

2. Administrative Exemption Criteria (5 CFR 551.206)

- ☐ Primary duty is performance of office or non-manual work directly related to the management or general business functions. The work involves the exercise of discretion and independent judgment with respect to matters of significance.

3. Professional Exemption Criteria (5 CFR 551: 208, 209, 210)

- ☐ 5 CFR 551.208 Learned Professionals: Primary duty is performance of work requiring advanced knowledge in a field of science or learning including the traditional professions of law, medicine, theology, accounting, actuarial computation, engineering, architecture, teaching, pharmacy, various types of physical, chemical and biological sciences, and other similar occupations that have a recognized professional status; entrance into these professions requires a prolonged course of specialized intellectual instruction.
- ☐ 5 CFR 551.209 Creative Professionals: Primary duty is performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor such as music, acting, writing, and the graphic arts. Exemption depends upon the extent of invention, imagination, originality or talent of the employee; exemption does not apply to work that can be produced by a person with general manual or intellectual ability and training.
- ☐ 5 CFR 551.210 Computer Employees: Primary duty consists of the application of systems analysis techniques and procedures, including consulting with users to determine hardware, software or system functions specifications; OR design development, documentation, analysis, creation, testing or modification of computer systems or programs; OR a combination of these duties. Exemption does not apply to employees engaged in the manufacture or repair of computer hardware and related equipment or to those whose work is highly reliant on computers but whose duties do not consist of the aforementioned. Salary based exemption applies to any computer professional compensated on an hourly bases at a rate of basic pay of \$27.63 an hour and above.

4. Law Enforcement Activities (5 CFR 551.216)

- ☐ Special exemption/exclusion applies to all law enforcement agents receiving availability pay.

5. Foreign Exemption Criteria (5 CFR 551.212)

- ☐ Employees permanently stationed in an exempt area and spend all hours of work in a given work week in one or more exempt areas or employees not permanently stationed in an exempt area, but spend all hours of work in a given work week in one or more exempt areas. Exempt area means any foreign country, or any territory under the jurisdiction of the United States other than a State; the District of Columbia; Puerto Rico; the US Virgin Islands; American Samoa; Guam; Commonwealth of the Northern Mariana Islands; Midway Atoll; Wake Island; Johnston Island; and Palmyra (5 CFR 104).

Final Determination (check one): ☐ Non-Exempt ☐ Exempt

HR Specialist: \_\_\_\_\_ Date: \_\_\_\_\_

REMARKS: