inspector	K	N
L16D	Agriculture Field Inspector	L	E
L16E	Agriculture Field Inspector	M	E
L21A	Forest Fire Detection Specialist	C	N
L22A	Forest Regeneration Specialist	I	N
L22B	Forest Regeneration Specialist	J	N
L22C	Forest Regeneration Specialist	L	E
L23A	Forest Ranger	G	N
L23B	Forest Ranger	H	N
L23C	Forest Ranger	I	E
L24A	Forester	I	N
L24B	Forester	J	N
L24C	Forester	K	N



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
L24D	Forester	L	E
L24E	Forester	N	E
L25A	Forestry Services Special Investigations Officer	J	N
L25B	Forestry Services Special Investigations Officer	K	N
L25C	Forestry Services Special Investigations Officer	L	N
L25D	Forestry Services Special Investigations Officer	M	E
L33A	Wildlife Damage Control Specialist	H	N
L33B	Wildlife Damage Control Specialist	I	N
L33C	Wildlife Damage Control Specialist	J	E
L34A	Seed Analyst	E	N
L34B	Seed Analyst	F	N
L34C	Seed Analyst	H	N
L40A	Meteorologist	I	N
L40B	Meteorologist	K	N
L40C	Meteorologist	M	E
L40D	Meteorologist	N	E
L41A	Agriculture Services Administrator	N	E
L41B	Agriculture Services Administrator	O	E
L41C	Agriculture Services Administrator	Q	E
M10A	Regulatory Program Manager	N	E
M10B	Regulatory Program Manager	O	E
M10C	Regulatory Program Manager	P	E
M11A	Director, Oil and Gas Division	O	E
M11B	Director, Oil and Gas Division	O	E
M20A	Consumer Complaint Investigator and Mediator	J	N
M20B	Consumer Complaint Investigator and Mediator	K	N
M30A	Fuel Specialist	H	N
M30B	Fuel Specialist	I	N
M30C	Fuel Specialist	J	E
M30D	Fuel Specialist	K	E
M31A	Oil and Gas Specialist	I	N
M31B	Oil and Gas Specialist	K	N
M31C	Oil and Gas Specialist	L	N
M31D	Oil and Gas Specialist	M	E
M32A	Oil and Gas Field Inspector	I	N



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
M32B	Oil and Gas Field Inspector	J	N
M32C	Oil and Gas Field Inspector	K	N
M32D	Oil and Gas Field Inspector	L	E
M33A	Oil and Gas Production Advisor	L	E
M35A	Pipeline Safety/Regulation Specialist	J	N
M35B	Pipeline Safety/Regulation Specialist	L	N
M35C	Pipeline Safety/Regulation Specialist	M	E
M36A	Liquefied Petroleum Gas Inspector	G	N
M36B	Liquefied Petroleum Gas Inspector	H	N
M40A	Public Utility Regulatory Analyst	J	N
M40B	Public Utility Regulatory Analyst	L	N
M40C	Public Utility Regulatory Analyst	L	N
M40D	Public Utility Regulatory Analyst	N	E
M41A	Public Utility Compliance Specialist	I	N
M41B	Public Utility Compliance Specialist	K	N
M41C	Public Utility Compliance Specialist	N	E
M46A	Transportation Customer Specialist	H	N
M46B	Transportation Customer Specialist	I	N
M46C	Transportation Customer Specialist	J	N
M46D	Transportation Customer Specialist	K	N
M50A	Transportation Rate Auditor	I	N
M50B	Transportation Rate Auditor	K	N
M50C	Transportation Rate Auditor	L	E
M53A	Motor Carrier Enforcement Officer	I	N
M53B	Motor Carrier Enforcement Officer	K	N
M53C	Motor Carrier Enforcement Officer	L	E
M53D	Motor Carrier Enforcement Officer	M	E
M54A	Track Safety Specialist	J	N
N10A	Assistant Deputy Director, ODVA	Q	E
N12A	Veterans Center Administrator	O	E
N12B	Veterans Center Administrator	P	E
N13A	Veterans Affairs Field Services Representative	H	N
N13B	Veterans Affairs Field Services Representative	I	N
N13C	Veterans Affairs Field Services Representative	J	N
N13D	Veterans Affairs Field Services Representative	K	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
N14A	Veterans Claims and Benefits Administrator	N	E
N14B	Veterans Claims and Benefits Administrator	O	E
N15A	State Accrediting Officer	J	N
N15B	State Accrediting Officer	K	E
N16A	Patient Services Coordinator	H	N
N16B	Patient Services Coordinator	I	N
P15A	Naturalist	J	N
P15B	Naturalist	K	E
P20A	Park Ranger	G	N
P20B	Park Ranger	H	N
P20C	Park Ranger	I	E
P20D	Park Ranger	L	E
P25A	Park Manager	J	E
P25B	Park Manager	L	E
P25C	Park Manager	L	E
P25D	Park Manager	M	E
P25E	Park Manager	N	E
P30A	Recreation Programs Coordinator	K	E
Q10A	Power Generation Operations Technician	L	N
Q10B	Power Generation Operations Technician	M	N
Q10C	Power Generation Operations Technician	N	N
Q10D	Power Generation Operations Technician	O	E
Q20A	Power Plant Maintenance Technician	L	N
Q20B	Power Plant Maintenance Technician	M	N
Q20C	Power Plant Maintenance Technician	N	N
Q20D	Power Plant Maintenance Technician	O	E
Q21A	Power Transmission Maintenance Technician	L	N
Q21B	Power Transmission Maintenance Technician	M	N
Q21C	Power Transmission Maintenance Technician	N	N
Q21D	Power Transmission Maintenance Technician	O	E
Q22A	SCADA System Maintenance Technician	L	N
Q22B	SCADA System Maintenance Technician	M	N
Q22C	SCADA System Maintenance Technician	N	N
Q22D	SCADA System Maintenance Technician	O	E
Q23A	Automotive Maintenance Technician	L	N



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
Q23B	Automotive Maintenance Technician	M	N
Q23C	Automotive Maintenance Technician	N	N
Q23D	Automotive Maintenance Technician	O	E
Q24A	Electrical Drafting Technician	M	N
Q24B	Electrical Drafting Technician	N	E
Q30A	Power Generation System Operator	M	N
Q30B	Power Generation System Operator	N	N
Q30C	Power Generation System Operator	O	E
Q30D	Power Generation System Operator	P	E
Q40A	Power Generation Coal Yard Equipment Operator	J	N
Q40B	Power Generation Coal Yard Equipment Operator	K	N
Q40C	Power Generation Coal Yard Equipment Operator	L	N
Q40D	Power Generation Coal Yard Equipment Operator	N	E
Q50A	GRDA Lake Patrol Officer	G	N
Q50B	GRDA Lake Patrol Officer	I	N
Q50C	GRDA Lake Patrol Officer	J	E
Q50D	GRDA Lake Patrol Officer	L	E
R10A	Environmental/Chemical Laboratory Scientist	J	N
R10B	Environmental/Chemical Laboratory Scientist	K	E
R10C	Environmental/Chemical Laboratory Scientist	L	E
R10D	Environmental/Chemical Laboratory Scientist	L	E
R20A	Environmental Programs Specialist	I	N
R20B	Environmental Programs Specialist	J	N
R20C	Environmental Programs Specialist	K	E
R20D	Environmental Programs Specialist	L	E
R21A	Pollution Response Programs Coordinator	J	E
R22A	Environmental Investigator	K	N
R22B	Environmental Investigator	L	E
R22C	Environmental Investigator	M	E
R22D	Environmental Investigator	N	E
R23A	Environmental Technician	G	N
R25A	Environmental Programs Manager	N	E
R25B	Environmental Programs Manager	O	E
R25C	Environmental Programs Manager	P	E
R25D	Environmental Programs Manager	Q	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
S10A	Engineer Intern	I	N
S10B	Engineer Intern	J	N
S10C	Engineer Intern	K	N
S10D	Engineer Intern	L	N
S10E	Engineer Intern	M	E
S11A	Professional Engineer	M	E
S11B	Professional Engineer	N	E
S11C	Professional Engineer	O	E
S12A	Engineering Manager	O	E
S12B	Engineering Manager	P	E
S12C	Engineering Manager	Q	E
S12D	Engineering Manager	R	E
S12E	Engineering Manager	R	E
S15A	Land Surveyor Intern	I	N
S15B	Land Surveyor Intern	K	N
S16A	Professional Land Surveyor	M	E
S16B	Professional Land Surveyor	N	E
S17A	Land Surveyor Manager	O	E
S17B	Land Surveyor Manager	P	E
S17C	Land Surveyor Manager	Q	E
T10A	Computer Aided Drafting and Design Specialist	F	N
T10B	Computer Aided Drafting and Design Specialist	G	N
T10C	Computer Aided Drafting and Design Specialist	I	N
T10D	Computer Aided Drafting and Design Specialist	J	N
T10E	Computer Aided Drafting and Design Specialist	K	N
T10F	Computer Aided Drafting and Design Specialist	M	E
T21A	Transportation Technician	F	N
T21B	Transportation Technician	G	N
T21C	Transportation Technician	H	N
T21D	Transportation Technician	I	E
T22A	Transportation Specialist	F	N
T22B	Transportation Specialist	G	E
T22C	Transportation Specialist	H	E
T22D	Transportation Specialist	J	E
T22E	Transportation Specialist	K	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
T22F	Transportation Specialist	L	E
T23A	Transportation Manager	M	E
T23B	Transportation Manager	N	E
T23C	Transportation Manager	O	E
T23D	Transportation Manager	P	E
T23E	Transportation Manager	Q	E
T25A	Transportation Equipment Operator	E	N
T25B	Transportation Equipment Operator	F	N
T25C	Transportation Equipment Operator	G	N
T25D	Transportation Equipment Operator	H	N
T26A	Transportation Superintendent	J	E
T26B	Transportation Superintendent	K	E
T27A	Highway Sign Fabricator	E	N
T27B	Highway Sign Fabricator	F	N
T27C	Highway Sign Fabricator	G	E
T40A	Airplane Pilot	K	E
T50A	Toll Collector	E	N
T50B	Toll Collector	F	N
T50C	Toll Collector	G	N
T50D	Toll Collector	J	E
T51A	Toll Operations Manager	L	E
T60A	Photogrammetrist	I	N
T60B	Photogrammetrist	J	N
T60C	Photogrammetrist	K	N
U10A	Historical Programs Administrator	O	E
U11A	Historic Facility Manager	I	N
U11B	Historic Facility Manager	J	E
U11C	Historic Facility Manager	K	E
U11D	Historic Facility Manager	M	E
U12A	Historical Collections Specialist	H	N
U12B	Historical Collections Specialist	I	N
U12C	Historical Collections Specialist	J	N
U12D	Historical Collections Specialist	K	E
U13A	Historical Interpreter	F	N
U13B	Historical Interpreter	H	N



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
U13C	Historical Interpreter	J	N
U14A	Historic Preservation Specialist	I	N
U14B	Historic Preservation Specialist	K	E
U14C	Historic Preservation Specialist	L	E
V10A	Tax Document Examiner	F	N
V10B	Tax Document Examiner	G	N
V10C	Tax Document Examiner	H	N
V10D	Tax Document Examiner	J	E
V11A	Revenue Compliance Officer	J	N
V11B	Revenue Compliance Officer	K	N
V11C	Revenue Compliance Officer	L	E
V12A	Motor Vehicle Research Specialist	F	N
V12B	Motor Vehicle Research Specialist	G	N
V12C	Motor Vehicle Research Specialist	H	N
V14A	Motor Vehicle Enforcement Officer	I	N
V14B	Motor Vehicle Enforcement Officer	J	N
V14C	Motor Vehicle Enforcement Officer	K	E
V17A	Revenue Compliance Examiner	F	N
V17B	Revenue Compliance Examiner	G	N
V20A	Taxpayer Services Representative	I	N
V20B	Taxpayer Services Representative	J	N
V20C	Taxpayer Services Representative	K	N
V20D	Taxpayer Services Representative	L	E
V30A	Assessment and Equalization Analyst	I	N
V30B	Assessment and Equalization Analyst	J	N
V30C	Assessment and Equalization Analyst	L	E
W10A	Workforce Services Specialist	F	N
W10B	Workforce Services Specialist	H	N
W10C	Workforce Services Specialist	I	N
W10D	Workforce Services Specialist	K	E
W15A	Employment Security Tax Enforcement Officer	J	N
W15B	Employment Security Tax Enforcement Officer	L	N
W15C	Employment Security Tax Enforcement Officer	L	N
W15D	Employment Security Tax Enforcement Officer	M	E
W16A	Employment Security Fraud Investigator	H	N



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
W16B	Employment Security Fraud Investigator	J	N
W16C	Employment Security Fraud Investigator	K	E
W20A	Program Representative	H	N
W20B	Program Representative	J	N
W20C	Program Representative	K	E
W31A	Executive Assistant to the Executive Director	O	E
X10A	Health Information Technician	G	N
X10B	Health Information Technician	H	E
X10C	Health Information Technician	I	E
X11A	Therapeutic/Medical Aide	D	N
X11B	Therapeutic/Medical Aide	E	N
X12A	Therapeutic/Medical Assistant	H	N
X12B	Therapeutic/Medical Assistant	J	N
X13A	Laboratory Technician	C	N
X13B	Laboratory Technician	E	N
X13C	Laboratory Technician	G	N
X14A	Laboratory Scientist	J	E
X14B	Laboratory Scientist	K	E
X14C	Laboratory Scientist	L	E
X14D	Laboratory Scientist	M	E
X15A	Records Management Specialist	J	N
X15B	Records Management Specialist	L	E
X16A	Records Management Administrator	N	E
X17A	Public Health Specialist	I	N
X17B	Public Health Specialist	J	N
X17C	Public Health Specialist	K	N
X17D	Public Health Specialist	L	E
X17E	Public Health Specialist	N	E
X19A	Dental Care Hygienist	H	N
X19B	Dental Care Hygienist	I	N
X20A	Health Educator	K	N
X20B	Health Educator	L	N
X20C	Health Educator	M	E
X21A	Audiologist	K	E
X21B	Audiologist	L	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
X21C	Audiologist	M	E
X22A	Speech-Language Pathologist	J	E
X22B	Speech-Language Pathologist	K	E
X22C	Speech-Language Pathologist	L	E
X22D	Speech-Language Pathologist	M	E
X23A	Alcohol and Drug Counselor	G	N
X23B	Alcohol and Drug Counselor	I	N
X23C	Alcohol and Drug Counselor	J	N
X23D	Alcohol and Drug Counselor	K	E
X24A	Dental Care Assistant	F	N
X24B	Dental Care Assistant	G	N
X25A	Pharmacy Technician	E	N
X25B	Pharmacy Technician	F	N
X25C	Pharmacy Technician	G	N
X26A	Pharmacist	K	E
X26B	Pharmacist	L	E
X26C	Pharmacist	M	E
X26D	Pharmacist	N	E
X27A	Epidemiologist	J	E
X27B	Epidemiologist	L	E
X27C	Epidemiologist	N	E
X27D	Epidemiologist	P	E
X28A	Health Planning Specialist	I	N
X28B	Health Planning Specialist	K	N
X28C	Health Planning Specialist	M	E
X29A	Health Facility Surveyor	I	N
X29B	Health Facility Surveyor	J	N
X29C	Health Facility Surveyor	K	N
X29D	Health Facility Surveyor	L	E
X30A	Music Therapist	I	E
X30B	Music Therapist	J	E
X30C	Music Therapist	K	E
X31A	Psychological Clinician	K	N
X31B	Psychological Clinician	M	E
X31C	Psychological Clinician	N	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
X31D	Psychological Clinician	N	E
X31E	Psychological Clinician	P	E
X32A	Child Development Specialist	I	N
X32B	Child Development Specialist	K	E
X32C	Child Development Specialist	L	E
X32D	Child Development Specialist	L	E
X33A	Occupational Therapist	K	E
X33B	Occupational Therapist	L	E
X33C	Occupational Therapist	M	E
X33D	Occupational Therapist	N	E
X34A	Physical Therapist	K	E
X34B	Physical Therapist	L	E
X34C	Physical Therapist	M	E
X34D	Physical Therapist	N	E
X35A	Recreational Activities Specialist	E	N
X35B	Recreational Activities Specialist	H	N
X35C	Recreational Activities Specialist	I	E
X36A	Recreation Therapist	H	N
X36B	Recreation Therapist	I	N
X36C	Recreation Therapist	J	N
X36D	Recreation Therapist	L	E
X37A	Respiratory Therapist	H	E
X37B	Respiratory Therapist	I	E
X38A	Disease Intervention Specialist	I	N
X38B	Disease Intervention Specialist	K	N
X38C	Disease Intervention Specialist	L	E
X39A	Director of Patient Activity Programs	N	E
X40A	Laboratory Administrator	N	E
X40B	Laboratory Administrator	P	E
X41A	Emergency Medical Services Administrator	K	E
X41B	Emergency Medical Services Administrator	L	E
X42A	Chief of Dental Health Services	P	E
X43A	Public Health Administrator	M	E
X44A	Assistant Deputy Commissioner, State Health Department	Q	E
X45A	Director of Professional Services	N	E



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
X45B	Director of Professional Services	O	E
X46A	Clinical Health Facility Surveyor	J	N
X46B	Clinical Health Facility Surveyor	K	N
X46C	Clinical Health Facility Surveyor	L	E
X46D	Clinical Health Facility Surveyor	M	E
X48A	Enforcement Analyst	M	E
Y10A	Patient Care Assistant	D	N
Y10B	Patient Care Assistant	E	N
Y10C	Patient Care Assistant	F	N
Y11A	Licensed Practical Nurse	G	N
Y11B	Licensed Practical Nurse	H	N
Y11C	Licensed Practical Nurse	I	N
Y11D	Licensed Practical Nurse	J	N
Y12A	Registered Nurse	J	E
Y12B	Registered Nurse	K	E
Y12C	Registered Nurse	M	E
Y13A	Nursing Manager	M	E
Y13B	Nursing Manager	N	E
Y13C	Nursing Manager	P	E
Y13D	Nursing Manager	Q	E
Y14A	Advanced Practice Nurse	M	E
Y14B	Advanced Practice Nurse	N	E
Y15A	Health Care Management Nurse	M	E
Y15B	Health Care Management Nurse	N	E
Y15C	Health Care Management Nurse	O	E
Z10A	Teaching Assistant	D	N
Z11A	Teacher	I	E
Z12A	Direct Care Specialist	E	N
Z12B	Direct Care Specialist	F	N
Z12C	Direct Care Specialist	G	N
Z12D	Direct Care Specialist	H	E
Z12E	Direct Care Specialist	I	E
Z13A	Transportation Officer	D	N
Z14A	Institutional Safety Coordinator	K	E
Z15A	Central Service Worker	D	N



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
Z16A	Educational Consultant	N	E
Z17A	Arts and Crafts Instructor	G	N
Z17B	Arts and Crafts Instructor	I	N
Z18A	Independent Living Instructor	G	N
Z18B	Independent Living Instructor	H	N
Z18C	Independent Living Instructor	I	E
Z18D	Independent Living Instructor	J	E
Z20A	Food Service Specialist	C	N
Z20B	Food Service Specialist	E	N
Z20C	Food Service Specialist	E	N
Z20D	Food Service Specialist	G	N
Z21A	Food Service Manager	H	E
Z21B	Food Service Manager	I	E
Z21C	Food Service Manager	J	E
Z24A	Nutrition Assistant	G	N
Z25A	Nutrition Therapist	J	E
Z25B	Nutrition Therapist	K	E
Z25C	Nutrition Therapist	L	E
Z25D	Nutrition Therapist	M	E
Z26A	Institutional Program Coordinator	L	E
Z26B	Institutional Program Coordinator	L	E
Z26C	Institutional Program Coordinator	M	E
Z27A	Institutional/Community Program Administrator	L	E
Z27B	Institutional/Community Program Administrator	N	E
Z27C	Institutional/Community Program Administrator	O	E
Z30A	Linen and Clothing Specialist	C	N
Z30B	Linen and Clothing Specialist	D	N
Z30C	Linen and Clothing Specialist	D	N
Z30D	Linen and Clothing Specialist	F	N
Z30E	Linen and Clothing Specialist	H	E
Z40A	Personal Grooming Specialist	F	N
Z40B	Personal Grooming Specialist	G	N
Z50A	Volunteer Services Specialist	H	N
Z50B	Volunteer Services Specialist	I	E
Z51A	Youth Guidance Specialist	E	N



<b>Job Code</b>	<b>Job Title</b>	<b>Pay Band</b>	<b>Exempt Status</b>
Z51B	Youth Guidance Specialist	F	N
Z51C	Youth Guidance Specialist	G	N
Z51D	Youth Guidance Specialist	H	E
Z52A	Chaplain	I	E
Z52B	Chaplain	J	E
Z52C	Chaplain	K	E
Z53A	Chaplain Assistant	F	N

